

電気通信事業法

Telecommunications Business Act

(昭和五十九年十二月二十五日法律第八十六号)
(Act No. 86 of December 25, 1984)

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第一章 総則

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(目的)

(Purpose)

第一条 この法律は、電気通信事業の公共性に鑑み、その運営を適正かつ合理的なものとするとともに、その公正な競争を促進することにより、電気通信役務の円滑な提供を確保するとともにその利用者等の利益を保護し、もって電気通信の健全な発達及び国民の利便の確保を図り、公共の福祉を増進することを目的とする。

Article 1 The purpose of this Act is to ensure the smooth provision of telecommunications services and protection of the interests of the users and other persons of those services through ensuring the proper and reasonable operation of telecommunications services and promoting fair competition in consideration of the public nature of telecommunications business, thereby ensuring the sound development of telecommunications, making the lives of

the people more convenient and improving public welfare.

(定義)

(Definitions)

第二条 この法律において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 2 In this Act, the meanings of the following terms are as prescribed in the items:

一 電気通信 有線、無線その他の電磁的方式により、符号、音響又は影像を送り、伝え、又は受けることをいう。

(i) "telecommunication" means transmitting, relaying or receiving codes, sounds or images by utilizing wire, radio or other electronic or magnetic forms;

二 電気通信設備 電気通信を行うための機械、器具、線路その他の電气的設備をいう。

(ii) "telecommunications facilities" mean machines, equipment, wires and cables or other electrical facilities for conducting telecommunications;

三 電気通信役務 電気通信設備を用いて他人の通信を媒介し、その他電気通信設備を他人の通信の用に供することをいう。

(iii) "telecommunications service" means intermediating other persons' communications through the use of telecommunications facilities, or otherwise providing telecommunications facilities for use in other persons' communications;

四 電気通信事業 電気通信役務を他人の需要に応ずるために提供する事業（放送法（昭和二十五年法律第百三十二号）第百十八条第一項に規定する放送局設備供給業務に係る事業を除く。）をいう。

(iv) "telecommunications business" means the business involved in providing telecommunications services in order to meet the demands of other persons (except for business involved in service supplying facilities for broadcasting stations as prescribed in Article 118, paragraph (1) of the Broadcasting Act (Act No. 132 of 1950));

五 電気通信事業者 電気通信事業を営むことについて、第九条の登録を受けた者及び第十六条第一項（同条第二項の規定により読み替えて適用する場合を含む。）の規定による届出をした者をいう。

(v) "telecommunications carrier" means the person that has obtained the registration set forth in Article 9 to operate telecommunications business, and the person that has filed a notification under Article 16, paragraph (1) (including as applied pursuant to the provisions of Article 16, paragraph (2) following the deemed replacement of terms);

六 電気通信業務 電気通信事業者の行う電気通信役務の提供の業務をいう。

(vi) "telecommunications operations" mean operations conducted by a

telecommunications carrier to provide telecommunications services; and
七 利用者 次のイ又はロに掲げる者をいう。

(vii) "users" mean the persons listed in (a) or (b) below:

イ 電気通信事業者又は第百六十四条第一項第三号に掲げる電気通信事業（以下「第三号事業」という。）を営む者との間に電気通信役務の提供を受ける契約を締結する者その他これに準ずる者として総務省令で定める者

(a) a person who concludes a contract with a telecommunications carrier or a person that conducts telecommunications business listed in Article 164, paragraph (1), item (iii) (hereinafter referred to as "item (iii) business") under which they are provided with telecommunications services, and other persons equivalent to them specified by Order of the Ministry of Internal Affairs and Communications; or

ロ 電気通信事業者又は第三号事業を営む者から電気通信役務（これらの者が営む電気通信事業に係るものに限る。）の提供を受ける者（イに掲げる者を除く。）

(b) a person (except for those listed in (a) above) who receives telecommunications services from a telecommunications carrier or a person conducting the item (iii) business (limited to the telecommunications services provided through the telecommunications business conducted by the telecommunications carrier or the person conducting the item (iii) business).

（検閲の禁止）

(Prohibition of Censorship)

第三条 電気通信事業者の取扱中に係る通信は、検閲してはならない。

Article 3 Communications handled by a telecommunications carrier must not be censored.

（秘密の保護）

(Protection of Secrecy)

第四条 電気通信事業者の取扱中に係る通信の秘密は、侵してはならない。

Article 4 (1) The secrecy of communications handled by a telecommunications carrier must not be violated.

2 電気通信事業に従事する者は、在職中電気通信事業者の取扱中に係る通信に関して知り得た他人の秘密を守らなければならない。その職を退いた後においても、同様とする。

(2) A person who is engaged in telecommunications business must not disclose other persons' secrets which came to their knowledge while in service with respect to communications handled by a telecommunications carrier. The same applies even after that person has left office.

（電気通信事業に関する条約）

(Treaties on Telecommunications Business)

第五条 電気通信事業に関し条約に別段の定めがあるときは、その規定による。

Article 5 If the provisions are otherwise provided in treaties with respect to telecommunications business, those provisions prevail over those of this Act.

第二章 電気通信事業

Chapter II Telecommunications Business

第一節 総則

Section 1 General Provisions

(利用の公平)

(Fairness in Use)

第六条 電気通信事業者は、電気通信役務の提供について、不当な差別的取扱いをしてはならない。

Article 6 A telecommunications carrier must not engage in unfair and discriminatory treatment with regard to the provision of telecommunications services.

(基礎的電気通信役務の提供)

(Provision of Universal Telecommunications Services)

第七条 基礎的電気通信役務（国民生活に不可欠であるためあまねく日本全国における提供が確保されるべき次に掲げる電気通信役務をいう。以下同じ。）を提供する電気通信事業者は、その適切、公平かつ安定的な提供に努めなければならない。

Article 7 A telecommunications carrier that provides universal telecommunications services (meaning telecommunications services listed below that are to be provided nationwide due to their indispensability to the daily lives of the people; hereinafter the same applies) must make efforts to provide the services in an appropriate, fair and stable manner:

一 電話に係る電気通信役務であつて総務省令で定めるもの（以下「第一号基礎的電気通信役務」という。）

(i) Telecommunications services specified by Order of the Ministry of Internal Affairs and Communications for telephones (hereinafter referred to as "item (i) universal telecommunications service");

二 高速度データ伝送電気通信役務（その一端が利用者の電気通信設備と接続される伝送路設備及びこれと一体として設置される電気通信設備であつて、符号、音響又は影像を高速度で送信し、及び受信することが可能なもの（専らインターネットへの接続を可能とする電気通信役務を提供するために設置される電気通信設備として総務省令で定めるものを除く。）を用いて他人の通信を媒介する電気通信役務をいう。第百十条の五第一項において同じ。）であつて総務省令で定めるもの（以下「第二号基礎的電気通信役務」という。）

(ii) high-speed data transmission telecommunications services (meaning

telecommunications service that mediates the communication of others utilizing transmission line facilities that are connected at one end with the user's telecommunications facilities and telecommunications facilities that are installed as their integral part, that are both capable of transmitting and receiving codes, sounds, or images at a high speed (excluding those specified by Order of the Ministry of Internal Affairs and Communications as telecommunications facilities installed exclusively for providing telecommunications services that enable connection to the Internet); the same applies in Article 110-5, paragraph (1)) specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as "item (ii) universal telecommunications service").

(重要通信の確保)

(Securing of Essential Communications)

第八条 電気通信事業者は、天災、事変その他の非常事態が発生し、又は発生するおそれがあるときは、災害の予防若しくは救援、交通、通信若しくは電力の供給の確保又は秩序の維持のために必要な事項を内容とする通信を優先的に取り扱わなければならない。公共の利益のため緊急に行うことを要するその他の通信であつて総務省令で定めるものについても、同様とする。

Article 8 (1) If a natural disaster, serious event, or any other emergency occurs or is likely to occur, a telecommunications carrier must give priority to communications regarding matters that are necessary for prevention of a disaster or related relief efforts, for securing transportation, communications or electric power supply, or for maintaining the public order. The same applies to other communications specified by Order of the Ministry of Internal Affairs and Communications that are conducted in an urgent manner for the public interest.

2 前項の場合において、電気通信事業者は、必要があるときは、総務省令で定める基準に従い、電気通信業務の一部を停止することができる。

(2) In the cases set forth in the preceding paragraph, if necessary, a telecommunications carrier may suspend part of its telecommunications operations in accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications.

3 電気通信事業者は、第一項に規定する通信（以下「重要通信」という。）の円滑な実施を他の電気通信事業者と相互に連携を図りつつ確保するため、他の電気通信事業者と電気通信設備を相互に接続する場合には、総務省令で定めるところにより、重要通信の優先的な取扱いについて取り決めることその他の必要な措置を講じなければならない。

(3) If a telecommunications carrier interconnects its telecommunications facilities with another telecommunications carrier's telecommunications facilities in order to ensure the implementation of the communications set

forth in paragraph (1) (hereinafter referred to as "essential communications") in a smooth manner while trying to achieve mutual corporation, it must conclude an agreement for preferential treatment of essential communications or take other necessary measures pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

第二節 電気通信事業の登録等

Section 2 Registration of Telecommunications Business

(電気通信事業の登録)

(Registration of Telecommunications Business)

第九条 電気通信事業を営もうとする者は、総務大臣の登録を受けなければならない。ただし、次に掲げる場合は、この限りでない。

Article 9 A person that intends to conduct telecommunications business must obtain registration from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to the following cases:

一 その者の設置する電気通信回線設備（送信の場所と受信の場所との間を接続する伝送路設備及びこれと一体として設置される交換設備並びにこれらの附属設備をいう。以下同じ。）の規模及び当該電気通信回線設備を設置する区域の範囲が総務省令で定める基準を超えない場合

(i) the scale of telecommunications line facilities (meaning transmission line facilities that interconnect places of transmission with places of reception, switching facilities installed as an integral part of these, and their adjunct facilities; hereinafter the same applies) installed by the person and the scope of areas where the telecommunications line facilities are installed do not exceed the standards specified by Order of the Ministry of Internal Affairs and Communications;

二 その者の設置する電気通信回線設備が電波法（昭和二十五年法律第百三十一号）第七条第二項第六号に規定する基幹放送に加えて基幹放送以外の無線通信の送信をする無線局の無線設備である場合（前号に掲げる場合を除く。）

(ii) the telecommunications line facilities installed by the person are wireless broadcasting facilities for a wireless broadcasting station prescribed in Article 7, paragraph (2), item (vi) of the Radio Act (Act No. 131 of 1950) which transmits information in wireless communications other than basic broadcasting in addition to conducting the basic broadcasting (except for the case listed in the preceding item).

第十条 前条の登録を受けようとする者は、総務省令で定めるところにより、次の事項を記載した申請書を総務大臣に提出しなければならない。

Article 10 (1) A person that intends to obtain a registration as set forth in the preceding Article must file a written application describing the following

particulars with the Minister for Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 外国法人等（外国の法人及び団体並びに外国に住所を有する個人をいう。以下この章及び第百十八条第四号において同じ。）にあつては、国内における代表者又は国内における代理人の氏名又は名称及び国内の住所

(ii) in cases of a foreign corporation, organization, or individual (meaning a corporation or organization based abroad, or an individual with an address abroad; hereinafter the same applies in this Chapter and Article 118, item (iv)), the name and address of their domestic representative or domestic agent;

三 業務区域

(iii) service areas;

四 電気通信設備の概要

(iv) outline of telecommunications facilities; and

五 その他総務省令で定める事項

(v) other particulars specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の申請書には、第十二条第一項第一号から第三号までに該当しないことを誓約する書面その他総務省令で定める書類を添付しなければならない。

(2) The written application set forth in the preceding paragraph must be accompanied by a document in which the relevant person pledges that it does not fall under Article 12, paragraph (1), items (i) through (iii), and other documents specified by Order of the Ministry of Internal Affairs and Communications.

(登録の実施)

(Implementation of Registration)

第十一条 総務大臣は、第九条の登録の申請があつた場合においては、次条第一項の規定により登録を拒否する場合を除き、次の事項を電気通信事業者登録簿に登録しなければならない。

Article 11 (1) If an application for the registration set forth in Article 9 is filed, the Minister for Internal Affairs and Communications must register the following particulars in a register for telecommunications carriers, except for cases in which the Minister refuses the registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) registration date and registration number.

2 総務大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を申請者に通知しなければならない。

(2) If the Minister for Internal Affairs and Communications has made a registration under the preceding paragraph, the Minister must notify the applicant to that effect without delay.

(登録の拒否)

(Refusal of Registration)

第十二条 総務大臣は、第十条第一項の申請書を提出した者が次の各号のいずれかに該当するとき、又は当該申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 12 (1) If a person that has filed a written application set forth in Article 10, paragraph (1) falls under any of the following items, or the written application or its accompanying document includes a false entry on any important particulars or fails to describe any material fact, the Minister for Internal Affairs and Communications must refuse the registration:

一 この法律、有線電気通信法（昭和二十八年法律第九十六号）若しくは電波法又はこれらに相当する外国の法令の規定により罰金以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者

(i) a person that was sentenced to a fine or heavier punishment (including equivalent punishment by foreign law) pursuant to the provisions of this Act, the Wire Telecommunications Act (Act No. 96 of 1953), the Radio Act, or other equivalent foreign law, if two years have not passed since the date on which the enforcement of the punishment was completed or ceased to be applicable;

二 第十四条第一項の規定により登録の取消しを受け、その取消しの日から二年を経過しない者又はこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。第五十条の三第二号において同じ。）の取消しを受け、その取消しの日から二年を経過しない者

(ii) a person whose registration was revoked pursuant to the provisions of Article 14, paragraph (1), if two years have not passed from the date of revocation; or a person whose similar registration in a foreign country was revoked pursuant to a foreign law equivalent to this Act (including permission or other administrative disposition similar to the relevant registration; hereinafter the same applies to Article 50-3, item (ii)), if two years have not passed from the date of revocation;

三 法人又は団体であつて、その役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation or organization for which any of its officers falls under any of the preceding two items;

四 外国法人等であつて国内における代表者又は国内における代理人を定めていない者

(iv) a foreign corporation, organization, or individual that has not designated a domestic representative or domestic agent; or

五 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者

(v) a person whose telecommunications business is found to be inappropriate for the sound development of telecommunications.

2 総務大臣は、前項の規定により登録を拒否したときは、文書によりその理由を付して通知しなければならない。

(2) If the Minister for Internal Affairs and Communications has refused registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect in writing together with the reasons.

(登録の更新)

(Renewal of Registration).

第十二条の二 第九条の登録は、次に掲げる事由が生じた場合において、当該事由が生じた日から起算して三月以内にその更新を受けなかつたときは、その効力を失う。

Article 12-2 (1) The registration referred to in Article 9 ceases to have effect if any of the following conditions occurs and the registration is not renewed within three months from the date of the occurrence of the condition:

一 第九条の登録を受けた者が設置する電気通信設備が、第三十三条第一項の規定により新たに指定をされたとき（その者が設置する他の電気通信設備が同項の規定により既に指定をされているときを除く。）、又は第三十四条第一項の規定により新たに指定をされたとき（その者が設置する他の電気通信設備が同項の規定により既に指定をされているときを除く。）。

(i) a telecommunications facility installed by a person registered pursuant to Article 9 newly receives the designation under Article 33, paragraph (1) (excluding cases in which any other telecommunications facility installed by the person has already received the designation under that paragraph), or newly receives the designation under Article 34, paragraph (1) (excluding cases in which any other telecommunications facility installed by the person has already received the designation under that paragraph);

二 第九条の登録を受けた者（第一種指定電気通信設備（第三十三条第二項に規定する第一種指定電気通信設備をいう。以下第三十一条までにおいて同じ。）又は第二種指定電気通信設備（第三十四条第二項に規定する第二種指定電気通信設備をいう。第四項第二号ハ及び第三十条第一項において同じ。）を設置する電気通信事業者た

る法人である場合に限る。以下この項において同じ。) が、次のいずれかに該当するとき。

(ii) a person that has been registered pursuant to the provisions of Article 9 (limited to a corporation that is a telecommunications carrier installing Category I designated telecommunications facilities (meaning Category I designated telecommunications facilities as defined in Article 33, paragraph (2); hereinafter the same applies to all Articles through Article 31) or Category II designated telecommunications facilities (meaning Category II designated telecommunications facilities as defined in Article 34, paragraph (2); the same applies to paragraph (4), item (ii), (c) of this Article and Article 30, paragraph (1)); the same applies in this paragraph) falls under any of the following conditions:

イ その特定関係法人以外の者（特定電気通信設備を設置する者に限る。以下この項において同じ。）と合併（合併後存続する法人が当該第九条の登録を受けた者である場合に限る。）をしたとき。

(a) the relevant person is merged (limited to a merger in which the person registered under Article 9 is the surviving corporation) with another person (limited to a person installing specified telecommunications facilities; the same applies in this paragraph) that is not a corporation with a specific affiliation to the relevant person;

ロ その特定関係法人以外の者から分割により電気通信事業（当該特定電気通信設備を用いて電気通信役務を提供する電気通信事業に限る。以下この項において同じ。）の全部又は一部を承継したとき。

(b) upon the split, the relevant person succeeds to all or part of the telecommunications business (limited to telecommunications business to provide telecommunications services using specified telecommunications facilities; hereinafter the same applies in this paragraph) of another person that is not a corporation with a specific affiliation to the relevant person; or

ハ その特定関係法人以外の者から電気通信事業の全部又は一部を譲り受けたとき。

(c) the relevant person acquires all or part of the telecommunications business through transfer from another person that is not a corporation with a specific affiliation to the relevant person;

三 第九条の登録を受けた者の特定関係法人が、次のいずれかに該当するとき（当該同条の登録を受けた者の特定関係法人が引き続いて当該同条の登録を受けた者の特定関係法人である場合に限る。）。

(iii) a corporation with a specific affiliation to a person registered under Article 9 falls under any of the following conditions (limited to the cases in which the status as a corporation with a specific affiliation to the person registered under that Article remains the same after the occurrence of the condition):

イ 当該第九条の登録を受けた者の特定関係法人以外の者（当該同条の登録を受け

た者を除く。ロ及びハにおいて同じ。)と合併(合併後存続する法人が当該同条の登録を受けた者の特定関係法人である場合に限る。)をしたとき。

(a) it is merged (limited to a merger in which it is the surviving corporation) with a corporation other than one with a specific affiliation to the person registered under Article 9 (that corporation excludes a person registered under that Article; the same applies in (b) and (c));

ロ 当該第九条の登録を受けた者の特定関係法人以外の者から分割により電気通信事業の全部又は一部を承継したとき。

(b) upon the split, it succeeds to all or part of the telecommunications business of a corporation other than one with a specific affiliation to the person registered under Article 9; or

ハ 当該第九条の登録を受けた者の特定関係法人以外の者から電気通信事業の全部又は一部を譲り受けたとき。

(c) it acquires all or part of the telecommunications business through transfer from a corporation other than one with a specific affiliation to the person registered under Article 9; or

四 第九条の登録を受けた者の特定関係法人以外の者が、当該同条の登録を受けた者の特定関係法人となつたとき。

(iv) a person other than a corporation with a specific affiliation to the person registered under Article 9 becomes that corporation with a specific affiliation to the person registered under that Article.

2 前三条の規定は、前項の登録の更新について準用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(2) The provisions of the preceding three Articles apply mutatis mutandis to the renewal of registration under the preceding paragraph. In this case, the terms in the middle column of the table below which are used in the provisions in its left column are deemed to be replaced with the terms in its right column.

第十一条第一項第二号 Article 11, paragraph (1), item (ii)	登録年月日及び Registration date and	登録及びその更新の年月 日並びに Registration date and its renewal date, and
前条第一項 paragraph (1) of the preceding Article	各号 each item	各号(第二号にあつて は、この法律に相当する 外国の法令の規定に係る 部分に限る。) each item (item (ii) is limited to parts related to provisions of foreign laws equivalent to this Act.)

<p>五 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者 (v) any person whose telecommunications business is found to not be appropriate for the sound development of telecommunications</p>	<p>五 その電気通信事業を適確に遂行するに足りる経理的基礎を有しないと認められる者 (v) any person who is found to not have sufficient financial basis to conduct telecommunications businesses properly 六 その電気通信事業を適確に遂行するに足りる体制の整備（第三十三条第二項に規定する第一種指定電気通信設備を設置する電気通信事業者にあつては、第三十一条第六項に規定する体制の整備を含む。）が行われていないと認められる者 (vi) any person who is found to not perform sufficient maintenance of systems necessary for conducting telecommunications businesses properly (including maintenance of systems stipulated in Article 31 paragraph (6), for a telecommunications carrier installing Category I designated telecommunications facilities defined in Article 33, paragraph (2)) 七 その電気通信事業が電気通信の健全な発達のために適切でないと認められる者 (vii) any person whose telecommunications business is found to not be appropriate for the sound development of telecommunications</p>
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3 第一項の登録の更新の申請があつた場合において、同項に規定する期間内に当該申請に対する処分がされないときは、第九条の登録は、当該期間の経過後も当該処分がされるまでの間は、なおその効力を有する。

(3) If a request for the renewal of the registration is filed pursuant to paragraph (1), and the processing of the requested renewal is not completed by the end of the period specified in that paragraph, the registration under Article 9 remains in force until the process is completed, even after the expiration of that period.

4 第一項において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(4) In paragraph (1), the meanings of the following terms are as prescribed in those items:

一 特定関係法人 電気通信事業者たる法人との間に次に掲げる関係がある法人をいう。

(i) a corporation with a specific affiliation: a corporation that has any of the following relationships to another corporation which is a telecommunications carrier:

イ 当該法人が当該電気通信事業者たる法人の子会社等（会社法（平成十七年法律第八十六号）第二条第三号の二に規定する子会社等をいう。ロ及びハにおいて同じ。）であること。

(a) it is a subsidiary or equivalent (a subsidiary or equivalent as prescribed in Article 2, item (iii)-2 of the Companies Act (Act No.86 of 2005); the same applies in (b) and (c) below) of that other corporation which is a telecommunications carrier;

ロ 当該電気通信事業者たる法人が当該法人の子会社等であること。

(b) that other corporation which is a telecommunications carrier is its subsidiary or equivalent;

ハ 当該法人が当該電気通信事業者たる法人を子会社等とする法人の子会社等（当該電気通信事業者たる法人及び当該電気通信事業者たる法人との間にイ又はロに掲げる関係がある法人を除く。）であること。

(c) it is a subsidiary or equivalent of a corporation which holds that other corporation which is a telecommunications carrier as a subsidiary or equivalent (excluding that other corporation which is a telecommunications carrier, and a corporation which has either of the relationships prescribed in (a) and (b) with that other corporation which is a telecommunications carrier); or

ニ イからハまでに掲げるもののほか、政令で定める特殊の関係

(d) beyond what is set forth in (a) through (c), the relevant corporation has any special relationship as specified by Cabinet Order; and

二 特定電気通信設備 次に掲げる電気通信設備をいう。

(ii) specified telecommunications facilities: any of the following facilities:

イ 第一種指定電気通信設備

(a) Category I designated telecommunications facilities;

ロ その一端が利用者の電気通信設備（移動端末設備（利用者の電気通信設備であつて、移動する無線局の無線設備であるものをいう。以下同じ。）を除く。）と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備の電気通信回線の数の、その伝送路設備が設置される都道府県の区域内に設置される全ての同種の伝送路設備の電気通信回線の数のうちに占める割合として第三十三条第一項の総務省令で定める方法により算定した割合が、同項の総務省令で定める割合を超えない範囲内で総務省令で定める割合を超えるもの及び当該電気通信事業者が当該伝送路設備を用いる電気通信役務を提供するために設置する電気通信設備であつて同項の総務省令で定めるものの総体（イに掲げるものを除く。）のうち、総務大臣が総務省令で定めるところにより指定する電気通信設備

(b) telecommunications facilities designated by the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of the Internal Affairs and Communications among the aggregates (excluding those prescribed in (a) above) of the following: transmission line facilities which are installed by a single telecommunications carrier and are interconnected to the user's telecommunications facilities (excluding mobile terminal facilities (meaning user's telecommunications facilities that are the wireless broadcasting facilities of moving wireless broadcasting stations; the same applies hereinafter)) at one end, and whose telecommunication lines come to account for a proportion that is calculated by the method specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 33, paragraph (1) as the proportion of the number of telecommunications lines of all transmission line facilities of the same type installed within the prefecture in which those transmission line facilities are to be installed, and that exceeds the proportion specified by Order of the Ministry of Internal Affairs and Communications within a range not exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications in Article 33, paragraph (1); and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 33, paragraph (1) which are installed by the telecommunications carrier to provide telecommunications services using those transmission line facilities;

ハ 第二種指定電気通信設備

(c) Category II designated telecommunications facilities; or

ニ その一端が特定移動端末設備（総務省令で定める移動端末設備をいう。以下このニ及び第三十四条第一項において同じ。）と接続される伝送路設備のうち同一

の電気通信事業者が設置するものであつて、その伝送路設備に接続される特定移動端末設備の数の、その伝送路設備を用いる電気通信役務に係る業務区域と同一の区域内に設置されている全ての同種の伝送路設備に接続される特定移動端末設備の数のうちに占める割合が、同項の総務省令で定める割合を超えない範囲内で総務省令で定める割合を超えるもの及び当該電気通信事業者が当該電気通信役務を提供するために設置する電気通信設備であつて同項の総務省令で定めるものの総体（ハに掲げるものを除く。）のうち、総務大臣が総務省令で定めるところにより指定する電気通信設備

- (d) telecommunications facilities designated by the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of the Internal Affairs and Communications among aggregates (excluding those prescribed in (c) above) of the following: transmission line facilities which are installed by a single telecommunications carrier and are interconnected to specified mobile terminal facilities (meaning mobile terminal facilities specified by Order of the Ministry of Internal Affairs and Communications; the same applies in this (d) and Article 34, paragraph (1)) at one end, and whose specified mobile terminal facilities represent a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications within a range not exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications in Article 34, paragraph (1) of the total number of specified mobile terminal facilities interconnected to all transmission line facilities of the same type installed within the same service area for the telecommunications services provided by using the relevant transmission line facilities; and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 34, paragraph (1) which are installed by the telecommunications carrier in order to provide the telecommunications services.

(変更登録等)

(Registration of Changes)

第十三条 第九条の登録を受けた者は、第十条第一項第三号又は第四号の事項を変更しようとするときは、総務大臣の変更登録を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 13 (1) If a person that has obtained the registration set forth in Article 9 intends to change any of the particulars set forth in Article 10, paragraph (1), item (iii) or (iv), the person must obtain a registration of the change from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 第九条の登録を受けた者が第百六十四条第一項第三号の規定により新たに指定をさ

れた場合において、当該指定により第十条第一項第三号の事項に変更が生じたときにおける前項の規定の適用については、同項中「を変更しようとするときは」とあるのは、「に変更が生じたときは、第百六十四条第一項第三号の規定により新たに指定をされた日から一月以内に」とする。

(2) With regard to the application of the provision of the preceding paragraph in the case in which a person registered under Article 9 has been newly designated pursuant to the provision of Article 164, paragraph (1), item (iii) and a change has occurred in the matters set forth in Article 10, paragraph (1), item (iii) due to that designation, the phrase "If a person that has obtained the registration set forth in Article 9 intends to change any of the particulars set forth in Article 10, paragraph (1), item (iii) or (iv), the person must obtain a registration of the change from the Minister for Internal Affairs and Communications" in the preceding paragraph is deemed to be replaced with "If there is any change to the particulars set forth in Article 10, paragraph (1), item (iii) or (iv), the person must obtain a registration of the change from the Minister for Internal Affairs and Communications within one month from the date newly designated pursuant to the provision of Article 164, paragraph (1), item (iii)".

3 第一項（前項の規定により読み替えて適用する場合を含む。第百八十六条第一号を除き、以下同じ。）の変更登録を受けようとする者は、総務省令で定めるところにより、変更に係る事項を記載した申請書を総務大臣に提出しなければならない。

(3) A person that intends to obtain the registration of the change set forth in the paragraph (1) (including as applied pursuant to the provisions of the preceding paragraph following the deemed replacement of terms; the same applies hereinafter except for Article 186, item (i)) must file a written application describing the particulars subject to the change with the Minister for Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 第十条第二項、第十一条及び第十二条の規定は、第一項の変更登録について準用する。この場合において、第十一条第一項中「次の事項」とあるのは「変更に係る事項」と、第十二条第一項中「第十条第一項の申請書を提出した者が次の各号」とあるのは「変更登録に係る申請書を提出した者が次の各号（第二号にあつては、この法律に相当する外国の法令の規定に係る部分に限る。）」と読み替えるものとする。

(4) The provisions of Article 10, paragraph (2), Article 11, and Article 12 apply mutatis mutandis to the registration of the change as set forth in paragraph (1). In this case, the term "the following particulars" in Article 11, paragraph (1) is deemed to be replaced with "the particulars subject to the change"; and the term "If a person that has filed a written application set forth in Article 10, paragraph (1) falls under any of the following items" in Article 12, paragraph (1) is deemed to be replaced with "If a person that has filed a written application for registration of a change falls under any of the following items

(item (ii) is limited to parts related to provisions for foreign laws equivalent to this Act)".

5 第九条の登録を受けた者は、第十条第一項第一号、第二号若しくは第五号の事項に変更があつたとき、又は第一項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。その届出があつた場合には、総務大臣は、遅滞なく、当該登録を変更するものとする。

(5) If a person that has obtained the registration as set forth in Article 9 has changed any of the particulars set forth in Article 10, paragraph (1), item (i), (ii), or (v), or has made any minor changes specified by Order of the Ministry of Internal Affairs and Communications as set forth in the proviso of paragraph (1), the person must notify the Minister for Internal Affairs and Communications to that effect without delay. If that notification is filed, the Minister is to change the registration without delay.

(登録の取消し)

(Revocation of Registration)

第十四条 総務大臣は、第九条の登録を受けた者が次の各号のいずれかに該当するときは、同条の登録を取り消すことができる。

Article 14 (1) If a person that has obtained the registration as set forth in Article 9 falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the registration set forth in that Article:

一 当該第九条の登録を受けた者がこの法律又はこの法律に基づく命令若しくは処分に違反した場合において、公共の利益を阻害すると認めるとき。

(i) if the person that has obtained the registration set forth in Article 9 violates this Act or any order or disposition made under this Act, and is found to impair the public interest;

二 不正の手段により第九条の登録、第十二条の二第一項の登録の更新又は前条第一項の変更登録を受けたとき。

(ii) if the person has obtained the registration as set forth in Article 9, the renewal of the registration set forth in Article 12-2, paragraph (1), or the registration of the change set forth in paragraph (1) of the preceding Article, through wrongful means; or

三 第十二条第一項第一号から第四号まで（第二号にあつては、この法律に相当する外国の法令の規定に係る部分に限る。）のいずれかに該当するに至つたとき。

(iii) if the person falls under any of Article 12, paragraph (1), items (i) through (iv) (item (ii) is limited to parts related to provisions of foreign laws equivalent to this Act).

2 第十二条第二項の規定は、前項の場合に準用する。

(2) The provisions of Article 12, paragraph (2) apply mutatis mutandis to cases set forth in the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第十五条 総務大臣は、第十八条の規定による電気通信事業の全部の廃止若しくは解散の届出があつたとき、第十二条の二第一項の規定により登録がその効力を失つたとき、又は前条第一項の規定による登録の取消しをしたときは、当該第九条の登録を受けた者の登録を抹消しなければならない。

Article 15 If a notification of the total discontinuation of telecommunications business or a notification of dissolution is filed pursuant to the provisions of Article 18, the registration ceases to have effect pursuant to the provisions of Article 12-2, paragraph (1), or if the Minister for Internal Affairs and Communications revokes the registration pursuant to the provisions of paragraph (1) of the preceding Article, the Minister must delete the registration of the relevant person that has obtained the registration set forth in Article 9.

(電気通信事業の届出)

(Notification of Telecommunications Business)

第十六条 電気通信事業を営もうとする者（第九条の登録を受けるべき者を除く。）は、総務省令で定めるところにより、次の事項を記載した書類を添えて、その旨を総務大臣に届け出なければならない。

Article 16 (1) A person that intends to conduct telecommunications business (except for a person that should obtain registration as set forth in Article 9) must file a notification to that effect with the Minister for Internal Affairs and Communications, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, by attaching documents describing the following particulars to it:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 外国法人等にあつては、国内における代表者又は国内における代理人の氏名又は名称及び国内の住所

(ii) in cases of a foreign corporation, organization, or individual, the name and address of their domestic representative or domestic agent;

三 業務区域

(iii) service areas;

四 電気通信設備の概要（第四十四条第一項に規定する事業用電気通信設備を設置する場合に限る。）

(iv) outline of telecommunications facilities (limited to the cases in which the person installs telecommunications facilities for the use of telecommunications business set forth in Article 44, paragraph (1)); and

五 その他総務省令で定める事項

- (v) other particulars specified by Order of the Ministry of Internal Affairs and Communications.
- 2 電気通信事業者以外の者が第百六十四条第一項第三号の規定により新たに指定をされた場合における前項の規定の適用については、同項中「その旨」とあるのは、「第百六十四条第一項第三号の規定により新たに指定をされた日から一月以内に、その旨」とする。
- (2) With regard to the application of the provisions of the preceding paragraph in the case in which a person other than a telecommunications carrier has been newly designated pursuant to the provisions of Article 164, paragraph (1), item (iii), the phrase "to that effect" in the preceding paragraph is deemed to be replaced with "to that effect, within one month from the date of the new designation under Article 164, paragraph (1), item (iii)".
- 3 第一項（前項の規定により読み替えて適用する場合を含む。第百八十五条第一号を除き、以下同じ。）の届出をした者は、第一項第一号、第二号又は第五号の事項に変更があつたときは、遅滞なく、その旨を総務大臣に届け出なければならない。
- (3) If a person that has filed the notification set forth in paragraph (1) (including as applied pursuant to the provisions of the preceding paragraph following the deemed replacement of terms; the same applies hereinafter except for Article 185, item (i)) has changed any of the particulars specified in item (i), (ii) or (v) of that paragraph, the person must notify the Minister for Internal Affairs and Communications to that effect without delay.
- 4 第一項の届出をした者は、同項第三号又は第四号の事項を変更しようとするときは、その旨を総務大臣に届け出なければならない。ただし、総務省令で定める軽微な変更については、この限りでない。
- (4) If a person that has filed the notification set forth in paragraph (1) intends to change any of the particulars set forth in item (iii) or (iv) of that paragraph, the person must notify the Minister for Internal Affairs and Communications to that effect; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.
- 5 第一項の届出をした者は、第四十一条第四項の規定により新たに指定をされたときは、総務省令で定めるところにより、その指定の日から一月以内に、第一項第四号の事項を総務大臣に届け出なければならない。
- (5) If a person that has filed the notification as set forth in paragraph (1) is newly designated pursuant to Article 41, paragraph (4), the person must notify the Minister for Internal Affairs and Communications of the particulars set forth in paragraph (1), item (iv) within one month from that date of designation, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.
- 6 第一項の届出をした者が第百六十四条第一項第三号の規定により新たに指定をされた場合において、当該指定により第一項第三号の事項に変更が生じたときにおける第四項の規定の適用については、同項中「を変更しようとするときは」とあるのは、

「に変更が生じたときは、第百六十四条第一項第三号の規定により新たに指定をされた日から一月以内に」とする。

(6) With regard to the application of the provision of paragraph (4) in the case in which a person that has filed the notification set forth in paragraph (1) has been newly designated pursuant to the provision of Article 164, paragraph (1), item (iii) and a change has occurred in the matters set forth in paragraph (1), item (iii) due to that designation, the phrase "intends to change" in paragraph (4) is deemed to be replaced with "for when a change has occurred, within one month from the date of the new designation pursuant to the provision of Article 164, paragraph (1), item (iii)".

(承継)

(Succession)

第十七条 電気通信事業の全部の譲渡しがあつたとき、又は電気通信事業者について合併、分割（電気通信事業の全部を承継させるものに限る。）若しくは相続があつたときは、当該電気通信事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人（相続人が二人以上ある場合においてその協議により当該電気通信事業を承継すべき相続人を定めたときは、その者。以下この項において同じ。）は、電気通信事業者の地位を承継する。ただし、当該電気通信事業者が第九条の登録を受けた者である場合において、当該電気通信事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人が第十二条第一項第一号から第四号までのいずれかに該当するときは、この限りでない。

Article 17 (1) If all of telecommunications business has been transferred, or a telecommunications carrier has merged or split (this split is limited to a split resulting in the succession to all of telecommunications business), or inheritance from that carrier has occurred, the person that has acquired all of the telecommunications business through the transfer, the corporation surviving after the merger or newly established upon the merger, the corporation that has succeeded all of the telecommunications business upon the split, or the heir (or if one particular heir has been selected from among two or more heirs as the successor to the telecommunications business by agreement among the heirs, the selected heir; hereinafter the same applies in this paragraph) succeeds to the status of the telecommunications carrier; provided, however, that this does not apply if the telecommunications carrier has obtained the registration set forth in Article 9; and the person that has acquired all of the telecommunications business through the transfer, the corporation surviving after the merger or newly established upon the merger, the corporation that has succeeded to all of the telecommunications business upon the split, or the heir falls under any of Article 12, paragraph (1), items (i)

through (iv).

2 前項の規定により電気通信事業者の地位を承継した者は、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) A person that has succeeded to the status of telecommunications carrier pursuant to the provisions of the preceding paragraph must notify the Minister for Internal Affairs and Communications to that effect without delay.

(事業の休止及び廃止並びに法人の解散)

(Suspension and Discontinuation of Business and the Dissolution of Corporations)

第十八条 電気通信事業者は、電気通信事業の全部又は一部を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 18 (1) If a telecommunications carrier suspends or discontinues all or part of its telecommunications business, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 電気通信事業者たる法人が合併以外の事由により解散したときは、その清算人（解散が破産手続開始の決定による場合にあつては、破産管財人）又は外国の法令上これらに相当する者は、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a corporation that is a telecommunications carrier dissolves due to reasons other than a merger, the liquidator in charge (or in cases of dissolution due to an order commencing bankruptcy proceedings, the bankruptcy trustee) or an equivalent person set forth in foreign law must notify the Minister for Internal Affairs and Communications to that effect without delay.

第三節 電気通信事業者等の業務

Section 3 Operations of Telecommunications Carriers

(基礎的電気通信役務の届出契約約款)

(Notified Contract Conditions for Universal Telecommunications Services)

第十九条 基礎的電気通信役務を提供する電気通信事業者は、その提供する基礎的電気通信役務に関する料金その他の提供条件（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けるべき技術的条件に係る事項及び総務省令で定める事項を除く。第三項及び第二十五条第二項において同じ。）について契約約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 19 (1) A telecommunications carrier that provides universal telecommunications services must establish general conditions of contracts concerning charges and other terms and conditions for the provision of its universal telecommunications services (except for particulars concerning technical conditions to be authorized pursuant to the provisions of Article 52, paragraph (1) or Article 70, paragraph (1), item (i), and particulars specified by

Order of the Ministry of Internal Affairs and Communications; the same applies in paragraph (3) of this Article and Article 25, paragraph (2)) and notify the Minister for Internal Affairs and Communications of those general conditions of contracts before their implementation, pursuant to Order of the Ministry of Internal Affairs and Communication. The same applies if it intends to change them.

2 総務大臣は、前項の規定により届け出た契約約款（以下「届出契約約款」という。）が次の各号のいずれかに該当すると認めるときは、当該届出をした基礎的電気通信役務を提供する電気通信事業者に対し、相当の期限を定め、当該届出契約約款を変更すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts for which notification has been filed (hereinafter referred to as "notified contract conditions") pursuant to the provisions of the preceding paragraph fall under any of the following items, the Minister may order the telecommunications carrier that has given the notification and is providing the universal telecommunications services to change the notified contract conditions within a reasonable period designated by the Minister:

一 料金の額の算出方法が適正かつ明確に定められていないとき。

(i) if the general conditions of contracts do not properly and explicitly specify the methods of calculating charges;

二 電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確に定められていないとき。

(ii) if the general conditions of contracts do not properly and explicitly specify particulars concerning the responsibilities of the telecommunications carrier and its users and the method of sharing the costs of installation and other works of telecommunications facilities;

三 電気通信回線設備の使用の態様を不当に制限するものであるとき。

(iii) if the general conditions of contracts unreasonably restrict the way the telecommunications line facilities are used;

四 特定の者に対し不当な差別的取扱いをするものであるとき。

(iv) if the general conditions of contracts treat certain persons in an unfair and discriminatory manner;

五 重要通信に関する事項について適切に配慮されているものでないとき。

(v) if the general conditions of contracts do not include proper consideration to particulars related to essential communications; or

六 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不相当であるため、利用者の利益を阻害するものであるとき。

(vi) if the general conditions of contracts lead to unfair competition with other

telecommunications carriers or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.

3 基礎的電気通信役務を提供する電気通信事業者は、次の各号のいずれかに該当する場合を除き、届出契約約款に定める料金その他の提供条件によらなければ当該基礎的電気通信役務を提供してはならない。

(3) A telecommunications carrier that provides universal telecommunications services must not do so except in accordance with the charges and other terms and conditions set forth in the notified contract conditions, other than in cases falling under any of the following items:

一 次項の規定により届出契約約款に定める当該基礎的電気通信役務の料金を減免する場合

(i) if the charges for universal telecommunications services specified in the notified contract conditions are reduced or exempted pursuant to the following paragraph; or

二 当該基礎的電気通信役務（第二号基礎的電気通信役務に限る。）の提供の相手方と料金その他の提供条件について別段の合意がある場合

(ii) if it is otherwise provided by an agreement with the party receiving the universal telecommunications services (limited to item (i) universal telecommunications services) concerning charges and other terms and conditions for the provision of those services.

4 基礎的電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、届出契約約款に定める当該基礎的電気通信役務の料金を減免することができる。

(4) In accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier that provides universal telecommunications services may reduce or exempt charges for those services specified in the notified contract conditions.

(指定電気通信役務の保障契約約款)

(General Conditions of Contracts for Securing the Provision of the Designated Telecommunications Services)

第二十条 指定電気通信役務（第一種指定電気通信設備を設置する電気通信事業者が当該第一種指定電気通信設備を用いて提供する電気通信役務であつて、当該電気通信役務に代わるべき電気通信役務が他の電気通信事業者によつて十分に提供されないことその他の事情を勘案して当該第一種指定電気通信設備を設置する電気通信事業者が当該第一種指定電気通信設備を用いて提供する電気通信役務の適正な料金その他の提供条件に基づく提供を保障することにより利用者の利益を保護するため特に必要があるものとして総務省令で定めるものをいう。以下同じ。）を提供する電気通信事業者は、その提供する指定電気通信役務に関する料金その他の提供条件（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けるべき技術的条件に係る事項及び総務省令で定める事項を除く。第五項及び第二十五条第三項において同じ。）について契約約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出

なければならない。これを変更しようとするときも、同様とする。

Article 20 (1) A telecommunications carrier that provides designated telecommunications services (telecommunications services which a telecommunications carrier installing Category I designated telecommunications facilities provides by using those facilities, and which are specified by Order of the Ministry of Internal Affairs and Communications as those particularly necessary to be designated in order that the interests of users are protected by efforts of the relevant telecommunications carrier to ensure that the carrier provides those services using those facilities based on proper charges or other proper terms and conditions, considering the circumstances such as those in which substitute telecommunications services are not sufficiently provided by other carriers; hereinafter the same applies) must establish general conditions of contracts concerning charges and other terms and conditions for the provision of its designated telecommunications services (except for particulars on technical conditions to be authorized pursuant to the provisions of Article 52, paragraph (1) or Article 70, paragraph (1), item (i), and particulars specified by Order of the Ministry of Internal Affairs and Communications; the same applies in paragraph (5) of this Article, and Article 25, paragraph (3)) and must notify the Minister for Internal Affairs and Communications of those general conditions of contracts before their implementation, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies if it intends to change them.

2 指定電気通信役務であつて、基礎的電気通信役務である電気通信役務については、前項（第四項の規定により読み替えて適用する場合を含む。次項、次条第二項及び第百八十八条第二号において同じ。）の規定は適用しない。

(2) The provisions of the preceding paragraph (including as applied pursuant to the provisions of paragraph (4) following the deemed replacement of terms; the same applies in the following paragraph of this Article, paragraph (2) of the following Article and Article 188, item (ii)) do not apply to telecommunications services which are both designated telecommunications services and universal telecommunications services.

3 総務大臣は、第一項の規定により届け出た契約約款（以下「保障契約約款」という。）が次の各号のいずれかに該当すると認めるときは、当該届出をした指定電気通信役務を提供する電気通信事業者に対し、相当の期限を定め、当該保障契約約款を変更すべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts for which notification has been made pursuant to the provisions of paragraph (1) (hereinafter referred to as "general conditions of contracts for securing the provision of the telecommunications services") fall under any of the following items, the Minister may order the telecommunications carrier that has given the notification and is providing the

designated telecommunications services to change those general conditions within a reasonable period designated by the Minister:

一 料金の額の算出方法が適正かつ明確に定められていないとき。

(i) if the general conditions of contracts for securing the provision of the telecommunications services do not properly and explicitly specify the methods of calculating charges;

二 電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確に定められていないとき。

(ii) if the general conditions of contracts for securing the provision of the telecommunications services do not properly and explicitly specify particulars concerning the responsibilities of the telecommunications carrier and its users and the methods of sharing the costs of installation and other works of telecommunications facilities;

三 電気通信回線設備の使用の態様を不当に制限するものであるとき。

(iii) if the general conditions of contracts for securing the provision of the telecommunications services unreasonably restrict the way the telecommunications line facilities are used;

四 特定の者に対し不当な差別的取扱いをするものであるとき。

(iv) if the general conditions of contracts for securing the provision of the telecommunications services treat certain persons in an unfair and discriminatory manner;

五 重要通信に関する事項について適切に配慮されているものでないとき。

(v) if the general conditions of contracts for securing the provision of the telecommunications services do not include proper consideration to the particulars related to essential communications; or

六 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不相当であるため、利用者の利益を阻害するものであるとき。

(vi) if the general conditions of contracts for securing the provision of the telecommunications services lead to unfair competition with other telecommunications carriers or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.

4 第三十三条第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第一項の規定により総務大臣に届け出るべき契約約款については、同項中「その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする」とあるのは、「第三十三条第一項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならない」とする。

(4) With respect to the general conditions of contracts concerning which a telecommunications carrier installing the telecommunications facilities newly

designated pursuant to the provisions of Article 33, paragraph (1) must notify the Minister for Internal Affairs and Communications for the first time after the designation date pursuant to the provisions of paragraph (1), the phrase "must notify the Minister for Internal Affairs and Communications of the general conditions of contracts prior to their implementation, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies to the cases in which it intends to change them" in that paragraph is deemed to be replaced with "must notify the Minister for Internal Affairs and Communications of the general conditions of contracts within three months from the date on which the designation is granted pursuant to the provisions of Article 33, paragraph (1)".

5 指定電気通信役務を提供する電気通信事業者は、次の各号のいずれかに該当する場合を除き、保障契約約款に定める料金その他の提供条件によらなければ当該指定電気通信役務を提供してはならない。

(5) A telecommunications carrier that provides designated telecommunications services must not do so except in accordance with the charges and other terms and conditions for the provision of those services specified in the general conditions of contracts for securing the provision of the telecommunications services, other than in cases falling under any of the following items:

一 次項の規定により保障契約約款に定める当該指定電気通信役務の料金を減免する場合

(i) if the charges for the designated telecommunications services stipulated in the general conditions of contracts for securing the provision of the telecommunications services are reduced or exempted pursuant to the provisions of the following paragraph;

二 当該指定電気通信役務の提供の相手方と料金その他の提供条件について別段の合意がある場合

(ii) if it is otherwise provided by an agreement with the party receiving the designated telecommunications services concerning charges and other terms and conditions for the provision of those services.

6 指定電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、保障契約約款に定める当該指定電気通信役務の料金を減免することができる。

(6) In accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier that provides designated telecommunications services may reduce or exempt charges for those services specified in the general conditions of contracts for securing the provision of the telecommunications services.

(特定電気通信役務の料金)

(Charges for Specified Telecommunications Services)

第二十一条 総務大臣は、毎年少なくとも一回、総務省令で定めるところにより、指定

電気通信役務であつて、その内容、利用者の範囲等からみて利用者の利益に及ぼす影響が大きいものとして総務省令で定めるもの（以下「特定電気通信役務」という。）に関する料金について、総務省令で定める特定電気通信役務の種別ごとに、能率的な経営の下における適正な原価及び物価その他の経済事情を考慮して、通常実現することができると思われる水準の料金を料金指数（電気通信役務の種別ごとに、料金の水準を表す数値として、通信の距離及び速度その他の区分ごとの料金額並びにそれらが適用される通信量、回線数等を基に総務省令で定める方法により算出される数値をいう。以下同じ。）により定め、その料金指数（以下「基準料金指数」という。）を、その適用の日の総務省令で定める日数前までに、当該特定電気通信役務を提供する電気通信事業者に通知しなければならない。

Article 21 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, at least once a year, the Minister for Internal Affairs and Communications must determine the level of charges that is generally found feasible for designated telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as those having a significant influence on the interests of users in light of their content, the scope of users, and other factors (hereinafter referred to as "specified telecommunications services"), in consideration of reasonable costs under efficient management, commodity prices, and other economic circumstances, for each type of specified telecommunications services specified by Order of the Ministry of Internal Affairs and Communications, by using a charge index (meaning figures to represent the level of charges for each type of telecommunications service, which are calculated by using the methods specified by Order of the Ministry of Internal Affairs and Communications considering charges based on the distance and speed of communications and other classifications as well as the amount of traffic, the number of circuits, and other factors to which the charges are applied; hereinafter the same applies), and must notify the telecommunications carrier that provides the specified telecommunications services of the charge index (hereinafter referred to as "the standard charge index") by the period before the date on which the standard charge index becomes applicable as specified by Order of the Ministry of Internal Affairs and Communications.

2 特定電気通信役務を提供する電気通信事業者は、その提供する特定電気通信役務に関する料金を変更しようとする場合において、当該変更後の料金の料金指数が当該特定電気通信役務に係る基準料金指数を超えるものであるときは、第十九条第一項又は前条第一項の規定にかかわらず、総務大臣の認可を受けなければならない。

(2) Notwithstanding the provisions of Article 19, paragraph (1) or paragraph (1) of the preceding Article, if a telecommunications carrier that provides specified telecommunications services intends to change charges for those services, and the charge index after the change exceeds the standard charge index for those services, it must obtain authorization from the Minister for Internal Affairs

and Communications.

3 総務大臣は、前項の認可の申請があつた場合において、基準料金指数以下の料金指数の料金により難い特別な事情があり、かつ、当該申請に係る変更後の料金が次の各号のいずれにも該当しないと認めるときは、同項の認可をしなければならない。

(3) The Minister for Internal Affairs and Communications must grant the authorization as set forth in the preceding paragraph, if an application for the authorization set forth in the preceding paragraph is filed, and the Minister finds that there are special circumstances making it difficult to offer charges based on a charge index that is equivalent to or less than the standard charge index and that the charges after the change requested in the application do not fall under any of the following items:

一 料金の額の算出方法が適正かつ明確に定められていないこと。

(i) the methods of calculating charges are not properly and explicitly specified;

二 特定の者に対し不当な差別的取扱いをするものであること。

(ii) the charges after the change treat certain persons in an unfair and discriminatory manner; and

三 他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不相当であるため、利用者の利益を阻害するものであること。

(iii) the charges after the change lead to unfair competition with other telecommunications carriers or are extremely inappropriate in light of social and economic circumstances, and thereby impair the interests of users.

4 総務大臣は、基準料金指数の適用後において、当該基準料金指数が適用される特定電気通信役務に関する料金の料金指数が当該基準料金指数を超えている場合は、当該基準料金指数以下の料金指数により難い特別な事情があると認めるときを除き、当該特定電気通信役務を提供する電気通信事業者に対し、相当の期限を定め、当該特定電気通信役務に関する料金を変更すべきことを命ずるものとする。

(4) If the standard charge index is applied, and the charge index for the specified telecommunications services to which that standard charge index is applicable exceeds that standard charge index, the Minister for Internal Affairs and Communications is to order the telecommunications carrier that provides the specified telecommunications services to change the charges for those services within a reasonable period designated by the Minister, except for the cases in which the Minister finds that there are special circumstances making it difficult to offer charges based on a charge index that is equivalent to or less than the standard charge index.

5 第一種指定電気通信設備であつた電気通信設備を設置している電気通信事業者が当該電気通信設備を用いて提供する電気通信役務（基礎的電気通信役務に限る。）に関する料金であつて第三十三条第一項の規定による指定の解除の際現に第二項の規定により認可を受けているものは、届出契約約款に定める料金とみなす。

(5) If a telecommunications carrier installing the telecommunications facilities

that were formerly Category I designated telecommunications facilities provides telecommunications services (limited to universal telecommunications services) by using those facilities, and charges for those services have been authorized pursuant to the provisions of paragraph (2) as of the time of the cancellation of the designation under Article 33, paragraph (1), the charges are deemed to be those specified by the notified contract conditions.

6 特定電気通信役務を提供する電気通信事業者は、第二項の規定により認可を受けるべき料金については、同項の規定により認可を受けた料金によらなければ当該特定電気通信役務を提供してはならない。ただし、次項の規定により当該特定電気通信役務の料金を減免する場合は、この限りでない。

(6) A telecommunications carrier that provides specified telecommunications services must not do so unless their charges to be authorized pursuant to the provisions of paragraph (2) are in accordance with those which have been authorized pursuant to the provisions of that paragraph; provided, however, that this does not apply if charges for those services are reduced or exempted pursuant to the provisions of the following paragraph.

7 特定電気通信役務を提供する電気通信事業者は、総務省令で定める基準に従い、第二項の規定により認可を受けた当該特定電気通信役務の料金を減免することができる。

(7) In accordance with the standards specified by Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier that provides specified telecommunications services may reduce or exempt charges for those services authorized pursuant to the provisions of paragraph (2).

(通信量等の記録)

(Records of Traffic Volume)

第二十二条 特定電気通信役務を提供する電気通信事業者は、総務省令で定める方法により、その提供する特定電気通信役務の通信量、回線数等を記録しておかなければならない。

Article 22 A telecommunications carrier that provides specified telecommunications services must keep records of the amount of traffic, the number of circuits, and other factors of its specified telecommunications services by the methods specified by Order of the Ministry of Internal Affairs and Communications.

(届出契約約款等の掲示等)

(Posting of the General Conditions of Contracts)

第二十三条 基礎的電気通信役務、指定電気通信役務又は特定電気通信役務を提供する電気通信事業者は、届出契約約款若しくは保障契約約款（第五十二条第一項又は第七十条第一項第一号の規定により認可を受けた技術的条件を含む。）又は第二十一条第二項の規定により認可を受けた料金を、総務省令で定めるところにより、公表するとともに、営業所その他の事業所において公衆の見やすいように掲示しておかなければ

ならない。

Article 23 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier that provides universal telecommunications services, designated telecommunications services, or specified telecommunications services must make public the notified contract conditions or the general conditions of contracts for securing the provision of the telecommunications services (including the technical conditions authorized pursuant to the provisions of Article 52, paragraph (1) or Article 70, paragraph (1), item (i)) or the charges authorized pursuant to the provisions of Article 21, paragraph (2), and must post those general conditions or charges at its business offices or other places of business in a manner in which the public can easily see them.

2 前項の規定は、第十九条第一項又は第二十条第一項の総務省令で定める事項に係る提供条件について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the terms and conditions for the provision of those services in relation to the particulars specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 19, paragraph (1) or Article 20, paragraph (1).

(会計の整理)

(Keeping of Accounts)

第二十四条 次に掲げる電気通信事業者は、総務省令で定める勘定科目の分類その他会計に関する手続に従い、その会計を整理しなければならない。

Article 24 The following telecommunications carriers must keep accounts in accordance with the classification of accounting titles and other accounting procedures specified by Order of the Ministry of Internal Affairs and Communications:

一 次に掲げる電気通信役務を提供する電気通信事業者

(i) any telecommunications carrier that provides the following telecommunications services:

イ 指定電気通信役務

(a) designated telecommunications services; or

ロ 特定ドメイン名電気通信役務（ドメイン名電気通信役務（第百六十四条第二項第一号に規定するドメイン名電気通信役務をいう。第四十一条及び第四十一条の二において同じ。）のうち、確実かつ安定的な提供を特に確保する必要があるものとして総務省令で定めるものをいう。第三十九条の三において同じ。）

(b) specified domain name telecommunications services (meaning domain name telecommunications services (meaning domain name telecommunications services defined in Article 164, paragraph (2), item (i); the same applies in Articles 41 and 41-2) that are specified by Order of the

Ministry of Internal Affairs and Communications as the services whose reliable and stable provision is particularly necessary to secure; the same applies in Article 39-3);

二 第三十条第一項の規定により指定された電気通信事業者

(ii) telecommunications carriers designated pursuant to the provisions of Article 30, paragraph (1); or

三 第一種指定電気通信設備を設置する電気通信事業者

(iii) telecommunications carriers installing Category I designated telecommunications facilities.

(提供義務)

(Obligation to Provide Services)

第二十五条 第一号基礎的電気通信役務を提供する電気通信事業者は、正当な理由がなければ、その業務区域における当該第一号基礎的電気通信役務の提供を拒んではならない。

Article 25 (1) A telecommunications carrier that provides item (i) universal telecommunications services must not refuse to do so within its service areas without justifiable grounds.

2 第二号基礎的電気通信役務を提供する電気通信事業者は、当該第二号基礎的電気通信役務の提供の相手方と料金その他の提供条件について別段の合意がある場合を除き、正当な理由がなければ、その業務区域における届出契約約款に定める料金その他の提供条件による当該第二号基礎的電気通信役務の提供を拒んではならない。

(2) Without justifiable grounds, a telecommunications carrier that provides item (ii) universal telecommunications services must not refuse to do so under the charges and other terms and conditions set forth in the notified contract conditions in its service area, except as otherwise provided by an agreement with the party receiving the item (ii) universal telecommunications services concerning charges and other terms and conditions for the provision of those services.

3 指定電気通信役務を提供する電気通信事業者は、当該指定電気通信役務の提供の相手方と料金その他の提供条件について別段の合意がある場合を除き、正当な理由がなければ、その業務区域における保障契約約款に定める料金その他の提供条件による当該指定電気通信役務の提供を拒んではならない。

(3) Without justifiable grounds, a telecommunications carrier that provides designated telecommunications services must not refuse to do so under the charges and under other terms and conditions for the provision of those services, as specified in the general conditions of contracts for securing the provision of the telecommunications services, within its service areas, except as otherwise provided by an agreement with the party receiving the designated telecommunications services concerning charges and other terms and conditions for the provision of those services.

(提供条件の説明)

(Explanation of Terms and Conditions for the Provision of Services)

第二十六条 電気通信事業者は、利用者（電気通信役務の提供を受けようとする者を含み、電気通信事業者である者を除く。以下この項、第二十七条及び第二十七条の二において同じ。）と次に掲げる電気通信役務の提供に関する契約の締結をしようとするときは、総務省令で定めるところにより、当該電気通信役務に関する料金その他の提供条件の概要について、その者に説明しなければならない。ただし、当該契約の内容その他の事情を勘案し、当該提供条件の概要について利用者に説明しなくても利用者の利益の保護のため支障を生ずることがないと認められるものとして総務省令で定める場合は、この限りでない。

Article 26 (1) If a telecommunications carrier intends to conclude a contract for the provision of the telecommunications services listed below, with a user (including a person that intends to receive telecommunications services, but excluding a telecommunications carrier; the same applies in this paragraph, Article 27 and Article 27-2), the carrier must explain an outline of the charges and other terms and conditions for the provision of those services to the user pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to the cases that are specified by Order of the Ministry of Internal Affairs and Communications as those in which it is found that the protection of the interests of users would not be compromised even if the outline of the charges and other terms and conditions for service provision were not explained to the user, in consideration of the contents of the contract and other circumstances:

一 その一端が移動端末設備と接続される伝送路設備を用いて提供される電気通信役務であつて、その内容、料金その他の提供条件、利用者の範囲及び利用状況を勘案して利用者の利益を保護するため特に必要があるものとして総務大臣が指定するもの

(i) telecommunications services which are provided by using transmission line facilities interconnected to mobile terminal facilities at one end, and which the Minister for Internal Affairs and Communications designates as those that are particularly necessary in order to protect their interests of users, in consideration of their content, the charges and other terms and conditions for the provision, the scope of users, and their usage;

二 その一端が移動端末設備と接続される伝送路設備を用いて提供される電気通信役務以外の電気通信役務であつて、その内容、料金その他の提供条件、利用者の範囲及び利用状況を勘案して利用者の利益を保護するため特に必要があるものとして総務大臣が指定するもの

(ii) telecommunications services which are other than those provided by using transmission line facilities interconnected to mobile terminal facilities at one end, and which the Minister for Internal Affairs and Communications

designates as those that are particularly necessary in order to protect the interests of the users, in consideration of their contents, the charges and other terms and conditions for the provision, the scope of the users, and their usage; or

三 前二号に掲げるもののほか、その内容、料金その他の提供条件、利用者の範囲その他の事情を勘案して利用者の利益に及ぼす影響が少なくないものとして総務大臣が指定する電気通信役務

(iii) beyond what is provided for in the preceding two items, telecommunications services that the Minister for Internal Affairs and Communications designates as those having non-negligible effects on the interests of users, in consideration of their content, the charges and other terms and conditions for the provision, the scope of the users, and other conditions.

2 前項各号の規定による指定は、告示によつて行ふ。

(2) The designations set forth in the items of the preceding paragraph are made by issuing a public notice.

(書面の交付)

(Delivery of Documents)

第二十六条の二 電気通信事業者は、前条第一項各号に掲げる電気通信役務の提供に関する契約が成立したときは、遅滞なく、総務省令で定めるところにより、書面を作成し、これを利用者（電気通信事業者である者を除く。以下この条並びに次条第一項及び第五項において同じ。）に交付しなければならない。ただし、当該契約の内容その他の事情を勘案し、当該書面を利用者に交付しなくても利用者の利益の保護のため支障を生ずることがないと認められるものとして総務省令で定める場合は、この限りでない。

Article 26-2 (1) If a telecommunications carrier effects a contract for provision of telecommunications services as listed in the items of paragraph (1) of the preceding Article, the telecommunications carrier must prepare a document and deliver it to the user (excluding telecommunications carriers; hereinafter the same applies in this Article and paragraphs (1) and (5) of the following Article) without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to the cases that are specified by Order of the Ministry of Internal Affairs and Communications as those in which it is found that the protection of the interests of users would not be compromised even if the document were not delivered to the user, in consideration of the contents of the contract and other circumstances.

2 電気通信事業者は、前項の規定による書面の交付に代えて、政令で定めるところにより、利用者の承諾を得て、当該書面に記載すべき事項を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて総務省令で定めるものにより

提供することができる。この場合において、当該電気通信事業者は、当該書面を交付したものとみなす。

- (2) With the consent of the user and pursuant to the provisions of Cabinet Order, in lieu of delivering the document under the preceding paragraph, a telecommunications carrier may provide a user with the particulars that are required to be stated in that document by means of an electronic data processing system or by any other means of information and communications technology specified by Order of the Ministry of Internal Affairs and Communications. In doing so, the telecommunications carrier is deemed to have delivered the document.
- 3 前項に規定する方法（総務省令で定める方法を除く。）により第一項の規定による書面の交付に代えて行われた当該書面に記載すべき事項の提供は、利用者の使用に係る電子計算機に備えられたファイルへの記録がされた時に当該利用者に到達したものとみなす。
- (3) If a telecommunications carrier has provided the particulars that are required to be included in a document under paragraph (1) by the methods referred to in the preceding paragraph (excluding the methods specified by Order of the Ministry of Internal Affairs and Communications), in lieu of delivering the document, those particulars are deemed to be delivered to a user when those particulars are recorded in a file stored on a computer used by that user.

（書面による解除）

(Written Cancellations)

第二十六条の三 電気通信事業者と第二十六条第一項第一号又は第二号に掲げる電気通信役務の提供に関する契約を締結した利用者は、総務省令で定める場合を除き、前条第一項の書面を受領した日（当該電気通信役務（第二十六条第一項第一号に掲げる電気通信役務に限る。）の提供が開始された日が当該受領した日より遅いときは、当該開始された日）から起算して八日を経過するまでの間（利用者が、電気通信事業者又は届出媒介等業務受託者（第七十三条の二第二項に規定する届出媒介等業務受託者をいう。第二十七条の三第二項第二号において同じ。）がそれぞれ第二十七条の二（第一号に係る部分に限る。以下この項において同じ。）又は第七十三条の三において準用する第二十七条の二の規定に違反してこの項の規定による当該契約の解除に関する事項につき不実のことを告げる行為をしたことにより当該告げられた内容が事実であるとの誤認をし、これによつて当該期間を経過するまでの間にこの項の規定による当該契約の解除を行わなかつた場合には、当該利用者が、当該電気通信事業者が総務省令で定めるところによりこの項の規定による当該契約の解除を行うことができる旨を記載して交付した書面を受領した日から起算して八日を経過するまでの間）、書面により当該契約の解除を行うことができる。

Article 26-3 (1) Except as otherwise provided by Order of the Ministry of Internal Affairs and Communications, a user that has concluded a contract with a telecommunications carrier under which they are provided with

telecommunications services listed in Article 26, paragraph (1), item (i) or (ii) may cancel that contract in writing unless eight days have elapsed since the day on which the customer received the document set forth in paragraph (1) of the preceding Article (or until eight days have elapsed since the date of commencement of the telecommunications services, if the provision of the telecommunications services (limited to telecommunications services set forth in Article 26, paragraph (1), item (i)) commences after the receipt date of the document; or unless eight days have elapsed since the date on which the user received a document in which, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the telecommunications carrier has described that the user may cancel that contract pursuant to the provisions of this paragraph, and which the telecommunications carrier has delivered to the user, if the telecommunications carrier or a person entrusted with intermediation or other similar actions that conducts notification (meaning a person entrusted with intermediation or other similar actions that conducts notification as defined in Article 73-2, paragraph (2); the same applies in Article 27-3, paragraph (2), item (ii)) misrepresented the information on cancellation of that contract under this paragraph, in violation of the provisions in Article 27-2 (limited to the part relating to item (i); hereinafter the same applies in this paragraph), or the provisions of Article 27-2 as applied mutatis mutandis pursuant to Article 73-3, respectively, and as a result of that false explanation, the user misconstrued that the explanation was correct, and did not cancel that contract under this paragraph within that period).

2 前項の規定による電気通信役務の提供に関する契約の解除は、当該契約の解除を行う旨の書面を發した時に、その効力を生ずる。

(2) The cancellation of a contract for the provision of telecommunications services under the preceding paragraph becomes effective when a document indicating that the contract for the provision of telecommunications services is cancelled is issued.

3 電気通信事業者は、第一項の規定による電気通信役務の提供に関する契約の解除があつた場合には、当該契約の解除をした者に対し、当該契約の解除に伴い損害賠償若しくは違約金を請求し、又はその他の金銭等（金銭その他の財産をいう。次項において同じ。）の支払若しくは交付を請求することができない。ただし、当該契約の解除までの期間において提供を受けた電気通信役務に対して当該契約の解除をした者が支払うべき金額その他の当該契約に関して当該契約の解除をした者が支払うべき金額として総務省令で定める額については、この限りでない。

(3) If a contract for the provision of telecommunications services becomes subject to a cancellation under paragraph (1), the telecommunications carrier may not demand that the person who cancelled the contract pay any compensation or penalty for that cancellation, or pay or deliver other monies (meaning money and other property; the same applies in the following paragraph); provided,

however, that this does not apply to the amount of money specified by Order of the Ministry of Internal Affairs and Communications as the amount of money payable by the person who cancelled that contract for services received in the period up until the cancellation of that contract, or any other amount of money payable regarding the contract by the person who cancelled it.

4 電気通信事業者は、第一項の規定による電気通信役務の提供に関する契約の解除があつた場合において、当該契約に関連して金銭等を受領しているときは、当該契約の解除をした者に対し、速やかに、これを返還しなければならない。ただし、当該契約に関連して受領した金銭等のうち前項ただし書の総務省令で定める額については、この限りでない。

(4) If a contract for the provision of telecommunications services becomes subject to a cancellation under paragraph (1), and the telecommunications carrier has received monies in connection with the contract, the carrier must promptly return them to the person who cancelled that contract; provided, however, that this does not apply to the amount of money specified by Order of the Ministry of Internal Affairs and Communications as prescribed in the proviso to the preceding paragraph, among the monies received in connection with that contract.

5 前各項の規定に反する特約で利用者に不利なものは、無効とする。

(5) A special provision that is contrary to the provisions of the preceding paragraphs and disadvantageous to a user is void.

(電気通信業務の休止及び廃止の周知)

(Making the Suspension and Discontinuation of Telecommunications Operations Widely Known)

第二十六条の四 電気通信事業者は、電気通信業務の全部又は一部を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、当該休止し、又は廃止しようとする電気通信業務に係る利用者に対し、利用者の利益を保護するために必要な事項として総務省令で定める事項を周知させなければならない。ただし、利用者の利益に及ぼす影響が比較的少ないものとして総務省令で定める電気通信役務に係る電気通信業務の休止又は廃止については、この限りでない。

Article 26-4 (1) When suspending or discontinuing all or part of telecommunications operations, in advance, a telecommunications carrier must make the particulars specified by Order of the Ministry of Internal Affairs and Communications as those necessary to protect the interests of users known to users concerned with the operations that the carrier intends to suspend or discontinue, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to suspension or discontinuation of telecommunications operations related to telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as those having relatively little effect on the

interests of users.

- 2 前項本文の場合において、電気通信事業者は、利用者の利益に及ぼす影響が大きいものとして総務省令で定める電気通信役務に係る電気通信業務の休止又は廃止については、総務省令で定めるところにより、あらかじめ、同項の総務省令で定める事項を総務大臣に届け出なければならない。

(2) In the case of the main clause in the preceding paragraph, a telecommunications carrier must notify the Minister for Internal Affairs and Communications of the particulars specified by Order of the Ministry of Internal Affairs and Communications in that paragraph in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, with regard to suspension or discontinuation of telecommunications operations related to telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as having a significant influence on the interests of users.

(電気通信業務の休止及び廃止に関する情報の公表)

(Making the Information Related to Suspension and Discontinuation of Telecommunications Operations Public)

第二十六条の五 総務大臣は、その保有する前条第二項の総務省令で定める電気通信役務に係る電気通信業務の休止及び廃止に関する次に掲げる情報を整理し、これをインターネットの利用その他の適切な方法により公表するものとする。

Article 26-5 The Minister for Internal Affairs and Communications is to organize the following information that the Minister possesses regarding suspension or discontinuation of telecommunications operations for telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as prescribed in paragraph (2) of the preceding Article, and make the relevant information public using the Internet and other appropriate methods:

一 第十八条第一項及び前条第二項の規定による届出に関して作成し、又は取得した情報

(i) information created or obtained in relation to the notification under Article 18, paragraph (1) and paragraph (2) of the preceding Article; and

二 その他総務省令で定める情報

(ii) other information specified by Order of the Ministry of Internal Affairs and Communications.

(苦情等の処理)

(Procedure for Processing Complaints)

第二十七条 電気通信事業者は、第二十六条第一項各号に掲げる電気通信役務に係る当該電気通信事業者の業務の方法又は当該電気通信事業者が提供する同項各号に掲げる電気通信役務についての利用者からの苦情及び問合せについては、適切かつ迅速にこ

れを処理しなければならない。

Article 27 A telecommunications carrier must properly and promptly process complaints or inquiries from users regarding the telecommunications carrier's methods of conducting its operations in relation to the telecommunications services set forth in the items of Article 26, paragraph (1), or regarding the telecommunications services as set forth in the items of that paragraph which the telecommunications carrier provides.

(電気通信事業者の禁止行為)

(Conduct Prohibited for Telecommunications Carriers)

第二十七条の二 電気通信事業者は、次に掲げる行為をしてはならない。

Article 27-2 Telecommunications carriers must not engage in any of the following:

一 利用者に対し、第二十六条第一項各号に掲げる電気通信役務の提供に関する契約に関する事項であつて、利用者の判断に影響を及ぼすこととなる重要なものにつき、故意に事実を告げず、又は不実のことを告げる行為

(i) intentionally failing to disclose or misrepresenting important particulars that would affect the decision of users regarding the contract for the provision of telecommunications services set forth in the items of Article 26, paragraph (1); or

二 第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の勧誘に先立つて、その相手方（電気通信事業者である者を除く。）に対し、自己の氏名若しくは名称又は当該契約の締結の勧誘である旨を告げずに勧誘する行為（利用者の利益の保護のため支障を生ずるおそれがないものとして総務省令で定めるものを除く。）

(ii) before conducting solicitation for conclusion of a contract for the provision of telecommunications services set forth in the items of Article 26, paragraph (1), soliciting a person (excluding telecommunications carriers) without indicating the telecommunications carrier's own name or without indicating that the telecommunications carrier is conducting solicitation for conclusion of the relevant contract (excluding solicitations specified by Order of the Ministry of Internal Affairs and Communications as not being likely to compromise the protection of the interest of users);

三 第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の勧誘を受けた者（電気通信事業者である者を除く。）が当該契約を締結しない旨の意思（当該勧誘を引き続き受けることを希望しない旨の意思を含む。）を表示したにもかかわらず、当該勧誘を継続する行為（利用者の利益の保護のため支障を生ずるおそれがないものとして総務省令で定めるものを除く。）

(iii) continuing to solicit a person (except for telecommunications carriers) for conclusion of a contract under which they would be provided with telecommunications services set forth in the items of Article 26, paragraph

(1) after the person that receives the solicitation manifests the intention not to conclude that contract (including a refusal to receive the solicitation thereafter) (except for solicitations specified by Order of the Ministry of Internal Affairs and Communications as not being likely to compromise the protection of the interests of users); or

四 前三号に掲げるもののほか、利用者の利益の保護のため支障を生ずるおそれがあるものとして総務省令で定める行為

(iv) beyond what is provided for in the preceding three items, any conduct specified by Order of the Ministry of Internal Affairs and Communications as being likely to compromise the protection of the interests of users.

(移動電気通信役務を提供する電気通信事業者の禁止行為)

(Conduct Prohibited for Telecommunications Carriers Providing Mobile Telecommunications Services)

第二十七条の三 総務大臣は、総務省令で定めるところにより、移動電気通信役務（第二十六条第一項第一号に掲げる電気通信役務又は同項第三号に掲げる電気通信役務（その一端が移動端末設備と接続される伝送路設備を用いて提供されるものに限る。）であつて、電気通信役務の提供の状況その他の事情を勘案して電気通信事業者間の適正な競争関係を確保する必要があるものとして総務大臣が指定するものをいう。以下同じ。）を提供する電気通信事業者（移動電気通信役務（当該電気通信事業者が提供するものと同種のものに限る。）の利用者の総数に占めるその提供する移動電気通信役務の利用者の数の割合が電気通信事業者間の適正な競争関係に及ぼす影響が小さいものとして総務省令で定める割合を超えないものを除く。）を次項の規定の適用を受ける電気通信事業者として指定することができる。

Article 27-3 (1) The Minister for Internal Affairs and Communications may designate a telecommunications carrier that provides mobile telecommunications services (meaning telecommunications services set forth in Article 26, paragraph (1), item (i) or telecommunications services set forth in item (iii) in that paragraph (limited to services provided by using transmission line facilities interconnected to mobile terminal facilities at one end), which are designated by the Minister for Internal Affairs and Communications as those for which it is necessary to keep appropriate competitive relationships among telecommunications carriers, in consideration of their conditions for the provision of telecommunications services, or other circumstances; hereinafter the same applies) (the relevant telecommunications carrier excludes a carrier whose proportion of the number of users who they provide with mobile telecommunications services to the total number of users of mobile telecommunications services (limited to the same type of services as those provided by the telecommunications carriers) does not exceed the proportion specified by Order of the Ministry of Internal Affairs and Communications as having little impact on appropriate competitive relationships among

telecommunications carriers) as a telecommunications carrier to which the provisions of the following paragraph apply.

2 前項の規定により指定された電気通信事業者は、次に掲げる行為をしてはならない。

(2) Telecommunications carriers designated pursuant to the provisions of the preceding paragraph must not engage in any of the following:

一 その移動電気通信役務の提供を受けるために必要な移動端末設備となる電気通信設備の販売等（販売、賃貸その他これらに類する行為をいう。）に関する契約の締結に際し、当該契約に係る当該移動電気通信役務の利用者（電気通信役務の提供を受けようとする者を含む。次号、第二十七条の十二、第二十九条第二項、第三十九条の三第二項、第七十三条の四、第二百一十一条第二項及び第六百六十七条の二において同じ。）に対し、当該移動電気通信役務の料金を当該契約の締結をしない場合におけるものより有利なものとする事その他電気通信事業者間の適正な競争関係を阻害するおそれがある利益の提供として総務省令で定めるものを約し、又は第三者に約させること。

(i) when concluding a contract for sales or other activities (meaning sales, rental, and other similar activities) on telecommunications facilities that serve as mobile terminal facilities required to receive their mobile telecommunications services, promising to provide users of the services under that contract (including persons seeking to receive telecommunications services; the same applies in the following item, Article 27-12, Article 29, paragraph (2), Article 39-3, paragraph (2), Article 73-4, Article 121, paragraph (2), and Article 167-2) with benefits specified by Order of the Ministry of Internal Affairs and Communications as those which could possibly impair appropriate competitive relationships among telecommunications carriers, such as charges for those services that are more favorable than if the relevant contract is not concluded; or having a third party promise to provide those users with the relevant benefits; or

二 その移動電気通信役務の提供に関する契約の締結に際し、当該移動電気通信役務の利用者に対し、当該契約の解除を行うことを不当に妨げることにより電気通信事業者間の適正な競争関係を阻害するおそれがあるものとして総務省令で定める当該移動電気通信役務に関する料金その他の提供条件を約し、又は届出媒介等業務受託者に約させること。

(ii) when concluding a contract related to the provision of their mobile telecommunications services, promising to provide the users of those services with charges and other terms and conditions for the services specified by Order of the Ministry of Internal Affairs and Communications as those which could possibly impair appropriate competitive relationships between telecommunications carriers, by unfairly preventing the users from cancelling the contract; or having a person entrusted with intermediation or other similar actions that conducts notification promise to provide the user with the relevant charges or other terms and conditions.

3 第一項の規定による移動電気通信役務の指定及び電気通信事業者の指定は、告示によつて行ふ。

(3) The designation of mobile telecommunications services and telecommunications carriers under paragraph (1) is made by issuing a public notice.

(媒介等業務受託者に対する指導)

(Guidance to Persons Entrusted with Intermediation or Other Similar Actions)

第二十七条の四 電気通信事業者は、電気通信役務の提供に関する契約の締結の媒介、取次ぎ又は代理（以下「媒介等」という。）の業務又はこれに付随する業務の委託をした場合には、総務省令で定めるところにより、当該委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下「媒介等業務受託者」という。）に対する指導その他の当該委託に係る業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 27-4 If a telecommunications carrier entrusts a person to conclude a contract for the provision of telecommunications services as an intermediary, broker or agent (hereinafter referred to as "intermediation or other similar actions"), or conduct any other associated operations, the telecommunications carrier must provide guidance to any person entrusted with those operations (including other persons that are entrusted with those operations by the relevant person (including cases in which the relevant operations are entrusted two or more times); hereinafter referred to as a "person entrusted with intermediation or other similar actions") or take other measures necessary for ensuring that the operations related to that entrustment are conducted in a proper and secure manner, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(特定利用者情報を適正に取り扱うべき電気通信事業者の指定)

(Designation of Telecommunications Carriers that Should Handle Specified User Information Properly)

第二十七条の五 総務大臣は、総務省令で定めるところにより、内容、利用者の範囲及び利用状況を勘案して利用者の利益に及ぼす影響が大きいものとして総務省令で定める電気通信役務を提供する電気通信事業者を、特定利用者情報（当該電気通信役務に関して取得する利用者に関する情報であつて次に掲げるものをいう。以下同じ。）を適正に取り扱うべき電気通信事業者として指定することができる。

Article 27-5 Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the Minister for Internal Affairs and Communications may designate telecommunications carriers that provide telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as having a significant influence on the interests of users in consideration of their content, the scope of users, and their usage as

telecommunications carriers that should handle specified user information (meaning information about a user obtained in regard to that telecommunications service, which is listed in the following; the same applies hereinafter) properly:

一 通信の秘密に該当する情報

(i) information that falls under the category of secrecy of communications;

二 利用者（第二条第七号イに掲げる者に限る。）を識別することができる情報であつて総務省令で定めるもの（前号に掲げるものを除く。）

(ii) information that can identify a user (limited to those listed in Article 2, item (vii), (a)) and is specified by Order of the Ministry of Internal Affairs and Communications (excluding those listed in the preceding item).

(情報取扱規程)

(Regulations for Handling Information)

第二十七条の六 前条の規定により指定された電気通信事業者は、総務省令で定めるところにより、特定利用者情報の適正な取扱いを確保するため、次に掲げる事項に関する規程（以下「情報取扱規程」という。）を定め、当該指定の日から三月以内に、総務大臣に届け出なければならない。

Article 27-6 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, any telecommunications carrier designated pursuant to the provisions of the preceding Article must establish regulations concerning the following matters (hereinafter referred to as "regulations for handling information") in order to ensure the proper handling of specified user information, and notify the Minister for Internal Affairs and Communications of those regulations within three months from the date of that designation:

一 特定利用者情報の漏えい、滅失又は毀損の防止その他の当該特定利用者情報の安全管理に関する事項

(i) matters regarding the prevention of leakage, loss, or damage of specified user information and other matters concerning the security control of that specified user information;

二 特定利用者情報の取扱いを第三者に委託する場合における当該委託を受けた者に対する監督に関する事項

(ii) matters regarding the supervision of any person entrusted with the handling of specified user information when it is entrusted to a third party;

三 第二十七条の八第一項に規定する情報取扱方針の策定及び公表に関する事項

(iii) matters regarding the establishment of the information handling policy prescribed in Article 27-8, paragraph (1) and the manner of making it public;

四 第二十七条の九の規定による評価に関する事項

(iv) matters regarding evaluation under Article 27-9;

五 その他総務省令で定める事項

(v) other particulars specified by Order of the Ministry of Internal Affairs and

Communications.

2 前条の規定により指定された電気通信事業者は、情報取扱規程を変更したときは、遅滞なく、変更した事項を総務大臣に届け出なければならない。

(2) When a telecommunications carrier designated pursuant to the provisions of the preceding Article has changed its regulations for handling information, the telecommunications carrier must notify the Minister of the changed matters without delay.

(情報取扱規程の変更命令等)

(Order for Changing Regulations for Handling Information)

第二十七条の七 総務大臣は、特定利用者情報の適正な取扱いを確保するため必要があると認めるときは、第二十七条の五の規定により指定された電気通信事業者に対し、当該電気通信事業者が前条各項の規定により届け出た情報取扱規程を変更すべきことを命ずることができる。

Article 27-7 (1) If the Minister for Internal Affairs and Communications finds it necessary in order to ensure the proper handling of specified user information, the Minister may order a telecommunications carrier designated pursuant to the provisions of Article 27-5 to change the regulations for handling information that the telecommunications carrier has notified the Minister of pursuant to the provisions of the paragraphs of the preceding Article.

2 総務大臣は、第二十七条の五の規定により指定された電気通信事業者が情報取扱規程を遵守していないと認めるときは、当該電気通信事業者に対し、利用者の利益を保護するために必要な限度において、情報取扱規程を遵守すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier designated pursuant to the provisions of Article 27-5 does not observe its regulations for handling information, the Minister may order that telecommunications carrier to observe the regulations for handling information to the extent necessary to protect the interests of users.

(情報取扱方針)

(Information Handling Policy)

第二十七条の八 第二十七条の五の規定により指定された電気通信事業者は、総務省令で定めるところにより、特定利用者情報の取扱いの透明性を確保するため、次に掲げる事項に関する方針（次項及び次条第二項において「情報取扱方針」という。）を定め、当該指定の日から三月以内に、公表しなければならない。

Article 27-8 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier designated pursuant to the provisions of Article 27-5 must establish a policy concerning the following matters (referred to as a "information handling policy" in the following paragraph and the following Article, paragraph (2)) to ensure

transparency in the handling of specified user information, and make the policy public within three months from the date of the designation:

一 取得する特定利用者情報の内容に関する事項

(i) matters regarding the content of the specified user information to be obtained;

二 特定利用者情報の利用の目的及び方法に関する事項

(ii) matters regarding the purpose and method of use of specified user information;

三 特定利用者情報の安全管理の方法に関する事項

(iii) matters regarding the method of security control of specified user information;

四 利用者からの苦情又は相談に応ずる営業所、事務所その他の事業場の連絡先に関する事項

(iv) matters regarding contact information for offices, business offices, or other places of business that respond to complaints from or provide consultations to users;

五 その他総務省令で定める事項

(v) other particulars specified by Order of the Ministry of Internal Affairs and Communications.

2 第二十七条の五の規定により指定された電気通信事業者は、情報取扱方針を変更したときは、遅滞なく、これを公表しなければならない。

(2) When a telecommunications carrier designated pursuant to Article 27-5 has changed its information handling policy, it must make the change public without delay.

(特定利用者情報の取扱状況の評価等)

(Evaluation of the Status of Handling of Specified User Information)

第二十七条の九 第二十七条の五の規定により指定された電気通信事業者は、総務省令で定めるところにより、毎事業年度、特定利用者情報の取扱いの状況について評価を実施しなければならない。

Article 27-9 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the telecommunications carrier designated pursuant to the provisions of Article 27-5 must conduct an evaluation of the status of the handling of specified user information every fiscal year.

2 第二十七条の五の規定により指定された電気通信事業者は、前項の規定による評価の結果に基づき、必要があると認めるときは、情報取扱規程又は情報取扱方針を変更しなければならない。

(2) When a telecommunications carrier designated pursuant to Article 27-5 finds it necessary based on the results of the evaluation under the preceding paragraph, the telecommunications carrier must change its regulations for handling information or its information handling policy.

(特定利用者情報統括管理者)

(General Manager of Specified User Information)

第二十七条の十 第二十七条の五の規定により指定された電気通信事業者は、第二十七条の六第一項各号に掲げる事項に関する業務を統括管理させるため、当該指定の日から三月以内に、事業運営上の重要な決定に参画する管理的地位にあり、かつ、利用者に関する情報の取扱いに関する一定の実務の経験その他の総務省令で定める要件を備える者のうちから、総務省令で定めるところにより、特定利用者情報統括管理者を選任しなければならない。

Article 27-10 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier designated pursuant to the provisions of Article 27-5, within three months from the date of the designation, must appoint a general manager of specified user information who is responsible for the general management of the duties on the particulars listed in the items of Article 27-6, paragraph (1) from among persons in managerial positions who participate in making important decisions on business management and who possess specific practical experience in handling information regarding users or satisfy other requirements specified by Order of the Ministry of Internal Affairs and Communications.

2 第二十七条の五の規定により指定された電気通信事業者は、特定利用者情報統括管理者を選任し、又は解任したときは、総務省令で定めるところにより、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a telecommunications carrier designated pursuant to the provisions of Article 27-5 appoints or dismisses a general manager of specified user information, it must notify the Minister for Internal Affairs and Communications to that effect without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(特定利用者情報統括管理者等の義務)

(Obligations of the General Manager of Specified User Information)

第二十七条の十一 特定利用者情報統括管理者は、誠実にその職務を行わなければならない。

Article 27-11 (1) A general manager of specified user information must perform their duties in a sincere manner.

2 第二十七条の五の規定により指定された電気通信事業者は、利用者の利益の保護に関し、特定利用者情報統括管理者のその職務を行う上での意見を尊重しなければならない。

(2) Regarding the protection of the interests of users, a telecommunications carrier designated pursuant to the provisions of Article 27-5 must respect the opinions of the general manager of specified user information that the manager holds concerning performing their duties.

(情報送信指令通信に係る通知等)

(Notification Concerning Information Transmission Order Communications)

第二十七条の十二 電気通信事業者又は第三号事業を営む者（内容、利用者の範囲及び利用状況を勘案して利用者の利益に及ぼす影響が少なくないものとして総務省令で定める電気通信役務を提供する者に限る。）は、その利用者に対し電気通信役務を提供する際に、当該利用者の電気通信設備を送信先とする情報送信指令通信（利用者の電気通信設備が有する情報送信機能（利用者の電気通信設備に記録された当該利用者に関する情報を当該利用者以外の者の電気通信設備に送信する機能をいう。以下この条において同じ。）を起動する指令を与える電気通信の送信をいう。以下この条において同じ。）を行おうとするときは、総務省令で定めるところにより、あらかじめ、当該情報送信指令通信が起動させる情報送信機能により送信されることとなる当該利用者に関する情報の内容、当該情報の送信先となる電気通信設備その他の総務省令で定める事項を当該利用者に通知し、又は当該利用者が容易に知り得る状態に置かなければならない。ただし、当該情報が次に掲げるものである場合は、この限りでない。

Article 27-12 In providing telecommunications services to its users, when a telecommunications carrier or a person conducting item (iii) business (limited to persons that provide telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as having non-negligible influence on the interests of users, in consideration of their content, the scope of users, and their usage) intends to send information transmission order communications (meaning a telecommunications transmission that provides a command to activate the information transmission functions possessed by the telecommunications facilities of the user (meaning the function of transmitting information about the user recorded in the telecommunications facilities of the user to the telecommunications facilities of a person other than the user; hereinafter the same applies in this Article); hereinafter the same applies in this Article) to the telecommunications facilities of the users, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, that telecommunications carrier or person conducting item (iii) business, in advance, must notify those users of the contents of their information that is to be sent by information transmission functions activated by the information transmission order communications, the telecommunications facilities to which that information is to be sent, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, or must make the abovementioned information readily available to those users; provided, however, that this does not apply if that information is any of the following:

一 当該電気通信役務において送信する符号、音響又は影像を当該利用者の電気通信設備の映像面に適正に表示するために必要な情報その他の利用者が電気通信役務を利用する際に送信をすることが必要なものとして総務省令で定める情報

(i) information necessary for the proper display and reproduction of codes,

sounds or images transmitted in the telecommunications service on the picture display of the telecommunications facilities of the user, and other information specified by Order of the Ministry of Internal Affairs and Communications as necessary for users to transmit when using the telecommunications service;

二 当該電気通信事業者又は第三号事業を営む者が当該利用者に対し当該電気通信役務を提供した際に当該利用者の電気通信設備に送信した識別符号（電気通信事業者又は第三号事業を営む者が、電気通信役務の提供に際し、利用者を他の者と区別して識別するために用いる文字、番号、記号その他の符号をいう。）であつて、当該情報送信指令通信が起動させる情報送信機能により当該電気通信事業者又は第三号事業を営む者の電気通信設備を送信先として送信されることとなるもの

(ii) identification codes (meaning letters, numbers, signs, or other codes that a telecommunications carrier or a person conducting the item (iii) business uses to identify a user separately from other persons when providing telecommunications services) that a telecommunications carrier or a person conducting the item (iii) business transmits to the user's telecommunications facilities when providing those telecommunications services to the user, and that are to be transmitted to the receiving telecommunications facilities of that carrier or person by the information transmission function activated by the information transmission order communications;

三 当該情報送信指令通信が起動させる情報送信機能により送信先の電気通信設備に送信されることについて当該利用者が同意している情報

(iii) information that the user has agreed will be sent to the receiving telecommunications facilities by the information transmission function activated by the information transmission order communications;

四 当該情報送信指令通信が次のいずれにも該当する場合には、当該利用者がイに規定する措置の適用を求めている情報

(iv) information for which the user has not requested the application of the measure prescribed in (a), if those information transmission order communications fall under all of the following:

イ 利用者の求めに応じて次のいずれかに掲げる行為を停止する措置を講じていること。

(a) measures to stop any of the following actions are taken at the request of the user:

(1) 当該情報送信指令通信が起動させる情報送信機能により行われる利用者に関する情報の送信

1. transmission of information about the user by means of an information transmission function activated by the information transmission order communications;

(2) 当該情報送信指令通信が起動させる情報送信機能により送信された利用者に関する情報の利用

2. use of information about the user transmitted by the information transmission function activated by the information transmission order communications;

ロ イに規定する措置、当該措置に係る利用者の求めを受け付ける方法その他の総務省令で定める事項について利用者が容易に知り得る状態に置いていること。

(b) the measures prescribed in (a) above, the method of accepting requests related to those measures from users, and other particulars specified by Order of the Ministry of Internal Affairs and Communications are made readily available to users.

(業務の停止等の報告)

(Reporting on the Suspension of Telecommunications Operations)

第二十八条 電気通信事業者は、次に掲げる場合には、その旨をその理由又は原因とともに、遅滞なく、総務大臣に報告しなければならない。

Article 28 (1) In any of the following cases, a telecommunications carrier must report without delay to the Minister for Internal Affairs and Communications to that effect including its reason or cause:

一 第八条第二項の規定により電気通信業務の一部を停止したとき。

(i) when part of telecommunications operations are suspended pursuant to the provisions of Article 8, paragraph (2);

二 電気通信業務に関し次に掲げる事故が生じたとき。

(ii) when any of the following accidents occurs in relation to telecommunications operations:

イ 通信の秘密の漏えい

(a) leakage of secrecy of communications;

ロ 第二十七条の五の規定により指定された電気通信事業者にあつては、特定利用者情報（同条第二号に掲げる情報であつて総務省令で定めるものに限る。）の漏えい

(b) in cases of a telecommunications carrier designated pursuant to the provisions of Article 27-5, the leakage of specified user information (limited to information listed in item (ii) of that Article and specified by Order of the Ministry of Internal Affairs and Communications);

ハ その他総務省令で定める重大な事故

(c) any other serious accident specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信事業者は、前項第二号イからハマまでに掲げる事故が生ずるおそれがあると認められる事態として総務省令で定めるものが生じたと認めたときは、その旨をその理由又は原因とともに、遅滞なく、総務大臣に報告しなければならない。

(2) If a telecommunications carrier finds that any of the situations specified by Order of the Ministry of Internal Affairs and Communications as a situation that could cause any of the accidents listed in item (ii), (a) through (c) of the

preceding paragraph has occurred, the telecommunications carrier must report without delay to the Minister for Internal Affairs and Communications to that effect including its reason or cause.

(業務の改善命令)

(Order to Improve Business Activities)

第二十九条 総務大臣は、次の各号のいずれかに該当すると認めるときは、電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

Article 29 (1) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier falls under any of the following items, the Minister may order the telecommunications carrier to improve its method of conducting the operations or take other measures to the extent necessary for ensuring the interests of users or the public interest:

一 電気通信事業者の業務の方法に関し通信の秘密の確保に支障があるとき。

(i) if there is a hindrance in ensuring the secrecy of communications with respect to the telecommunications carrier's method of conducting operations;

二 電気通信事業者が特定の者に対し不当な差別的取扱いを行つており。

(ii) if the telecommunications carrier treats certain persons in an unfair and discriminatory manner;

三 電気通信事業者が重要通信に関する事項について適切に配慮していないとき。

(iii) if the telecommunications carrier does not give proper consideration to the particulars related to essential communications;

四 電気通信事業者が提供する電気通信役務（基礎的電気通信役務（届出契約約款に定める料金その他の提供条件により提供されるものに限る。）又は指定電気通信役務（保障契約約款に定める料金その他の提供条件により提供されるものに限る。）を除く。次号から第七号までにおいて同じ。）に関する料金についてその額の算出方法が適正かつ明確でないため、利用者の利益を阻害しているとき。

(iv) if the methods of calculating charges for telecommunications services (except for universal telecommunications services (limited to those provided in accordance with the charges and other terms and conditions set forth in the notified contract conditions) or designated telecommunications services (limited to those provided in accordance with the charges and other terms and conditions for the provision of those services as specified in general conditions of contracts for securing the provision of the telecommunications services); the same applies in the following item through item (vii)) provided by the telecommunications carrier are not specified properly and explicitly, and thereby the interests of users are impaired;

五 電気通信事業者が提供する電気通信役務に関する料金その他の提供条件が他の電気通信事業者との間に不当な競争を引き起こすものであり、その他社会的経済的事情に照らして著しく不適當であるため、利用者の利益を阻害しているとき。

- (v) if the charges and other terms and conditions for the provision of the telecommunications carrier's telecommunications services lead to unfair competition with other telecommunications carriers or are extremely inappropriate in light of social and economic circumstances, and thereby the interests of users are impaired;
- 六 電気通信事業者が提供する電気通信役務に関する提供条件（料金を除く。次号において同じ。）において、電気通信事業者及びその利用者の責任に関する事項並びに電気通信設備の設置の工事その他の工事に関する費用の負担の方法が適正かつ明確でないため、利用者の利益を阻害しているとき。
- (vi) if the terms and conditions (except for charges; the same applies in the following item) for the provision of the telecommunications carrier's telecommunications services do not properly and explicitly specify particulars related to the responsibilities of the telecommunications carrier and its users, and the methods of sharing the costs of installation and other work for the telecommunications facilities, and thereby the interests of users are impaired;
- 七 電気通信事業者が提供する電気通信役務に関する提供条件が電気通信回線設備の使用の態様を不当に制限するものであるとき。
- (vii) if the terms and conditions for the provision of the telecommunications carrier's telecommunications services unreasonably restrict the way the telecommunications line facilities are used;
- 八 事故により電気通信役務の提供に支障が生じている場合に電気通信事業者がその支障を除去するために必要な修理その他の措置を速やかに行わないとき。
- (viii) if there is a hindrance to the provision of telecommunications services due to an accident, and the telecommunications carrier does not make repairs or take other measures necessary for removing that hindrance promptly;
- 九 電気通信事業者が国際電気通信事業に関する条約その他の国際約束により課された義務を誠実に履行していないため、公共の利益が著しく阻害されるおそれがあるとき。
- (ix) if the telecommunications carrier does not fulfill its obligations imposed by treaties or other international agreements in relation to the international telecommunications business in a sincere manner, and thereby the public interest is likely to be impaired seriously;
- 十 電気通信事業者が電気通信設備の接続、共用又は卸電気通信役務（電気通信事業者の電気通信事業の用に供する電気通信役務をいう。以下同じ。）の提供について特定の電気通信事業者に対し不当な差別的取扱いを行いその他これらの業務に関し不当な運営を行つていることにより他の電気通信事業者の業務の適正な実施に支障が生じているため、公共の利益が著しく阻害されるおそれがあるとき。
- (x) if the telecommunications carrier hinders other telecommunications carriers from properly conducting their operations by treating certain telecommunications carriers in an unfair and discriminatory manner in

interconnecting or sharing telecommunications facilities or in providing wholesale telecommunications services (telecommunications services provided for the telecommunications business of other telecommunications carriers; hereinafter the same applies) or by conducting other unfair management practices related to these operations, and thereby the public interest is likely to be impaired seriously;

十一 電気通信回線設備を設置することなく電気通信役務を提供する電気通信事業の経営によりこれと電気通信役務に係る需要を共通とする電気通信回線設備を設置して電気通信役務を提供する電気通信事業の当該需要に係る電気通信回線設備の保持が経営上困難となるため、公共の利益が著しく阻害されるおそれがあるとき。

(xi) if management of telecommunications business by a telecommunications carrier involved in providing telecommunications services without installing telecommunications line facilities makes it difficult for another telecommunications carrier that is installing those facilities and is providing the telecommunications services to maintain the telecommunications line facilities related to the same demand for telecommunications business from a management perspective, and thereby the public interest is likely to be impaired seriously; or

十二 前各号に掲げるもののほか、電気通信事業者の事業の運営が適正かつ合理的でないため、電気通信の健全な発達又は国民の利便の確保に支障が生ずるおそれがあるとき。

(xii) beyond what is set forth in the preceding items, if the telecommunications carrier does not manage its operations properly and reasonably, and thereby the sound development of telecommunications or securing convenience for the people is likely to be hindered.

2 総務大臣は、次の各号のいずれかに該当するときは、当該各号に定める者に対し、利用者の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If either of conditions set forth in the following items occur, the Minister for Internal Affairs and Communications may order the person prescribed in those items to improve the methods of conducting its operations or take other measures to the extent necessary for ensuring the interests of users:

一 電気通信事業者が第二十六条第一項、第二十六条の二第一項、第二十六条の四第一項、第二十七条、第二十七条の二、第二十七条の四又は第二十七条の十二の規定に違反したとき 当該電気通信事業者

(i) if a telecommunications carrier violates the provisions of Article 26-2, paragraph (1), Article 26-4, paragraph (1), Article 27, Article 27-2, Article 27-4, or Article 27-12: the telecommunications carrier;

二 第二十七条の三第一項の規定により指定された電気通信事業者が同条第二項の規定に違反したとき 当該電気通信事業者

(ii) if a telecommunications carrier designated pursuant to the provisions of

Article 27-3, paragraph (1) violates the provisions of Article 27-3, paragraph (2): the telecommunications carrier;

三 第二十七条の五の規定により指定された電気通信事業者が第二十七条の八又は第二十七条の九の規定に違反したとき 当該電気通信事業者

(iii) if a telecommunications carrier designated pursuant to the provisions of Article 27-5 violates the provisions of Article 27-8, or Article 27-9: the telecommunications carrier; or

四 第三号事業を営む者が第二十七条の十二の規定に違反したとき 当該第三号事業を営む者

(iv) if a person conducting the item (iii) business violates the provisions of Article 27-12: the person conducting the item (iii) business.

(第一種指定電気通信設備を設置する電気通信事業者等の禁止行為等)

(Conduct Prohibited for Telecommunications Carriers Installing Category I Designated Telecommunications Facilities)

第三十条 総務大臣は、総務省令で定めるところにより、第二種指定電気通信設備を設置する電気通信事業者について、当該第二種指定電気通信設備を用いる電気通信役務の提供の業務に係る最近一年間における収益の額の、当該電気通信役務に係る業務区域と同一の区域内における全ての同種の電気通信役務の提供の業務に係る当該一年間における収益の額を合算した額に占める割合が総務省令で定める割合を超える場合において、当該割合の推移その他の事情を勘案して他の電気通信事業者との間の適正な競争関係を確保するため必要があると認めるときは、当該第二種指定電気通信設備を設置する電気通信事業者を第三項、第五項及び第六項の規定の適用を受ける電気通信事業者として指定することができる。

Article 30 (1) If the amount of the income that a telecommunications carrier installing Category II designated telecommunications facilities generated from its operation involved in providing telecommunications services using those facilities in the most recent year accounts for a proportion of the total amount of the income generated in the same year from all operations of the same kind involved in providing telecommunications services within the same area of the relevant carrier and that proportion exceeds the proportion specified by Order of the Ministry of Internal Affairs and Communications, and if the Minister for Internal Affairs and Communications finds it necessary to ensure proper competition with other telecommunications carriers in consideration of changes in that proportion and other circumstances, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the Minister may designate the relevant carrier as a telecommunications carrier to which the provisions of paragraphs (3), (5), and (6) are applied.

2 総務大臣は、前項の規定による指定の必要がなくなつたと認めるときは、当該指定を解除しなければならない。

(2) If the Minister for Internal Affairs and Communications finds the designation

under the preceding paragraph is no longer necessary, the Minister must cancel the designation.

3 第一項の規定により指定された電気通信事業者は、次に掲げる行為をしてはならない。

(3) The telecommunications carrier designated pursuant to paragraph (1) must not conduct any of the following acts:

一 他の電気通信事業者の電気通信設備との接続の業務に関して知り得た当該他の電気通信事業者及びその利用者に関する情報を当該業務の用に供する目的以外の目的のために利用し、又は提供すること。

(i) using or providing information related to other telecommunications carriers and their users which came to the relevant carrier's knowledge in relation to its operations involved in interconnecting its telecommunications facilities with those of the other carriers, for purposes other than those operations; or

二 当該電気通信事業者が法人である場合において、その電気通信業務について、当該電気通信事業者の特定関係法人（第十二条の二第四項第一号に規定する特定関係法人をいう。次条第一項において同じ。）である電気通信事業者であつて総務大臣が指定するものに対し、不当に優先的な取扱いをし、又は利益を与えること。

(ii) if the relevant carrier is a corporation, giving preferential treatment or an advantage in an unreasonable manner to another telecommunications carrier designated by the Minister for Internal Affairs and Communications that is a corporation with a specific affiliation to the relevant carrier (meaning a corporation with a specified affiliation as defined in Article 12-2, paragraph (4), item (i); the same applies in paragraph (1) of the following Article) in connection with its telecommunications services.

4 第一種指定電気通信設備を設置する電気通信事業者は、次に掲げる行為をしてはならない。

(4) A telecommunications carrier installing Category I designated telecommunications facilities must not conduct any of the following acts:

一 他の電気通信事業者の電気通信設備との接続の業務に関して知り得た当該他の電気通信事業者及びその利用者に関する情報を当該業務の用に供する目的以外の目的のために利用し、又は提供すること。

(i) using or providing information related to other telecommunications carriers and their users which came to the relevant carrier's knowledge in relation to operations involved in interconnecting its telecommunications facilities with those of other telecommunications carriers, for purposes other than those operations;

二 その電気通信業務について、特定の電気通信事業者に対し、不当に優先的な取扱いをし、若しくは利益を与え、又は不当に不利な取扱いをし、若しくは不利益を与えること。

(ii) giving preferential treatment or an advantage to certain telecommunications carriers in an unreasonable manner, giving

disadvantageous treatment to them, or putting them at a disadvantage in an unreasonable manner, with regard to the relevant carrier's telecommunications operations; or

三 他の電気通信事業者（第百六十四条第一項各号に掲げる電気通信事業を営む者を含む。）又は電気通信設備の製造業者若しくは販売業者に対し、その業務について、不当に規律をし、又は干渉をすること。

(iii) unreasonably disciplining or intervening in the operations of other telecommunications carriers (including the persons that conduct any of the telecommunications business listed in items of Article 164, paragraph (1)), or manufacturers or sellers of telecommunications facilities.

5 総務大臣は、前二項の規定に違反する行為があると認めるときは、第一項の規定により指定された電気通信事業者又は第一種指定電気通信設備を設置する電気通信事業者に対し、当該行為の停止又は変更を命ずることができる。

(5) If the Minister for Internal Affairs and Communications finds that an act undertaken by a telecommunications carrier that has been designated pursuant to the provisions of paragraph (1) or a telecommunications carrier installing Category I designated telecommunications facilities violates the provisions of the preceding two paragraphs, the Minister may order the telecommunications carrier to suspend or change that act.

6 第一項の規定により指定された電気通信事業者及び第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、電気通信役務に関する収支の状況その他その会計に関し総務省令で定める事項を公表しなければならない。

(6) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier that has been designated pursuant to the provisions of paragraph (1) and a telecommunications carrier installing Category I designated telecommunications facilities must make the status of income and expenditure for its telecommunications services and other particulars related to its accounting as specified by Order of the Ministry of Internal Affairs and Communications public.

第三十一条 第一種指定電気通信設備を設置する電気通信事業者（法人である場合に限る。以下この条において同じ。）の役員は、当該電気通信事業者の特定関係法人（当該電気通信事業者の子会社、当該電気通信事業者を子会社とする会社又は当該会社の子会社（当該電気通信事業者を除く。）である電気通信事業者に限る。）であつて、その役員を兼ねた場合には電気通信事業者間の適正な競争関係を阻害するおそれがあるものとして総務大臣が指定するもの（次項及び第百六十九条第二号において「特定関係事業者」という。）の役員を兼ねてはならない。

Article 31 (1) An officer of a telecommunications carrier installing Category I designated telecommunications facilities (limited to a corporation; hereinafter the same applies in this Article) must not concurrently serve as an officer of a corporation with a specific affiliation to the relevant carrier (limited to a

telecommunications carrier which is the relevant carrier's subsidiary, a company that owns the relevant telecommunications carrier as its subsidiary, or that company's subsidiary (except for the relevant carrier itself), as specified by the Minister for Internal Affairs and Communications as one in which there is a possibility that appropriate competitive relationships between telecommunications carriers would be impaired if the relevant officer serves as an officer of that corporation (the relevant corporation is hereinafter referred to as a "carrier with a specific affiliation" in the following paragraph and Article 169, item (ii)).

2 第一種指定電気通信設備を設置する電気通信事業者は、次に掲げる行為をしてはならない。ただし、総務省令で定めるやむを得ない理由があるときは、この限りでない。

(2) A telecommunications carrier installing Category I designated telecommunications facilities must not conduct the following acts; provided, however, that this does not apply if there are compelling reasons specified by Order of the Ministry of Internal Affairs and Communications:

一 第一種指定電気通信設備との接続に必要な電気通信設備の設置若しくは保守、土地及びこれに定着する建物その他の工作物の利用又は情報の提供について、特定関係事業者に比して他の電気通信事業者に不利な取扱いをすること。

(i) treating other telecommunications carriers in a disadvantageous manner in comparison to a carrier with a specific affiliation to the relevant carrier, in relation to installing or maintaining telecommunications facilities necessary for interconnection with Category I designated telecommunications facilities, or in relation to using or providing information on the land and buildings and other structures affixed to them; or

二 電気通信役務の提供に関する契約の締結の媒介等その他他の電気通信事業者からの業務の受託について、特定関係事業者に比して他の電気通信事業者に不利な取扱いをすること。

(ii) treating other telecommunications carriers in a disadvantageous manner in comparison to a carrier with a specific affiliation to the relevant carrier, in relation to being entrusted to conduct intermediation or other similar actions for concluding contracts for the provision of telecommunications services or to conduct other operations by other telecommunications carriers.

3 第一種指定電気通信設備を設置する電気通信事業者は、電気通信業務又はこれに付随する業務の全部又は一部を子会社に委託する場合には、当該委託に係る業務に関し前条第四項各号に掲げる行為及び前項各号に掲げる行為（同項ただし書の理由があるときにおいて行われる行為を除く。次項において同じ。）が行われないよう、当該委託を受けた子会社に対し必要かつ適切な監督を行わなければならない。

(3) If a telecommunications carrier installing Category I designated telecommunications facilities entrusts all or a part of the telecommunications operations or any other operations incidental to them to its subsidiary, that carrier must conduct the necessary and proper supervision of the entrusted

subsidiary so that the subsidiary does not conduct the acts listed in any of the items of paragraph (4) of the preceding Article or the preceding paragraph of this Article (excluding those conducted for the reason in the proviso of that paragraph; the same applies in the following paragraph) in relation to the entrusted business.

4 総務大臣は、第一種指定電気通信設備を設置する電気通信事業者が第二項各号に掲げる行為を行つていると認めるとき、又は前項の委託を受けた子会社が前条第四項各号に掲げる行為若しくは第二項各号に掲げる行為を行つていると認めるときは、当該電気通信事業者に対し、同項各号に掲げる行為の停止若しくは変更を命じ、又は当該委託を受けた子会社による同条第四項各号に掲げる行為若しくは第二項各号に掲げる行為を停止させ、若しくは変更させるために必要な措置をとるべきことを命ずることができる。

(4) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier installing Category I designated telecommunications facilities undertakes any act listed in the items of paragraph (2), or finds that the entrusted subsidiary referred to in the preceding paragraph undertakes any act listed in the items of paragraph (4) of the preceding Article or any act listed in the items of paragraph (2), the Minister may order the telecommunications carrier to suspend or change the act listed in the items of that paragraph, or take necessary measures to suspend or change the acts listed in the items of paragraph (4) of that Article or the acts listed in the items of paragraph (2) undertaken by the entrusted subsidiary.

5 第一項、第三項及び前項に規定する「子会社」とは、法人がその総株主（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株主を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株主を含む。以下この項において同じ。）又は総社員の議決権の過半数を有する他の会社をいう。この場合において、法人及びその一若しくは二以上の子会社又は法人の一若しくは二以上の子会社がその総株主又は総社員の議決権の過半数を有する他の会社は、当該法人の子会社とみなす。

(5) The term "subsidiary" prescribed in paragraph (1), paragraph (3) and the preceding paragraph means a company for which a majority of the voting rights of all shareholders (excluding shareholders that cannot exercise their voting rights with regard to all particulars that may be resolved at the shareholders meetings, and including shareholders that are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; hereinafter the same applies in this paragraph) or all employees of the company is held by another corporation. In this case, a company in which a corporation and one or more of its subsidiaries hold the majority of all voting rights of all shareholders or all employees or in which one or more of a corporation's subsidiaries hold the majority of all shareholders or

all employees is deemed to be the subsidiary of that corporation.

- 6 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者との間の適正な競争関係を確保するため、総務省令で定めるところにより、当該第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務に関して知り得た情報を適正に管理し、かつ、当該接続の業務の実施状況を適切に監視するための体制の整備その他必要な措置を講じなければならない。

(6) In order to ensure an appropriate competitive relationship with other telecommunications carriers, a telecommunications carrier installing Category I designated telecommunications facilities must establish a system or take other necessary measures to properly control the information which came to its knowledge in relation to the operations involved in interconnection between the Category I designated telecommunications facilities and the telecommunications facilities of the other telecommunications carrier and to properly supervise the status of the implementation of those operations, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

- 7 前項に規定する体制の整備その他必要な措置は、次に掲げる事項を含むものでなければならない。

(7) The system or other necessary measures specified in the preceding paragraph must include the following particulars:

- 一 第一種指定電気通信設備（これと一体として設置される電気通信設備を含む。）の設置、管理及び運営並びにこれらに付随する業務を行う専任の部門（次号及び第三号において「設備部門」という。）を置くこと。

(i) establishing a division dedicated for installing, controlling, and operating of Category I designated telecommunications facilities (including telecommunications facilities installed in combination with the Category I designated telecommunications facilities) and for providing services incidental to it (referred to as a "facilities division" in the following item and item (iii));

- 二 第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務に関して知り得た情報の管理責任者を設備部門に置くこと。

(ii) assigning a person responsible for controlling information which has been learned in relation to the operations involved in the interconnection of Category I designated telecommunications facilities and the telecommunications facilities of the other telecommunications carriers to the facilities division; and

- 三 第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続の業務の実施状況を監視する部門を設備部門とは別に置くこと。

(iii) establishing a division for supervising the status of implementation of the operations involved in interconnection between the Category I designated telecommunications facilities and telecommunications facilities of other

telecommunications carriers, aside from the facilities division.

8 第一種指定電気通信設備を設置する電気通信事業者は、毎年、総務省令で定めるところにより、第二項、第三項及び第五項の規定の遵守のために講じた措置及びその実施状況に関し総務省令で定める事項を総務大臣に報告しなければならない。

(8) Every year, a telecommunications carrier installing Category I designated telecommunications facilities must report to the Minister for Internal Affairs and Communications on particulars specified by Order of the Ministry of Internal Affairs and Communications with respect to the measures it has taken to comply with the provisions of paragraph (2), (3), and (6) and the status of implementation of those measures, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(電気通信回線設備との接続)

(Interconnection with Telecommunications Line Facilities)

第三十二条 電気通信事業者は、他の電気通信事業者から当該他の電気通信事業者の電気通信設備をその設置する電気通信回線設備に接続すべき旨の請求を受けたときは、次に掲げる場合を除き、これに応じなければならない。

Article 32 If a telecommunications carrier receives a request from another telecommunications carrier to interconnect the telecommunications facilities of the requesting telecommunications carrier with the telecommunications line facilities of the requested telecommunications carrier, it must accept the request except for the following cases:

一 電気通信役務の円滑な提供に支障が生ずるおそれがあるとき。

(i) if the interconnection is likely to hinder telecommunications services from being provided in a smooth manner;

二 当該接続が当該電気通信事業者の利益を不当に害するおそれがあるとき。

(ii) if the interconnection is likely to unreasonably harm the interests of the requested telecommunications carrier; or

三 前二号に掲げる場合のほか、総務省令で定める正当な理由があるとき。

(iii) beyond the cases listed in the preceding two items, if there are justifiable grounds specified by Order of the Ministry of Internal Affairs and Communications.

(第一種指定電気通信設備との接続)

(Interconnection with Category I Designated Telecommunications Facilities)

第三十三条 総務大臣は、総務省令で定めるところにより、その一端が利用者の電気通信設備（移動端末設備を除く。）と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備の電気通信回線の数の、その伝送路設備が設置される都道府県の区域内に設置される全ての同種の伝送路設備の電気通信回線の数のうちに占める割合として総務省令で定める方法により算定した割合が総務省令で定める割合を超えるもの及び当該電気通信事業者が当該伝送路設備を用いる電気通

信役務を提供するために設置する電気通信設備であつて総務省令で定めるものの総体を、他の電気通信事業者の電気通信設備との接続が利用者の利便の向上及び電気通信の総合的かつ合理的な発達に欠くことのできない電気通信設備として指定することができる。

Article 33 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the Minister for Internal Affairs and Communications may designate the aggregates of the following as telecommunications facilities whose interconnection with telecommunications facilities of other telecommunications carriers is indispensable for improving convenience of users and developing telecommunications in a comprehensive and reasonable manner: transmission line facilities which are installed by a single telecommunications carrier and interconnected to the user's telecommunications facilities (except for mobile terminal facilities) at one end and whose transmission line facilities come to account for a proportion that is calculated by the method specified by Order of the Ministry of Internal Affairs and Communications as the proportion of the number of telecommunications lines of all transmission line facilities of the same type installed within the prefecture in which those transmission line facilities are to be installed, and that exceeds the proportion specified by Order of the Ministry of Internal Affairs and Communications; and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications which are installed by the telecommunications carrier for the purpose of providing telecommunications services using those transmission line facilities.

2 前項の規定により指定された電気通信設備（以下「第一種指定電気通信設備」という。）を設置する電気通信事業者は、当該第一種指定電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該第一種指定電気通信設備を設置する電気通信事業者が取得すべき金額（以下この条において「接続料」という。）及び他の電気通信事業者の電気通信設備との接続箇所における技術的条件、電気通信役務に関する料金を定める電気通信事業者の別その他の接続の条件（以下「接続条件」という。）について接続約款を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) A telecommunications carrier installing telecommunications facilities designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as "Category I designated telecommunications facilities") must establish general conditions of contracts for interconnection between the Category I designated telecommunications facilities and other telecommunications carriers' telecommunications facilities, concerning the amount of money that the telecommunications carrier installing Category I designated telecommunications facilities is to receive (hereinafter referred to as "interconnection charges" in this Article), the technical conditions required at the points of interconnection with other telecommunications carriers'

telecommunications facilities, and other terms and conditions of interconnection, including classifications of telecommunications carriers according to which charges for telecommunications services are specified (hereinafter referred to as "terms and conditions of interconnection"), and must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies if it intends to change those general conditions of contracts for interconnection.

3 前項の認可を受けるべき接続約款に定める接続料及び接続条件であつて、その内容からみて利用者の利便の向上及び電気通信の総合的かつ合理的な発達に及ぼす影響が比較的少ないものとして総務省令で定めるものは、同項の規定にかかわらず、その認可を要しないものとする。

(3) Notwithstanding the provisions of the preceding paragraph, among interconnection charges and terms and conditions of interconnection as specified in the general conditions of contracts for interconnection for which authorization is to be obtained as set forth in the preceding paragraph, authorization is not required to be obtained for those specified by Order of the Ministry of Internal Affairs and Communications as having a comparatively small influence on improving user convenience and developing telecommunications in a comprehensive and reasonable manner.

4 総務大臣は、第二項（第十六項の規定により読み替えて適用する場合を含む。以下この項、第六項、第九項、第十項及び第十四項において同じ。）の認可の申請が次の各号のいずれにも適合していると認めるときは、第二項の認可をしなければならない。

(4) The Minister for Internal Affairs and Communications must grant permission as set forth in paragraph (2) if the Minister finds that an application for authorization as set forth in paragraph (2) (including as applied pursuant to the provisions of paragraph (16) following the deemed replacement of terms; hereinafter the same applies in this paragraph, paragraph (6), paragraph (9), paragraph (10) and paragraph (14)) complies with all of the following items:

一 次に掲げる事項が適正かつ明確に定められていること。

(i) the particulars listed below are specified properly and explicitly:

イ 他の電気通信事業者の電気通信設備を接続することが技術的及び経済的に可能な接続箇所のうち標準的なものとして総務省令で定める箇所における技術的条件

(a) technical conditions required at the points specified by Order of the Ministry of Internal Affairs and Communications as standard interconnection points, from among interconnection points where interconnection with the telecommunications facilities of other telecommunications carriers is technically and economically feasible;

ロ 総務省令で定める機能ごとの接続料

(b) interconnection charges for respective functions specified by Order of the Ministry of Internal Affairs and Communications;

ハ 第一種指定電気通信設備を設置する電気通信事業者及びこれとその電気通信設

- 備を接続する他の電気通信事業者の責任に関する事項
- (c) particulars related to the responsibilities of the telecommunications carrier installing Category I designated telecommunications facilities and of other telecommunications carriers that interconnect their telecommunications facilities with those facilities;
- ニ 電気通信役務に関する料金を定める電気通信事業者の別
- (d) classifications of telecommunications carriers, according to which charges for telecommunications services are specified; and
- ホ イからニまでに掲げるもののほか、第一種指定電気通信設備との接続を円滑に行うために必要なものとして総務省令で定める事項
- (e) in addition to the particulars listed in (a) through (d) above, those specified by Order of the Ministry of Internal Affairs and Communications as being necessary for smooth interconnection with Category I designated telecommunications facilities;
- 二 接続料が能率的な経営の下における適正な原価に適正な利潤を加えた金額を算定するものとして総務省令で定める方法により算定された金額に照らし公正妥当なものであること。
- (ii) the interconnection charges are fair and appropriate in light of the amounts calculated by the method specified by Order of the Ministry of Internal Affairs and Communications as that for calculating a reasonable cost plus profits under efficient management;
- 三 接続条件が、第一種指定電気通信設備を設置する電気通信事業者がその第一種指定電気通信設備に自己の電気通信設備を接続することとした場合の条件に比して不利なものでないこと。
- (iii) the terms and conditions of interconnection are not disadvantageous in comparison with those applicable to the cases in which the telecommunications carrier installing Category I designated telecommunications facilities interconnects its own telecommunications facilities with the relevant Category I designated telecommunications facilities; and
- 四 特定の電気通信事業者に対し不当な差別的取扱いをするものでないこと。
- (iv) the general conditions of contracts for interconnection do not treat certain telecommunications carriers in an unfair and discriminatory manner.
- 5 前項第二号の総務省令で定める方法（同項第一号口の総務省令で定める機能のうち、高度で新しい電気通信技術の導入によつて、第一種指定電気通信設備との接続による当該機能に係る電気通信役務の提供の効率化が相当程度図られると認められるものとして総務省令で定める機能に係る接続料について定めるものに限る。）は、第一種指定電気通信設備を通常用いることができる高度で新しい電気通信技術を利用した効率的なものとなるように新たに構成するものとした場合に当該第一種指定電気通信設備との接続により当該第一種指定電気通信設備によつて提供される電気通信役務に係る通信量又は回線数の増加に応じて増加することとなる当該第一種指定電気通信設備に

係る費用を勘案して金額を算定するものでなければならない。

(5) The methods specified by Order of the Ministry of Internal Affairs and Communications as set forth in item (ii) of the preceding paragraph (limited to those which specify interconnection charges for functions specified by Order of the Ministry of Internal Affairs and Communications as the functions specified by Order of the Ministry of Internal Affairs and Communications as set forth in item (i), (b) of that paragraph, that are found to have the potential to achieve increased efficiency in provision of telecommunications services through interconnection with Category I designated telecommunications facilities to a considerable extent, by the introduction of advanced new telecommunications technologies) must be those by which the amount is calculated in consideration of the expenses for the Category I designated telecommunications facilities which will increase in accordance with an increase in the amount of traffic or the number of circuits for the telecommunications services provided by the those facilities through their interconnection, if the relevant Category I designated telecommunications facilities are reorganized to improve their efficiency with the use of advanced new telecommunications technologies that are generally available.

6 総務大臣は、第二項の認可を受けた接続約款で定める接続料が第四項第二号に規定する金額に照らして不適當となつたため又は当該接続約款で定める接続条件が社会的経済的事情の変動により著しく不適當となつたため公共の利益の増進に支障があると認めるときは、第一種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続約款の変更の認可を申請すべきことを命ずることができる。

(6) If the Minister for Internal Affairs and Communications finds that promotion of the public interest is hindered because the interconnection charges specified in the general conditions of contracts for interconnection which have been authorized as set forth in paragraph (2) become inappropriate in light of the amount set forth in paragraph (4), item (ii), or because the terms and conditions of interconnection specified in the general conditions of contracts for interconnection become particularly inappropriate due to changes in the social and economic circumstances, the Minister may order the telecommunications carrier installing Category I designated telecommunications facilities to apply for authorization for a change of the general conditions of contracts for interconnection within a reasonable period designated by the Minister.

7 第一種指定電気通信設備を設置する電気通信事業者は、その設置する第一種指定電気通信設備との接続に関する接続料及び接続条件であつて、第三項の総務省令で定めるものについて接続約款を定め、その実施前に総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

(7) A telecommunications carrier installing Category I designated telecommunications facilities must establish the general conditions of contracts for interconnection for interconnection charges and terms and conditions of

interconnection specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (3), for interconnection with their Category I designated telecommunications facilities, and must notify the Minister for Internal Affairs and Communications of those general conditions before their implementation. The same also applies if it intends to change them.

8 総務大臣は、前項（第十七項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款で定める接続料又は接続条件が公共の利益の増進に支障があると認めるときは、当該届出をした第一種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続約款を変更すべきことを命ずることができる。

(8) If the Minister for Internal Affairs and Communications finds that the interconnection charges or terms and conditions of interconnection specified in the general conditions of contracts for interconnection for which notification has been made pursuant to the provisions of the preceding paragraph (including as applied pursuant to the provision of paragraph (17) following the deemed replacement of terms) hinder promotion of the public interest, the Minister may order the telecommunications carrier that has given the notification and is installing the Category I designated telecommunications facilities to change the general conditions of contracts for interconnection within a reasonable period designated by the Minister.

9 第一種指定電気通信設備を設置する電気通信事業者は、第二項の規定により認可を受け、又は第七項（第十七項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款（以下この条において「認可接続約款等」という。）によらなければ、他の電気通信事業者との間において、その設置する第一種指定電気通信設備との接続に関する協定を締結し、又は変更してはならない。

(9) A telecommunications carrier installing Category I designated telecommunications facilities must not conclude or amend an agreement with other telecommunications carriers on interconnection with the relevant Category I designated telecommunications facilities, unless the action is conducted in accordance with the general conditions of contracts for interconnection authorized pursuant to the provisions of paragraph (2) or the general conditions of contracts for interconnection for which notification has been made pursuant to the provisions of paragraph (7) (including as applied pursuant to the provisions of paragraph (17) following the deemed replacement of terms) (hereinafter referred to as "authorized or notified general conditions of contracts for interconnection" in this Article).

10 前項の規定にかかわらず、認可接続約款等により難い特別な事情があるときは、第一種指定電気通信設備を設置する電気通信事業者は、総務大臣の認可を受けて、当該認可接続約款等で定める接続料及び接続条件と異なる接続料及び接続条件（第二項に規定する接続料及び接続条件に該当するものにあつては、第四項各号（第一号イ及びロを除く。）のいずれにも適合しているものに限る。）によりその設置する第一種

指定電気通信設備との接続に関する協定を締結し、又は変更することができる。

(10) Notwithstanding the provisions of the preceding paragraph, if there are special circumstances that make it difficult to comply with authorized or notified general conditions of contracts for interconnection upon authorization from the Minister for Internal Affairs and Communications, a telecommunications carrier installing Category I designated telecommunications facilities may conclude or amend an agreement on interconnection with the relevant Category I designated telecommunications facilities through interconnection charges and terms and conditions of interconnection different from those specified in the authorized or notified general conditions of contracts for interconnection (limited to those conforming to all items (except item (i), (a) and (b)) in paragraph (4), in cases of those that fall under the interconnection charges and terms and conditions of interconnection as set forth in paragraph (2)).

1 1 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、認可接続約款等を公表しなければならない。

(11) A telecommunications carrier installing Category I designated telecommunications facilities must make its authorized or notified general conditions of contracts for interconnection public, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

1 2 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、当該第一種指定電気通信設備との接続に係る第四項第一号ロの総務省令で定める機能ごとに、通信量又は回線数その他総務省令で定める事項（第十四項において「通信量等」という。）を記録しておかなければならない。

(12) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier installing Category I designated telecommunications facilities must keep records of the amount of traffic, the number of circuits, or other particulars specified by Order of the Ministry of Internal Affairs and Communications (referred to as "amount of traffic or other particulars" in paragraph (14)) for respective functions specified by Order of the Ministry of Internal Affairs and Communications, as set forth in paragraph (4), item (i), (b), in relation to interconnection with the Category I designated telecommunications facilities.

1 3 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、当該第一種指定電気通信設備との接続に関する会計を整理し、及びこれに基づき当該接続に関する収支の状況その他総務省令で定める事項を公表しなければならない。

(13) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier installing those Category I designated telecommunications facilities must keep accounts for interconnection with its Category I designated telecommunications facilities,

and based on the accounting, make the status of income and expenditure regarding the interconnection and other particulars specified by Order of the Ministry of Internal Affairs and Communications public.

- 1 4 第一種指定電気通信設備を設置する電気通信事業者は、第五項に規定する接続料にあつては第二項の認可を受けた後五年を超えない範囲内で総務省令で定める期間を経過するごとに、それ以外の接続料にあつては前項の規定により毎事業年度の会計を整理したときに、通信量等の記録及び同項の規定による会計の整理の結果に基づき第四項第二号の総務省令で定める方法により算定された金額に照らし公正妥当なものとするために、接続料を再計算しなければならない。

(14) In order to keep the interconnection charges fair and justifiable, a telecommunications carrier installing Category I designated telecommunications facilities must recalculate the interconnection charges, in light of the amount calculated by methods specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (4) item (ii), based on records of the amount of traffic or other particulars and on the results of accounts as set forth in the preceding paragraph, every time a period not exceeding five years as specified by Order of the Ministry of Internal Affairs and Communications has passed, after the date of authorization set forth in paragraph (2) in cases of interconnection charges set forth in paragraph (5), or every time a telecommunications carrier has closed accounts for the preceding fiscal year pursuant to the provisions of the preceding paragraph in cases of other interconnection charges.

- 1 5 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者がその電気通信設備と当該第一種指定電気通信設備との接続を円滑に行うために必要な情報の提供に努めなければならない。

(15) A telecommunications carrier installing Category I designated telecommunications facilities must endeavor to provide other telecommunications carriers with any information necessary for smooth interconnection between their telecommunications facilities and those Category I designated telecommunications facilities.

- 1 6 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第二項の規定により総務大臣の認可を受けべき接続約款に定める接続料及び接続条件については、同項中「総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする」とあるのは、「前項の規定により新たに指定をされた日から三月以内に、総務大臣に対し、認可の申請をしなければならない」とする。

(16) With regard to interconnection charges and terms and conditions of interconnection specified in the general conditions of contracts for interconnection for which a telecommunications carrier installing telecommunications facilities newly designated pursuant to the provisions of paragraph (1) is to obtain authorization from the Minister for Internal Affairs

and Communications for the first time after the date of designation pursuant to the provisions of paragraph (2), the phrase "must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies when it intends to change those general conditions of contracts for interconnection" in that paragraph is deemed to be replaced with "must apply for authorization from the Minister for Internal Affairs and Communications within three months from the date on which the designation is newly granted pursuant to the provisions of the preceding paragraph".

17 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第七項の規定により総務大臣に届け出るべき接続約款に定める接続料及び接続条件については、同項中「その実施前に総務大臣に届け出なければならぬ。これを変更しようとするときも、同様とする」とあるのは、「第一項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならぬ」とする。

(17) With regard to interconnection charges and the terms and conditions of interconnection specified in the general conditions of contracts for interconnection of which the telecommunications carrier installing the telecommunications facilities newly designated pursuant to the provisions of paragraph (1) is to notify the Minister for Internal Affairs and Communications for the first time after the date of the designation pursuant to the provision of paragraph (7), the phrase "must notify the Minister for Internal Affairs and Communications of those general conditions before their implementation. The same also applies when it intends to change them" in that paragraph is deemed to be replaced with "must notify the Minister for Internal Affairs and Communications of those general conditions within three months from the date on which designation is newly granted pursuant to the provisions of paragraph (1)".

18 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者が、第十六項の規定により読み替えて適用する第二項の規定により当該電気通信事業者が認可の申請をした接続約款に対する総務大臣の認可があつた日又は前項の規定により読み替えて適用する第七項の規定により当該電気通信事業者が接続約款を届け出た日のいずれか遅い日（以下この項において「起算日」という。）に現に締結している他の電気通信事業者との電気通信設備の接続に関する協定のうち当該新たに指定をされた電気通信設備との接続に関するものについては、第九項の規定は、起算日から起算して三月間は、適用しない。

(18) The provisions of paragraph (9) do not apply for three months from whichever date comes later: the date on which the authorization from the Minister for Internal Affairs and Communications is granted with respect to the general conditions of contracts for interconnection that the telecommunications carrier installing the telecommunications facilities newly designated pursuant to the provisions of paragraph (1) has applied for

pursuant to the provisions of paragraph (2) as applied pursuant to the provisions of paragraph (16) following the deemed replacement of terms; or the date on which the notification of the general conditions of contracts for interconnection is filed by the telecommunications carrier pursuant to the provisions of paragraph (7) as applied pursuant to the provisions of the preceding paragraph following the deemed replacement of terms (hereinafter referred to as "initial date of calculation" in this paragraph) to the agreements on interconnection that the telecommunications carrier has concluded with other telecommunications carriers as of the initial date of calculation that are related to the newly designated telecommunications facilities.

(第一種指定電気通信設備との接続に係る機能の休止及び廃止の周知)

(Making the Suspension and Discontinuation of Functions Related to Interconnection with Category I Designated Telecommunications Facilities Widely Known)

第三十三条の二 第一種指定電気通信設備を設置する電気通信事業者は、当該第一種指定電気通信設備との接続に係る前条第四項第一号ロの総務省令で定める機能を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、当該第一種指定電気通信設備とその電気通信設備を接続する他の電気通信事業者であつて当該機能を利用するものに対し、その旨を周知させなければならない。

Article 33-2 If a telecommunications carrier installing Category I designated telecommunications facilities intends to suspend or discontinue functions specified by Order of the Ministry of Internal Affairs and Communications as prescribed in paragraph (4), item (i), (b) of the preceding Article for interconnection with the relevant Category I designated telecommunications facilities, it must make this known to other telecommunications carriers whose telecommunications facilities are interconnected to the relevant Category I designated telecommunications facilities and that are using the relevant functions, in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(第二種指定電気通信設備との接続)

(Interconnection with Category II Designated Telecommunications Facilities)

第三十四条 総務大臣は、総務省令で定めるところにより、その一端が特定移動端末設備と接続される伝送路設備のうち同一の電気通信事業者が設置するものであつて、その伝送路設備に接続される特定移動端末設備の数の、その伝送路設備を用いる電気通信役務に係る業務区域と同一の区域内に設置されている全ての同種の伝送路設備に接続される特定移動端末設備の数のうちに占める割合が総務省令で定める割合を超えるもの及び当該電気通信事業者が当該電気通信役務を提供するために設置する電気通信設備であつて総務省令で定めるものの総体を、他の電気通信事業者の電気通信設備との適正かつ円滑な接続を確保すべき電気通信設備として指定することができる。

Article 34 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the Minister for Internal Affairs and Communications may designate the aggregates of the following as telecommunications facilities whose appropriate and smooth interconnection with the telecommunications facilities of other telecommunications carriers is to be ensured: transmission line facilities which are installed by a single telecommunications carrier and interconnected to the specified mobile terminal facilities at one end, and whose specified mobile terminal facilities represent a proportion exceeding the proportion specified by Order of the Ministry of Internal Affairs and Communications of the total number of specified mobile terminal facilities interconnected to all transmission line facilities of the same type installed within the same service area of the telecommunications services provided by using the relevant transmission line facilities; and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications which are installed by the telecommunications carrier to provide the telecommunications services.

2 前項の規定により指定された電気通信設備（以下「第二種指定電気通信設備」という。）を設置する電気通信事業者は、当該第二種指定電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額及び接続条件について接続約款を定め、総務省令で定めるところにより、その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

(2) A telecommunications carrier installing telecommunications facilities designated pursuant to the provisions of the preceding paragraph (hereinafter referred to as "Category II designated telecommunications facilities") must establish the general conditions of contracts for interconnection between the Category II designated telecommunications facilities and other telecommunications carriers' facilities, concerning the amount of money that the telecommunications carrier installing the Category II designated telecommunications facilities is to receive, and the terms and conditions of interconnection, and notify the Minister for Internal Affairs and Communications of those general conditions before their implementation, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same also applies if it intends to change them.

3 総務大臣は、前項（第八項の規定により読み替えて適用する場合を含む。）の規定により届け出た接続約款が次の各号のいずれかに該当すると認めるときは、当該第二種指定電気通信設備を設置する電気通信事業者に対し、相当の期限を定め、当該接続約款を変更すべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that the general conditions of contracts for interconnection for which notification has been made pursuant to the provisions of the preceding paragraph (including as

applied pursuant to the provisions of paragraph (8) following the deemed replacement of the terms) fall under any of the following items, the Minister may order the telecommunications carrier installing the Category II designated telecommunications facilities to change the general conditions of contracts for interconnection within a reasonable period designated by the Minister:

一 次に掲げる事項が適正かつ明確に定められていないとき。

(i) if particulars listed below are not specified properly and explicitly:

イ 他の電気通信事業者の電気通信設備を接続することが技術的及び経済的に可能な接続箇所のうち標準的なものとして総務省令で定める箇所における技術的条件

(a) technical conditions required at the points specified by Order of the Ministry of Internal Affairs and Communications as standard interconnection points, from among the interconnection points where interconnection with the telecommunications facilities of other telecommunications carriers is technically and economically feasible;

ロ 総務省令で定める機能ごとの第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額

(b) the amount of money that the telecommunications carrier installing Category II designated telecommunications facilities is to receive for respective functions specified by Order of the Ministry of Internal Affairs and Communications;

ハ 第二種指定電気通信設備を設置する電気通信事業者及びこれとその電気通信設備を接続する他の電気通信事業者の責任に関する事項

(c) particulars related to the responsibilities of the telecommunications carrier installing Category II designated telecommunications facilities and of other telecommunications carriers that interconnect their telecommunications facilities with those facilities;

ニ 電気通信役務に関する料金を定める電気通信事業者の別

(d) classifications of telecommunications carriers, according to which charges for telecommunications services are specified; or

ホ イからニまでに掲げるもののほか、第二種指定電気通信設備との接続を円滑に行うために必要なものとして総務省令で定める事項

(e) beyond the particulars listed in (a) through (d) above, particulars specified by Order of the Ministry of Internal Affairs and Communications as being necessary for smooth interconnection with Category II designated telecommunications facilities;

二 第二種指定電気通信設備を設置する電気通信事業者が取得すべき金額が能率的な経営の下における適正な原価に適正な利潤を加えたものを算定するものとして総務省令で定める方法により算定された金額を超えるものであるとき。

(ii) if the amount of money that the telecommunications carrier installing Category II designated telecommunications facilities is to receive exceeds the amount of money calculated by the method specified by Order of the Ministry

of Internal Affairs and Communications as that for calculating reasonable costs plus reasonable profits under efficient management;

三 接続条件が、第二種指定電気通信設備を設置する電気通信事業者がその第二種指定電気通信設備に自己の電気通信設備を接続することとした場合の条件に比して不利なものであるとき。

(iii) if the terms and conditions of interconnection are disadvantageous in comparison with those applicable to the cases in which the telecommunications carrier installing Category II designated telecommunications facilities interconnects its own telecommunications facilities with the relevant Category II designated telecommunications facilities; or

四 特定の電気通信事業者に対し不当な差別的な取扱いをするものであるとき。

(iv) if the general conditions of contracts for interconnection treat certain telecommunications carriers in an unfair and discriminatory manner.

4 第二種指定電気通信設備を設置する電気通信事業者は、第二項（第八項の規定により読み替えて適用する場合を含む。次項において同じ。）の規定により届け出た接続約款によらなければ、他の電気通信事業者との間において、第二種指定電気通信設備との接続に関する協定を締結し、又は変更してはならない。

(4) A telecommunications carrier installing Category II designated telecommunications facilities must not conclude or amend an agreement with other telecommunications carriers on interconnection with the Category II designated telecommunications facilities, unless the action is conducted in accordance with the general conditions of contracts for interconnection of which the notification has been made pursuant to the provisions of paragraph (2) (including as applied pursuant to the provisions of paragraph (8) following the deemed replacement of terms; the same applies in the following paragraph).

5 第二種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、第二項の規定により届け出た接続約款を公表しなければならない。

(5) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier installing Category II designated telecommunications facilities must make public the general conditions of contracts for interconnection for which notification has been made pursuant to the provision of paragraph (2).

6 第二種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、第二種指定電気通信設備との接続に関する会計を整理し、及びこれに基づき当該接続に関する収支の状況その他総務省令で定める事項を公表しなければならない。

(6) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier installing Category II designated telecommunications facilities must keep accounts for interconnection with its Category II designated telecommunications facilities, and based on the accounting, make the status of income and expenditure

regarding the interconnection and other particulars specified by Order of the Ministry of Internal Affairs and Communications public.

7 第二種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者がその電気通信設備と第二種指定電気通信設備との接続を円滑に行うために必要な情報の提供に努めなければならない。

(7) A telecommunications carrier installing Category II designated telecommunications facilities must endeavor to provide other telecommunications carriers with any information for smooth interconnection between their telecommunications facilities and the Category II designated telecommunications facilities.

8 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者がその指定の日以後最初に第二項の規定により総務大臣に届け出るべき接続約款に定める当該電気通信事業者が取得すべき金額及び接続条件については、同項中「その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。」とあるのは、「前項の規定により新たに指定をされた日から三月以内に、総務大臣に届け出なければならない。」とする。

(8) With regard to the amount of money that a telecommunications carrier installing telecommunications facilities newly designated pursuant to the provisions of paragraph (1) is to receive, and the terms and conditions of interconnection, as specified in the general conditions of contracts for interconnection of which the telecommunications carrier is to notify the Minister for Internal Affairs and Communications for the first time after the date of designation pursuant to the provisions of paragraph (2), the phrase "and notify the Minister for Internal Affairs and Communications of the general conditions of contracts prior to their implementation, pursuant to Order of the Ministry of Internal Affairs and Communication. The same also applies to the cases in which it intends to change those general conditions of contracts" in that paragraph is deemed to be replaced with "and notify the Minister for Internal Affairs and Communications of the general conditions of contracts within three months from the date on which designation is newly granted pursuant to the provisions of the preceding paragraph, pursuant to Order of the Ministry of Internal Affairs and Communication".

9 第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者が、前項の規定により読み替えて適用する第二項の規定により当該電気通信事業者が接続約款の届出をした日（以下この項において「届出日」という。）に現に締結している他の電気通信事業者との電気通信設備の接続に関する協定のうち当該新たに指定をされた電気通信設備との接続に関するものについては、第四項の規定は、届出日から起算して三月間は、適用しない。

(9) For three months from the date on which the notification of the general conditions of contracts for interconnection is filed by the telecommunications carrier pursuant to the provisions of paragraph (2), as applied pursuant to the

provisions of the preceding paragraph following the deemed replacement of terms (hereinafter referred to as "date of notification"), the provisions of paragraph (4) do not apply to the agreements on interconnection that a telecommunications carrier installing telecommunications facilities newly designated pursuant to the provisions of paragraph (1) has concluded with other telecommunications carriers as of the date of notification that are related to interconnection with the newly designated telecommunications facilities.

(第二種指定電気通信設備との接続に係る機能の休止及び廃止の周知)

(Making the Suspension and Discontinuation of Functions Related to Interconnection with Category II Designated Telecommunications Facilities Widely Known)

第三十四条の二 第二種指定電気通信設備を設置する電気通信事業者は、当該第二種指定電気通信設備との接続に係る前条第三項第一号口の総務省令で定める機能を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、当該第二種指定電気通信設備とその電気通信設備を接続する他の電気通信事業者であつて当該機能を利用するものに対し、その旨を周知させなければならない。

Article 34-2 If a telecommunications carrier installing Category II designated telecommunications facilities intends to suspend or discontinue functions specified by Order of the Ministry of Internal Affairs and Communications as prescribed in item (i), (b) of paragraph (3) of the preceding Article related to interconnection with the relevant Category II designated telecommunications facilities, it must make this known to other telecommunications carriers whose telecommunications facilities are interconnected to the relevant Category II designated telecommunications facilities and that are using the relevant functions, in advance, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(電気通信設備の接続に関する命令等)

(Order on Interconnection with Telecommunications Facilities)

第三十五条 総務大臣は、電気通信事業者が他の電気通信事業者に対し当該他の電気通信事業者が設置する電気通信回線設備と当該電気通信事業者の電気通信設備との接続に関する協定の締結を申し入れたにもかかわらず当該他の電気通信事業者がその協議に応じず、又は当該協議が調わなかつた場合で、当該協定の締結を申し入れた電気通信事業者から申立てがあつたときは、第三十二条各号に掲げる場合に該当すると認めるとき及び第百五十五条第一項の規定による仲裁の申請がされているときを除き、当該他の電気通信事業者に対し、その協議の開始又は再開を命ずるものとする。

Article 35 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection between the requested telecommunications carrier's telecommunications line facilities and the requesting telecommunications carrier's telecommunications

facilities, but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition, the Minister for Internal Affairs and Communications is to order the requested telecommunications carrier to start or restart those negotiations, except for cases in which the Minister finds that interconnection falls under the items of Article 32 or an application for arbitration has been filed pursuant to the provisions of Article 155, paragraph (1).

- 2 総務大臣は、前項に規定する場合のほか、電気通信事業者間において、その一方が電気通信設備の接続に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず、又は当該協議が調わなかった場合で、当該一方の電気通信事業者から申立てがあつた場合において、その接続が公共の利益を増進するために特に必要であり、かつ、適切であると認めるときは、第百五十五条第一項の規定による仲裁の申請がされているときを除き、他の一方の電気通信事業者に対し、その協議の開始又は再開を命ずることができる。

- (2) Beyond the cases set forth in the preceding paragraph, if a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection between the requested telecommunications carrier's telecommunications facilities and those of the requesting telecommunications carrier, but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition; and if the Minister for Internal Affairs and Communications finds that that interconnection is particularly necessary and appropriate for increasing the public interest, the Minister may order the requested telecommunications carrier to start or restart those negotiations, except for cases in which an application for arbitration has been filed pursuant to the provisions of Article 155, paragraph (1).

- 3 電気通信事業者の電気通信設備との接続に関し、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について当事者間の協議が調わないときは、当該電気通信設備に接続する電気通信設備を設置する電気通信事業者は、総務大臣の裁定を申請することができる。ただし、当事者が第百五十五条第一項の規定による仲裁の申請をした後は、この限りでない。

- (3) If negotiations between the parties about interconnection with a telecommunications carrier's telecommunications facilities fail on the amount of money that is to be received or paid by the parties, the terms and conditions of interconnection, or other details of the agreement, the telecommunications carrier installing telecommunications facilities to be interconnected to them may apply to the Minister for Internal Affairs and Communications for a ruling; provided, however, that this does not apply if any party has already filed an application for arbitration under Article 155, paragraph (1).

- 4 前項に規定する場合のほか、第一項又は第二項の規定による命令があつた場合において、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について、当事者間の協議が調わないときは、当事者は、総務大臣の裁定を申請することができる。
- (4) Beyond the cases set forth in the preceding paragraph, if an order has been issued pursuant to the provisions of paragraph (1) or (2), and negotiations between the parties fail on the amount of money that is to be received or paid by the parties, the terms and conditions of interconnection, or the details of the agreement, the relevant party may apply to the Minister for Internal Affairs and Communication for a ruling.
- 5 総務大臣は、前二項の規定による裁定の申請を受理したときは、その旨を他の当事者に通知し、期間を指定して答弁書を提出する機会を与えなければならない。
- (5) If the Minister for Internal Affairs and Communications receives the application for a ruling under the preceding two paragraphs, the Minister must notify the other party to that effect, and must give that other party an opportunity to file written answers within a period designated by the Minister.
- 6 総務大臣は、第三項又は第四項の裁定をしたときは、遅滞なく、その旨を当事者に通知しなければならない。
- (6) If the Minister for Internal Affairs and Communications makes a ruling as set forth in paragraph (3) or (4), the Minister must notify the parties to that effect without delay.
- 7 第三項又は第四項の裁定があつたときは、その裁定の定めるところに従い、当事者間に協議が調つたものとみなす。
- (7) If a ruling is made as set forth in paragraph (3) or paragraph (4), the negotiations between the parties are deemed to have reached agreement in accordance with the ruling.
- 8 第三項又は第四項の裁定のうち当事者が取得し、又は負担すべき金額について不服のある者は、その裁定があつたことを知つた日から六月以内に、訴えをもつてその金額の増減を請求することができる。
- (8) Any of the parties that are dissatisfied with the ruling set forth in paragraph (3) or (4) with regard to the amount of money that is to be received or paid by the party may demand an increase or decrease in that amount by filing an action within six months from the date on which the party is informed of the ruling.
- 9 前項の訴えにおいては、他の当事者を被告とする。
- (9) In filing an action as set forth in the preceding paragraph, the other party is the defendant.
- 10 第三項又は第四項の裁定についての審査請求においては、当事者が取得し、又は負担すべき金額についての不服をその裁定の不服の理由とすることができない。
- (10) Dissatisfaction with the amount of money that is to be received or paid by the party may not be used as grounds to appeal the ruling set forth in

paragraph (3) or (4).

(第一種指定電気通信設備の機能の変更又は追加に関する計画)

(Plans for Changes to or Addition of Functions of Category I Designated Telecommunications Facilities)

第三十六条 第一種指定電気通信設備を設置する電気通信事業者は、当該第一種指定電気通信設備の機能（総務省令で定めるものを除く。）の変更又は追加の計画を有するときは、総務省令で定めるところにより、その計画を当該工事の開始の日の総務省令で定める日数前までに総務大臣に届け出なければならない。その届け出た計画を変更しようとするときも、同様とする。

Article 36 (1) If a telecommunications carrier installing Category I designated telecommunications facilities has a plan to change or make an addition to existing functions (except those specified by Order of the Ministry of Internal Affairs and Communications) of the Category I designated telecommunications facilities, it must notify the Minister for Internal Affairs and Communications of the plan pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications by the period before the date on which the installation work starts as specified by Order of the Ministry of Internal Affairs and Communications. The same also applies if it intends to change the plan notified to the Minister.

2 第一種指定電気通信設備を設置する電気通信事業者は、総務省令で定めるところにより、前項の規定により届け出た計画を公表しなければならない。

(2) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier installing Category I designated telecommunications facilities must make public the plan for which the notification has been made pursuant to the provisions of the preceding paragraph.

3 総務大臣は、第一項の規定による届出があつた場合において、その届け出た計画の実施により他の電気通信事業者の電気通信設備と第一種指定電気通信設備との円滑な接続に支障が生ずるおそれがあると認めるときは、当該第一種指定電気通信設備を設置する電気通信事業者に対し、その計画を変更すべきことを勧告することができる。

(3) If a notification is filed pursuant to the provisions of paragraph (1) and the Minister for Internal Affairs and Communications finds that the implementation of the notified plan is likely to hinder the smooth interconnection between the Category I designated telecommunications facilities and those of another telecommunications carrier, the Minister may recommend the telecommunications carrier installing the Category I designated telecommunications facilities to change its plan.

(第一種指定電気通信設備の共用に関する協定)

(Agreement on Sharing Category I Designated Telecommunications Facilities)

第三十七条 第一種指定電気通信設備を設置する電気通信事業者は、他の電気通信事業者と当該第一種指定電気通信設備の共用に関する協定を締結し、又は変更しようとするときは、総務省令で定めるところにより、あらかじめ総務大臣に届け出なければならない。

Article 37 (1) If a telecommunications carrier installing Category I designated telecommunications facilities intends to conclude or amend an agreement with other telecommunications carriers on sharing its Category I designated telecommunications facilities, it must notify the Minister for Internal Affairs and Communications of it in advance pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 第三十三条第一項の規定により新たに指定をされた電気通信設備を設置する電気通信事業者は、当該指定の際現に当該電気通信事業者が締結している他の電気通信事業者との協定のうち当該電気通信設備の共用に関するものを、総務省令で定めるところにより、遅滞なく、総務大臣に届け出なければならない。

(2) A telecommunications carrier installing telecommunications facilities newly designated pursuant to the provisions of Article 33, paragraph (1) must notify the Minister for Internal Affairs and Communications of the agreement on sharing the telecommunications facilities that it has concluded with other telecommunications carriers as of the time of the designation, without delay, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(電気通信設備等の共用に関する命令等)

(Order to Share Telecommunications Facilities)

第三十八条 総務大臣は、電気通信事業者間においてその一方が電気通信設備又は電気通信設備設置用工作物（電気通信事業者が電気通信設備を設置するために使用する建物その他の工作物をいう。以下同じ。）の共用に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず又は当該協議が調わなかつた場合で、当該一方の電気通信事業者から申立てがあつた場合において、その共用が公共の利益を増進するために特に必要であり、かつ、適切であると認めるときは、第百五十六条第一項において準用する第百五十五条第一項の規定による仲裁の申請がされているときを除き、他の一方の電気通信事業者に対し、その協議の開始又は再開を命ずることができる。

Article 38 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on sharing telecommunications facilities or structures for telecommunications facilities installation (meaning buildings and other structures used by telecommunications carriers to install telecommunications facilities; the same applies hereinafter), but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, resulting in the requesting telecommunications carrier filing a petition, and if the Minister for Internal

Affairs and Communications finds that the relevant sharing is particularly necessary and appropriate for increasing the public interest, the Minister may order the requested telecommunications carrier to start or restart negotiations, except for the cases in which an application for arbitration is filed pursuant to the provisions of Article 155, paragraph (1) as applied mutatis mutandis pursuant to Article 156, paragraph (1).

- 2 第三十五条第三項から第十項までの規定は、電気通信設備又は電気通信設備設置用工作物の共用について準用する。この場合において、同条第三項及び第四項中「接続条件」とあるのは「共用の条件」と、同条第三項中「電気通信設備に接続する電気通信設備を設置する」とあるのは「電気通信事業者と協定を締結しようとする」と、「第百五十五条第一項」とあるのは「第百五十六条第一項において準用する第百五十五条第一項」と、同条第四項中「第一項又は第二項」とあるのは「第三十八条第一項」と読み替えるものとする。

- (2) The provisions of Article 35, paragraphs (3) through (10) apply mutandis to the sharing of telecommunications facilities or structures for telecommunications facilities installation. In this case, the term "terms and conditions of interconnection" in paragraph (3) and paragraph (4) of that Article is deemed to be replaced with "terms and conditions for sharing"; the phrase "installing telecommunications facilities to be interconnected with the telecommunications facilities" and the term "Article 155, paragraph (1)" in paragraph (3) of that Article are deemed to be replaced with "that intends to conclude an agreement with the telecommunications carrier" and "Article 155, paragraph (1) as applied mutatis mutandis pursuant to Article 156, paragraph (1)", respectively; and, the term "paragraph (1) or paragraph (2)" in paragraph (4) of that Article is deemed to be replaced with "Article 38, paragraph (1)".

(第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供)

(Provision of Wholesale Telecommunications Services by Using Category I or Category II Designated Telecommunications Facilities)

- 第三十八条の二 第一種指定電気通信設備又は第二種指定電気通信設備を設置する電気通信事業者は、当該第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を開始したときは、総務省令で定めるところにより、遅滞なく、その旨、総務省令で定める区分ごとの卸電気通信役務の種類その他総務省令で定める事項を総務大臣に届け出なければならない。届け出た事項を変更し、又は当該業務を廃止したときも、同様とする。

- Article 38-2 (1) If a telecommunications carrier installing Category I or Category II designated telecommunications facilities commences the operations involved in providing wholesale telecommunications services by using those Category I or Category II designated telecommunications facilities, the telecommunications carrier must notify the Minister for Internal Affairs and

Communications of the commencement of those services, the type of wholesale telecommunications services by each classification specified by Order of the Ministry of Internal Affairs and Communications, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, without delay, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies if it changes the particulars for which notification has been made, or discontinues those operations.

2 特定卸電気通信役務（第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務のうち、電気通信事業者間の適正な競争関係に及ぼす影響が少ないものとして総務省令で定めるもの以外のものをいう。以下同じ。）を提供する電気通信事業者は、正当な理由がなければ、その業務区域における当該特定卸電気通信役務の提供を拒んではならない。

(2) A telecommunications carrier that provides specified wholesale telecommunications services (meaning wholesale telecommunications services using Category I or II designated telecommunications facilities other than those specified by Order of the Ministry of Internal Affairs and Communications as having little impact on appropriate competitive relationships among telecommunications carriers; hereinafter the same applies) must not refuse to do so within its service areas without just cause.

3 特定卸電気通信役務を提供する電気通信事業者は、当該特定卸電気通信役務の提供に関する契約の締結の申入れを受けた場合において、当該特定卸電気通信役務に関し、当該申入れをした電気通信事業者の負担すべき金額その他の提供の条件について提示をする時まで、当該申入れをした電気通信事業者から、当該提示と併せて当該金額の算定方法その他特定卸電気通信役務の提供に関する契約の締結に関する協議の円滑化に資する事項として総務省令で定める事項を提示するよう求められたときは、正当な理由がなければ、これを拒んではならない。

(3) If a telecommunications carrier that provides specified wholesale telecommunications services receives an offer for conclusion of a contract for the provision of those services and, before presenting the amount of money that the requesting telecommunications carrier is to pay and other terms and conditions for the provision of those services, the requested carrier is requested to present the abovementioned information together with the method for calculation of that amount and other particulars specified by Order of the Ministry of Internal Affairs and Communications as the information that would contribute to smoothing negotiations regarding conclusion of the contract in question, the requested carrier must not refuse their presentation without just cause.

4 総務大臣は、特定卸電気通信役務を提供する電気通信事業者が前項の規定に違反したときは、当該電気通信事業者に対し、公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(4) If a telecommunications carrier who provides specified wholesale

telecommunications services violates the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications may order the telecommunications carrier to improve its methods of conducting the operations or take other measures to the extent necessary for ensuring the public interest.

(卸電気通信役務の提供についての準用)

(Provisions Applied Mutatis Mutandis to the Provision of Wholesale Telecommunications Services)

第三十九条 第三十五条第一項及び第三項から第十項まで並びに第三十八条第一項の規定は、卸電気通信役務の提供について準用する。この場合において、第三十五条第一項中「当該他の電気通信事業者が設置する電気通信回線設備と当該電気通信事業者の電気通信設備との接続」とあるのは「第三十八条の二第二項に規定する特定卸電気通信役務の提供」と、同項並びに同条第三項及び第四項並びに第三十八条第一項中「協定」とあるのは「契約」と、第三十五条第一項中「第三十二条各号に掲げる場合に該当する」とあるのは「同項に規定する正当な理由がある」と、同項及び同条第三項ただし書中「第一百五十五条第一項」とあるのは「第一百五十六条第二項において準用する第一百五十五条第一項」と、同項及び同条第四項中「接続条件」とあるのは「提供の条件」と、同条第三項中「電気通信設備に接続する電気通信設備を設置する」とあるのは「卸電気通信役務を提供する電気通信事業者と契約を締結しようとする」と、同条第四項中「第二項」とあるのは「第三十八条第一項」と、第三十八条第一項中「電気通信設備又は電気通信設備設置用工作物（電気通信事業者が電気通信設備を設置するために使用する建物その他の工作物をいう。以下同じ。）の共用」とあるのは「次条第二項に規定する特定卸電気通信役務以外の卸電気通信役務の提供」と、「その共用」とあるのは「その提供」と、「第一百五十六条第一項」とあるのは「第一百五十六条第二項」と読み替えるものとする。

Article 39 The provisions of Article 35, paragraph (1) and paragraph (3) through paragraph (10) and Article 38, paragraph (1) apply mutatis mutandis to the provision of wholesale telecommunications services. In this case, the phrase "interconnection between the requested telecommunications carrier's telecommunications line facilities and the requesting telecommunications carrier's telecommunications facilities" in Article 35, paragraph (1) is deemed to be replaced with "provision of specified wholesale telecommunications services prescribed in Article 38-2, paragraph (2)"; the term "agreement" in paragraphs (1), (3), and (4) of that Article and Article 38, paragraph (1) is deemed to be replaced with "contract"; the phrase "interconnection falls under the items of Article 32" in Article 35, paragraph (1) is deemed to be replaced with "there are justifiable grounds prescribed in that paragraph"; the term "Article 155, paragraph (1)" in paragraph (1) and the proviso of paragraph (3) of that Article is deemed to be replaced with "Article 155, paragraph (1) as applied mutatis mutandis pursuant to Article 156, paragraph (2)"; the term

"terms and conditions of interconnection" in paragraphs (3) and (4) of that Article is deemed to be replaced with "terms and conditions for the provision of those services"; the phrase "installing telecommunications facilities to be interconnected to them" in paragraph (3) of that Article is deemed to be replaced with "that intends to conclude a contract with the telecommunications carrier that provides wholesale telecommunications services"; the term "paragraph (2)" in paragraph (4) of that Article is deemed to be replaced with "Article 38, paragraph (1)"; the phrase "sharing telecommunications facilities or structures for telecommunications facilities installation (meaning buildings and other structures used by telecommunications carriers to install telecommunications facilities; the same applies hereinafter)" in Article 38, paragraph (1) is deemed to be replaced by "provision of wholesale telecommunications services other than specified wholesale telecommunications services prescribed in paragraph (2) of the following Article"; and the term "that sharing" and the term "Article 156, paragraph (1)" in Article 38, paragraph (1) are deemed to be replaced with "that provision" and "Article 156, paragraph (2)", respectively.

(第一種指定電気通信設備及び第二種指定電気通信設備に関する情報の公表)
(Making the Information Concerning Category I and II Designated
Telecommunications Facilities Public)

第三十九条の二 総務大臣は、その保有する第一種指定電気通信設備及び第二種指定電気通信設備に関する次に掲げる情報を整理し、これをインターネットの利用その他の適切な方法により公表するものとする。

Article 39-2 The Minister for Internal Affairs and Communications is to organize the following information that the Minister possesses regarding Category I and Category II designated telecommunications facilities, and to make the relevant information public using the Internet or any other appropriate means:

一 第三十三条第一項の規定による指定及び同条第二項の規定による認可に関して作成し、又は取得した情報

(i) information created or obtained in connection with the designation under Article 33, paragraph (1) or the authorization under paragraph (2) of that Article;

二 第三十四条第一項の規定による指定及び同条第二項の規定による届出に関して作成し、又は取得した情報

(ii) information created or obtained in connection with the designation under Article 34, paragraph (1) or the notification under paragraph (2) of that Article;

三 第三十八条の二第一項の規定による届出に関して作成し、又は取得した情報

(iii) information created or obtained in connection with the notification under Article 38-2, paragraph (1); and

四 その他総務省令で定める情報

(iv) other information specified by Order of the Ministry of Internal Affairs and Communications.

(特定ドメイン名電気通信役務を提供する電気通信事業者の提供義務等)

(Obligations of Telecommunications Carriers to Provide Specified Domain Name Telecommunications Services)

第三十九条の三 特定ドメイン名電気通信役務を提供する電気通信事業者は、正当な理由がなければ、その業務区域における特定ドメイン名電気通信役務の提供を拒んではならない。

Article 39-3 (1) A telecommunications carrier that provides specified domain name telecommunications services must not refuse to do so in its service areas without just cause.

2 総務大臣は、特定ドメイン名電気通信役務を提供する電気通信事業者が前項の規定に違反したときは、当該電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If a telecommunications carrier providing specified domain name telecommunications services has violated the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may order the telecommunications carrier to improve its methods of conducting operations or take other measures, to the extent necessary for ensuring the interests of users or the public interest.

3 特定ドメイン名電気通信役務を提供する電気通信事業者は、総務省令で定めるところにより、電気通信役務に関する収支の状況その他その会計に関し総務省令で定める事項を公表しなければならない。

(3) A telecommunications carrier that provides specified domain name telecommunications services must make the status of income and expenditure for its telecommunications services and other accounting particulars specified by Order of the Ministry of Internal Affairs and Communications public, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(外国政府等との協定等の認可)

(Authorization for Agreements or Contracts with Foreign Governments)

第四十条 電気通信事業者は、外国政府又は外国人若しくは外国法人との間に、電気通信業務に関する協定又は契約であつて総務省令で定める重要な事項を内容とするものを締結し、変更し、又は廃止しようとするときは、総務大臣の認可を受けなければならない。

Article 40 If a telecommunications carrier intends to conclude, amend or discontinue an agreement or contract with foreign governments, foreign

nationals, or foreign corporations on telecommunications activities, which includes important particulars specified by Order of the Ministry of Internal Affairs and Communications, it must obtain authorization from the Minister for Internal Affairs and Communications.

第四節 電気通信設備

Section 4 Telecommunications Facilities

第一款 電気通信事業の用に供する電気通信設備

Subsection 1 Telecommunications Facilities Used for Telecommunications Business

(電気通信設備の維持)

(Maintenance of Telecommunications Facilities)

第四十一条 電気通信回線設備を設置する電気通信事業者は、その電気通信事業の用に供する電気通信設備（第三項に規定する電気通信設備、専らドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備及びその損壊又は故障等による利用者の利益に及ぼす影響が軽微なものとして総務省令で定める電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない

Article 41 (1) A telecommunications carrier installing telecommunications line facilities must maintain its telecommunications facilities used for telecommunications business (except for telecommunications facilities specified in paragraph (3), telecommunications facilities exclusively used for telecommunications business to provide domain name telecommunications services, and telecommunications facilities specified by Order of the Ministry of Internal Affairs and Communications as those that have a minor influence on the interests of users in the event of damage, failure, etc.) in a manner to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

2 基礎的電気通信役務を提供する電気通信事業者は、その基礎的電気通信役務を提供する電気通信事業の用に供する電気通信設備（前項及び次項に規定する電気通信設備並びに専らドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

(2) A telecommunications carrier that provides universal telecommunications services must maintain its telecommunications facilities used for telecommunications business to provide those services (except for telecommunications facilities set forth in the preceding paragraph and the following paragraph, and telecommunications facilities exclusively used for telecommunications business to provide domain name telecommunications services) in a manner to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

3 第百八条第一項の規定により指定された第一種適格電気通信事業者は、その第一号

基礎的電気通信役務を提供する電気通信事業の用に供する電気通信設備（専らドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

(3) A Category I eligible telecommunications carrier designated pursuant to the provisions of Article 108, paragraph (1) must maintain its telecommunications facilities used for telecommunications business to provide item (i) universal telecommunications services (except for telecommunications facilities exclusively used for the telecommunications business to provide domain name telecommunications services) in a manner to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

4 総務大臣は、総務省令で定めるところにより、電気通信役務（基礎的電気通信役務及びドメイン名電気通信役務を除く。）のうち、内容、利用者の範囲等からみて利用者の利益に及ぼす影響が大きいものとして総務省令で定める電気通信役務を提供する電気通信事業者を、その電気通信事業の用に供する電気通信設備を適正に管理すべき電気通信事業者として指定することができる。

(4) The Minister for Internal Affairs and Communications may designate telecommunications carriers that provide telecommunications services (except for universal telecommunications services and domain name telecommunications services) that are specified by Order of the Ministry of Internal Affairs and Communications as those that have a significant influence on the interests of users considering their contents, the scope of users, and other factors, as telecommunications carriers that are required to properly maintain their telecommunications facilities used for telecommunications business, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

5 前項の規定により指定された電気通信事業者は、同項の総務省令で定める電気通信役務を提供する電気通信事業の用に供する電気通信設備（第一項に規定する電気通信設備を除く。）を総務省令で定める技術基準に適合するように維持しなければならない。

(5) The telecommunications carriers designated pursuant to the provisions of the preceding paragraph must maintain their telecommunications facilities used for telecommunications business to provide telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as prescribed in that paragraph (except for telecommunications facilities specified in paragraph (1)) in a manner to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

6 第一項、第二項及び前項の技術基準は、これにより次の事項が確保されるものとして定められなければならない。

(6) The technical standards set forth in paragraph (1), paragraph (2), and the preceding paragraph must be specified so as to ensure the following

particulars:

一 電気通信設備の損壊又は故障により、電気通信役務の提供に著しい支障を及ぼさないようにすること。

(i) damage to or failure in the relevant telecommunications facilities does not significantly hinder the provision of telecommunications services;

二 電気通信役務の品質が適正であるようにすること。

(ii) quality of telecommunications services is maintained at an appropriate level;

三 通信の秘密が侵されないようにすること。

(iii) secrecy of communications is maintained;

四 利用者又は他の電気通信事業者の接続する電気通信設備を損傷し、又はその機能に障害を与えないようにすること。

(iv) the relevant telecommunications facilities do not damage the telecommunications facilities of users or other telecommunications carriers that interconnect with those facilities, nor cause an obstruction to their functioning; and

五 他の電気通信事業者の接続する電気通信設備との責任の分界が明確であるようにすること。

(v) the demarcation of responsibilities between the telecommunications carrier's telecommunications facilities and other telecommunications carriers' telecommunications facilities which are interconnected with those facilities are clearly specified.

第四十一条の二 ドメイン名電気通信役務を提供する電気通信事業者は、そのドメイン名電気通信役務を提供する電気通信事業の用に供する電気通信設備を当該電気通信設備の管理に関する国際的な標準に適合するように維持しなければならない。

Article 41-2 A telecommunications carrier that provides domain name telecommunications services must maintain its telecommunications facilities used for telecommunications business to provide those services in a manner to conform to the international standards applicable to the management of those facilities.

(電気通信事業者による電気通信設備の自己確認)

(Self-Confirmation of Telecommunications Facilities by Telecommunications Carrier)

第四十二条 電気通信回線設備を設置する電気通信事業者は、第四十一条第一項に規定する電気通信設備の使用を開始しようとするときは、当該電気通信設備（総務省令で定めるものを除く。）が、同項の総務省令で定める技術基準に適合することについて、総務省令で定めるところにより、自ら確認しなければならない。

Article 42 (1) If a telecommunications carrier installing telecommunications line facilities intends to start using the telecommunications facilities set forth in

Article 41, paragraph (1), pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, it must confirm by itself whether those facilities (except those specified by Order of the Ministry of Internal Affairs and Communications) conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in that paragraph.

2 電気通信回線設備を設置する電気通信事業者は、第十条第一項第四号又は第十六条第一項第四号の事項を変更しようとするときは、当該変更後の第四十一条第一項に規定する電気通信設備（前項の総務省令で定めるものを除く。）が、同条第一項の総務省令で定める技術基準に適合することについて、総務省令で定めるところにより、自ら確認しなければならない。

(2) If a telecommunications carrier installing telecommunications line facilities intends to change the particulars specified in Article 10, paragraph (1), item (iv), or Article 16, paragraph (1), item (iv), pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, it must confirm by itself whether the telecommunications facilities specified in Article 41, paragraph (1) (except for those specified by Order of the Ministry of Internal Affairs and Communications as prescribed in the preceding paragraph) after that change conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (1) of that Article.

3 電気通信回線設備を設置する電気通信事業者は、第一項又は前項の規定により確認した場合には、当該各項に規定する電気通信設備の使用の開始前に、総務省令で定めるところにより、その結果を総務大臣に届け出なければならない。

(3) If a telecommunications carrier installing telecommunications line facilities has made confirmation pursuant to the provisions of paragraph (1) or the preceding paragraph, it must notify the Minister for Internal Affairs and Communications of its results pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, before it starts using the telecommunications facilities set forth in those paragraphs.

4 前三項の規定は、基礎的電気通信役務を提供する電気通信事業者について準用する。この場合において、第一項及び第二項中「第四十一条第一項」とあるのは「第四十一条第二項」と、同項中「同条第一項」とあるのは「同条第二項」と読み替えるものとする。

(4) The provisions of the preceding three paragraphs apply mutatis mutandis to a telecommunications carrier that provides universal telecommunications services. In this case, the term "Article 41, paragraph (1)" in paragraph (1) and paragraph (2) is deemed to be replaced with "Article 41, paragraph (2)", and the term "paragraph (1) of that Article" in that paragraphs is deemed to be replaced with " paragraph (2) of that Article".

5 第一項から第三項までの規定は、第百八条第一項の規定により指定された第一種適

格電気通信事業者について準用する。この場合において、第一項及び第二項中「第四十一条第一項」とあるのは「第四十一条第三項」と、同項中「同条第一項」とあるのは「同条第三項」と読み替えるものとする。

(5) The provisions of paragraphs (1) through (3) apply mutatis mutandis to Category I eligible telecommunications carriers designated pursuant to the provisions of Article 108, paragraph (1). In this case, the term "Article 41, paragraph (1)" in paragraphs (1) and (2) is deemed to be replaced with "Article 41, paragraph (3)" and the term "paragraph (1) of that Article" in that paragraph is deemed to be replaced with "paragraph (3) of that Article".

6 第一項から第三項までの規定は、第四十一条第四項の規定により指定された電気通信事業者について準用する。この場合において、第一項及び第二項中「第四十一条第一項」とあるのは「第四十一条第五項」と、同項中「同条第一項」とあるのは「同条第五項」と読み替えるものとする。

(6) The provisions of paragraphs (1) through (3) apply mutatis mutandis to telecommunications carriers designated pursuant to the provisions of Article 41, paragraph (4). In this case, the term "Article 41, paragraph (1)" in paragraphs (1) and (2) is deemed to be replaced with "Article 41, paragraph (5)" and the term "paragraph (1) of that Article" in that paragraph is deemed to be replaced with "paragraph (5) of that Article".

7 第四十一条第四項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に前項において読み替えて準用する第一項の規定によりすべき確認及び当該確認に係る前項において準用する第三項の規定により総務大臣に対してすべき届出については、前項において読み替えて準用する第一項中「第四十一条第五項に規定する電気通信設備の使用を開始しようとするときは、当該」とあるのは「第四十一条第四項の規定により新たに指定をされた日から三月以内に、同条第五項に規定する」と、前項において準用する第三項中「当該各項に規定する電気通信設備の使用の開始前に」とあるのは「遅滞なく」とする。

(7) With regard to the first confirmation that the telecommunications carrier newly designated pursuant to the provisions in Article 41, paragraph (4) should make after the date of that designation pursuant to the provisions of paragraph (1) as applied mutatis mutandis pursuant to the preceding paragraph following the deemed replacement of terms, or a notification related to the confirmation that the telecommunications carrier should give to the Minister for Internal Affairs and Communications pursuant to the provisions of paragraph (3) as applied mutatis mutandis pursuant to the preceding paragraph, the term "If a telecommunications carrier installing telecommunications line facilities intends to start using the telecommunications facilities set forth in Article 41, paragraph (5), it must" in paragraph (1) as applied mutatis mutandis pursuant to the provisions of the preceding paragraph following the deemed replacement of terms is deemed to be replaced with "A telecommunications carrier installing telecommunications

line facilities must, within three months from the date of the new designation under Article 41, paragraph (4)", and the term "before it starts using the telecommunications facilities as set forth respectively in those paragraphs" in paragraph (3) as applied mutatis mutandis pursuant to the preceding paragraph is deemed to be replaced with "without delay".

(技術基準適合命令)

(Order to Conform to Technical Standards)

第四十三条 総務大臣は、第四十一条第一項に規定する電気通信設備が同項の総務省令で定める技術基準に適合していないと認めるときは、当該電気通信設備を設置する電気通信事業者に対し、その技術基準に適合するように当該設備を修理し、若しくは改造することを命じ、又はその使用を制限することができる。

Article 43 (1) If the Minister for Internal Affairs and Communications finds that the telecommunications facilities set forth in Article 41, paragraph (1) do not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in that paragraph, the Minister may order the telecommunications carrier installing telecommunications facilities to repair or alter them to conform to the technical standards, or may restrict their use.

2 前項の規定は、第四十一条第二項、第三項又は第五項に規定する電気通信設備が当該各項の総務省令で定める技術基準に適合していないと認める場合について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis if the telecommunications facilities set forth in Article 41, paragraph (2), (3) or (5) are found not to conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in those paragraphs.

(管理規程)

(Administrative Regulations)

第四十四条 電気通信事業者は、総務省令で定めるところにより、第四十一条第一項から第五項まで（第四項を除く。）又は第四十一条の二のいずれかに規定する電気通信設備（以下「事業用電気通信設備」という。）の管理規程を定め、電気通信事業の開始前に、総務大臣に届け出なければならない。

Article 44 (1) A telecommunications carrier must establish administrative regulations for the telecommunications facilities set forth in any of Article 41, paragraphs (1) through (5) (excluding paragraph (4)) or Article 41-2 (hereinafter referred to as "telecommunications facilities for the use of telecommunications business") and notify the Minister for Internal Affairs and Communications of those administrative regulations pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, before it starts its telecommunications business.

2 管理規程は、電気通信役務の確実かつ安定的な提供を確保するために電気通信事業者が遵守すべき次に掲げる事項に関し、総務省令で定めるところにより、必要な内容を定めたものでなければならない。

(2) Administrative regulations must provide necessary information pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications on the following particulars to be observed by telecommunications carriers in order to secure the provision of telecommunications services in a reliable and stable manner:

一 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の方針に関する事項

(i) particulars on policies for managing telecommunications facilities for the use of telecommunications business to secure the provision of telecommunications services in a reliable and stable manner;

二 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の体制に関する事項

(ii) particulars on systems for managing telecommunications facilities for the use of telecommunications business to secure the provision of telecommunications services in a reliable and stable manner;

三 電気通信役務の確実かつ安定的な提供を確保するための事業用電気通信設備の管理の方法に関する事項

(iii) particulars on methods for managing telecommunications facilities for the use of telecommunications business to secure the provision of telecommunications services in a reliable and stable manner; and

四 第四十四条の三第一項に規定する電気通信設備統括管理者の選任に関する事項

(iv) particulars on the appointment of a general manager of telecommunications facilities as specified in Article 44-3, paragraph (1).

3 電気通信事業者は、管理規程を変更したときは、遅滞なく、変更した事項を総務大臣に届け出なければならない。

(3) If a telecommunications carrier changes its administrative regulations, it must notify the Minister for Internal Affairs and Communications of the changed particulars without delay.

4 第四十一条第四項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定により総務大臣に対してすべき届出については、同項中「電気通信事業の開始前に」とあるのは、「第四十一条第四項の規定により新たに指定をされた日から三月以内に」とする。

(4) With regard to the first notification that the telecommunications carrier newly designated pursuant to the provisions in Article 41, paragraph (4) must give to the Minister for Internal Affairs and Communications pursuant to the provisions of paragraph (1) after the date of that designation, the phrase "prior to the commencement of its telecommunications business" in that paragraph is deemed to be replaced with "within three months from the date of new

designation under Article 41, paragraph (4)".

(管理規程の変更命令等)

(Order for Changing Administrative Regulations)

第四十四条の二 総務大臣は、電気通信事業者が前条第一項又は第三項の規定により届け出た管理規程が同条第二項の規定に適合しないと認めるときは、当該電気通信事業者に対し、これを変更すべきことを命ずることができる。

Article 44-2 (1) If the Minister for Internal Affairs and Communications finds that administrative regulations that a telecommunications carrier has notified the Minister of pursuant to the provisions of paragraph (1) or (3) of the preceding Article do not conform to the provisions of paragraph (2) of that Article, the Minister may order that telecommunications carrier to change those administrative regulations.

2 総務大臣は、電気通信事業者が管理規程を遵守していないと認めるときは、当該電気通信事業者に対し、電気通信役務の確実かつ安定的な提供を確保するために必要な限度において、管理規程を遵守すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a telecommunications carrier does not observe its administrative regulations, the Minister may order that telecommunications carrier to observe the administrative regulations to the extent necessary to secure the provision of telecommunications services in a reliable and stable manner.

(電気通信設備統括管理者)

(General Managers of Telecommunications Facilities)

第四十四条の三 電気通信事業者は、第四十四条第二項第一号から第三号までに掲げる事項に関する業務を統括管理させるため、事業運営上の重要な決定に参画する管理的地位にあり、かつ、電気通信設備の管理に関する一定の実務の経験その他の総務省令で定める要件を備える者のうちから、総務省令で定めるところにより、電気通信設備統括管理者を選任しなければならない。

Article 44-3 (1) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier must appoint a general manager of the telecommunications facilities who is responsible for the general management of the duties on the particulars listed in Article 44, paragraph (2), items (i) through (iii) from among persons in managerial positions who participate in making important decisions on business management who possess specific practical experience in the management of telecommunications facilities or satisfy other requirements as specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信事業者は、電気通信設備統括管理者を選任し、又は解任したときは、総務省令で定めるところにより、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a telecommunications carrier appoints or dismisses a general manager of

telecommunications facilities, it must notify the Minister for Internal Affairs and Communications to that effect without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 第四十一条第四項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定によりすべき選任は、その指定の日から三月以内にしなければならない。

(3) A telecommunications carrier newly designated pursuant to the provisions of Article 41, paragraph (4) must make the initial appointment which they should make after the date of that designation pursuant to the provisions of paragraph (1) within three months from the date of designation.

(電気通信設備統括管理者等の義務)

(Obligations of General Managers of Telecommunications Facilities)

第四十四条の四 電気通信設備統括管理者は、誠実にその職務を行わなければならない。

Article 44-4 (1) General managers of telecommunications facilities must perform their duties in a sincere manner.

2 電気通信事業者は、電気通信役務の確実かつ安定的な提供の確保に関し、電気通信設備統括管理者のその職務を行う上での意見を尊重しなければならない。

(2) Regarding the provision of telecommunications services in a reliable and stable manner, a telecommunications carrier must respect the opinions of the general managers that the managers hold concerning performing their duties.

(電気通信設備統括管理者の解任命令)

(Order for Dismissal of General Managers of Telecommunications Facilities)

第四十四条の五 総務大臣は、電気通信設備統括管理者がその職務を怠つた場合であつて、当該電気通信設備統括管理者が引き続きその職務を行うことが電気通信役務の確実かつ安定的な提供の確保に著しく支障を及ぼすおそれがあると認めるときは、電気通信事業者に対し、当該電気通信設備統括管理者を解任すべきことを命ずることができる。

Article 44-5 If the Minister for Internal Affairs and Communications finds that the general manager of telecommunications facilities of a telecommunications carrier has neglected their duties and that their continued engagement in those duties might significantly affect securement of the provision of telecommunications services in a reliable and stable manner, the Minister may order the telecommunications carrier to dismiss that general manager of the telecommunications facilities.

(電気通信主任技術者)

(Chief Telecommunications Engineers)

第四十五条 電気通信事業者は、事業用電気通信設備の工事、維持及び運用に関し総務省令で定める事項を監督させるため、総務省令で定めるところにより、電気通信主任

技術者資格者証の交付を受けている者のうちから、電気通信主任技術者を選任しなければならない。ただし、その事業用電気通信設備が小規模である場合その他の総務省令で定める場合は、この限りでない。

Article 45 (1) A telecommunications carrier must appoint a chief telecommunications engineer to supervise particulars related to installation, maintenance and operation of telecommunications facilities for the use of telecommunications business specified by Order of the Ministry of Internal Affairs and Communications, from among persons that have a chief telecommunications engineer's license, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to cases in which the telecommunications facilities for the use of telecommunications business are small in scale or other cases specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信事業者は、前項の規定により電気通信主任技術者を選任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。これを解任したときも、同様とする。

(2) If a telecommunications carrier has appointed a chief telecommunications engineer pursuant to the provisions of the preceding paragraph, it must notify the Minister for Internal Affairs and Communications to that effect without delay. The same also applies if it dismisses that chief telecommunications engineer.

3 第四十一条第四項の規定により新たに指定をされた電気通信事業者がその指定の日以後最初に第一項の規定によりすべき選任は、その指定の日から三月以内にしなければならない

(3) A telecommunications carrier newly designated pursuant to the provisions of Article 41, paragraph (4) must make the initial appointment which they should make after the date of that designation pursuant to the provisions of paragraph (1) within three months from the date of designation.

(電気通信主任技術者資格者証)

(Chief Telecommunications Engineer's Licenses)

第四十六条 電気通信主任技術者資格者証の種類は、伝送交換技術及び線路技術について総務省令で定める。

Article 46 (1) Classes of chief telecommunications engineer's licenses for transmission and switching technology and for transmission line technology are respectively specified by Order of the Ministry of Internal Affairs and Communications.

2 電気通信主任技術者資格者証の交付を受けている者が監督することができる電気通信設備の工事、維持及び運用に関する事項の範囲は、前項の電気通信主任技術者資格者証の種類に応じて総務省令で定める。

(2) The scope of particulars that the persons having a chief telecommunications

engineer's license may supervise in relation to installation, maintenance, and operation of telecommunications facilities are specified by Order of the Ministry of Internal Affairs and Communications according to the classes of the chief telecommunications engineer's license as set forth in the preceding paragraph.

3 総務大臣は、次の各号のいずれかに該当する者に対し、電気通信主任技術者資格者証を交付する。

(3) The Minister for Internal Affairs and Communications grants a chief telecommunications engineer's license to a person that falls under any of the following items:

一 電気通信主任技術者試験に合格した者

(i) a person that has passed the qualification examination for chief telecommunications engineers;

二 電気通信主任技術者資格者証の交付を受けようとする者の養成課程で、総務大臣が総務省令で定める基準に適合するものであることの認定をしたものを修了した者

(ii) a person that has completed a training course for persons that intend to obtain a chief telecommunications engineer's license, which the Minister for Internal Affairs and Communications has certified as conforming to the standards specified by Order of the Ministry of Internal Affairs and Communications; or

三 前二号に掲げる者と同等以上の専門的知識及び能力を有すると総務大臣が認定した者

(iii) a person that the Minister for Internal Affairs and Communications certifies as having expert knowledge and ability equivalent to or greater than those of the persons listed in the preceding two paragraphs.

4 総務大臣は、前項の規定にかかわらず、次の各号のいずれかに該当する者に対しては、電気通信主任技術者資格者証の交付を行わないことができる。

(4) Notwithstanding the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may refuse to grant a chief telecommunications engineer's license to a person that falls under any of the following items:

一 次条の規定により電気通信主任技術者資格者証の返納を命ぜられ、その日から一年を経過しない者

(i) a person that was ordered to return their chief telecommunications engineer's license pursuant to the provisions of the following Article, if a year has not passed since that date of the order; or

二 この法律の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(ii) a person that was sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, if two years have not passed since the date on which the enforcement of that punishment was completed or became

inapplicable.

5 電気通信主任技術者資格者証の交付に関する手続的事項は、総務省令で定める。

(5) The procedural particulars concerning the granting of chief telecommunications engineer's licenses are specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信主任技術者資格者証の返納)

(Returning Chief Telecommunications Engineer's Licenses)

第四十七条 総務大臣は、電気通信主任技術者資格者証を受けている者がこの法律又はこの法律に基づく命令の規定に違反したときは、その電気通信主任技術者資格者証の返納を命ずることができる。

Article 47 If a person that has been granted a chief telecommunications engineer's license violates the provisions of this Act or any order issued pursuant to this Act, the Minister for Internal Affairs and Communications may order them to return their chief telecommunications engineer's license.

(電気通信主任技術者試験)

(Qualification Examination for Chief Telecommunications Engineers)

第四十八条 電気通信主任技術者試験は、電気通信設備の工事、維持及び運用に関して必要な専門的知識及び能力について行う。

Article 48 (1) The qualification examination for chief telecommunications engineers covers the expert knowledge and abilities necessary for installation, maintenance, and operation of telecommunications facilities.

2 電気通信主任技術者試験は、電気通信主任技術者資格者証の種類ごとに、総務大臣が行う。

(2) The qualification examination for chief telecommunications engineers is conducted by the Minister for Internal Affairs and Communications for respective classes of the chief telecommunications engineer's license.

3 電気通信主任技術者試験の試験科目、受験手続その他電気通信主任技術者試験の実施細目は、総務省令で定める。

(3) The subjects, application procedures, and other details of the qualification examination for chief telecommunications engineers are specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信主任技術者等の義務)

(Obligations of Chief Telecommunications Engineers and Carriers)

第四十九条 電気通信主任技術者は、事業用電気通信設備の工事、維持及び運用に関する事項の監督の職務を誠実に行わなければならない。

Article 49 (1) A chief telecommunications engineer must supervise particulars related to installation, maintenance, and operation of telecommunications facilities for the use of telecommunications business in a sincere manner.

- 2 電気通信事業者は、電気通信主任技術者に対し、その職務の執行に必要な権限を与えなければならない。
- (2) Telecommunications carriers must give chief telecommunications engineers the necessary authority to perform their duties.
- 3 電気通信事業者は、電気通信主任技術者のその職務を行う事業場における事業用電気通信設備の工事、維持又は運用に関する助言を尊重しなければならない。事業用電気通信設備の工事、維持又は運用に従事する者は、電気通信主任技術者がその職務を行うため必要であると認めてする指示に従わなければならない。
- (3) Telecommunications carriers must respect advice given by the chief telecommunications engineers regarding installation, maintenance, and operation of telecommunications facilities for the use of telecommunications business in the workplace where they perform their duties, and persons that are engaged in installation, maintenance and operation of telecommunications facilities for the use of telecommunications business must follow instructions given by the chief telecommunications engineers that they find necessary for performing their duties.
- 4 電気通信事業者は、総務省令で定める期間ごとに、電気通信主任技術者に、第八十五条の二第一項の規定により登録を受けた者（以下「登録講習機関」という。）が行う事業用電気通信設備の工事、維持及び運用に関する事項の監督に関する講習（第六節第二款、第一百七十四条第一項第四号及び別表第一において「講習」という。）を受けさせなければならない。
- (4) Telecommunications carriers must have chief telecommunications engineers receive training which a person registered pursuant to the provisions in Article 85-2, paragraph (1) (hereinafter referred to as a "registered training agency") provides for supervising particulars related to installation, maintenance and operation of telecommunications facilities for the use of telecommunications business (referred to as "training" in Section 6, Subsection 2, in Article 174, paragraph (1), and in Appended Table 1), for every period specified by Order of the Ministry of Internal Affairs and Communications.

第二款 電気通信番号

Subsection 2 Telecommunications Numbers

（電気通信番号の使用及び電気通信番号計画）

(Use of Telecommunications Numbers and Telecommunications Numbering Plan)

第五十条 電気通信事業者は、電気通信役務の提供に当たり、送信の場所と受信の場所とにあり、及びその間を接続する電気通信設備を識別し、又は提供すべき電気通信役務の種類若しくは内容を識別するために、次条第一項の認定を受けた電気通信番号使用計画（第五十条の六第一項の変更の認定があつたときは、変更後のもの。第五十一条において「認定電気通信番号使用計画」という。）に従つて次条第一項又は第五十

条の十一の指定があつた電気通信番号（総務大臣が定める番号、記号その他の符号をいう。以下同じ。）を使用しなければならない。ただし、ドメイン名（第百六十四条第二項第二号に規定するドメイン名をいう。）、アイ・ピー・アドレス（同項第三号に規定するアイ・ピー・アドレスをいう。）その他の総務省令で定める番号、記号その他の符号を使用する場合は、この限りでない。

Article 50 (1) In providing telecommunications services, a telecommunications carrier must use telecommunications numbers (meaning numbers, signs, or other codes specified by the Minister for Internal Affairs and Communications; hereinafter the same applies) designated pursuant to paragraph (1) of the following Article or Article 50-11, in accordance with a telecommunications number usage plan certified pursuant to paragraph (1) of the following Article (or if there is certification of the changes in Article 50-6, paragraph (1), a plan that reflects those changes; referred to as "certified telecommunications number usage plan" in Article 51), in order to identify telecommunications facilities that are installed at places of transmission or reception or interconnect between the relevant places, or in order to identify types or content of telecommunications services to provide; provided, however, that this does not apply if domain names (meaning domain names defined in Article 164, paragraph (2), item (ii)), IP addresses (meaning IP addresses defined in item (iii) of that paragraph), or any other numbers, signs, or codes specified by Order of the Ministry of Internal Affairs and Communications are used.

2 総務大臣は、次条第一項の認定（同項及び第五十条の十一の指定を含む。）その他の電気通信番号に係る事務の遂行に資するため、電気通信番号のほか、次に掲げる事項を記載した表（以下「電気通信番号計画」という。）を作成し、これを公衆の閲覧に供するとともに、公示しなければならない。これを変更したとき、又はこれに第五十条の十二の規定による記載をしたときも、同様とする。

(2) The Minister for Internal Affairs and Communications must create a table that includes telecommunications numbers and the following particulars (hereinafter referred to as a "telecommunications numbering plan") to contribute to certification as provided in paragraph (1) of the following Article (including the designation referred to in that paragraph and in Article 50-11) as well as the execution of other work related to telecommunications numbers, provide this plan for public browsing, and issue a public notice of it. The same applies if the Minister has changed the plan or made the entry into it pursuant to the provisions of Article 50-12:

一 次に掲げる電気通信番号の別

(i) type of telecommunications numbers listed below:

イ 利用者設備識別番号（利用者の端末設備（第五十二条第一項に規定する端末設備をいい、第七十条第一項に規定する自営電気通信設備を含む。以下このイ、第三号ロ及び次条第一項第二号において同じ。）を識別するために使用する電気通信番号をいい、利用者の端末設備を識別し、及び提供すべき電気通信役務の種類

又は内容を識別するために使用する電気通信番号を含む。以下同じ。)

(a) user facility identification number (this user facility identification number means a telecommunications number used to identify a user's terminal facility (this user's terminal facility means a terminal facility as specified in Article 52, paragraph (1), and includes customer's telecommunications facilities as specified in Article 70, paragraph (1); hereinafter the same applies below in this (a), item (iii), (b), and item (ii) of paragraph (1) of the following Article), and includes a telecommunications number used both to identify a user's terminal facility and to identify the type or content of telecommunications services to provide; hereinafter the same applies); and

ロ 利用者設備識別番号以外の電気通信番号

(b) telecommunications numbers other than user facility identification numbers;

二 当該電気通信番号により識別する電気通信設備又は提供すべき電気通信役務の種類若しくは内容

(ii) telecommunications facilities or the type or content of telecommunications services to be provided which are identified by the relevant telecommunications numbers; and

三 次に掲げる条件その他の当該電気通信番号の使用に関する条件がある場合には、その内容

(iii) if there are conditions listed below or other conditions related to use of the relevant telecommunications numbers, the contents of those conditions:

イ 重要通信の取扱いに関する条件

(a) conditions related to handling of important communications;

ロ 番号ポータビリティ (利用者が電気通信役務の提供に関する契約の相手方となる電気通信事業者を変更した場合において、その変更の前後において同一の利用者設備識別番号により当該利用者の端末設備を識別することができることをいう。)に関する条件

(b) conditions related to number portability (meaning being able to identify a user's terminal facility through the same user facility identification number before and after a change, when the user changes the telecommunications carrier serving as the counterparty in a contract related to provision of telecommunications services); and

ハ 使用の期限

(c) the last date for use.

3 電気通信番号計画は、これにより次の事項が確保されるものとして作成されなければならない。

(3) The telecommunications numbering plan must be created so as to ensure the following particulars:

一 電気通信番号により電気通信事業者及び利用者が電気通信設備の識別又は電気通

信役務の種類若しくは内容の識別を明確かつ容易にできるようにすること。

(i) the telecommunications numbers make it possible for telecommunications carriers and users to clearly and easily identify telecommunications facilities or the types or content of the telecommunications services;

二 電気通信役務の提供に必要な電気通信番号が十分に確保されるようにすること。

(ii) sufficient telecommunications numbers necessary for providing telecommunications services are secured;

三 電気通信番号の変更ができるだけ生じないようにすること。

(iii) changes to the telecommunications numbers are avoided as much as possible; and

四 電気通信番号が公平かつ効率的に使用されるようにすること。

(iv) the telecommunications numbers are used in a fair and efficient manner.

(電気通信番号使用計画の認定等)

(Approval of Telecommunications Number Usage Plan)

第五十条の二 電気通信事業者は、電気通信役務の提供に当たり電気通信番号を使用しようとするときは、次に掲げる事項を記載した電気通信番号の使用に関する計画（以下「電気通信番号使用計画」という。）を作成し、当該電気通信番号使用計画が第五十条の四各号に掲げる要件に適合していることについて、総務大臣の認定（当該電気通信番号使用計画に第二号に掲げる事項を記載した場合には、利用者設備識別番号の指定を含む。以下この款において同じ。）を受けなければならない。

Article 50-2 (1) If a telecommunications carrier intends to use a telecommunications number to provide telecommunications services, it must create a plan for using telecommunications numbers that lists the particulars below (hereinafter referred to as a "telecommunications number usage plan"), and receive approval from the Minister for Internal Affairs and Communications regarding conformity of the relevant telecommunications number usage plan to the requirements listed under the items of Article 50-4 (including designation of user facility identification numbers, if the particulars listed in item (ii) are included in the relevant telecommunications number usage plan; the same applies in this Subsection):

一 電気通信番号の使用に関する事項

(i) particulars concerning use of telecommunications numbers;

二 付番（利用者の端末設備に使用されていない利用者設備識別番号を付することをいう。以下この号において同じ。）をする場合には、付番をしようとする利用者設備識別番号のほか、次に掲げる事項

(ii) user facility identification numbers that are to be assigned (this assignment means assigning an unused user facility identification number to a user's terminal facility; the same applies in this item) and particulars listed below, if those numbers are assigned:

イ 付番に関する事項

- (a) particulars concerning number assignment;
 - ロ 利用者設備識別番号の管理に関する事項
 - (b) particulars concerning management of user facility identification numbers; and
 - ハ 利用者設備識別番号に前条第二項第三号ロに掲げる条件が付されている場合には、当該条件の確保に関する事項
 - (c) if the conditions listed in item (iii), (b) of paragraph (2) of the preceding Article exist for the relevant user facility identification numbers, particulars concerning ensuring the relevant conditions;
 - 三 前号ハに規定するもののほか、使用しようとする電気通信番号に前条第二項第三号に規定する条件が付されている場合には、当該条件の確保に関する事項
 - (iii) beyond what is set forth in the provisions of (c) in the preceding item, if the conditions provided in item (iii) of paragraph (2) of the preceding Article exist for the relevant telecommunications numbers that are to be used, particulars concerning ensuring the relevant conditions; and
 - 四 前三号に掲げるもののほか、総務省令で定める事項
 - (iv) beyond what is set forth in the preceding three items, particulars specified by Order of the Ministry of Internal Affairs and Communications.
- 2 前項の認定を受けようとする電気通信事業者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書及び電気通信番号使用計画並びに総務省令で定める添付書類を総務大臣に提出しなければならない
- (2) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a telecommunications carrier seeking the approval set forth in the preceding paragraph must submit an application listing the particulars below, the telecommunications number usage plan, and accompanying documents specified by Order of the Ministry of Internal Affairs and Communications to the Minister for Internal Affairs and Communications:
- 一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名
 - (i) its name and address, and in cases of a corporation, the name of its representative; and
 - 二 前号に掲げるもののほか、総務省令で定める事項
 - (ii) beyond what is set forth in the preceding item, particulars specified by Order of the Ministry of Internal Affairs and Communications.
- 3 総務大臣が第一項各号（第二号を除く。）に掲げる事項について標準電気通信番号使用計画を定めて公示した場合（これを変更して公示した場合を含む。）において、電気通信事業者（次条各号のいずれかに該当するものを除く。）が、標準電気通信番号使用計画と同一の電気通信番号使用計画を作成し、又は現に作成している電気通信番号使用計画（同項第二号に掲げる事項を記載しているものを除く。）を標準電気通信番号使用計画と同一のものに変更したときは、その電気通信番号使用計画については、それぞれ同項の認定又は第五十条の六第一項の変更の認定を受けたものとみなす。
- (3) If the Minister for Internal Affairs and Communications specifies and issues a

public notice for a standard telecommunications number usage plan regarding the particulars listed in the items of paragraph (1) (except for item (ii)) (this case includes those in which the Minister makes a change to and issues a public notice for the plan), and the telecommunications carrier (except for those that fall under any of the items of the following Article) creates the same telecommunications number usage plan as the relevant standard telecommunications number usage plan or changes its existing telecommunications number usage plan (except for those that include particulars listed in paragraph (1), item (ii)) to match the relevant standard telecommunications number usage plan, that telecommunications number usage plan is deemed to have received the approval referred to in that paragraph or the approval of changes referred to in Article 50-6, paragraph (1).

(欠格事由)

(Grounds for Ineligibility)

第五十条の三 次の各号のいずれかに該当する電気通信事業者は、前条第一項の認定を受けることができない。

Article 50-3 A telecommunications carrier that falls under any of the following items may not receive the approval set forth in paragraph (1) of the preceding Article:

一 この法律、有線電気通信法若しくは電波法又はこれらに相当する外国の法令の規定により罰金以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者

(i) a person that was sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Wire Telecommunications Act, the Radio Act, or foreign laws equivalent to these Acts (including punishment under equivalent foreign laws), if two years have not passed since the date on which the enforcement of that punishment was completed or became inapplicable;

二 第十四条第一項の規定により登録の取消しを受け、その取消しの日から二年を経過しない者又はこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録の取消しを受け、その取消しの日から二年を経過しない者

(ii) a person whose registration was revoked pursuant to the provisions of Article 14, paragraph (1), if two years have not passed from the date of the revocation; or a person that obtained registration of the same kind in a foreign country and became subject to its revocation pursuant to the provisions of foreign laws equivalent to this Act, if two years have not passed from the date of the revocation;

三 法人又は団体であつて、その役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation or organization for which any of its officers fall under any of the preceding two items; or

四 外国法人等であつて国内における代表者又は国内における代理人を定めていない者

(iv) a foreign corporation, organization, or individual that has not designated a domestic representative or domestic agent.

(認定の基準)

(Criteria for Approval)

第五十条の四 総務大臣は、第五十条の二第一項の認定の申請があつた場合において、その申請に係る電気通信番号使用計画（同項第二号に掲げる事項を記載した場合には、利用者設備識別番号を含む。）が次に掲げる要件に適合すると認めるときは、同項の認定をしなければならない。

Article 50-4 If there is application for approval as set forth in Article 50-2, paragraph (1), and the Minister for Internal Affairs and Communications finds that the telecommunications number usage plan subject to the application (including user facility identification numbers, if the particulars listed in item (ii) of that paragraph are included) conforms to the following requirements, the Minister must grant the approval under that paragraph:

一 申請に係る電気通信番号使用計画が電気通信番号計画に照らし適切なものであること。

(i) the telecommunications number usage plan subject to the application is appropriate in light of the telecommunications numbering plan;

二 申請に係る利用者設備識別番号が電気通信番号計画に照らし第五十条の二第一項の指定をすることができるものであること。

(ii) the user facility identification numbers related to the application can be subject to the designation set forth in Article 50-2, paragraph (1) in light of the telecommunications numbering plan; and

三 前二号に掲げるもののほか、総務省令で定める基準に適合するものであること。

(iii) beyond what is set forth in the preceding two items, the application conforms to the standards specified by Order of the Ministry of Internal Affairs and Communications.

(電気通信事業を営もうとする者等への適用)

(Application to Persons Intending to Conduct Telecommunications Business)

第五十条の五 前三条（第五十条の二第三項を除く。）の規定は、電気通信事業を営もうとする者及び第百六十五条第一項に規定する地方公共団体についても適用する。この場合において、前条中「同項の」とあるのは、「第九条の登録又は第十六条第一項若しくは第百六十五条第一項の規定による届出を条件として、第五十条の二第一項の」とする。

Article 50-5 The provisions of the preceding three Articles (except for Article 50-

2, paragraph (3)) are applied to persons intending to conduct telecommunications business and local governments under Article 165, paragraph (1). In this case, the term "that paragraph" in the preceding Article is deemed to be replaced with "Article 50-2, paragraph (1), on conditions of the registration referred to in Article 9, or notification under Article 16, paragraph (1) or Article 165, paragraph (1)".

(変更の認定等)

(Approval of Changes)

第五十条の六 第五十条の二第一項の認定を受けた電気通信事業者は、電気通信番号使用計画を変更しようとするときは、総務大臣の認定を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 50-6 (1) If a telecommunications carrier that has received the approval referred to in Article 50-2, paragraph (1) intends to change the telecommunications number usage plan, it must receive approval from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 第五十条の二第二項、第五十条の三（第二号にあつては、この法律に相当する外国の法令の規定に係る部分に限る。）及び第五十条の四の規定は、前項の変更の認定について準用する。この場合において、第五十条の二第二項中「次に」とあるのは「第一号に」と、「電気通信番号使用計画」とあるのは「電気通信番号使用計画（変更に係る部分に限る。）」と、第五十条の四中「同項第二号」とあるのは「第五十条の二第一項第二号」と読み替えるものとする。

(2) The provisions of Article 50-2, paragraph (2), Article 50-3 (item (ii) is limited only to parts related to the provisions of foreign laws equivalent to this Act), and Article 50-4 apply mutatis mutandis to approval of changes referred to in the preceding paragraph. In this case, the phrase "below" in Article 50-2, paragraph (2) is deemed to be replaced with "in item (i)", the term "telecommunications number usage plan" is deemed to be replaced with "telecommunications number usage plan (limited to the parts related to changes)", and the phrase "that paragraph, item (ii)" in Article 50-4 is deemed to be replaced with "Article 50-2, paragraph (1), item (ii)".

3 第五十条の二第一項の認定を受けた電気通信事業者は、次に掲げる場合には、遅滞なく、その旨を総務大臣に届け出なければならない。

(3) In any of the following cases, a telecommunications carrier that has received the approval set forth in Article 50-2, paragraph (1) must notify the Minister for Internal Affairs and Communications to that effect without delay:

一 第五十条の二第二項各号に掲げる事項に変更があつたとき。

(i) if there is a change of any particulars in any of the items of Article 50-2, paragraph (2);

二 第一項ただし書の総務省令で定める軽微な変更をしたとき。

(ii) if there is a minor change specified by Order of the Ministry of Internal Affairs and Communications as set forth in the proviso of paragraph (1); or

三 電気通信番号を使用しない電気通信事業者になったとき。

(iii) if the telecommunications carrier becomes one that no longer uses telecommunications numbers.

(承継)

(Succession)

第五十条の七 第十七条第一項の規定による電気通信事業者の地位の承継があつた場合において、当該電気通信事業者が第五十条の二第一項の認定を受けた電気通信事業者であつたときは、当該電気通信事業者の地位を承継した電気通信事業者は、同項の認定を受けた電気通信事業者の地位を承継する。ただし、当該電気通信事業者が第十六条第一項の規定による届出をした者である場合において、当該承継に係る電気通信事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該承継に係る電気通信事業の全部を承継した法人若しくは相続人（相続人が二人以上ある場合においてその協議により当該承継に係る電気通信事業を承継すべき相続人を定めたときは、その者）が第五十条の三各号のいずれかに該当するときは、この限りでない。

Article 50-7 If there is succession to the status of a telecommunications carrier under Article 17, paragraph (1), and that telecommunications carrier is one that has received the approval set forth in Article 50-2, paragraph (1), the telecommunications carrier that succeeds to the status of that telecommunications carrier is to succeed to the status as a telecommunications carrier that has received the approval set forth in that paragraph; provided, however, that this does not apply if the telecommunications carrier subject to the succession has submitted the notification under Article 16, paragraph (1); and the person that has acquired all of the relevant telecommunications business through transfer, the corporation surviving after the merger or newly established upon the merger, the corporation that succeeds to all of the relevant telecommunications business upon the split, or the heir (or if one particular heir has been selected from among two or more heirs as a successor to the relevant telecommunications business by agreement among the heirs, the selected heir) falls under any of items of Article 50-3.

(認定の失効)

(Lapse of Approval)

第五十条の八 第五十条の二第一項の認定を受けた電気通信事業者が次の各号のいずれかに該当するに至つたときは、同項の認定は、その効力を失う。

Article 50-8 If a telecommunications carrier that has received the approval set forth in Article 50-2, paragraph (1) falls under any of the following items, the

approval under that paragraph ceases to have effect:

一 第十二条の二第一項の規定により登録がその効力を失ったとき。

(i) if the registration ceases to have effect pursuant to the provisions of Article 12-2, paragraph (1);

二 第十四条第一項の規定により登録を取り消されたとき。

(ii) if the registration is revoked pursuant to the provisions of Article 14, paragraph (1);

三 電気通信事業の全部を廃止したとき。

(iii) if the telecommunications carrier discontinues all of its telecommunications business; or

四 電気通信番号を使用しない電気通信事業者になったとき。

(iv) if the telecommunications carrier becomes one that no longer uses telecommunications numbers.

(認定の取消し)

(Revocation of Approval)

第五十条の九 総務大臣は、第五十条の二第一項の認定を受けた電気通信事業者が次の各号のいずれかに該当するときは、同項の認定を取り消すことができる。

Article 50-9 If a telecommunications carrier that has received the approval set forth in Article 50-2, paragraph (1) falls under any of the following items, the Minister for Internal Affairs and Communications may revoke the approval under that paragraph:

一 この法律又はこの法律に基づく命令若しくは処分に違反した場合において、公共の利益を阻害すると認めるとき。

(i) if the approved telecommunications carrier violates this Act or any order or disposition under this Act, and is found to impair the public interest;

二 不正の手段により第五十条の二第一項の認定又は第五十条の六第一項の変更の認定を受けたとき。

(ii) if the telecommunications carrier has received the approval set forth in Article 50-2, paragraph (1) or the approval of changes set forth in Article 50-6, paragraph (1) through wrongful means;

三 第五十条の三各号（第二号にあつては、この法律に相当する外国の法令の規定に係る部分に限る。）のいずれかに該当するに至ったとき。

(iii) if the telecommunications carrier falls under any of the items of Article 50-3 (item (ii) is limited to parts related to the provisions of foreign laws equivalent to this Act); or

四 第五十一条の規定による命令に違反したとき。

(iv) if the telecommunications carrier violates the provisions of Article 51.

(指定の失効等の場合における利用者設備識別番号の管理の引継ぎ等)

(Handing over of Management of User Facility Identification Numbers after

Lapse of Designation)

第五十条の十 第五十条の二第一項の指定を受けた電気通信事業者が次の各号のいずれかに該当する場合における利用者設備識別番号の管理の引継ぎその他の必要な事項は、総務省令で定める。

Article 50-10 Handing over of management of user facility identification numbers and other necessary particulars in cases in which a telecommunications carrier that has received the designation set forth in Article 50-2, paragraph (1) falls under any of the following items are specified by Order of Ministry of Internal Affairs and Communications:

- 一 第五十条の八の規定により利用者設備識別番号の指定が失効したとき。
(i) if designation of user facility identification numbers has lapsed pursuant to the provisions of Article 50-8; or
- 二 前条の規定により利用者設備識別番号の指定を取り消されたとき。
(ii) if designation of user facility identification numbers has been revoked pursuant to the provisions of the preceding Article.

(利用者設備識別番号以外の電気通信番号の指定等)

(Designation of Telecommunications Numbers Other than User Facility Identification Numbers)

第五十条の十一 総務大臣は、総務省令で定めるところにより、職権で、利用者設備識別番号以外の電気通信番号の指定をするものとする。当該電気通信番号の指定の取消しについても、同様とする。

Article 50-11 The Minister of Internal Affairs and Communications is to designate telecommunications numbers other than user facility identification numbers, by their authority, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same applies for revocation of designation of the relevant telecommunications numbers.

(電気通信番号計画への記載)

(Entries in the Telecommunications Numbering Plan)

第五十条の十二 総務大臣は、次に掲げる場合には、電気通信番号計画にその旨を記載するものとする。

Article 50-12 In any of the following cases, the Minister for Internal Affairs and Communications is to make an entry to that effect in the telecommunications numbering plan:

- 一 第五十条の二第一項又は前条の規定により電気通信番号の指定をしたとき。
(i) if the Minister for Internal Affairs and Communications has designated a telecommunications number pursuant to the provisions of Article 50-2, paragraph (1) or the preceding Article;
- 二 第五十条の六第一項の規定により電気通信番号の指定の変更があつたとき。
(ii) if there has been a change under Article 50-6, paragraph (1) in the

designation of a telecommunications number;

三 第五十条の七の規定により第五十条の二第一項の認定を受けた電気通信事業者の地位の承継があつたとき。

(iii) if there has been succession under Article 50-7 to the status of a telecommunications carrier that has received the approval set forth in Article 50-2, paragraph (1);

四 第五十条の八の規定により電気通信番号の指定が失効したとき。

(iv) if designation of a telecommunications number has lapsed pursuant to the provisions of Article 50-8;

五 第五十条の九又は前条の規定により電気通信番号の指定を取り消したとき。

(v) if designation of a telecommunications number has been revoked pursuant to the provisions of Article 50-9 or the preceding Article; or

六 前各号に掲げるもののほか、総務省令で定める事実が生じたとき。

(vi) beyond what is set forth in the preceding items, if any factual circumstances specified by Order of the Ministry of Internal Affairs and Communications have arisen.

(適合命令)

(Order for Conformity)

第五十一条 総務大臣は、電気通信事業者が他の電気通信事業者と電気通信設備の接続をしている場合に使用する電気通信番号又は電気通信事業者が重要通信を取り扱うために使用する電気通信番号の使用、その他電気通信事業者の電気通信番号の使用が当該電気通信事業者の認定電気通信番号使用計画に適合していないと認めるときは、当該電気通信事業者に対し、当該認定電気通信番号使用計画に適合するように当該電気通信番号を使用することを命じ、又は当該認定電気通信番号使用計画を変更するよう命ずることができる。

Article 51 If the Minister for Internal Affairs and Communications finds that the way in which a telecommunications carrier uses a telecommunications number to interconnect its telecommunications facilities with those of other telecommunications carriers or to handle important communications, or other ways in which the relevant carrier uses a telecommunications number do not conform to the relevant carrier's approved telecommunications number usage plan, the Minister may order that carrier to use those telecommunications numbers in accordance with the relevant approved telecommunications number usage plan or to change that plan.

第三款 端末設備の接続等

Subsection 3 Interconnection of Terminal Facilities

(端末設備の接続の技術基準)

(Technical Standards for the Interconnection of Terminal Facilities)

第五十二条 電気通信事業者は、利用者から端末設備（電気通信回線設備の一端に接続される電気通信設備であつて、一部の設置の場所が他の部分の設置の場所と同一の構内（これに準ずる区域内を含む。）又は同一の建物内であるものをいう。以下同じ。）をその電気通信回線設備（その損壊又は故障等による利用者の利益に及ぼす影響が軽微なものとして総務省令で定めるものを除く。第六十九条第一項及び第二項並びに第七十条第一項において同じ。）に接続すべき旨の請求を受けたときは、その接続が総務省令で定める技術基準（当該電気通信事業者又は当該電気通信事業者とその電気通信設備を接続する他の電気通信事業者であつて総務省令で定めるものが総務大臣の認可を受けて定める技術的条件を含む。次項並びに第六十九条第一項及び第二項において同じ。）に適合しない場合その他総務省令で定める場合を除き、その請求を拒むことができない。

Article 52 (1) If a telecommunications carrier receives a request from a user to interconnect their terminal facilities (telecommunications facilities which are interconnected to one end of telecommunications line facilities and for which a part is installed in the same premises (including the area equivalent to those premises) or in the same building where other parts of those facilities are installed; hereinafter the same applies) with its telecommunications line facilities (except for those specified by Order of the Ministry of Internal Affairs and Communications as having a minor influence on the interests of users in the event of damage, failure, etc.; the same applies in Article 69, paragraphs (1) and (2), and Article 70, paragraph (1)), it must not refuse that request, except for cases in which that interconnection does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications (including technical conditions established by the requested telecommunications carrier or by another telecommunications carrier whose telecommunications facilities are interconnected to those of the requested telecommunications carrier that are specified by Order of the Ministry of Internal Affairs and Communications with authorization from the Minister for Internal Affairs and Communications; the same applies in the following paragraph, and Article 69, paragraphs (1) and (2)) and other cases specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の総務省令で定める技術基準は、これにより次の事項が確保されるものとして定められなければならない。

- (2) The technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in the preceding paragraph must be specified so as to ensure the following particulars:
- 一 電気通信回線設備を損傷し、又はその機能に障害を与えないようにすること。
(i) the technical standards do not result in damage to the telecommunications line facilities or do not cause an obstruction to their function;
 - 二 電気通信回線設備を利用する他の利用者に迷惑を及ぼさないようにすること。
(ii) the technical standards do not cause inconvenience to other users of the

telecommunications line facilities; and

三 電気通信事業者の設置する電気通信回線設備と利用者の接続する端末設備との責任の分界が明確であるようにすること。

(iii) the demarcation of responsibilities between the telecommunications line facilities installed by the relevant telecommunications carrier and the terminal facilities interconnected to them by users is clearly specified.

(端末機器技術基準適合認定)

(Technical Standards Conformity Approval for Terminal Equipment)

第五十三条 第八十六条第一項の規定により登録を受けた者（以下「登録認定機関」という。）は、その登録に係る技術基準適合認定（前条第一項の総務省令で定める技術基準に適合していることの認定をいう。以下同じ。）を受けようとする者から求めがあつた場合には、総務省令で定めるところにより審査を行い、当該求めに係る端末機器（総務省令で定める種類の端末設備の機器をいう。以下同じ。）が前条第一項の総務省令で定める技術基準に適合していると認めるときに限り、技術基準適合認定を行うものとする。

Article 53 (1) If a person that has obtained registration pursuant to the provisions of Article 86, paragraph (1) (hereinafter referred to as a "registered approval body") receives a request from another person that intends to obtain a technical standards conformity approval (meaning an approval for conformity to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (1) of the preceding Article; hereinafter the same applies) related to its registration, it is to examine the request pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, and is to grant a technical standards conformity approval only if it finds that the terminal equipment (meaning equipment of terminal facilities of types specified by Order of the Ministry of Internal Affairs and Communications; hereinafter the same applies) related to the request conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in paragraph (1) of the preceding Article.

2 登録認定機関は、その登録に係る技術基準適合認定をしたときは、総務省令で定めるところにより、その端末機器に技術基準適合認定をした旨の表示を付さなければならない。

(2) If a registered approval body grants a technical standards conformity approval related to its registration, it must mark the equipment to indicate that the technical standards conformity approval is granted, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 何人も、前項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）、第六十五条、第六十八条の二又は第六十八条の八第三項の規定により表示を付する場合を除くほか、国内において端末機

器又は端末機器を組み込んだ製品にこれらの表示又はこれらと紛らわしい表示を付してはならない。

- (3) Except cases in which terminal equipment is marked pursuant to the provisions of the preceding paragraph (including as applied mutatis mutandis pursuant to Article 104, paragraph (4)), Article 58 (including as applied mutatis mutandis pursuant to Article 104, paragraph (7)), Article 65, Article 68-2 or Article 68-8, paragraph (3), it is prohibited for any person to affix those marks or other confusingly similar marks on terminal equipment or a product incorporating terminal equipment in Japan.

(妨害防止命令)

(Order to Prevent Impediments)

第五十四条 総務大臣は、登録認定機関による技術基準適合認定を受けた端末機器であつて前条第二項又は第六十八条の八第三項の表示が付されているものが、第五十二条第一項の総務省令で定める技術基準に適合しておらず、かつ、当該端末機器の使用により電気通信回線設備を利用する他の利用者の通信に妨害を与えるおそれがあると認める場合において、当該妨害の拡大を防止するために特に必要があると認めるときは、当該技術基準適合認定を受けた者に対し、当該端末機器による妨害の拡大を防止するために必要な措置を講ずべきことを命ずることができる。

Article 54 If the Minister for Internal Affairs and Communications finds that the terminal equipment which has obtained technical standards conformity approval from a registered approval body and on which the mark set forth in paragraph (2) of the preceding Article or Article 68-8, paragraph (3) is affixed does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and that the use of the terminal equipment is likely to impede communications of other users of the telecommunications line facilities, and the Minister finds it particularly necessary in order to prevent the spread of the impediment, the Minister may order the person that has obtained the technical standards conformity approval to take necessary measures to prevent the spread of the impediment caused by the terminal equipment.

(表示が付されていないものとみなす場合)

(Cases in which Terminal Equipment Is Deemed Not to Be Marked)

第五十五条 登録認定機関による技術基準適合認定を受けた端末機器であつて第五十三条第二項又は第六十八条の八第三項の規定により表示が付されているものが第五十二条第一項の総務省令で定める技術基準に適合していない場合において、総務大臣が電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるときは、当該端末機器は、第五十三条第二項又は第六十八条の八第三項の規定による表示が付されていないものとみなす。

Article 55 (1) If the terminal equipment which has obtained a technical

standards conformity approval from an approval body and which is marked pursuant to the provisions of Article 53, paragraph (2) or Article 68-8, paragraph (3) does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and the Minister for Internal Affairs and Communications finds it particularly necessary in preventing an impediment in the communications of other users of the telecommunications line facilities, the terminal equipment is deemed not to be marked pursuant to the provisions of Article 53, paragraph (2) or Article 68-8, paragraph (3).

2 総務大臣は、前項の規定により端末機器について表示が付されていないものとみなされたときは、その旨を公示しなければならない。

(2) If terminal equipment is deemed not to be marked pursuant to the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(端末機器の設計についての認証)

(Certification of Design of Terminal Equipment)

第五十六条 登録認定機関は、端末機器を取り扱うことを業とする者から求めがあつた場合には、その端末機器を、第五十二条第一項の総務省令で定める技術基準に適合するものとして、その設計（当該設計に合致することの確認の方法を含む。）について認証（以下「設計認証」という。）する。

Article 56 (1) If a registered approval body receives a request from a person engaged in the business of handling terminal equipment, the registered approval body certifies the terminal equipment as conforming to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), with regard to its design (including the methods of confirming whether that terminal equipment is in accordance with that design) (hereinafter referred to as "certification of design").

2 登録認定機関は、その登録に係る設計認証の求めがあつた場合には、総務省令で定めるところにより審査を行い、当該求めに係る設計が第五十二条第一項の総務省令で定める技術基準に適合するものであり、かつ、当該設計に基づく端末機器のいずれもが当該設計に合致するものとなることを確保することができるに限り、設計認証を行うものとする。

(2) If a registered approval body receives a request for the certification of design related to its registration, a registered approval body is to conduct the examination pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, and is to issue a certification of design only if it finds that the design related to the request conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), and that any of the terminal equipment

made based on that design is ensured to be in accordance with that design.

(設計合致義務等)

(Obligation for Ensuring Terminal Equipment to be in Accordance with its Certified Design)

第五十七条 登録認定機関による設計認証を受けた者（以下「認証取扱業者」という。）は、当該設計認証に係る設計（以下「認証設計」という。）に基づく端末機器を取り扱う場合においては、当該端末機器を当該認証設計に合致するようにしなければならない。

Article 57 (1) If a person that has obtained a certification of design from a registered approval body (hereinafter referred to as a "certified dealer") handles terminal equipment based on a design subject to that certification (hereinafter referred to as a "certified design"), the person must ensure that the terminal equipment is in accordance with the certified design.

2 認証取扱業者は、設計認証に係る確認の方法に従い、その取扱いに係る前項の端末機器について検査を行い、総務省令で定めるところにより、その検査記録を作成し、これを保存しなければならない。

(2) A certified dealer must inspect terminal equipment which it handles as set forth in the preceding paragraph, in accordance with the methods of confirming subject to the certification of design, and must make and keep a record of the inspection pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(認証設計に基づく端末機器の表示)

(Marking Terminal Equipment Based on Certified Design)

第五十八条 認証取扱業者は、認証設計に基づく端末機器について、前条第二項の規定による義務を履行したときは、当該端末機器に総務省令で定める表示を付することができる。

Article 58 If a certified dealer has fulfilled its obligation with regard to terminal equipment based on a certified design pursuant to the provisions of paragraph (2) of the preceding Article, it may affix the marks specified by Order of the Ministry of Internal Affairs and Communications on the terminal equipment.

(認証取扱業者に対する措置命令)

(Orders for Certified Dealers to Take Measures)

第五十九条 総務大臣は、認証取扱業者が第五十七条第一項の規定に違反していると認める場合には、当該認証取扱業者に対し、設計認証に係る確認の方法を改善するために必要な措置をとるべきことを命ずることができる。

Article 59 If the Minister for Internal Affairs and Communications finds that a certified dealer violates the provisions of Article 57, paragraph (1), the Minister may order the certified dealer to take the necessary measures to

improve the methods of confirming subject to the certification of design.

(表示の禁止)

(Prohibition on Marking)

第六十条 総務大臣は、次の各号に掲げる場合には、認証取扱業者に対し、二年以内の期間を定めて、当該各号に定める認証設計又は設計に基づく端末機器に第五十八条の表示を付することを禁止することができる。

Article 60 (1) In the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate a period not exceeding two years in which a certified dealer is prohibited from affixing the marks set forth in Article 58 on terminal equipment based on the certified design or the design prescribed in the following items:

一 認証設計に基づく端末機器が第五十二条第一項の総務省令で定める技術基準に適合していない場合において、電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるとき（第六号に掲げる場合を除く。）。 当該端末機器の認証設計

(i) if terminal equipment based on a certified design does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), and the prohibition is found to be particularly necessary for preventing an impediment in the communications of other users of telecommunications line facilities (except for the cases set forth in item (vi)): the certified design of the terminal equipment;

二 認証取扱業者が第五十七条第二項の規定に違反したとき。 当該違反に係る端末機器の認証設計

(ii) if a certified dealer has violated the provisions of Article 57, paragraph (2): the certified design of the terminal equipment related to the violation;

三 認証取扱業者が前条の規定による命令に違反したとき。 当該違反に係る端末機器の認証設計

(iii) if a certified dealer has violated an order issued pursuant to the provisions of the preceding Article: the certified design of the terminal equipment related to the violation;

四 認証取扱業者が不正な手段により登録認定機関による設計認証を受けたとき。 当該設計認証に係る設計

(iv) if a certified dealer has obtained a certification of design through wrongful means from a registered approval body: the design subject to the certification of design;

五 登録認定機関が第五十六条第二項の規定又は第百三条において準用する第九十一条第二項の規定に違反して設計認証をしたとき。 当該設計認証に係る設計

(v) if a registered approval body has issued a certification of design in violation of the provision of Article 56, paragraph (2) or Article 91, paragraph (2) as

applied mutatis mutandis pursuant to Article 103: the design subject to the certification of design; or

六 第五十二条第一項の総務省令で定める技術基準が変更された場合において、当該変更前に設計認証を受けた設計が当該変更後の技術基準に適合しないと認めるとき。当該設計

(vi) if the technical standards specified by Order of the Ministry of Internal Affairs and Communications, as set forth in Article 52, paragraph (1), have been changed, and the design that obtained the certification of design before the change is found not to conform to the technical standards after the change: that design.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits a certified dealer from marking the terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(準用)

(Application, Mutatis Mutandis)

第六十一条 第五十四条の規定は認証取扱業者について、第五十五条の規定は認証設計に基づく端末機器について準用する。この場合において、第五十四条中「登録認定機関による技術基準適合認定を受けた」とあるのは「認証設計に基づく」と、同条中「前条第二項」とあり、及び第五十五条第一項中「第五十三条第二項」とあるのは「第五十八条」と、第五十四条中「は、当該」とあるのは「は、当該認証設計に係る」と読み替えるものとする。

Article 61 The provisions of Article 54 apply mutatis mutandis to certified dealers, and the provisions of Article 55 apply mutatis mutandis to terminal equipment based on a certified design. In this case, the phrase "which has obtained technical standards conformity approval from an approval body" in Article 54 is deemed to be replaced with "based on the certified design"; the term "paragraph (2) of the preceding Article" in Article 54 and the term "Article 53, paragraph (2)" in Article 55, paragraph (1) are deemed to be replaced with "Article 58"; and the term "the person that has obtained the technical standards conformity approval" in Article 54 is deemed to be replaced with "the person that has obtained the technical standards conformity approval in relation to the certified design".

(外国取扱業者)

(Foreign Dealers)

第六十二条 登録認定機関による技術基準適合認定を受けた者が外国取扱業者（外国において本邦内で使用されることとなる端末機器を取り扱うことを業とする者をいう。以下同じ。）である場合における当該外国取扱業者に対する第五十四条の規定の適用

については、同条中「命ずる」とあるのは、「請求する」とする。

Article 62 (1) With regard to the application of the provisions of Article 54 to a foreign dealer (a person in a foreign state that engages in the business of handling terminal equipment to be used in Japan; hereinafter the same applies) as a person that has obtained technical standards conformity approval from a registered approval body, the phrase "order" in that Article is deemed to be replaced with "request".

2 認証取扱業者が外国取扱業者である場合における当該外国取扱業者に対する第五十九条、第六十条第一項第三号及び前条において準用する第五十四条の規定の適用については、第五十九条及び前条において準用する第五十四条中「命ずる」とあるのは「請求する」と、第六十条第一項第三号中「命令に違反した」とあるのは「請求に応じなかった」と、「違反に」とあるのは「請求に」とする。

(2) With regard to the application of the provisions of Article 54 to a foreign dealer as a certified dealer, as applied mutatis mutandis pursuant to Article 59, Article 60, paragraph (1), item (iii) and the preceding Article, the phrase "order" in Article 54 as applied mutatis mutandis pursuant to Article 59 and the preceding Article is deemed to be replaced with "request"; and the phrase "has violated an order" and the term "violation" in Article 60, paragraph (1), item (iii) are deemed to be replaced with "has not responded to a request" and "request", respectively.

3 第六十条第一項の規定によるほか、総務大臣は、次の各号に掲げる場合には、登録認定機関による設計認証を受けた外国取扱業者に対し、二年以内の期間を定めて、当該各号に定める認証設計に基づく端末機器に第五十八条の表示を付することを禁止することができる。

(3) Beyond what is provided forth in the provisions of Article 60, paragraph (1), in the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate a period not exceeding two years in which a foreign dealer that has obtained a certification of design from a registered approval body is prohibited from affixing the marks set forth in Article 58 on terminal equipment based on a certified design prescribed in the following items:

一 総務大臣が第百六十六条第三項において準用する同条第二項の規定により当該外国取扱業者に対し報告をさせようとした場合において、その報告がされず、又は虚偽の報告がされたとき。 当該報告に係る端末機器の認証設計

(i) if the Minister for Internal Affairs and Communications has the foreign dealer submit a report pursuant to the provisions of Article 166, paragraph (2) as applied mutatis mutandis pursuant to paragraph (3) of that Article, but the foreign dealer does not submit that report or makes a false report: the certified design of the terminal equipment subject to the report;

二 総務大臣が第百六十六条第三項において準用する同条第二項の規定によりその職員に当該外国取扱業者の事業所において検査をさせようとした場合において、その

検査が拒まれ、妨げられ、又は忌避されたとき。 当該検査に係る端末機器の認証設計

(ii) if the Minister for Internal Affairs and Communications has ministerial officials conduct an inspection at the place of business of the foreign dealer pursuant to the provisions of Article 166, paragraph (2) as applied mutatis mutandis pursuant to paragraph (3) of that Article, but it refuses, obstructs or evades that inspection: the certified design of the terminal equipment subject to the inspection; or

三 当該外国取扱業者が第百六十七条第六項の規定により読み替えて適用する同条第一項の規定による請求に応じなかつたとき。 当該請求に係る端末機器の認証設計

(iii) if the foreign dealer does not respond to the request made pursuant to the provisions of Article 167, paragraph (1) as applied pursuant to the provisions of paragraph (6) of that Article following the deemed replacement of terms: the certified design of the terminal equipment subject to the request.

4 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(4) If the Minister for Internal Affairs and Communications prohibits the foreign dealer from marking the terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(技術基準適合自己確認等)

(Self-Confirmation of Conformity to Technical Standards)

第六十三条 端末機器のうち、端末機器の技術基準、使用の態様等を勘案して、電気通信回線設備を利用する他の利用者の通信に著しく妨害を与えるおそれが少ないものとして総務省令で定めるもの（以下「特定端末機器」という。）の製造業者又は輸入業者は、その特定端末機器を、第五十二条第一項の総務省令で定める技術基準に適合するものとして、その設計（当該設計に合致することの確認の方法を含む。）について自ら確認することができる。

Article 63 (1) A manufacturer or importer of the terminal equipment specified by Order of the Ministry of Internal Affairs and Communications as equipment that is not likely to remarkably impede the communications of other users of telecommunications line facilities in consideration of the technical standards for the terminal equipment, the manner in which it is used, or other factors (hereinafter referred to as "specified terminal equipment"), may confirm by itself whether the design (including methods of confirming whether the terminal equipment is in accordance with the design) of their specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1).

2 製造業者又は輸入業者は、総務省令で定めるところにより検証を行い、その特定端末機器の設計が第五十二条第一項の総務省令で定める技術基準に適合するものであり、

かつ、当該設計に基づく特定端末機器のいずれもが当該設計に合致するものとなることを確保することができることを認めるときに限り、前項の規定による確認（次項において「技術基準適合自己確認」という。）を行うものとする。

(2) A manufacturer or importer is to carry out confirmation under the preceding paragraph (referred to as "self-confirmation of technical standards conformity" in the following paragraph), only if it conducts verification pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications and finds that the design of its specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1) and that all pieces of the specified terminal equipment based on the design are ensured to be in accordance with that design.

3 製造業者又は輸入業者は、技術基準適合自己確認をしたときは、総務省令で定めるところにより、次に掲げる事項を総務大臣に届け出ることができる。

(3) If any manufacturer or importer has conducted self-confirmation of technical standards conformity, it may notify the Minister for Internal Affairs and Communications of the following particulars pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 技術基準適合自己確認を行つた特定端末機器の種別及び設計

(ii) the type and design of specified terminal equipment for which the self-confirmation of technical standards conformity was carried out;

三 前項の検証の結果の概要

(iii) outline of the results of the verification set forth in the preceding paragraph;

四 第二号の設計に基づく特定端末機器のいずれもが当該設計に合致することの確認の方法

(iv) methods of confirming whether all pieces of the specified terminal equipment based on the design set forth in item (ii) are in accordance with that design; and

五 その他技術基準適合自己確認の方法等に関する事項で総務省令で定めるもの

(v) other particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the methods of self-confirmation of technical standards conformity.

4 前項の規定による届出をした者（以下「届出業者」という。）は、総務省令で定めるところにより、第二項の検証に係る記録を作成し、これを保存しなければならない。

(4) A person that has notified the Minister for Internal Affairs and Communications of the particulars above pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "notifying supplier") must

make and keep a record related to the verification set forth in paragraph (2) pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

5 届出業者は、第三項第一号、第四号又は第五号に掲げる事項に変更があつたときは、総務省令で定めるところにより、遅滞なく、その旨を総務大臣に届け出なければならない。

(5) If any of the particulars listed in paragraph (3), item (i), (iv), or (v) has been changed, a notifying supplier must notify the Minister for Internal Affairs and Communications to that effect without delay pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

6 総務大臣は、第三項の規定による届出があつたときは、総務省令で定めるところにより、その旨を公示しなければならない。前項の規定による届出があつた場合において、その公示した事項に変更があつたときも、同様とする。

(6) If a notification is filed pursuant to the provisions of paragraph (3), the Minister for Internal Affairs and Communications must issue a public notice to that effect pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications. The same also applies if a notification is filed pursuant to the provisions of the preceding paragraph and any of the particulars in that public notice has been changed.

(設計合致義務等)

(Obligation for Ensuring Terminal Equipment to be in Accordance with its Notified Design)

第六十四条 届出業者は、前条第三項の規定による届出に係る設計（以下「届出設計」という。）に基づく特定端末機器を製造し、又は輸入する場合には、当該特定端末機器を当該届出設計に合致するようにしなければならない。

Article 64 (1) If a notifying supplier manufactures or imports specified terminal equipment based on the design for which the notification has been filed pursuant to the provisions of paragraph (3) of the preceding Article (hereinafter referred to as "design subject to notification"), it must ensure that the specified terminal equipment is in accordance with the design subject to notification.

2 届出業者は、前条第三項の規定による届出に係る確認の方法に従い、その製造又は輸入に係る前項の特定端末機器について検査を行い、総務省令で定めるところにより、その検査記録を作成し、これを保存しなければならない。

(2) A notifying supplier must inspect the specified terminal equipment which it manufactures or imports, as set forth in the preceding paragraph, in accordance with the methods of confirming subject to the notification filed pursuant to the provisions of paragraph (3) of the preceding Article, and must make and keep a record related to the inspection pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(表示)

(Markings)

第六十五条 届出業者は、届出設計に基づく特定端末機器について、前条第二項の規定による義務を履行したときは、当該特定端末機器に総務省令で定める表示を付することができる。

Article 65 If a notifying supplier has fulfilled its obligation pursuant to the provisions of paragraph (2) of the preceding Article with regard to the specified terminal equipment based on the design subject to notification, it may affix the marks specified by Order of the Ministry of Internal Affairs and Communications on the specified terminal equipment.

(表示の禁止)

(Prohibition on Marking)

第六十六条 総務大臣は、次の各号に掲げる場合には、届出業者に対し、二年以内の期間を定めて、当該各号に定める届出設計又は設計に基づく特定端末機器に前条の表示を付することを禁止することができる。

Article 66 (1) In the cases set forth in the following items, the Minister for Internal Affairs and Communications may designate a period not exceeding two years in which a notifying supplier is prohibited from affixing the marks set forth in the preceding Article on the specified terminal equipment based on the design subject to notification or the design prescribed in the following items:

一 届出設計に基づく特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合していない場合において、電気通信回線設備を利用する他の利用者の通信への妨害の発生を防止するため特に必要があると認めるとき（第五号に掲げる場合を除く。）。 当該特定端末機器の届出設計

(i) if the specified terminal equipment based on the design subject to notification does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), and the prohibition is found to be particularly necessary in preventing impediment in the communications of other users of telecommunications line facilities (except for the cases set forth in item (v)): the design subject to notification of the specified terminal equipment;

二 届出業者が第六十三条第三項の規定による届出をする場合において、虚偽の届出をしたとき。 当該虚偽の届出に係る設計

(ii) if the notifying supplier files a false notification when it files the notification under Article 63, paragraph (3): the design related to the false notification;

三 届出業者が第六十三条第四項又は第六十四条第二項の規定に違反したとき。 当該違反に係る特定端末機器の届出設計

(iii) if the notifying supplier has violated the provisions of Article 63, paragraph (4) or Article 64, paragraph (2): the design subject to notification of the specified terminal equipment related to the violation;

四 届出業者が第六十八条において準用する第五十九条の規定による命令に違反したとき。当該違反に係る特定端末機器の届出設計

(iv) if the notifying supplier has violated an order under Article 59 as applied mutatis mutandis pursuant to Article 68: the design subject to notification of the specified terminal equipment related to the violation; or

五 第五十二条第一項の総務省令で定める技術基準が変更された場合において、当該変更前に第六十三条第三項の規定により届け出た設計が当該変更後の技術基準に適合しないと認めるとき。当該設計

(v) if the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1) have been changed and the design for which notification has been filed pursuant to the provisions of Article 63, paragraph (3) before the change is found not to conform to the technical standards after the change: that design.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits a notifying supplier from marking the specified terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

第六十七条 総務大臣は、届出業者が前条第一項第二号から第四号までのいずれかに該当した場合において、再び同項第二号から第四号までのいずれかに該当するおそれがあると認めるときは、当該届出業者に対し、二年以内の期間を定めて、特定端末機器に第六十五条の表示を付することを禁止することができる。

Article 67 (1) If a notifying supplier falls under any of paragraph (1), items (ii) through (iv) of the preceding Article and the Minister for Internal Affairs and Communications finds that it is likely to fall under any of items (ii) through (iv) of that paragraph again, the Minister may designate a period not exceeding two years in which the notifying supplier is prohibited from affixing the marks set forth in Article 65 on the specified terminal equipment.

2 総務大臣は、前項の規定により表示を付することを禁止したときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications prohibits the notifying supplier from marking the specified terminal equipment, pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(準用)

(Application Mutatis Mutandis)

第六十八条 第五十四条及び第五十九条の規定は特定端末機器及び届出業者について、第五十五条の規定は届出設計に基づく特定端末機器について準用する。この場合において、第五十四条中「登録認定機関による技術基準適合認定を受けた」とあるのは「届出設計に基づく」と、同条中「前条第二項」とあり、及び第五十五条第一項中「第五十三条第二項」とあるのは「第六十五条」と、第五十四条中「は、当該」とあるのは「は、当該届出設計に係る」と、第五十九条中「第五十七条第一項」とあるのは「第六十四条第一項」と、「設計認証」とあるのは「第六十三条第三項の規定による届出」と読み替えるものとする。

Article 68 The provisions of Article 54 and Article 59 apply mutatis mutandis to the specified terminal equipment and the notifying supplier, and the provisions of Article 55 apply mutatis mutandis to the specified terminal equipment based on the design subject to notification. In this case, the phrase "which has obtained technical standards conformity approval from a registered certifying body" in Article 54 is deemed to be replaced with "based on a design subject to notification"; the term "paragraph (2) of the preceding Article" in that Article and the term "Article 53, paragraph (2)" in Article 55, paragraph (1) are deemed to be replaced with "Article 65"; the term "the person that has obtained technical standards conformity approval" in Article 54 is deemed to be replaced with "the person that has obtained technical standards conformity approval in relation to the design subject to notification"; and the term "Article 57, paragraph (1)" and the term "certification of design" in Article 59 are deemed to be replaced with "Article 64, paragraph (1)" and "notification filed pursuant to the provisions of Article 63, paragraph (3)", respectively.

(同一の表示を付することができる場合)

(Cases in which Affixing the Same Marks is Permitted)

第六十八条の二 第五十三条第二項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）若しくは第六十五条又は第六十八条の八第三項の規定により表示が付されている端末機器（第五十五条第一項（第六十一条、前条並びに第百四条第四項及び第七項において準用する場合を含む。）の規定により表示が付されていないものとみなされたものを除く。以下「適合表示端末機器」という。）を組み込んだ製品を取り扱うことを業とする者は、総務省令で定めるところにより、製品に組み込まれた適合表示端末機器に付されている表示と同一の表示を当該製品に付することができる。

Article 68-2 A person engaged in the business of handling products that incorporate terminal equipment marked pursuant to the provisions of Article 53, paragraph (2) (including as applied mutatis mutandis pursuant to Article 104, paragraph (4)), Article 58 (including as applied mutatis mutandis pursuant to Article 104, paragraph (7)), Article 65, or Article 68-8, paragraph (3) (except for terminal equipment that is deemed not to be marked pursuant to

the provisions in Article 55, paragraph (1) (including as applied mutatis mutandis pursuant to Article 61, the preceding Article, or Article 104, paragraph (4) or (7)); hereinafter referred to as "conformity-marked terminal equipment") may affix on its products the same marks that have been affixed on the conformity-marked terminal equipment incorporated in those products, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(修理業者の登録)

(Registration of Repairers)

第六十八条の三 特定端末機器（適合表示端末機器に限る。以下この条、次条及び第六十八条の七から第六十八条の九までにおいて同じ。）の修理の事業を行う者は、総務大臣の登録を受けることができる。

Article 68-3 (1) A person engaged in the business of repairing specified terminal equipment (limited to conformity-marked terminal equipment; the same applies in this Article, the following Article, and Articles 68-7 through 68-9) may obtain a registration from the Minister for Internal Affairs and Communications.

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

- (2) A person that intends to obtain the registration under the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:
- 一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名
(i) its name and address and, in cases of a corporation, the name of its representative;
 - 二 事務所の名称及び所在地
(ii) the name and address of the office;
 - 三 修理する特定端末機器の範囲
(iii) the scope of specified terminal equipment that the person repairs;
 - 四 特定端末機器の修理の方法の概要
(iv) outline of the means used for repairing specified terminal equipment; and
 - 五 修理された特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合することの確認（次項、次条及び第六十八条の七から第六十八条の九までにおいて「修理の確認」という。）の方法の概要
(v) outline of the methods of confirming that the repaired specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 52, paragraph (1) (referred to as "confirmation of repair" in the following paragraph, the following Article and Articles 68-7 through 68-9).

3 前項の申請書には、総務省令で定めるところにより、特定端末機器の修理の方法及び修理の確認の方法を記載した修理方法書その他総務省令で定める書類を添付しなければならない。

(3) Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the written application referred to in the preceding paragraph must be accompanied by written repair procedures describing the methods of repair of specified terminal equipment and the methods of confirmation of repair and other documents specified by Order of the Ministry of Internal Affairs and Communications.

(登録の基準)

(Criteria for Registration)

第六十八条の四 総務大臣は、前条第一項の登録を申請した者が次の各号のいずれにも適合しているときは、その登録をしなければならない。

Article 68-4 (1) If a person that applies for the registration referred to in paragraph (1) of the preceding Article conforms to both of the following requirements, the Minister for Internal Affairs and Communications must register the person:

一 特定端末機器の修理の方法が、修理された特定端末機器の使用により電気通信回線設備を利用する他の利用者の通信に著しく妨害を与えるおそれが少ないものとして総務省令で定める基準に適合するものであること。

(i) the methods for repairing specified terminal equipment conform to the standards specified by Order of the Ministry of Internal Affairs and Communications as the methods that are not likely to remarkably impede the communications of other users of telecommunications line facilities if the specified terminal equipment repaired by those methods is used; and

二 修理の確認の方法が、修理された特定端末機器が第五十二条第一項の総務省令で定める技術基準に適合することを確認できるものであること。

(ii) the methods of confirmation of repair can confirm that the repaired specified terminal equipment conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 52, paragraph (1).

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

(2) A person falling under either of the following conditions is not qualified to obtain the registration referred to in paragraph (1) of the preceding Article:

一 第六十八条の十一の規定により登録を取り消され、その取消の日から二年を経過しない者であること。

(i) the person's registration was revoked pursuant to Article 68-11 and two years have not yet passed from the date of the revocation; or

二 法人であつて、その役員のうち前号に該当する者があること。

(ii) the person is a corporation and any of its officer falls under the preceding

item.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is set forth in the preceding Article and in the two preceding paragraphs, the particulars necessary for the registration under paragraph (1) of that Article are specified by Order of the Ministry of Internal Affairs and Communications.

(登録簿)

(Register)

第六十八条の五 総務大臣は、第六十八条の三第一項の登録を受けた者（以下「登録修理業者」という。）について、登録修理業者登録簿を備え、次に掲げる事項を登録しなければならない。

Article 68-5 The Minister for Internal Affairs and Communications must prepare a register for persons that have obtained registration referred to in Article 68-3, paragraph (1) (hereinafter referred to as "registered repairers") and register the following particulars with regard to registered repairers:

一 登録の年月日及び登録番号

(i) date of registration and registration number; and

二 第六十八条の三第二項各号に掲げる事項

(ii) particulars set forth in the items of Article 68-3, paragraph (2).

(変更登録等)

(Registration of Changes)

第六十八条の六 登録修理業者は、第六十八条の三第二項第三号から第五号までに掲げる事項を変更しようとするときは、総務大臣の変更登録を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 68-6 (1) If a registered repairer intends to change the particulars set forth in Article 68-3, paragraph (2), items (iii) through (v), the registered repairer must obtain a registration of change from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の変更登録を受けようとする者は、総務省令で定めるところにより、変更に係る事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration of change under the preceding paragraph must file a written application describing the particulars related to that change with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 第六十八条の三第三項及び第六十八条の四の規定は、第一項の変更登録について準

用する。

(3) The provisions of Article 68-3, paragraph (3) and Article 68-4 apply mutatis mutandis to the registration of the change as set forth in paragraph (1).

4 登録修理業者は、第六十八条の三第二項第一号若しくは第二号に掲げる事項に変更があつたとき、修理方法書を変更したとき（第一項の変更登録を受けたときを除く。）又は第一項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(4) If any of the particulars set forth in Article 68-3, paragraph (2), item (i) or (ii) has been changed, the written repair procedures have been changed (except for cases in which the change is registered pursuant to the provisions of paragraph (1)), or any minor change specified by Order of the Ministry of Internal Affairs and Communications as set forth in the proviso of paragraph (1) has been made, the registered repairer must notify the Minister for Internal Affairs and Communications to that effect without delay.

（登録修理業者の義務）

(Obligations of Registered Repairers)

第六十八条の七 登録修理業者は、その登録に係る特定端末機器を修理する場合には、修理方法書に従い、修理及び修理の確認をしなければならない。

Article 68-7 (1) If a registered repairer repairs the specified terminal equipment related to the registration, it must perform and confirm the repair in accordance with the written repair procedures.

2 登録修理業者は、その登録に係る特定端末機器を修理する場合には、総務省令で定めるところにより、修理及び修理の確認の記録を作成し、これを保存しなければならない。

(2) If a registered repairer repairs the specified terminal equipment related to the registration, it must make and keep a record of the repair and the confirmation of repair pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

（表示）

(Marks)

第六十八条の八 登録修理業者は、その登録に係る特定端末機器を修理したときは、総務省令で定めるところにより、当該特定端末機器に修理をした旨の表示を付さなければならない。

Article 68-8 (1) If a registered repairer has repaired the specified terminal equipment related to its registration, it must mark the equipment to indicate completion of the repair pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 何人も、前項の規定により表示を付する場合を除くほか、国内において端末機器に同項の表示又はこれと紛らわしい表示を付してはならない。

(2) Except for the case in which terminal equipment is marked pursuant to the provisions in the preceding paragraph, it is prohibited for any person to affix the marks set forth in that paragraph or other confusingly similar marks on terminal equipment in Japan.

3 登録修理業者は、修理方法書に従い、その登録に係る特定端末機器の修理及び修理の確認をしたときは、総務省令で定めるところにより、当該特定端末機器に、第五十三条第二項（第百四条第四項において準用する場合を含む。）、第五十八条（第百四条第七項において準用する場合を含む。）、第六十五条又はこの項の規定により当該特定端末機器に付されている表示と同一の表示を付することができる。

(3) If a registered repairer has performed repair and confirmation of repair for specified terminal equipment related to its registration by following its written repair procedures, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, it may affix on the specified terminal equipment the same marks that has been affixed on it pursuant to the provisions of Article 53, paragraph (2) (including as applied mutatis mutandis pursuant to Article 104, paragraph (4)), Article 58 (including as applied mutatis mutandis pursuant to Article 104, paragraph (7)), Article 65 or this paragraph.

（登録修理業者に対する改善命令等）

(Orders for Improvement Made to Registered Repairers)

第六十八条の九 総務大臣は、登録修理業者が第六十八条の四第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録修理業者に対し、これらの規定に適合するために必要な措置をとるべきことを命ずることができる。

Article 68-9 (1) If the Minister for Internal Affairs and Communications finds that a registered repairer has failed to conform to any of the standards set forth in the items of Article 68-4, paragraph (1), the Minister may order that registered repairer to take necessary measures to conform to those standards.

2 総務大臣は、登録修理業者が第六十八条の七の規定に違反していると認めるときは、当該登録修理業者に対し、修理の方法又は修理の確認の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a registered repairer has violated the provisions of Article 68-7, the Minister may order that registered repairer to improve its methods of repair or its methods of confirmation of repair, or to take other measures.

3 総務大臣は、登録修理業者が修理したその登録に係る特定端末機器が、第五十二条第一項の総務省令で定める技術基準に適合しておらず、かつ、当該特定端末機器の使用により電気通信回線設備を利用する他の利用者の通信に妨害を与えるおそれがあると認める場合において、当該妨害の拡大を防止するために特に必要があると認めるときは、当該登録修理業者に対し、当該特定端末機器による妨害の拡大を防止するために必要な措置を講ずべきことを命ずることができる。

(3) If the Minister for Internal Affairs and Communications finds that specified terminal equipment repaired by a registered repairer in relation to the registration does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), and that the use of that terminal equipment is likely to impede the communications of other users of telecommunications line facilities, and the Minister finds it particularly necessary in order to prevent the spread of the impediments, the Minister may order the registered repairer to take necessary measures to prevent further impediments caused by the terminal equipment.

(廃止の届出)

(Notification of the Discontinuance of Business)

第六十八条の十 登録修理業者は、その登録に係る事業を廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 68-10 (1) If a registered repairer has discontinued the business related to its registration, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 前項の規定による届出があつたときは、第六十八条の三第一項の登録は、その効力を失う。

(2) If a notification is filed pursuant to the provisions of the preceding paragraph, the registration set forth in Article 68-3, paragraph (1) ceases to have effect.

(登録の取消し)

(Revocation of Registration)

第六十八条の十一 総務大臣は、登録修理業者が第六十八条の四第二項第二号に該当するに至つたときは、その登録を取り消さなければならない。

Article 68-11 (1) If a registered repairer has fallen under Article 68-4, paragraph (2), item (ii), the Minister for Internal Affairs and Communications must revoke its registration.

2 総務大臣は、登録修理業者が次の各号のいずれかに該当するときは、その登録を取り消すことができる。

(2) If a registered repairer falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration:

一 第六十八条の六第一項若しくは第四項又は第六十八条の八第一項の規定に違反したとき。

(i) the registered repairer violates the provisions of Article 68-6, paragraph (1) or (4), or Article 68-8, paragraph (1);

二 第六十八条の九の規定による命令に違反したとき。

(ii) the registered repairer violates an order under Article 68-9; or

三 不正な手段により第六十八条の三第一項の登録又は第六十八条の六第一項の変更

登録を受けたとき。

- (iii) the registered repairer obtains the registration set forth in Article 68-3, paragraph (1) or registration of change set forth in Article 68-6, paragraph (1), through wrongful means.

(登録の抹消)

(Deletion of Registration)

第六十八条の十二 総務大臣は、第六十八条の十第二項の規定により登録修理業者の登録がその効力を失ったとき、又は前条の規定により登録修理業者の登録を取り消したときは、当該登録修理業者の登録を抹消しなければならない。

Article 68-12 If the registration of a person as a registered repairer ceases to have effect pursuant to the provisions of Article 68-10, paragraph (2) or the registration of a person as a registered repairer is revoked pursuant to the provisions of the preceding Article, the Minister for Internal Affairs and Communications must delete the registration of that person as a registered repairer.

(端末設備の接続の検査)

(Inspection of Terminal Facility Interconnections)

第六十九条 利用者は、適合表示端末機器を接続する場合その他総務省令で定める場合を除き、電気通信事業者の電気通信回線設備に端末設備を接続したときは、当該電気通信事業者の検査を受け、その接続が第五十二条第一項の総務省令で定める技術基準に適合していると認められた後でなければ、これを使用してはならない。これを変更したときも、同様とする。

Article 69 (1) If a user interconnects terminal equipment to telecommunications line facilities of a telecommunications carrier, the user must not use that terminal equipment before the telecommunications carrier conducts an inspection to certify that the interconnection conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), except for cases in which the user interconnects a conformity-marked terminal equipment or other cases specified by Order of the Ministry of Internal Affairs and Communications. The same applies to the case in which an interconnection is changed.

- 2 電気通信回線設備を設置する電気通信事業者は、端末設備に異常がある場合その他電気通信役務の円滑な提供に支障がある場合において必要と認めるときは、利用者に対し、その端末設備の接続が第五十二条第一項の総務省令で定める技術基準に適合するかどうかの検査を受けるべきことを求めることができる。この場合において、当該利用者は、正当な理由がある場合その他総務省令で定める場合を除き、その請求を拒んではならない。

(2) A telecommunications carrier installing telecommunications line facilities

may request its users to undergo an inspection to determine whether the interconnection of their terminal facilities conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 52, paragraph (1), if there is a defect in the terminal facilities or the smooth provision of its telecommunications services is otherwise hindered, and that telecommunications carrier finds it necessary. In this case, the users must not refuse the request, except for cases in which there are justifiable grounds or other cases specified by Order of the Ministry of Internal Affairs and Communications.

3 前項の規定は、第五十二条第一項の規定により認可を受けた同項の総務省令で定める電気通信事業者について準用する。この場合において、前項中「総務省令で定める技術基準」とあるのは、「規定により認可を受けた技術的条件」と読み替えるものとする。

(3) The provisions set forth in the preceding paragraph apply *mutatis mutandis* to telecommunications carriers specified by Order of the Ministry of Internal Affairs and Communications as referred to in that paragraph that have received the approval pursuant to the provisions of Article 52, paragraph (1). In this case, the term "technical standards specified by Order of the Ministry of Internal Affairs and Communications" in the preceding paragraph is deemed to be replaced with "technical conditions authorized pursuant to the provisions of".

4 第一項及び第二項（前項において準用する場合を含む。）の検査に従事する者は、端末設備の設置の場所に立ち入るときは、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(4) A person that engages in the inspection set forth in paragraphs (1) and (2) (including as applied *mutatis mutandis* pursuant to the preceding paragraph) must carry a certificate for identification and show it to the persons concerned when entering a site at which terminal facilities are installed.

（自営電気通信設備の接続）

(Interconnection of Customer's Telecommunications Facilities)

第七十条 電気通信事業者は、電気通信回線設備を設置する電気通信事業者以外の者からその電気通信設備（端末設備以外のものに限る。以下「自営電気通信設備」という。）をその電気通信回線設備に接続すべき旨の請求を受けたときは、次に掲げる場合を除き、その請求を拒むことができない。

Article 70 (1) If a telecommunications carrier receives a request from a person that is not a telecommunications carrier installing telecommunications line facilities for interconnecting that person's telecommunications facilities (limited to those other than terminal facilities; hereinafter referred to as "customer's telecommunications facilities") to the carrier's telecommunications line facilities, it must not refuse that request except for the following cases:

一 その自営電気通信設備の接続が、総務省令で定める技術基準（当該電気通信事業

者又は当該電気通信事業者とその電気通信設備を接続する他の電気通信事業者であつて総務省令で定めるものが総務大臣の認可を受けて定める技術的条件を含む。次項において同じ。) に適合しないとき。

(i) if the interconnection of customer's telecommunications facilities does not conform to the technical standards specified by Order of the Ministry of Internal Affairs and Communications (including technical conditions established with the authorization from the Minister for Internal Affairs and Communications by that telecommunications carrier or other telecommunications carriers whose telecommunications facilities are interconnected to those of that telecommunications carrier and that are specified by Order of the Ministry of Internal Affairs and Communications; the same applies in the following paragraph); or

二 その自営電気通信設備を接続することにより当該電気通信事業者の電気通信回線設備の保持が経営上困難となることについて当該電気通信事業者が総務大臣の認定を受けたとき。

(ii) if the telecommunications carrier has obtained approval from the Minister for Internal Affairs and Communications with regard to the possibility that the interconnection of the customer's telecommunications facilities would make it difficult to maintain its telecommunications line facilities from a business perspective.

2 第五十二条第二項の規定は前項第一号の総務省令で定める技術基準について、前条の規定は同項の請求に係る自営電気通信設備の接続の検査について、それぞれ準用する。この場合において、同条第一項中「第五十二条第一項の総務省令で定める技術基準」とあるのは「次条第一項第一号の総務省令で定める技術基準（同号の規定により認可を受けた技術的条件を含む。次項において同じ。）」と、同条第二項及び第三項中「第五十二条第一項」とあるのは「次条第一項第一号」と、同項中「同項」とあるのは「同号」と読み替えるものとする。

(2) The provisions of Article 52, paragraph (2) apply mutatis mutandis pursuant to the technical standards specified by Order of the Ministry of Internal Affairs and Communications as set forth in item (i) of the preceding paragraph, and the provisions of the preceding Article apply mutatis mutandis pursuant to the inspection of the interconnection of the customer's telecommunications facilities in relation to the request set forth in the preceding paragraph, respectively. In this case, the term "technical standards specified by Order of the Ministry of Internal Affairs and Communications set forth in Article 52, paragraph (1)" in paragraph (1) of that Article is deemed to be replaced with "technical standards specified by Order of the Ministry of Internal Affairs and Communications set forth in item (i) of paragraph (1) of the following Article (including the technical conditions authorized pursuant to the provisions set forth in that item; the same applies in the following paragraph)", the term "Article 52, paragraph (1)" in paragraph (2) and paragraph (3) of that Article is

deemed to be replaced with "item (1) of paragraph (1) of the following Article", and the term "that paragraph" in paragraph (3) of that Article is deemed to be replaced with "that item".

(工事担任者による工事の実施及び監督)

(Conduct and Supervision of Installation Work by Installation Technicians)

第七十一条 利用者は、端末設備又は自営電気通信設備を接続するときは、工事担任者資格者証の交付を受けている者（以下「工事担任者」という。）に、当該工事担任者資格者証の種類に応じ、これに係る工事を行わせ、又は実地に監督させなければならない。ただし、総務省令で定める場合は、この限りでない。

Article 71 (1) If a user interconnects the terminal facilities or customer's telecommunications facilities, the user must have a person that has an installation technician's license (hereinafter referred to as an "installation technician") carry out or supervise the installation on site, according to the class of the installation technician's license; provided, however, that this does not apply to the cases specified by Order of the Ministry of Internal Affairs and Communications.

2 工事担任者は、その工事の実施又は監督の職務を誠実に行わなければならない。

(2) Installation technicians must carry out or supervise the installation in a sincere manner.

(工事担任者資格者証)

(Installation Technician's Licenses)

第七十二条 工事担任者資格者証の種類及び工事担任者が行い、又は監督することができる端末設備若しくは自営電気通信設備の接続に係る工事の範囲は、総務省令で定める。

Article 72 (1) The classes of installation technician's licenses and the scope of installation work to be conducted or supervised by installation technicians in relation to the interconnection of terminal facilities or customer's telecommunications facilities are specified by Order of the Ministry of Internal Affairs and Communications.

2 第四十六条第三項から第五項まで及び第四十七条の規定は、工事担任者資格者証について準用する。この場合において、第四十六条第三項第一号中「電気通信主任技術者試験」とあるのは「工事担任者試験」と、同項第三号中「専門的知識及び能力」とあるのは「知識及び技能」と読み替えるものとする。

(2) The provisions of Article 46, paragraphs (3) through (5) and Article 47 apply mutatis mutandis pursuant to the installation technician's licenses. In this case, the term "qualification examination for chief telecommunications engineers" in Article 46, paragraph (3), item (i) is deemed to be replaced with "qualification examination for installation technicians"; and the term "expert knowledge and ability" in item (iii) of that paragraph is deemed to be replaced

with "knowledge and technical ability".

(工事担任者試験)

(Qualification Examinations for Installation Technicians)

第七十三条 工事担任者試験は、端末設備及び自営電気通信設備の接続に関して必要な知識及び技能について行う。

Article 73 (1) The qualification examination for installation technicians covers the knowledge and technical ability necessary for the interconnection of terminal facilities and customer's telecommunications facilities.

2 第四十八条第二項及び第三項の規定は、工事担任者試験について準用する。この場合において、同条第二項中「電気通信主任技術者資格者証」とあるのは、「工事担任者資格者証」と読み替えるものとする。

(2) The provisions of Article 48, paragraphs (2) and (3) apply mutatis mutandis pursuant to the qualification examination for installation technicians. In this case, the term "chief telecommunications engineer's license" in paragraph (2) of that Article is deemed to be replaced with "installation technician's license".

第五節 届出媒介等業務受託者

Section 5 Persons Entrusted with Intermediation or Other Similar Actions That Conduct Notification

(媒介等の業務の届出等)

(Notification of Intermediation or Other Similar Actions)

第七十三条の二 電気通信事業者又は媒介等業務受託者から委託を受けて第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の媒介等の業務を行おうとする者は、総務省令で定めるところにより、次に掲げる事項を記載した書類を添えて、その旨を総務大臣に届け出なければならない。

Article 73-2 (1) A person that intends to perform intermediation or other similar actions for concluding a contract related to the provision of telecommunications services listed in the items of Article 26, paragraph (1) upon being entrusted by a telecommunications carrier or by a person entrusted with intermediation or other similar actions must notify the Minister for Internal Affairs and Communications to that effect together with a document describing the following particulars, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address, and in cases of a corporation, the name of its representative;

二 委託を受ける電気通信事業者又は媒介等業務受託者の氏名又は名称及び住所

(ii) the name and address of the entrusting telecommunications carrier or person entrusted with intermediation or other similar actions;

三 当該媒介等の業務に係る電気通信役務を提供する電気通信事業者の氏名又は名称及び住所

(iii) the name and address of the telecommunications carrier providing telecommunications services related to the relevant intermediation or other similar actions;

四 当該媒介等の業務に係る電気通信役務についての第二十六条第一項各号に掲げる電気通信役務の別

(iv) which telecommunications services among those listed in the items of Article 26, paragraph (1) the relevant telecommunications services related to the relevant intermediation or other similar actions fall under; and

五 その他総務省令で定める事項

(v) other particulars specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の届出をした者（以下「届出媒介等業務受託者」という。）は、同項各号に掲げる事項に変更があつたときは、遅滞なく、その旨を総務大臣に届け出なければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

(2) If there is a change to the particulars listed in any of the items of the preceding paragraph, a person that has concluded the notification referred to in that paragraph (hereinafter referred to as a "person entrusted with intermediation or other similar actions that conducts notification") must notify the Minister for Internal Affairs and Communications to that effect without delay; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

3 届出媒介等業務受託者が前二項の規定による届出に係る第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の媒介等の業務（以下この項及び次項において「届出媒介等業務」という。）を行う事業の全部を譲渡し、又は届出媒介等業務受託者について合併、分割（届出媒介等業務を行う事業の全部を承継させるものに限る。）若しくは相続があつたときは、当該事業の全部を譲り受けた者又は合併後存続する法人若しくは合併により設立した法人、分割により当該事業の全部を承継した法人若しくは相続人（相続人が二人以上ある場合においてその協議により当該事業を承継すべき相続人を定めたときは、その者）は、届出媒介等業務受託者の地位を承継する。この場合において、届出媒介等業務受託者の地位を承継した者は、遅滞なく、その旨を総務大臣に届け出なければならない。

(3) If a person entrusted with intermediation or other similar actions that concluded notification has transferred all of its business of performing intermediation or other similar actions for concluding contracts related to the provision of telecommunications services listed in the items of Article 26, paragraph (1) for which the notification under the preceding two paragraphs has been made (hereinafter referred to as "intermediation or other similar actions subject to notification" in this paragraph and the following paragraph), or if a person entrusted with intermediation or other similar actions that

concluded notification has merged or split (this split is limited to a split resulting in the succession to all of the business of performing intermediation or other similar actions subject to notification) or inheritance from the that person has occurred, the person that has acquired all of the relevant business through the transfer, the corporation surviving after the merger or newly established upon the merger, the corporation that has succeeded to all of the relevant business upon the split, or the heir (or if one particular heir has been selected from among two or more heirs as the successor to the relevant business by agreement among the heirs, the selected heir) may succeed to the status of the person entrusted with intermediation or other similar actions that conducted notification. In this case, the person that succeeded to the status of the person entrusted with intermediation or other similar actions that conducted notification must notify the Minister for Internal Affairs and Communications to that effect without delay.

4 届出媒介等業務受託者は、届出媒介等業務を廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(4) If a person entrusted with intermediation or other similar actions that conducts notification discontinues its intermediation or other similar actions subject to notification, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

5 届出媒介等業務受託者たる法人が合併以外の事由により解散したときは、その清算人（解散が破産手続開始の決定による場合にあつては、破産管財人）は、遅滞なく、その旨を総務大臣に届け出なければならない。

(5) If a corporation that is a person entrusted with intermediation or other similar actions that conducts notification dissolves due to reasons other than a merger, the liquidator in charge (or in cases of dissolution due to an order commencing bankruptcy proceedings, the bankruptcy trustee) must notify the Minister for Internal Affairs and Communications to that effect without delay.

（電気通信事業者の業務に関する規定の準用）

(Application, Mutatis Mutandis, of Provisions Related to Operations of Telecommunications Carriers)

第七十三条の三 第二十六条及び第二十七条の二の規定は届出媒介等業務受託者について、第二十七条の三第二項の規定は同条第一項の規定により指定された電気通信事業者が提供する移動電気通信役務の提供に関する契約の締結の媒介等の業務を行う届出媒介等業務受託者について、それぞれ準用する。この場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

Article 73-3 The provisions set forth in Article 26 and Article 27-2 apply mutatis mutandis to persons entrusted with intermediation or other similar actions that conduct notification; and the provisions set forth in Article 27-3,

paragraph (2) apply mutatis mutandis to persons entrusted with intermediation or other similar actions that conduct notification if they perform intermediation or other similar actions for concluding contracts related to provision of mobile telecommunications services provided by telecommunications carriers designated pursuant to the provisions of paragraph (1) of that Article. In this case, the terms in the middle column of the following table which are used in the provisions in its left column are deemed to be replaced with the terms in its right column.

<p>第二十六条第一項 Article 26, paragraph (1)</p>	<p>締結 conclude</p>	<p>締結の媒介等（第二十七条の四に規定する媒介等をいう。第二十七条の三第二項において同じ。） conduct intermediation or other similar actions (meaning intermediation, etc. as set forth in Article 27-4; the same applies to Article 27-3, paragraph (2)) for the conclusion of</p>
<p>第二十七条の二第二号 Article 27, paragraph (2), item (ii)</p>	<p>自己 own name</p>	<p>自己若しくは当該勧誘に係る電気通信役務を提供する電気通信事業者 own name or that of a telecommunications carrier providing telecommunications services related to the relevant solicitation</p>
<p>第二十七条の三第二項第一号 Article 27-3, paragraph (2), item (i)</p>	<p>その移動電気通信役務 their mobile telecommunications services</p>	<p>その媒介等の業務に係る移動電気通信役務 mobile telecommunications services related to intermediation or other similar actions for their services</p>
<p>第二十七条の三第二項第二号 Article 27-3, paragraph (2), item (ii)</p>	<p>その移動電気通信役務 their mobile telecommunications services</p>	<p>その媒介等の業務に係る移動電気通信役務 their mobile telecommunications services related to intermediation or other similar actions</p>

締結 concluding	締結の媒介等 conducting intermediation or other similar actions for the conclusion of
又は or having a	又は他の or having another

(業務の改善命令)
(Order to Improve Business Activities)

第七十三条の四 総務大臣は、次の各号のいずれかに該当するときは、当該各号に定める者に対し、利用者の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

Article 73-4 If either of the conditions set forth in the following items occur, the Minister for Internal Affairs and Communications may order the person prescribed in those items to improve the methods of conducting its business activities or take other measures to the extent necessary for ensuring the interests of users:

一 届出媒介等業務受託者が前条において準用する第二十六条第一項又は第二十七条の二の規定に違反したとき 当該届出媒介等業務受託者

(i) if a person entrusted with intermediation or other similar actions that conducts notification violates the provisions of Article 26, paragraph (1) or Article 27-2 as applied mutatis mutandis pursuant to the preceding Article: the relevant person entrusted with intermediation or other similar actions that conducts notification; or

二 第二十七条の三第一項の規定により指定された電気通信事業者が提供する移動電気通信役務の提供に関する契約の締結の媒介等の業務を行う届出媒介等業務受託者が前条において準用する第二十七条の三第二項の規定に違反したとき 当該届出媒介等業務受託者

(ii) if a person entrusted with intermediation or other actions that conducts notification performs intermediation or other similar actions for concluding contracts related to the provision of mobile telecommunications services by a telecommunications carrier designated pursuant to the provisions of Article 27-3, paragraph (1), and they violate the provisions of Article 27-3, paragraph (2) as applied mutatis mutandis pursuant to the preceding Article: the relevant person entrusted with intermediation or other actions that conducts notification.

第六節 指定試験機関

Section 6 Designated Examination Bodies

第一款 指定試験機関

Subsection 1 Designated Examination Bodies

(指定試験機関の指定等)

(Designation of a Person as a Designated Examination Body)

第七十四条 総務大臣は、その指定する者（以下「指定試験機関」という。）に、電気通信主任技術者試験又は工事担任者試験の実施に関する事務（以下「試験事務」という。）を行わせることができる。

Article 74 (1) The Minister for Internal Affairs and Communications may have a person whom the Minister designates (hereinafter referred to as a "designated examination body") undertake administration affairs involved in conducting

qualification examinations for chief telecommunications engineers and installation technicians (hereinafter referred to as "administration of exams").

2 指定試験機関の指定は、総務省令で定める区分ごとに、試験事務を行おうとする者の申請により行う。

(2) The designation of a person as a designated examination body is made according to the classification specified by Order of the Ministry of Internal Affairs and Communications, upon application from a person that intends to conduct administration of exams.

3 総務大臣は、指定試験機関の指定をしたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications designates a person as a designated examination body, the Minister must issue a public notice to that effect.

4 総務大臣は、指定試験機関の指定をしたときは、当該指定に係る区分の試験事務を行わないものとする。

(4) If the Minister for Internal Affairs and Communications designates a person as a designated examination body, the Minister is not to conduct administration of the exam for the classification related to that designation.

(指定試験機関の指定の基準)

(Criteria for Designating a Person as a Designated Examination Body)

第七十五条 総務大臣は、前条第二項の申請に係る区分の試験事務につき他に指定試験機関の指定を受けた者がなく、かつ、当該申請が次の各号に適合していると認めるときでなければ、指定試験機関の指定をしてはならない。

Article 75 (1) The Minister for Internal Affairs and Communications must not designate a person as a designated examination body unless no other person has been designated as a designated examination body to conduct administration of exams for the classification related to the application set forth in paragraph (2) of the preceding Article and the Minister finds that the applicant complies with the following items:

一 職員、設備、試験事務の実施の方法その他の事項についての試験事務の実施に関する計画が試験事務の適確な実施のために適切なものであること。

(i) the applicant's plan related to conduct administration of exams which specifies employees, facilities, the methods of conducting administration of exams, and other particulars is appropriate for properly conducting administration of exams;

二 前号の試験事務の実施に関する計画を適確に実施するに足りる経理的基礎及び技術的能力があること。

(ii) the applicant has adequate financial stability and technical capabilities to properly implement the plan for conducting administration of exams set forth in the preceding item; and

三 試験事務以外の業務を行っている場合には、その業務を行うことによつて試験事

務が不公正になるおそれがないこと。

(iii) if the applicant engages in operations other than administration of exams, the conduct of those operations is unlikely to cause unfairness in its administration of exams.

2 総務大臣は、前条第二項の申請をした者が次の各号のいずれかに該当するときは、指定試験機関の指定をしてはならない。

(2) If a person that has filed an application set forth in paragraph (2) of the preceding Article falls under any of the following items, the Minister for Internal Affairs and Communications must not designate the person as a designated examination body:

一 一般社団法人又は一般財団法人以外の者であること。

(i) a person other than a general incorporated association or general incorporated foundation;

二 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者であること。

(ii) a person that was sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Wire Telecommunications Act or the Radio Act, if two years have not passed since the date on which the enforcement of that punishment was completed or became inapplicable;

三 第八十四条第一項又は第二項の規定により指定を取り消され、その取消の日から二年を経過しない者であること。

(iii) a person whose designation was revoked pursuant to the provisions of Article 84, paragraph (1) or (2), if two years have not passed since the date of revocation; or

四 その役員のうち、次のいずれかに該当する者があること。

(iv) a person that has an officer that falls under any of the following:

イ 第二号に該当する者

(a) a person that falls under item (ii); or

ロ 第七十七条第三項の規定による命令により解任され、その解任の日から二年を経過しない者

(b) a person that was dismissed by an order under Article 77, paragraph (3), if two years have not passed from the date of dismissal.

(試験員)

(Qualification Examiners)

第七十六条 指定試験機関は、試験事務を行う場合において、電気通信主任技術者として必要な専門的知識及び能力又は工事担任者として必要な知識及び技能を有するかどうかの判定に関する事務については、総務省令で定める要件を備える者（以下「試験員」という。）に行わせなければならない。

Article 76 When conducting administration of exams, a designated examination

body must have a person that satisfies the requirements specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as a "qualification examiner") undertake administration affairs involved in judging whether examinees have the expert knowledge and ability required of a chief telecommunications engineer or the knowledge and technical ability required of an installation technician.

(役員等の選任及び解任)

(Appointment and Dismissal of Officers)

第七十七条 指定試験機関の役員を選任及び解任は、総務大臣の認可を受けなければ、その効力を生じない。

Article 77 (1) Appointment and dismissal of officers of a designated examination body does not become effective unless authorized by the Minister for Internal Affairs and Communications.

2 指定試験機関は、試験員を選任し、又は解任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) When a designated examination body appoints or dismisses its qualification examiner, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 総務大臣は、指定試験機関の役員又は試験員が、この法律、この法律に基づく命令若しくは処分又は第七十九条第一項の試験事務規程に違反したときは、その指定試験機関に対し、その役員又は試験員を解任すべきことを命ずることができる。

(3) If an officer or qualification examiner of a designated examination body has violated this Act, any order or disposition made under this Act, or the rules for administration of exams set forth in Article 79, paragraph (1), the Minister for Internal Affairs and Communications may order the designated examination body to dismiss the officer or qualification examiner.

(秘密保持義務等)

(Duty of Confidentiality)

第七十八条 指定試験機関の役員若しくは職員（試験員を含む。）又はこれらの職にあつた者は、試験事務に関して知り得た秘密を漏らしてはならない。

Article 78 (1) A officer or employee (including a qualification examiner) of a designated examination body or a person that formerly held that position must not divulge any secret which came to their knowledge with respect to administration of the exam.

2 試験事務に従事する指定試験機関の役員及び職員（試験員を含む。）は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) An officer or employee (including a qualification examiner) of a designated examination body that engages in administration of exams is deemed to be a

person engaged in public service pursuant to laws and regulations, with regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

(試験事務規程)

(Rules for Administration of Exams)

第七十九条 指定試験機関は、総務省令で定める試験事務の実施に関する事項について試験事務規程を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 79 (1) A designated examination body must establish the rules for administration of exams that govern particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the conduct of administration of exams, and must obtain authorization from the Minister for Internal Affairs and Communications. The same also applies if it intends to change those rules.

2 総務大臣は、前項の認可をした試験事務規程が試験事務の適確な実施上不相当となつたと認めるときは、その指定試験機関に対し、これを変更すべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that the authorized rules for administration of exams set forth in the preceding paragraph become inappropriate for properly conducting administration of exams, the Minister may order the designated examination body to change those rules.

(事業計画等)

(Business Plans)

第八十条 指定試験機関は、毎事業年度、事業計画及び収支予算を作成し、当該事業年度の開始前に（指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 80 (1) A designated examination body must prepare its business plan and its budget of income and expenditure for each fiscal year, and must obtain authorization from the Minister for Internal Affairs and Communications before the fiscal year starts (or, for the fiscal year during which it is designated as that body, without delay after the designation). The same also applies if it intends to change that business plan or budget of income and expenditure.

2 指定試験機関は、毎事業年度、事業報告書及び収支決算書を作成し、当該事業年度の終了後三月以内に総務大臣に提出しなければならない。

(2) A designated examination body must prepare its annual report of its business and settlement of income and expenditure for each fiscal year, and must file them with the Minister for Internal Affairs and Communications within three

months from the end of the fiscal year.

(帳簿の備付け等)

(Keeping of Books)

第八十一条 指定試験機関は、総務省令で定めるところにより、帳簿（その作成に代えて電磁的記録（電子的方式、磁気的方式その他の人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下同じ。）の作成がされている場合における当該電磁的記録を含む。以下同じ。）を備え付け、これに試験事務に関する事項で総務省令で定めるものを記載し、又は記録し、及びこれを保存しなければならない。

Article 81 A designated examination body must prepare and keep books (including electronic or magnetic records (meaning records used in computerized information processing which is created in an electronic form, magnetic form, or any other form that cannot be perceived by human senses; hereinafter the same applies), if electronic or magnetic records are prepared in lieu of books; hereinafter the same applies), by recording or making entries of the particulars specified by Order of the Ministry of Internal Affairs and Communications concerning administration of exams in those books, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(監督命令)

(Supervision Orders)

第八十二条 総務大臣は、この法律を施行するため必要があると認めるときは、指定試験機関に対し、試験事務に関し監督上必要な命令をすることができる。

Article 82 The Minister for Internal Affairs and Communications may issue to a designated examination body an order necessary for its supervision in relation to its administration of exams, if the Minister finds it necessary for the enforcement of this Act.

(業務の休廃止)

(Suspension and Discontinuation of Operations)

第八十三条 指定試験機関は、総務大臣の許可を受けなければ、試験事務の全部若しくは一部を休止し、又は廃止してはならない。

Article 83 (1) A designated examination body must not suspend or discontinue all or part of its administration of exams unless it obtains permission of the Minister for Internal Affairs and Communications.

2 総務大臣は、前項の許可をしたときは、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has granted the permission set forth in the preceding paragraph, the Minister must issue a public notice to that effect.

(指定の取消し等)

(Revocation of Designations)

第八十四条 総務大臣は、指定試験機関が第七十五条第二項第一号、第二号又は第四号に該当するに至ったときは、その指定を取り消さなければならない。

Article 84 (1) If a designated examination body falls under Article 75, paragraph (2), item (i), (ii), or (iv), the Minister for Internal Affairs and Communications must revoke its designation.

2 総務大臣は、指定試験機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて試験事務の全部若しくは一部の停止を命ずることができる。

(2) If a designated examination body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its designation, or designate a period and suspend its administration of exams for that period:

一 この款の規定に違反したとき。

(i) if the designated examination body has violated the provisions of this Subsection;

二 第七十五条第一項各号のいずれかに適合しなくなつたと認められるとき。

(ii) if the designated examination body is found to fail to conform to any of the items of Article 75, paragraph (1);

三 第七十七条第三項、第七十九条第二項又は第八十二条の規定による命令に違反したとき。

(iii) if the designated examination body has violated an order under Article 77, paragraph (3), Article 79, paragraph (2), or Article 82;

四 第七十九条第一項の規定により認可を受けた試験事務規程によらないで試験事務を行つたとき。

(iv) if the designated examination body has conducted administration of the exam in a manner not in accordance with the rules for administration of exams authorized pursuant to the provisions of Article 79, paragraph (1); or

五 不正な手段により指定を受けたとき。

(v) if the designated examination body has obtained its designation through wrongful means.

3 総務大臣は、第一項若しくは前項の規定により指定を取り消し、又は同項の規定により試験事務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the designation pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered suspension of all or part of administration of the exam pursuant to the provisions of that paragraph, the Minister must issue a public notice to that effect.

(総務大臣による試験事務の実施)

(Conduct of Administration of Exams by the Minister for Internal Affairs and Communications)

第八十五条 総務大臣は、指定試験機関が第八十三条第一項の規定により試験事務の全部若しくは一部を休止したとき、前条第二項の規定により指定試験機関に対し試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により試験事務の全部若しくは一部を実施することが困難となつた場合において必要があると認めるときは、第七十四条第四項の規定にかかわらず、試験事務の全部又は一部を自ら行うものとする。

Article 85 (1) Notwithstanding the provisions of Article 74, paragraph (4), if a designated examination body has suspended all or part of its administration of exams pursuant to the provisions of Article 83, paragraph (1), if the Minister for Internal Affairs and Communications has ordered a designated examination body to suspend all or part of its administration of exams pursuant to the provisions of paragraph (2) of the preceding Article, or if it has become difficult for a designated examination body to conduct all or part of its administration of exams due to a natural disaster or other reasons and the Minister for Internal Affairs and Communications finds it necessary, the Minister is to directly conduct all or part of administration of the exam.

2 総務大臣は、前項の規定により試験事務を行うこととし、又は同項の規定により行っている試験事務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct administration of the exam pursuant to the provisions of the preceding paragraph or has decided to discontinue administration of the exam that the Minister has been conducting pursuant to the provisions of that paragraph, the Minister must issue a public notice to that effect in advance.

3 総務大臣が、第一項の規定により試験事務を行うこととし、第八十三条第一項の規定により試験事務の廃止を許可し、又は前条第一項若しくは第二項の規定により指定を取り消した場合における試験事務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to conduct administration of the exam pursuant to the provisions of paragraph (1), permitted the discontinuation of administration of exams pursuant to the provisions of Article 83, paragraph (1), or revoked the designation pursuant to the provisions of paragraph (1) or (2) of the preceding Article, the handing over of administration of exams and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

第二款 登録講習機関

Subsection 2 Registered Training Agencies

(登録講習機関の登録)

(Registration of a Person as a Registered Training Agency)

第八十五条の二 講習の実施に関する事務（以下「講習事務」という。）を行う者は、別表第一の各項の講習の欄に掲げる講習の区分ごとに、総務大臣の登録を受けることができる。

Article 85-2 (1) A person that is engaged in the affairs involved in conducting training (hereinafter referred to as "training affairs") may obtain a registration from the Minister for Internal Affairs and Communications for each classification of training specified in the Training column of each row in Appended Table 1.

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration set forth in the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 登録を受けようとする別表第一の各項の講習の欄に掲げる講習の区分

(ii) the classification of training for which the person intends to obtain registration as listed in the Training column of each item in Appended Table 1;

三 事務所の名称及び所在地

(iii) the name and address of the office;

四 講習の講師の選任に関する事項

(iv) particulars related to the selection of training instructors; and

五 講習事務の開始の予定期日

(v) the scheduled date to commence training affairs.

3 前項の申請書には、講習事務の実施に関する計画を記載した書類その他総務省令で定める書類を添付しなければならない。

(3) The written application referred to in the preceding paragraph must be accompanied by a document describing the plan for conducting training affairs and other documents specified by Order of the Ministry of Internal Affairs and Communications.

(登録の基準)

(Criteria for Registration)

第八十五条の三 総務大臣は、前条第一項の登録を申請した者の行う講習事務が、別表第一の各項の講習の欄に掲げる講習の区分に応じ、当該各項の科目の欄に掲げる科目について、それぞれ当該各項の講師の欄に掲げる者のいずれかに該当する者が講師と

して従事するものであるときは、その登録をしなければならない。

Article 85-3 (1) If the training affairs conducted by a person that has applied for registration set forth in paragraph (1) of the preceding Article corresponds to the classifications of training set forth in the Training column of Appended Table 1, and persons who constitute any of those set forth in Instructor column of each row are engaged in the training affairs as instructors for the training subjects set forth in Subject column of each row, the Minister for Internal Affairs and Communications must register the person that has applied for the registration as a registered training agency.

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

(2) A person falling under any of the following items is not qualified to obtain registration set forth in paragraph (1) of the preceding Article:

一 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者であること。

(i) a person that was sentenced to a fine or heavier punishment pursuant to the provisions of this Act, the Wire Telecommunications Act, or the Radio Act, if two years have not passed since the day on which the enforcement of the punishment was completed or ceased to be applicable;

二 第八十五条の十三第一項又は第二項の規定により登録を取り消され、その取消の日から二年を経過しない者であること。

(ii) a person whose registration was revoked pursuant to the provisions of Article 85-13, paragraph (1) or (2), if two years have not passed from the revocation date; or

三 法人であつて、その役員のうちの前二号のいずれかに該当する者があること。

(iii) a corporation for which any of its officers falls under either of the preceding two items.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is provided for in the preceding Article and the preceding two paragraphs, the particulars necessary for the registration set forth in paragraph (1) of that Article are prescribed by Order of the Ministry of Internal Affairs and Communications.

(登録の更新)

(Renewal of Registrations)

第八十五条の四 第八十五条の二第一項の登録は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 85-4 (1) If the registration set forth in Article 85-2, paragraph (1) is not renewed for every period of not less than three years specified by Cabinet Order, the registration ceases to have effect upon the expiration of the relevant

period.

2 第八十五条の二第二項及び第三項並びに前条の規定は、前項の登録の更新について準用する。

(2) The provisions in Article 85-2, paragraphs (2) and (3) and the preceding Article apply mutatis mutandis pursuant to the renewal of registration referred to in the preceding paragraph.

(登録簿)

(Register)

第八十五条の五 総務大臣は、登録講習機関について、登録講習機関登録簿を備え、次に掲げる事項を登録しなければならない。

Article 85-5 The Minister for Internal Affairs and Communications must prepare a register for registered training agencies, and register the following particulars with regard to registered training agencies:

一 登録及びその更新の年月日並びに登録番号

(i) the agency registration date, renewal date, and registration number; and

二 第八十五条の二第二項第一号から第三号までに掲げる事項

(ii) particulars listed in Article 85-2, paragraph (2), items (i) through (iii).

(登録の公示等)

(Public Notification of Registration)

第八十五条の六 総務大臣は、第八十五条の二第一項の登録をしたときは、登録講習機関の氏名又は名称及び住所並びに登録に係る別表第一の各項の講習の欄に掲げる講習の区分、講習事務を行う事務所の所在地及び講習事務の開始の日を公示しなければならない。

Article 85-6 (1) If the Minister for Internal Affairs and Communications has made a registration set forth in Article 85-2, paragraph (1), the Minister must issue a public notice providing the name and the address of the registered training agency, the classification of training listed in the Training column of each row of Appended Table 1 related to the registration, the location of the office where the training affairs are conducted, and the date of commencement of the training affairs.

2 登録講習機関は、第八十五条の二第二項第一号又は第三号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) If a registered training agency intends to change the particulars listed in Article 85-2, paragraph (2), item (i) or (iii), it must notify the Minister for Internal Affairs and Communications to that effect by two weeks before the scheduled date of the change.

3 総務大臣は、前項の規定による届出（登録講習機関の氏名若しくは名称若しくは住所又は講習事務を行う事務所の所在地の変更に係るものに限る。）があつたときは、

その旨を公示しなければならない。

- (3) If a notification is filed pursuant to the provisions of the preceding paragraph (limited to a notification related to a change in the name or address of the registered training agency or a change in the location of the office where the training affairs are conducted), the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(講習事務の実施に係る義務)

(Obligations Related to Conducting Training Affairs)

第八十五条の七 登録講習機関は、公正に、かつ、第八十五条の三第一項の規定及び総務省令で定める基準に適合する方法により講習事務を行わなければならない。

Article 85-7 A registered training agency must conduct its training affairs in a fair manner by methods that conform to the provisions of Article 85-3, paragraph (1) and the standard specified by Order of the Ministry of Internal Affairs and Communications.

(講習事務規程)

(Regulations for Training Affairs)

第八十五条の八 登録講習機関は、その登録に係る講習事務に関する規程（次項において「講習事務規程」という。）を定め、講習事務の開始前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 85-8 (1) A registered training agency must establish regulations for the training affairs related to the registration (referred to as "regulations for training affairs" in the following paragraph) and notify the Minister for Internal Affairs and Communications of them before commencing the training affairs. The same applies if it intends to change them.

2 講習事務規程には、講習の実施方法、講習に関する料金その他の総務省令で定める事項を定めておかななければならない。

(2) The regulations for training affairs must include provisions in relation to the methods of implementing training, training fees, and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection of Financial Statements and Other Documents)

第八十五条の九 登録講習機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（その作成に代えて電磁的記録の作成がされている場合における当該電磁的記録を含む。次項、第九十五条及び第九十二条第二号において「財務諸表等」という。）を作成し、五年間事務所に備えて置かななければならない。

Article 85-9 (1) Within three months from the end of each fiscal year, a registered training agency must prepare an inventory of assets, a balance sheet,

a profit and loss statement or income and expenditure statement, and a business report (including electronic or magnetic records, if electronic or magnetic records are prepared in lieu of written documents; hereinafter collectively referred to as "financial statements and other documents" in the following paragraph, Article 95 and Article 192, item (ii)) for the fiscal year, and must keep those financial statements and other documents at its office for five years.

2 講習を受けようとする者その他の利害関係人は、登録講習機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録講習機関の定めた費用を支払わなければならない。

(2) A person who intends to receive training from a registered training agency, or any other interested person may make any of the requests listed below to the registered training agency anytime within its business hours; provided, however, that those persons must pay a fee determined by the registered training agency for the requests set forth in item (ii) or (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if financial statements and other documents are prepared as written documents, a request for an inspection or a copy of the written documents;
二 前号の書面の謄本又は抄本の請求

(ii) a request for issuing certified copies or abridged copies of the written documents set forth in item (i) above;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を総務省令で定める方法により表示したものの閲覧又は謄写の請求

(iii) if financial statements and other documents are prepared in the form of electronic or magnetic records, a request for an inspection or a copy of the particulars recorded in the electronic or magnetic records that are presented by means specified by Order of the Ministry of Internal Affairs and Communications; and

四 前号の電磁的記録に記録された事項を電磁的方法であつて総務省令で定めるものにより提供することの請求又は当該事項を記載した書面の交付の請求

(iv) a request for the provision of particulars recorded in an electronic or magnetic record set forth in the preceding item by electronic or magnetic means specified by Order of the Ministry of Internal Affairs and Communications, or for the issuance of a written document describing those particulars.

(帳簿の備付け等)

(Keeping of Books)

第八十五条の十 登録講習機関は、総務省令で定めるところにより、帳簿を備え付け、これに講習事務に関する事項で総務省令で定めるものを記載し、又は記録し、及びこ

れを保存しなければならない。

Article 85-10 A registered training agency must prepare and keep books, by recording or making entries of the particulars specified by Order of the Ministry of Internal Affairs and Communications concerning training affairs in those books, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(改善命令等)

(Orders for Improvement)

第八十五条の十一 総務大臣は、登録講習機関が第八十五条の三第一項の規定に適合しなくなつたと認めるときは、当該登録講習機関に対し、同項の規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 85-11 (1) If the Minister for Internal Affairs and Communications finds that a registered training agency has failed to conform to the provisions of Article 85-3, paragraph (1), the Minister may order that registered training agency to take necessary measures to conform to the provisions of that paragraph.

2 総務大臣は、登録講習機関が第八十五条の七の規定に違反していると認めるときは、当該登録講習機関に対し、同条の規定による講習事務を行うべきこと又は講習の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

(2) If the Minister for Internal Affairs and Communications finds that a registered training agency violates the provisions of Article 85-7, the Minister may order that registered training agency to conduct the training affairs set forth in that Article or take necessary measures to improve the methods of training or any other operational methods.

(講習事務の休廃止)

(Suspension or Discontinuance of Training Affairs)

第八十五条の十二 登録講習機関は、その登録に係る講習事務を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、その旨を総務大臣に届け出なければならない。

Article 85-12 (1) If a registered training agency intends to suspend or discontinue its training affairs related to its registration, it must notify the Minister for Internal Affairs and Communications to that effect in advance pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 登録講習機関が講習事務の全部を廃止したときは、当該登録講習機関の登録は、その効力を失う。

(2) If a registered training agency discontinues all of its training affairs, the registration of that person as a registered training agency ceases to have effect.

3 総務大臣は、第一項の規定による届出があつたときは、その旨を公示しなければならない。

らない。

- (3) If a notification is filed pursuant to the provisions of paragraph (1), the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(登録の取消し等)

(Revocation of Registration)

第八十五条の十三 総務大臣は、登録講習機関が第八十五条の三第二項第一号又は第三号に該当するに至ったときは、その登録を取り消さなければならない。

Article 85-13 (1) If a registered training agency falls under Article 85-3, paragraph (2), item (i) or (iii), the Minister for Internal Affairs and Communications must revoke its registration.

- 2 総務大臣は、登録講習機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めてその登録に係る講習事務の全部若しくは一部の停止を命ずることができる。

- (2) If a registered training agency falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration, or designate a period and order suspension of all or part of its training affairs for that period:

一 この款の規定に違反したとき。

(i) the training agency violates the provisions of this Subsection;

二 正当な理由がないのに第八十五条の九第二項各号の規定による請求を拒んだとき。

(ii) the training agency refuses a request under the items of Article 85-9, paragraph (2) without justifiable grounds;

三 第八十五条の十一の規定による命令に違反したとき。

(iii) the training agency violates an order under Article 85-11; or

四 不正な手段により第八十五条の二第一項の登録又はその更新を受けたとき。

(iv) the training agency obtains the registration set forth in Article 85-2, paragraph (1) or renewal of that registration through wrongful means.

- 3 総務大臣は、第一項若しくは前項の規定により登録を取り消し、又は同項の規定により講習事務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

- (3) If the Minister for Internal Affairs and Communications has revoked the registration pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered suspension of all or part of its training affairs pursuant to the provisions of that paragraph, the Minister must issue a public notice to that effect.

(登録の抹消)

(Deletion of Registration)

第八十五条の十四 総務大臣は、第八十五条の四第一項若しくは第八十五条の十二第二

項の規定により登録講習機関の登録がその効力を失ったとき、又は前条第一項若しくは第二項の規定により登録講習機関の登録を取り消したときは、当該登録講習機関の登録を抹消しなければならない。

Article 85-14 If the registration of a person as a registered training agency ceases to have effect pursuant to the provisions of Article 85-4, paragraph (1) or Article 85-12, paragraph (2), or the registration of a person as a registered training agency is revoked pursuant to the provisions of paragraph (1) or (2) of the preceding Article, the Minister for Internal Affairs and Communications must delete the registration of that person as a registered training agency.

(総務大臣による講習事務の実施)

(Training Affairs Conducted by the Minister for Internal Affairs and Communications)

第八十五条の十五 総務大臣は、第八十五条の二第一項の登録を受けた者がいないとき、第八十五条の十二第一項の規定による講習事務の休止又は廃止の届出があつたとき、第八十五条の十三第一項若しくは第二項の規定により登録を取り消し、又は同項の規定により登録講習機関に対し講習事務の全部若しくは一部の停止を命じたとき、登録講習機関が天災その他の事由によりその登録に係る講習事務の全部又は一部を実施することが困難となつたとき、その他必要があると認めるときは、講習事務の全部又は一部を自ら行うことができる。

Article 85-15 (1) The Minister for Internal Affairs and Communications may directly conduct all or part of the training affairs when no persons are registered pursuant to the provisions of Article 85-2, paragraph (1); the notification of the suspension or discontinuance of the training affairs is filed pursuant to Article 85-12, paragraph (1); the registration is revoked pursuant to Article 85-13, paragraph (1) or (2); pursuant to the provisions of that paragraph, a registered training agency is ordered to suspend all or part of training affairs; it is difficult for a registered training agency to conduct all or part of its training affairs as a result of a natural disaster or other cause; or the Minister finds it to be otherwise necessary.

2 総務大臣は、前項の規定により講習事務を行うこととし、又は同項の規定により行っている講習事務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct the training affairs pursuant to the provisions of the preceding paragraph, or has decided to discontinue the training affairs that the Minister has been conducting pursuant to the provisions of that paragraph, the Minister must issue a public notice to that effect in advance.

3 総務大臣が第一項の規定により講習事務を行うこととした場合における講習事務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to

conduct training affairs pursuant to paragraph (1), the handing over of its training affairs and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

第三款 登録認定機関

Subsection 3 Registered Approval Bodies

(登録認定機関の登録)

(Registration of a Person as a Registered Approval Body)

第八十六条 端末機器について、技術基準適合認定の事業を行う者は、総務省令で定める事業の区分（以下この節において単に「事業の区分」という。）ごとに、総務大臣の登録を受けることができる。

Article 86 (1) A person that conducts technical standards conformity approval for terminal equipment may obtain a registration from the Minister for Internal Affairs and Communications, for each classification of business specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to simply as the "classification of business" in this Section).

2 前項の登録を受けようとする者は、総務省令で定めるところにより、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the registration as set forth in the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 事業の区分

(ii) classification of business;

三 事務所の名称及び所在地

(iii) the name and address of offices;

四 技術基準適合認定の審査に用いる測定器その他の設備の概要

(iv) outline of the measuring instrument or other equipment to be used for examination of technical standards conformity approval;

五 第九十一条第二項の認定員の選任に関する事項

(v) particulars concerning appointment of approval examiners as set forth in Article 91, paragraph (2); and

六 業務開始の予定期日

(vi) scheduled starting date of business.

3 前項の申請書には、技術基準適合認定の業務の実施に関する計画を記載した書類その他総務省令で定める書類を添付しなければならない。

- (3) The written application set forth in the preceding paragraph must be accompanied by documents describing a plan for conducting the operations for technical standards conformity approval and other documents specified by Order of the Ministry of Internal Affairs and Communications.

(登録の基準)

(Criteria for Registration)

第八十七条 総務大臣は、前条第一項の登録を申請した者（以下この項において「登録申請者」という。）が次の各号のいずれにも適合しているときは、その登録をしなければならない。

Article 87 (1) If a person that has applied for registration as set forth in paragraph (1) of the preceding Article (hereinafter referred to as "applicant for registration" in this paragraph) conforms to all of the following items, the Minister for Internal Affairs and Communications must register the person:

一 別表第二に掲げる条件のいずれかに適合する知識経験を有する者が技術基準適合認定を行うものであること。

(i) the relevant person has a member of staff that has knowledge and experience that conform to any of the conditions listed in Appended Table 2 conduct the technical standards conformity approval;

二 別表第三に掲げる測定器その他の設備であつて、次のいずれかに掲げる較正又は校正（以下この号において「較正等」という。）を受けたもの（その較正等を受けた日の属する月の翌月の一日から起算して一年（技術基準適合認定を行うのに優れた性能を有する測定器その他の設備として総務省令で定める測定器その他の設備に該当するものにあつては、当該測定器その他の設備の区分に応じ、一年を超え三年を超えない範囲内で総務省令で定める期間）以内のものに限る。）を使用して技術基準適合認定を行うものであること。

(ii) the relevant person conducts technical standards conformity approval by using the measuring instruments listed in Appended Table 3 or other equipment for which calibration or correction of any of the following (hereinafter referred to as "calibration or correction" in this item) has been carried out (limited to those for which calibration or correction has been carried out within a period not exceeding one year (or for measuring instruments and other equipment specified by Order of the Ministry of Internal Affairs and Communications as those with superior capabilities for conducting technical standards conformity approval, within the period specified by Order of the Ministry of Internal Affairs and Communications within the range greater than one year and not exceeding three years, depending on the categories of the relevant measuring instruments and other equipment) from the first day of the month following the month of calibration or correction):

イ 国立研究開発法人情報通信研究機構（ハにおいて「機構」という。）又は電波

- 法第百二条の十八第一項の指定較正機関が行う較正
- (a) calibration conducted by the National Institute of Information and Communications Technology (referred to as "the Institute" in (c)) or the designated calibration body set forth in Article 102-18, paragraph (1) of the Radio Act;
- ロ 計量法（平成四年法律第五十一号）第百三十五条又は第百四十四条の規定に基づく較正
- (b) correction under Article 135 or 144 of the Measurement Act (Act No. 51 of 1992);
- ハ 外国において行う較正であつて、機構又は電波法第百二条の十八第一項の指定較正機関が行う較正に相当するもの
- (c) calibration conducted in a foreign state and equivalent to calibration conducted by the Institute or the designated calibration body set forth in Article 102-18, paragraph (1) of the Radio Act; or
- ニ イからハまでのいずれかに掲げる較正等を受けたものを用いて行う較正等
- (d) calibration or correction conducted by using equipment for which the calibration or correction listed in any of (a) through (c) has been carried out; and
- 三 登録申請者が、端末機器の製造業者、輸入業者又は販売業者（以下この号において「特定製造業者等」という。）に支配されているものとして次のいずれかに該当するものでないこと。
- (iii) the applicant for registration, as a person controlled by a manufacturer, importer or seller of terminal equipment (hereinafter referred to as a "specified manufacturer or similar person" in this item), does not fall under any of the following:
- イ 登録申請者が株式会社である場合には、特定製造業者等がその親法人（会社法第八百七十九条第一項に規定する親法人をいう。）であること。
- (a) if the applicant for registration is a stock company, its parent company (meaning a parent company prescribed in Article 879, paragraph (1) of the Companies Act) is a specified manufacturer or similar person;
- ロ 登録申請者の役員（持分会社（会社法第五百七十五条第一項に規定する持分会社をいう。）にあつては、業務を執行する社員）に占める特定製造業者等の役員又は職員（過去二年間に当該特定製造業者等の役員又は職員であつた者を含む。）の割合が二分の一を超えていること。
- (b) the number of officers or employees from a specified manufacturer or similar person (including persons that held a position of officer or member of staff in the specified manufacturer or similar person in the past two years) accounts for more than one half of the total number of the officers in the applicant for registration (or if the applicant is a membership company (meaning a membership company prescribed in Article 575, paragraph (1) of the Companies Act), members executing its operations); and

ハ 登録申請者（法人にあつては、その代表権を有する役員）が、特定製造業者等の役員又は職員（過去二年間に当該特定製造業者等の役員又は職員であつた者を含む。）であること。

(c) the applicant for registration (or if the applicant is a corporation, an officer who has the right to represent it) is an officer or employee of a specified manufacturer or similar person (including persons who held a position of officer or member of staff in the specified manufacturer or similar person in the past two years).

2 次の各号のいずれかに該当する者は、前条第一項の登録を受けることができない。

(2) A person that falls under any of the following items may not obtain the registration set forth in paragraph (1) of the preceding Article:

一 この法律又は有線電気通信法若しくは電波法の規定により罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者であること。

(i) a person that was sentenced to a fine or a heavier punishment pursuant to the provisions of this Act, the Wire Telecommunications Act, or the Radio Act, if two years have not passed since the date on which the enforcement of that punishment was completed or became inapplicable;

二 第百条第一項又は第二項（第百三条において準用する場合を含む。）の規定により登録を取り消され、その取消の日から二年を経過しない者であること。

(ii) a person whose registration was revoked pursuant to the provisions of Article 100, paragraph (1) or (2) (including as applied mutatis mutandis pursuant to Article 103), if two years have not passed from the date of revocation; or

三 法人であつて、その役員のうちの前二号のいずれかに該当する者があること。

(iii) a corporation for which any of its officers falls under either of the preceding two items.

3 前条及び前二項に規定するもののほか、同条第一項の登録に関し必要な事項は、総務省令で定める。

(3) Beyond what is provided for in the preceding Article and the preceding two paragraphs, the particulars necessary for the registration set forth in paragraph (1) of that Article are specified by Order of the Ministry of Internal Affairs and Communications.

（登録の更新）

(Renewal of Registration)

第八十八条 第八十六条第一項の登録は、五年以上十年以内において政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 88 (1) If the registration set forth in Article 86, paragraph (1) is not renewed for every five to ten year period specified by Cabinet Order, the registration ceases to have effect upon the expiration of the relevant period.

2 第八十六条第二項及び第三項並びに前条の規定は、前項の登録の更新について準用する。

(2) The provisions of Article 86, paragraphs (2) and (3) and the preceding Article apply mutatis mutandis pursuant to the renewal of registration set forth in the preceding paragraph.

(登録簿)

(Registers)

第八十九条 総務大臣は、登録認定機関について、登録認定機関登録簿を備え、次に掲げる事項を登録しなければならない。

Article 89 The Minister for Internal Affairs and Communications must prepare a register for registered approval bodies and register the following particulars with regard to registered approval bodies:

一 登録及びその更新の年月日並びに登録番号

(i) registration date, renewal date, and registration number; and

二 第八十六条第二項第一号から第三号までに掲げる事項

(ii) particulars listed in Article 86, paragraph (2), items (i) through (iii).

(登録の公示等)

(Public Notice of Registration)

第九十条 総務大臣は、第八十六条第一項の登録をしたときは、登録認定機関の氏名又は名称及び住所並びに登録に係る事業の区分、技術基準適合認定の業務を行う事務所の所在地及び技術基準適合認定の業務の開始の日を公示しなければならない。

Article 90 (1) If the Minister for Internal Affairs and Communications has made a registration set forth in Article 86, paragraph (1), the Minister must issue a public notice providing the name and address of the registered approval body, classification of business related to the registration, the addresses of offices where the operations for technical standards conformity approval are to be conducted, and the date on which the operations of technical standards conformity approval start.

2 登録認定機関は、第八十六条第二項第一号又は第三号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) If a registered approval body intends to change the particulars listed in Article 86, paragraph (2), item (i) or (iii), it must notify the Minister for Internal Affairs and Communications to that effect by two weeks before the date of that change.

3 総務大臣は、前項の規定による届出（登録認定機関の氏名若しくは名称若しくは住所又は技術基準適合認定の業務を行う事務所の所在地の変更に係るものに限る。）があつたときは、その旨を公示しなければならない。

(3) If the notification under the preceding paragraph (limited to a notification in

relation to a change in the name or address of the registered approval body, or a change in the location of the office where the operations for technical standards conformity approval are to be conducted) is filed, the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(技術基準適合認定の義務等)

(Obligation for Technical Standards Conformity Approval)

第九十一条 登録認定機関は、その登録に係る技術基準適合認定を行うべきことを求められたときは、正当な理由がある場合を除き、遅滞なく、技術基準適合認定のための審査を行わなければならない。

Article 91 (1) If a registered approval body is requested to approve conformity to technical standards related to the registration, it must conduct an examination for technical standards conformity approval without delay, except for cases in which there are justifiable grounds for not doing so.

2 登録認定機関は、前項の審査を行うときは、総務省令で定める方法に従い、別表第二に掲げる条件に適合する知識経験を有する者（以下「認定員」という。）に行わせなければならない。

(2) When conducting an examination as set forth in the preceding paragraph, a registered approval body must have a person that has knowledge and experience that conform to the conditions listed in Appended Table 2 (hereinafter referred to as an "approval examiner") conduct the examination in accordance with methods specified by Order of the Ministry of Internal Affairs and Communications.

(技術基準適合認定の報告等)

(Reporting of Technical Standards Conformity Approval)

第九十二条 登録認定機関は、その登録に係る技術基準適合認定をしたときは、技術基準適合認定を受けた端末機器の種別その他総務省令で定める事項を総務大臣に報告しなければならない。

Article 92 (1) If a registered approval body has granted technical standards conformity approval related to the registration, it must report to the Minister for Internal Affairs and Communications on the type of terminal equipment for which it granted the technical standards conformity approval and other particulars specified by Order of the Ministry of Internal Affairs and Communications.

2 総務大臣は、前項の報告を受けたときは、総務省令で定めるところにより、その旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has received a report set forth in the preceding paragraph, the Minister must issue a public notice to that effect pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(役員等の選任及び解任)

(Appointment and Dismissal of Officers)

第九十三条 登録認定機関は、役員又は認定員を選任し、又は解任したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 93 If a registered approval body appoints or dismisses its officers or approval examiners, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(業務規程)

(Operational Rules)

第九十四条 登録認定機関は、その登録に係る事業の区分、技術基準適合認定の業務の実施の方法その他の総務省令で定める事項について業務規程を定め、当該業務の開始前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 94 A registered approval body must establish operational rules that govern the classification of operations related to the registration, methods of conducting the operations for technical standards conformity approval, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, and must notify the Minister for Internal Affairs and Communications of these matters before it starts the operations. The same applies if it intends to amend those rules.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection of Financial Statements and Other Documents)

第九十五条 登録認定機関は、毎事業年度経過後三月以内に、その事業年度の財務諸表等を作成し、五年間事務所に備えて置かなければならない。

Article 95 (1) A registered approval body must prepare financial statements and other documents within three months from the end of each fiscal year, and must retain those documents for five years at its office.

2 端末機器を取り扱うことを業とする者その他の利害関係人は、登録認定機関の営業時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録認定機関の定めた費用を支払わなければならない。

(2) A person engaged in the business of handling terminal equipment or other interested persons may make the requests listed below anytime within the business hours of a registered approval body; provided, however, that those persons must pay a fee determined by the registered approval body for the requests set forth in item (ii) or (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) if financial statements and other documents are prepared as written

- documents, a request for inspection or a copy of written documents;
- 二 前号の書面の謄本又は抄本の請求
- (ii) a request for a certified copy or abridged copy of the written documents set forth in the preceding item;
- 三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を総務省令で定める方法により表示したものの閲覧又は謄写の請求
- (iii) if financial statements and other documents are prepared in the form of electronic or magnetic records, a request for inspection or a copy of the particulars recorded in the electronic or magnetic records that are presented by methods specified by Order of the Ministry of Internal Affairs and Communications; or
- 四 前号の電磁的記録に記録された事項を電磁的方法であつて総務省令で定めるものにより提供することの請求又は当該事項を記載した書面の交付の請求
- (iv) a request for provision of the particulars recorded in the electronic or magnetic record set forth in the preceding item by electronic or magnetic means specified by Order of the Ministry of Internal Affairs and Communications, or for the issuance of written documents describing those particulars.

(帳簿の備付け等)

(Keeping of Books)

第九十六条 登録認定機関は、総務省令で定めるところにより、帳簿を備え付け、これに技術基準適合認定の業務に関する事項で総務省令で定めるものを記載し、又は記録し、及びこれを保存しなければならない。

Article 96 Pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, a registered approval body must prepare and keep books by recording or making entries in those books of the particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the operations for technical standards conformity approval.

(改善命令等)

(Orders for Improvement)

第九十七条 総務大臣は、登録認定機関が第八十七条第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録認定機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 97 (1) If the Minister for Internal Affairs and Communications finds that a registered approval body has failed to conform to any of the items of Article 87, paragraph (1), the Minister may order that registered approval body to take the necessary measures to conform to those provisions.

2 総務大臣は、登録認定機関が第五十三条第一項又は第九十一条の規定に違反していると認めるときは、当該登録認定機関に対し、技術基準適合認定のための審査を行う

べきこと又は技術基準適合認定のための審査の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

- (2) If the Minister for Internal Affairs and Communications finds that a registered approval body violates the provisions of Article 53, paragraph (1), or Article 91, the Minister may order that registered approval body to conduct the examination for technical standards conformity approval or take the necessary measures to improve its methods of examination for technical standards conformity approval and any other methods for its operations.

(技術基準適合認定についての申請及び総務大臣の命令)

(Application for Technical Standards Conformity Approval and Orders from the Minister for Internal Affairs and Communications)

第九十八条 第五十三条第一項の規定により技術基準適合認定を求めた者は、その求めに係る端末機器について、登録認定機関が技術基準適合認定のための審査を行わない場合又は登録認定機関の技術基準適合認定の結果に異議のある場合は、総務大臣に対し、登録認定機関が技術基準適合認定のための審査を行うこと又は改めて技術基準適合認定のための審査を行うことを命ずべきことを申請することができる。

Article 98 (1) A person that has requested a technical standards conformity approval pursuant to the provisions of Article 53, paragraph (1) may file an application with the Minister for Internal Affairs and Communications to order the registered approval body to conduct the examination for technical standards conformity approval if a registered approval body does not examine the terminal equipment in relation to its request, or that person may file an application with the Minister to order the registered approval body to conduct that examination again if that person has an objection to the results of the technical standards conformity approval of that registered approval body.

2 総務大臣は、前項の申請があつた場合において、当該申請に係る登録認定機関が第五十三条第一項又は第九十一条の規定に違反していると認めるときは、当該申請に係る登録認定機関に対し、前条第二項の規定による命令をしなければならない。

(2) If an application as set forth in the preceding paragraph is filed and the Minister for Internal Affairs and Communications finds that the registered approval body related to the application violates the provisions of Article 53, paragraph (1) or Article 91, the Minister must issue an order under paragraph (2) of the preceding Article to the registered approval body related to the application.

3 総務大臣は、前項の場合において、前条第二項の規定による命令をし、又は命令をしないことの決定をしたときは、遅滞なく、当該申請をした者に通知しなければならない。

(3) In the case set forth in the preceding paragraph, if the Minister for Internal Affairs and Communications has issued an order under paragraph (2) of the preceding Article or has made a decision not to issue an order, the Minister

must notify the person that filed the application to that effect without delay.

(業務の休廃止)

(Suspension and Discontinuation of Business Activities)

第九十九条 登録認定機関は、その登録に係る技術基準適合認定の業務を休止し、又は廃止しようとするときは、総務省令で定めるところにより、あらかじめ、その旨を総務大臣に届け出なければならない。

Article 99 (1) If a registered approval body intends to suspend or discontinue the operations for technical standards conformity approval related to the registration, it must notify the Minister for Internal Affairs and Communications to that effect in advance pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 登録認定機関が技術基準適合認定の業務の全部を廃止したときは、当該登録認定機関の登録は、その効力を失う。

(2) If a registered approval body discontinues all of its operations for technical standards conformity approval, the registration of the registered approval body ceases to have effect.

3 総務大臣は、第一項の規定による届出があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of paragraph (1), the Minister for Internal Affairs and Communications must issue a public notice to that effect.

(登録の取消し等)

(Revocation of Registration)

第一百条 総務大臣は、登録認定機関が第八十七条第二項第一号又は第三号に該当するに至つたときは、その登録を取り消さなければならない。

Article 100 (1) If a registered approval body falls under Article 87, paragraph (2), item (i) or (iii), the Minister for Internal Affairs and Communications must revoke its registration.

2 総務大臣は、登録認定機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めてその登録に係る技術基準適合認定の業務の全部若しくは一部の停止を命ずることができる。

(2) If a registered approval body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its registration or, designate a period and order the suspension of all or part of its operations for technical standards conformity approval related to the registration for that period:

一 この款の規定に違反したとき。

(i) if the registered approval body has violated the provisions of this Subsection;

二 第九十七条の規定による命令に違反したとき。

(ii) if the registered approval body has violated the order under the Article 97;

or

三 不正な手段により第八十六条第一項の登録又はその更新を受けたとき。

(iii) if the registered approval body has obtained registration set forth in Article 86, paragraph (1) or renewal of the registration through wrongful means.

3 総務大臣は、第一項若しくは前項の規定により登録を取り消し、又は同項の規定により技術基準適合認定の業務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the registration pursuant to the provisions of paragraph (1) or the preceding paragraph, or ordered the suspension of all or part of its operations for technical standards conformity approval pursuant to the provisions of the preceding paragraph, the Minister must issue a public notice to that effect.

(登録の抹消)

(Deletion of Registration)

第百一条 総務大臣は、第八十八条第一項若しくは第九十九条第二項の規定により登録認定機関の登録がその効力を失ったとき、又は前条第一項若しくは第二項の規定により登録認定機関の登録を取り消したときは、当該登録認定機関の登録を抹消しなければならない。

Article 101 If the registration of a registered approval body has ceased to have effect pursuant to the provisions of Article 88, paragraph (1) or Article 99, paragraph (2), or the Minister for Internal Affairs and Communications has revoked the registration of a registered approval body pursuant to the provisions of paragraph (1) or (2) of the preceding Article, the Minister must delete the registration of that registered approval body.

(総務大臣による技術基準適合認定の実施)

(Conducting of Technical Standards Conformity Approval by the Minister for Internal Affairs and Communications)

第百二条 総務大臣は、第八十六条第一項の登録を受ける者がいないとき、又は登録認定機関が第九十九条第一項の規定により技術基準適合認定の業務を休止し、若しくは廃止した場合、第百条第一項若しくは第二項の規定により登録を取り消した場合、同項の規定により登録認定機関に対し技術基準適合認定の業務の全部若しくは一部の停止を命じた場合若しくは登録認定機関が天災その他の事由によりその登録に係る技術基準適合認定の業務の全部若しくは一部を実施することが困難となった場合において必要があると認めるときは、技術基準適合認定の業務の全部又は一部を自ら行うものとする。

Article 102 (1) The Minister for Internal Affairs and Communications is to

directly conduct all or part of the operations for technical standards conformity approval, if there is no person to be granted the registration set forth in Article 86, paragraph (1) or, if the Minister finds it necessary in the cases in which a registered approval body has suspended or discontinued the operations for technical standards conformity approval pursuant to the provisions of Article 99, paragraph (1), the Minister has revoked the registration pursuant to the provisions of Article 100, paragraph (1) or (2), the Minister has ordered a registered approval body to suspend all or part of the operations for technical standards conformity approval pursuant to the provisions of that paragraph, or it has become difficult for a registered approval body to conduct all or part of the operations for technical standards conformity approval due to a natural disaster or for other reasons.

2 総務大臣は、前項の規定により技術基準適合認定の業務を行うこととし、又は同項の規定により行っている技術基準適合認定の業務を行わないこととするときは、あらかじめその旨を公示しなければならない。

(2) If the Minister for Internal Affairs and Communications has decided to conduct the operations for technical standards conformity approval pursuant to the provisions of the preceding paragraph or has decided to discontinue the operations for technical standards conformity approval that the Minister has been conducting pursuant to the provisions of that paragraph, the Minister must issue a public notice to that effect in advance.

3 総務大臣が第一項の規定により技術基準適合認定の業務を行うこととした場合における技術基準適合認定の業務の引継ぎその他の必要な事項は、総務省令で定める。

(3) If the Minister for Internal Affairs and Communications has decided to conduct the operations for technical standards conformity approval pursuant to the provisions of paragraph (1), the handing over of the operations for technical standards conformity approval and other necessary particulars are specified by Order of the Ministry of Internal Affairs and Communications.

(準用)

(Application Mutatis Mutandis)

第百三条 第九十一条から第九十三条まで、第九十六条、第九十七条第二項及び第九十八条の規定は登録認定機関が設計認証を行う場合について、第九十四条、第九十九条、第百条第二項及び第三項並びに前条の規定は登録認定機関が技術基準適合認定の業務及び設計認証の業務を行う場合について準用する。この場合において、第九十二条第一項中「を受けた」とあるのは「に係る設計に基づく」と、第九十四条中「当該業務」とあるのは「これらの業務」と、第九十七条第二項並びに第九十八条第一項及び第二項中「第五十三条第一項」とあるのは「第五十六条第二項」と、同条第一項中「端末機器」とあるのは「設計（当該設計に合致することの確認の方法を含む。）」と読み替えるものとする。

Article 103 The provisions of Articles 91 through 93, Article 96, Article 97,

paragraph (2) and Article 98 apply mutatis mutandis to the cases in which a registered approval body issues a certification of design, and the provisions of Article 94, Article 99, Article 100, paragraphs (2) and (3) and the preceding Article apply mutatis mutandis to the cases in which a registered approval body conducts the operations for technical standards conformity approval and the operations for certification of design. In this case, the phrase "for which it granted" in Article 92, paragraph (1) is deemed to be replaced with "based on a design in relation to"; the term "the operations" in Article 94 is deemed to be replaced with "these operations"; the term "Article 53, paragraph (1)" in Article 97, paragraph (2) and Article 98, paragraphs (1) and (2) is deemed to be replaced with "Article 56, paragraph (2)"; and the term "terminal equipment" in Article 98, paragraph (1) is deemed to be replaced with "design (including the means of confirming whether that terminal equipment is in accordance with the design)".

第四款 承認認定機関

Subsection 4 Recognized Approval Bodies

(承認認定機関の承認等)

(Recognition of a Person as a Recognized Approval Body)

第百四条 総務大臣は、外国の法令に基づく端末機器の検査に関する制度で技術基準適合認定の制度に類するものに基づいて端末機器の検査、試験等を行う者であつて、当該外国において、外国取扱業者が取り扱う本邦内で使用されることとなる端末機器について技術基準適合認定を行おうとするものから申請があつたときは、事業の区分ごとに、これを承認することができる。

Article 104 (1) If an application is filed by a person conducting the activities such as inspections or examinations of terminal equipment based on a system for terminal equipment inspection that is based on foreign laws and regulations and that is similar to the technical standards conformity approval system, with the intention to conduct technical standards conformity approval in a foreign state for terminal equipment which will be handled by foreign dealers for use in Japan, the Minister for Internal Affairs and Communications may recognize this person for each classification of business.

2 前項の規定による承認を受けた者（以下「承認認定機関」という。）は、その承認に係る技術基準適合認定の業務を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If a person that has been recognized pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "recognized approval body") suspends or discontinues its operations for technical standards conformity approval related to that recognition, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 総務大臣は、前項の規定による届出があつたときは、その旨を公示しなければならない。

(3) If a notification is filed pursuant to the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications must issue a public notice to that effect.

4 第五十三条第一項及び第二項、第五十五条、第九十条第二項及び第三項、第九十一条、第九十二条、第九十四条並びに第九十六条から第九十八条までの規定は承認認定機関について、第五十四条の規定は承認認定機関による技術基準適合認定を受けた者について、第八十六条第二項及び第三項、第八十七条並びに第九十条第一項の規定は総務大臣が行う第一項の規定による承認について準用する。

(4) The provisions of Article 53, paragraphs (1) and (2), Article 55, Article 90, paragraphs (2) and (3), Article 91, Article 92, Article 94, and Articles 96 through 98 apply mutatis mutandis to a recognized approval body; the provisions of Article 54 apply mutatis mutandis to a person that has obtained technical standards conformity approval from a recognized approval body; and the provisions of Article 86, paragraphs (2) and (3), Article 87, and Article 90, paragraph (1) apply mutatis mutandis to the recognition that the Minister for Internal Affairs and Communications grants pursuant to the provisions of paragraph (1).

5 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(5) In the cases set forth in the preceding paragraph, the terms in the middle column of the table below which are used in the provisions in its left column are deemed to be replaced with the terms in its right column.

第五十三条第一項及び第二項、第九十一条第一項、第九十二条第一項並びに第九十四条 Article 53, paragraph (1) and paragraph (2), Article 91, paragraph (1), Article 92, paragraph (1), and Article 94	登録 registration	承認 recognition
第五十四条 Article 54	登録認定機関 registered approval body	承認認定機関 recognized approval body
	命ずる order	請求する request
第八十七条第一項各号列記以外の部分	登録申請者 applicant for registration	承認申請者 applicant for recognition

Article 87, paragraph (1), except its items	適合しているときは when	適合しているときでなければ unless
	しなければならない must	してはならない must not
第八十七条第一項第三号 (イを除く。) Article 87, paragraph (1), item (iii), except (a)	登録申請者 applicant for registration	承認申請者 applicant for recognition
第八十七条第一項第三号 イ Article 87, paragraph (1), item (iii), (a)	登録申請者 applicant for registration	承認申請者 applicant for recognition
	親法人（ a parent company	外国における親法人（ a parent company in a foreign state
	いう。） its parent company is a	いう。）に相当するもの its parent company is equivalent to a
第八十七条第二項第二号 Article 87, paragraph (2), item (ii)	第百条第一項又は第二項 (第百三条において準用する場合を含む。) Article 100, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 103)	第百五条第一項又は第二項 Article 105, paragraph (1) or paragraph (2)
第八十七条第三項 Article 87, paragraph (3)	前条及び前二項 the preceding Article and the preceding two paragraphs	前条第二項及び第三項、前二項並びに第百四条第一項 paragraph (2) and paragraph (3) of the preceding Article, the preceding two paragraphs, and Article 104, paragraph (1)
第九十条第一項 Article 90, paragraph (1)	登録認定機関 registered approval body	承認認定機関 recognized approval body
第九七条 Article 97	命ずる order	請求する request
第九十八条第一項 Article 98, paragraph (1)	命ずべき to order	請求すべき to request
第九十八条第二項及び第三項 Article 98, paragraph (1)	命令 to order	請求 to request

6 承認認定機関は、外国取扱業者の求めにより、本邦内で使用されることとなる端末機器について、設計認証を行うことができる。

(6) Upon request from a foreign dealer, a recognized approval body may issue a certification of design to terminal equipment to be used in Japan.

7 第五十五条、第五十六条第二項、第九十一条、第九十二条、第九十六条、第九十七条第二項及び第九十八条の規定は承認認定機関が設計認証を行う場合について、第五十七条から第六十条まで、第六十一条において準用する第五十四条並びに第六十二条第三項及び第四項の規定は承認認定機関による設計認証を受けた者について、第九十四条並びに第二項及び第三項の規定は承認認定機関が技術基準適合認定の業務及び設計認証の業務を行う場合について準用する。

(7) The provisions of Article 55, Article 56, paragraph (2), Article 91, Article 92, Article 96, Article 97, paragraph (2) and Article 98 apply mutatis mutandis to the cases in which a recognized approval body issues a certification of design; the provisions of Articles 57 through 60, Article 54 as applied mutatis mutandis pursuant to Article 61, and Article 62, paragraphs (3) and (4) apply mutatis mutandis to a person that has obtained a certification of design from a recognized approval body; and the provisions of Article 94, and paragraphs (2) and (3) of this Article apply mutatis mutandis to the cases in which a recognized approval body conducts the operations for technical standards conformity approval and certification of design.

8 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(8) In the cases set forth in the preceding paragraph, the terms in the middle column of the table below which are used in the provisions in its left column are deemed to be replaced with the terms in its right column.

第五十五条第一項 Article 55, paragraph (1)	を受けた which has obtained	に係る設計に基づく based on the design subject to
	第五十三条第二項 Article 53 paragraph (2)	第五十八条 Article 58
第五十六条第二項及び第九十一条第一項 Article 56, paragraph (2) and Article 91, paragraph (1)	登録 registration	承認 recognition
第五十九条及び第六十一条において準用する第五十四条 Article 59 and Article 54, as applied mutatis mutandis pursuant to Article 61	命ずる order	請求する request

第六十条第一項第三号 Article 60, paragraph (1), item (iii)	命令に違反した has violated an order	請求に応じなかった has not responded to a request
	違反に violation	請求に request
第六十条第一項第四号 Article 60, paragraph (1), item (iv)	登録認定機関 registered approval body	承認認定機関 recognized approval body
第六十条第一項第五号 Article 60, paragraph (1), item (v)	登録認定機関 registered approval body	承認認定機関 recognized approval body
	第百三条 Article 103	第百四条第七項 Article 104, paragraph (7)
第六十二条第三項第一号 及び第二号 Article 62, paragraph (3), item (i) and item (ii)	第百六十六条第三項 Article 166, paragraph (3)	第百六十六条第六項 Article 166, paragraph (6)
第六十二条第三項第三号 Article 62, paragraph (3) item (iii)	第百六十七条第六項 Article 167, paragraph (6)	第百六十七条第七項 Article 167, paragraph (7)
第九十二条第一項 Article 92, paragraph (1)	登録 registration	承認 recognition
	を受けた for which it granted	に係る設計に基づく based on the design subject to
第九十四条 Article 94	登録 registration	承認 recognition
	当該業務 the operations	これらの業務 these operations
第九十七条第二項 Article 97, paragraph (2)	第五十三条第一項 Article 53, paragraph (1)	第五十六条第二項 Article 56, paragraph (2)
	命ずる order	請求する request
第九十八条第一項 Article 98, paragraph (1)	第五十三条第一項 Article 53, paragraph (1)	第五十六条第二項 Article 56, paragraph (2)
	端末機器 terminal equipment	設計（当該設計に合致す ることの確認の方法を含 む。） design (including the methods of confirming whether the terminal equipment is in accordance with the design)

	命ずべき to order	請求すべき to request
第九十八条第二項 Article 98, paragraph (2)	第五十三条第一項 Article 53, paragraph (1)	第五十六条第二項 Article 56, paragraph (2)
	命令 order	請求 request
第九十八条第三項 Article 98, paragraph (3)	命令 order	請求 request

(承認の取消し)

(Revocation of Recognition)

第百五条 総務大臣は、承認認定機関が前条第一項に規定する外国における資格を失ったとき又は同条第四項において準用する第八十七条第二項第一号若しくは第三号に該当するに至つたときは、その承認を取り消さなければならない。

Article 105 (1) If a recognized approval body has lost the status in the foreign state set forth in paragraph (1) of the preceding Article, or it falls under Article 87, paragraph (2), item (i) or (iii) as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, the Minister for Internal Affairs and Communications must revoke its recognition.

2 総務大臣は、承認認定機関が次の各号のいずれかに該当するときは、その承認を取り消すことができる。

(2) If a recognized approval body falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its recognition:

一 前条第二項（同条第七項において準用する場合を含む。）の規定、同条第四項において準用する第九十条第二項、第九十一条、第九十二条第一項、第九十四条若しくは第九十六条の規定又は前条第七項において準用する第九十一条、第九十二条第一項、第九十四条若しくは第九十六条の規定に違反したとき。

(i) if the recognized approval body has violated the provisions of paragraph (2) of the preceding Article (including as applied mutatis mutandis pursuant to paragraph (7) of that Article), the provisions of Article 90, paragraph (2), Article 91, Article 92, paragraph (1), Article 94, or Article 96, as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, or the provisions of Article 91, Article 92, paragraph (1), Article 94, or Article 96, as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article;

二 前条第四項において準用する第九十七条の規定又は前条第七項において準用する第九十七条第二項の規定による請求に応じなかつたとき。

(ii) if the recognized approval body does not respond to a request under Article 97 as applied mutatis mutandis pursuant to paragraph (4) of the preceding Article, or a request under Article 97, paragraph (2) as applied mutatis mutandis pursuant to paragraph (7) of the preceding Article;

三 不正な手段により承認を受けたとき。

(iii) if the recognized approval body has been recognized through wrongful means;

四 総務大臣が第百六十六条第六項において準用する同条第四項の規定により承認認定機関に対し報告をさせようとした場合において、その報告がされず、又は虚偽の報告がされたとき。

(iv) if the Minister for Internal Affairs and Communications attempts to have the recognized approval body submit a report pursuant to the provisions of Article 166, paragraph (4) as applied mutatis mutandis pursuant to paragraph (6) of that Article, but the recognized approval body does not submit that report or makes a false report; or

五 総務大臣が第百六十六条第六項において準用する同条第四項の規定によりその職員に承認認定機関の事務所又は事業所において検査をさせようとした場合において、その検査が拒まれ、妨げられ、又は忌避されたとき。

(v) if the Minister for Internal Affairs and Communications attempts to have any ministerial official conduct inspection at an office or place of business of the recognized approval body pursuant to the provisions of Article 166, paragraph (4) as applied mutatis mutandis pursuant to paragraph (6) of that Article, but the recognized approval body refuses, obstructs, or evades that inspection.

3 総務大臣は、前二項の規定により承認を取り消したときは、その旨を公示しなければならない。

(3) If the Minister for Internal Affairs and Communications has revoked the recognition pursuant to the provisions of the preceding two paragraphs, the Minister must issue a public notice to that effect.

第七節 基礎的電気通信役務支援機関

Section 7 Universal Telecommunications Service Support Institutions

(基礎的電気通信役務支援機関の指定)

(Designation of Universal Telecommunications Service Support Institutions)

第百六条 総務大臣は、基礎的電気通信役務の提供の確保に寄与することを目的とする一般社団法人又は一般財団法人であつて、次条に規定する業務（以下「支援業務」という。）に関し次に掲げる基準に適合すると認められるものを、その申請により、全国に一を限つて、基礎的電気通信役務支援機関（以下「支援機関」という。）として指定することができる。

Article 106 The Minister for Internal Affairs and Communications may designate a general incorporated association or general incorporated foundation which is established to contribute to ensuring the provision of universal telecommunications services and is found to conform to the criteria listed below with respect to the operations set forth in the following Article

(hereinafter referred to as "support operations") as the only Universal Telecommunications Service Support Institution (hereinafter referred to as the "support institution") in Japan, upon its application:

一 職員、設備、支援業務の実施の方法その他の事項についての支援業務の実施に関する計画が支援業務の適確な実施のために適切なものであること。

(i) the applicant's plan for conducting the support operations with respect to employees, facilities, methods of conducting the support operations, and other particulars is appropriate for properly conducting the support operations;

二 前号の支援業務の実施に関する計画を適確に実施するに足りる経理的基礎及び技術的能力があること。

(ii) the applicant has adequate financial stability and technical capabilities to properly implement the plan for conducting the support operations set forth in the preceding item; and

三 支援業務以外の業務を行っている場合には、その業務を行うことによつて支援業務が不公正になるおそれがないこと。

(iii) if the applicant engages in operations other than the support operations, the conduct of those operations is unlikely to cause unfairness in its support operations.

(業務)

(Operations)

第一百七条 支援機関は、次に掲げる業務を行うものとする。

Article 107 The support institution is to conduct the following operations:

一 次条第一項の規定により指定された第一種適格電気通信事業者に対し、当該指定に係る第一号基礎的電気通信役務の提供に要する費用の額が当該指定に係る第一号基礎的電気通信役務の提供により生ずる収益の額を上回ると見込まれる場合において、当該上回ると見込まれる額の費用の一部に充てるための交付金を交付すること。

(i) to provide Category I eligible telecommunications carriers that have been designated pursuant to the provisions of paragraph (1) of the following Article with grants to be allocated for covering part of the estimated excess costs, if the costs required to provide item (i) universal telecommunications services related to the designation are likely to exceed the profit generated from their provision; and

二 第一百十条の三第一項の規定により指定された第二種適格電気通信事業者に対し、その全ての担当支援区域（同条第二項に規定する担当支援区域をいい、第二号基礎的電気通信役務（総務省令で定める規模を超える電気通信回線設備を設置して提供するものに限る。）を継続して提供している期間が総務省令で定める期間を超えるものに限る。以下この号において同じ。）における第二号基礎的電気通信役務の提供に要する費用の額が当該全ての担当支援区域における第二号基礎的電気通信役務の提供により生ずる収益の額を上回ると見込まれる場合において、当該上回ると見

込まれる額の費用の一部に充てるための交付金（第百十条の二第一項に規定する一般支援区域に係る交付金にあつては、当該交付金の額を算定する年度（毎年四月一日から翌年三月三十一日までをいう。以下この節において同じ。）の前年度の第二号基礎的電気通信役務の提供に要した費用の額が当該前年度の第二号基礎的電気通信役務の提供により生じた収益の額を上回る当該第二種適格電気通信事業者に対して当該上回る額を限度として交付するものに限る。）を交付すること。

(ii) to provide Category II eligible telecommunications carriers that have been designated pursuant to the provisions of Article 110-3, paragraph (1) with grants to be allocated for covering part of the estimated excess costs, if the costs required to provide item (ii) universal telecommunications services in all the coverage support districts (these coverage support districts mean the support districts in the coverage area prescribed in paragraph (2) of that Article, and are limited to those for which the period of continuous provision of item (ii) universal telecommunications service (limited to those provided by installing telecommunications line facilities that exceed the scale specified by Order of the Ministry of Internal Affairs and Communications) exceeds the period prescribed by Order of the Ministry of Internal Affairs and Communications; hereinafter the same applies in this item) are likely to exceed the profit generated from the provision of item (ii) universal telecommunications services in all the coverage support districts (or in the case of grants for the general support district prescribed in Article 110-2, paragraph (1), the grants are limited to those to be provided to the Category II eligible telecommunications carriers up to the amount of the costs exceeding the profits, if the costs that they incurred for providing item (ii) universal telecommunications services in the fiscal year (meaning the period from April 1 of each year to March 31 of the following year; hereinafter the same applies in this Section) previous to the fiscal year for which the amount of the grants in question is calculated exceed the profits generated from the provision of item (ii) universal telecommunications services in the previous fiscal year);

三 前二号に掲げる業務に附帯する業務を行うこと。

(iii) to conduct the operations incidental to the operations described in the preceding two items.

（第一種適格電気通信事業者の指定）

(Designation of Category I Eligible Telecommunications Carriers)

第百八条 総務大臣は、支援機関の指定をしたときは、第一号基礎的電気通信役務を提供する電気通信事業者であつて、次に掲げる基準に適合すると認められるものを、その申請により、第一種適格電気通信事業者として指定することができる。

Article 108 (1) If the Minister for Internal Affairs and Communications has designated the support institution, the Minister may designate a

telecommunications carrier that provides item (i) universal telecommunications services and is found to conform to the criteria listed below, as a Category I eligible telecommunications carrier, upon its application:

一 総務省令で定めるところにより、申請に係る第一号基礎的電気通信役務の提供の業務に関する収支の状況その他総務省令で定める事項を公表していること。

(i) the relevant telecommunications carrier makes public the status of income and expenditure and other particulars specified by Order of the Ministry of Internal Affairs and Communications with respect to the operations involved in providing item (i) universal telecommunications services related to its application, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications;

二 申請に係る第一号基礎的電気通信役務を提供するために設置している電気通信設備が第一種指定電気通信設備及び第二種指定電気通信設備以外の電気通信設備であるときは、当該電気通信設備と他の電気通信事業者の電気通信設備との接続に関し、当該第一号基礎的電気通信役務を提供する電気通信事業者が取得すべき金額及び接続条件について接続約款を定め、総務省令で定めるところにより、これを公表していること。

(ii) if the telecommunications facilities which the relevant telecommunications carrier installs to provide item (i) universal telecommunications services related to the application are those other than Category I or II designated telecommunications facilities, that telecommunications carrier establishes the general conditions of contracts for interconnection on the amount of money that the carrier is to receive and on the terms and conditions of interconnection, with respect to interconnection between its telecommunications facilities and those of other telecommunications carriers, and makes those general conditions public pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications; and

三 申請に係る第一号基礎的電気通信役務に係る業務区域の範囲が総務省令で定める基準に適合するものであること。

(iii) the scope of service areas of the item (i) universal telecommunications services related to the application conforms to the standards specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の規定による指定は、総務省令で定める第一号基礎的電気通信役務の種別ごとに行う。

(2) The designation under the preceding paragraph is granted for each type of item (i) universal telecommunications services specified by Order of the Ministry of Internal Affairs and Communications.

3 第一種適格電気通信事業者（第一種指定電気通信設備を設置する電気通信事業者又は第二種指定電気通信設備を設置する電気通信事業者以外の電気通信事業者に限る。）は、第一項第二号に規定する接続約款を変更しようとするときは、総務省令で定めるところにより、その実施前に、総務大臣に届け出るとともに、これを公表しな

ければならない。

(3) If a Category I eligible telecommunications carrier (limited to a telecommunications carrier other than those installing Category I or Category II designated telecommunications facilities) intends to change the general conditions of contracts for interconnection set forth in paragraph (1), item (ii), it must notify the Minister for Internal Affairs and Communications of those changes and make them public pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications before their implementation.

4 第十七条第一項の規定による電気通信事業者の地位の承継があつた場合において、当該電気通信事業者が第一種適格電気通信事業者であつたときは、当該電気通信事業者の地位を承継した電気通信事業者は、第一種適格電気通信事業者の地位を承継するものとする。

(4) In the case of succession to the status of a telecommunications carrier under Article 17, paragraph (1), if that telecommunications carrier was a Category I eligible telecommunications carrier, a telecommunications carrier that has succeeded to the status of that telecommunications carrier is to succeed to the status as a Category I eligible telecommunications carrier.

5 総務大臣は、第一種適格電気通信事業者が次の各号のいずれかに該当するとき、又は第一種適格電気通信事業者から第一項の規定による指定の取消しの申請があつたときは、その指定を取り消すことができる。

(5) If a Category I eligible telecommunications carrier falls under any of the following items or has filed an application for revocation of the designation under paragraph (1), the Minister for Internal Affairs and Communications may revoke its designation:

一 次条第二項又は第三項の規定に違反したとき。

(i) if the eligible telecommunications carrier has violated the provisions of paragraph (2) or (3) of the following Article;

二 第一項各号のいずれかに適合しなくなつたと認められるとき。

(ii) if the eligible telecommunications carrier is found to fail to conform to any of the items of paragraph (1); or

三 第四十三条第二項において準用する同条第一項の規定による命令又は処分（第四十一条第三項に規定する電気通信設備に係る命令又は処分に限る。）に違反したとき。

(iii) if the eligible telecommunications carrier has violated any order or disposition made under Article 43, paragraph (1) as applied mutatis mutandis pursuant to paragraph (2) of that Article (limited to orders or dispositions related to telecommunications facilities specified in Article 41, paragraph (3)).

(第一種交付金の交付)

(Provision of Category I Grants)

第百九条 支援機関は、年度ごとに、総務省令で定める方法により第百七条第一号の交付金（以下「第一種交付金」という。）の額を算定し、当該第一種交付金の額及び交付方法について総務大臣の認可を受けなければならない。

Article 109 (1) The support institution must calculate the grants set forth in Article 107, item (i) (hereinafter referred to as "Category I grants") by the methods specified by Order of the Ministry of Internal Affairs and Communications, and must obtain authorization from the Minister for Internal Affairs and Communications with regard to the amount of the Category I grants and methods of providing them for each fiscal year.

2 第一種適格電気通信事業者は、総務省令で定めるところにより、第一種交付金の額の算定をするための資料として、当該算定の前年度における前条第一項の規定による指定に係る第一号基礎的電気通信役務の提供に要した原価及び当該指定に係る第一号基礎的電気通信役務の提供により生じた収益の額その他総務省令で定める事項を支援機関に届け出なければならない。

(2) A Category I eligible telecommunications carrier must notify the support institution of the cost spent in the previous fiscal year to provide the item (i) universal telecommunications services related to the designation under paragraph (1) of the preceding Article, the income generated by the provision of the item (i) universal telecommunications services related to the designation, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, as the basis for calculating the Category I grants, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

3 前項の原価は、能率的な経営の下における適正な原価を算定するものとして総務省令で定める方法により算定しなければならない。

(3) The cost set forth in the preceding paragraph must be calculated by the methods specified by Order of the Ministry of Internal Affairs and Communications as those for calculating reasonable costs under efficient management.

4 支援機関は、第一項の認可を受けたときは、総務省令で定めるところにより、第一種交付金の額を公表しなければならない。

(4) If the support institution has obtained authorization set forth in paragraph (1), it must make the amount of Category I grants public pursuant to the provisions of by Order of the Ministry of Internal Affairs and Communications.

（第一種負担金の徴収）

(Collection of Category I Dues)

第百十条 支援機関は、年度ごとに、第百七条第一号に掲げる業務（これに附帯する業務を含む。第百十二条第一項において同じ。）に要する費用の全部又は一部に充てるため、次に掲げる電気通信事業者であつて、その事業の規模が政令で定める基準を超えるもの（以下この条において「接続電気通信事業者等」という。）から、負担金を

徴収することができる。ただし、接続電気通信事業者等の前年度における電気通信役務の提供により生じた収益の額（その者が、前年度又はその年度（第三項の規定による通知を受けるまでの間に限る。）において、他の接続電気通信事業者等について合併、分割（電気通信事業の全部を承継させるものに限る。）若しくは相続があつた場合における合併後存続する法人若しくは合併により設立された法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人又は他の接続電気通信事業者等から電気通信事業の全部を譲り受けた者であるときは、合併により消滅した法人、分割をした法人若しくは被相続人又は当該電気通信事業を譲り渡した接続電気通信事業者等の前年度における電気通信役務の提供により生じた収益の額を含む。）として総務省令で定める方法により算定した額に対する当該負担金（以下「第一種負担金」という。）の額の割合は、政令で定める割合を超えてはならない。

Article 110 (1) Each fiscal year, the support institution may collect dues from the telecommunications carriers that are listed below and whose scale of business exceeds the standards specified by Cabinet Order (hereinafter referred to as "telecommunications carriers conducting interconnection or other similar actions" in this Article), in order to allocate them to all or part of the costs required for operations listed in Article 107, item (i) (including work incidental to the operations; the same applies in Article 112, paragraph (1)); provided, however, that those dues (hereinafter referred to as "Category I dues") must not come to account for a proportion exceeding the proportion specified by Cabinet Order of the amounts calculated by methods specified by Order of the Ministry of Internal Affairs and Communications as the income generated by the provision of the telecommunications services in the previous fiscal year by a telecommunications carrier conducting interconnection or other similar actions (the income so generated includes the income generated by the provision of the telecommunications services in the previous fiscal year by a corporation disappearing in a merger, a corporation conducting a split (limited to a split resulting in the succession to all of telecommunications business), a decedent, or another telecommunications carrier conducting interconnection or other similar actions that transferred its telecommunications business in either of the following cases: if another telecommunications carrier conducting interconnection or other similar actions has merged or split, or inheritance from that carrier has occurred in the previous fiscal year or in the relevant fiscal year (limited to the period until the relevant telecommunications carrier conducting interconnection or other similar actions receives the notification under paragraph (3)), and the relevant telecommunications carrier conducting interconnection or other similar actions is a corporation surviving after the merger or newly established upon the merger, a corporation that has succeeded to all of the telecommunications business upon the split, or a heir; or if the relevant telecommunications carrier conducting interconnection or other similar actions has succeeded to all of the telecommunications business from

another telecommunications carrier conducting interconnection or other similar actions in the previous fiscal year or in the relevant fiscal year (limited to the period until the relevant telecommunications carrier conducting interconnection or other similar actions receives the notification under paragraph (3))):

一 第一種適格電気通信事業者が第百八条第一項の規定による指定に係る第一号基礎的電気通信役務を提供するために設置している電気通信設備との接続に関する協定を締結している電気通信事業者

(i) a telecommunications carrier that has concluded an agreement on interconnection with telecommunications facilities which a Category I eligible telecommunications carrier installs to provide item (i) universal telecommunications services related to its designation under Article 108, paragraph (1);

二 前号に掲げる電気通信事業者の電気通信設備との接続に関する協定を締結している電気通信事業者その他電気通信事業者の電気通信設備を介して同号に規定する電気通信設備と接続する電気通信設備を設置している電気通信事業者

(ii) a telecommunications carrier that has concluded an agreement on interconnection with telecommunications facilities of the telecommunications carrier described in the preceding item, or other telecommunications carrier installing telecommunications facilities which interconnect with the telecommunications facilities set forth in that item via those of another telecommunications carrier; or

三 第一号に規定する電気通信設備、これと接続する電気通信設備又は電気通信事業者の電気通信設備を介して同号に規定する電気通信設備と接続する電気通信設備を用いる卸電気通信役務の提供を受ける契約を締結している電気通信事業者

(iii) a telecommunications carrier that has concluded a contract to receive wholesale telecommunications services which use telecommunications facilities set forth in item (i), telecommunications facilities which interconnect with them, or telecommunications facilities which interconnect with telecommunications facilities set forth in item (i) via telecommunications facilities of another telecommunications carrier.

2 支援機関は、年度ごとに、総務省令で定める方法により第一種負担金の額を算定し、第一種負担金の額及び徴収方法について総務大臣の認可を受けなければならない。

(2) The support institution must calculate the Category I dues by methods specified by Order of the Ministry of Internal Affairs and Communications, and must obtain authorization from the Minister for Internal Affairs and Communications with regard to the amount of Category I dues and methods of their collection for each fiscal year.

3 支援機関は、前項の認可を受けたときは、接続電気通信事業者等に対し、その認可を受けた事項を記載した書面を添付して、納付すべき第一種負担金の額、納付期限及び納付方法を通知しなければならない。

- (3) If the support institution has obtained the authorization set forth in the preceding paragraph, it must send telecommunications carriers conducting interconnection or other similar actions a notification describing the amount of the Category I dues which they are to pay, the time limit for paying them, and methods of paying them, together with written documents describing the authorized particulars.
- 4 接続電気通信事業者等は、前項の規定による通知に従い、支援機関に対し、第一種負担金を納付する義務を負う。
- (4) A telecommunications carrier conducting interconnection or other similar actions has the obligation to pay Category I dues to the support institution in accordance with the notification under the preceding paragraph.
- 5 第三項の規定による通知を受けた接続電気通信事業者等は、納付期限までにその第一種負担金を納付しないときは、第一種負担金の額に納付期限の翌日から当該第一種負担金を納付する日までの日数一日につき総務省令で定める率を乗じて計算した金額に相当する金額の延滞金を納付する義務を負う。
- (5) If a telecommunications carrier conducting interconnection or other similar actions has received the notification under paragraph (3) but fails to pay the Category I dues to the support institution by the due date for the payment, it has the obligation to pay a delinquency charge equivalent to the Category I dues multiplied by the rate specified by Order of the Ministry of Internal Affairs and Communications on a daily basis in the period from the date following the due date to the date of payment.
- 6 支援機関は、接続電気通信事業者等が納付期限までにその第一種負担金を納付しないときは、督促状によつて、期限を指定して督促しなければならない。
- (6) If a telecommunications carrier conducting interconnection or other similar actions fails to pay its Category I dues by the due date for the payment, the support institution must demand in writing that the carrier pay the dues by the due date newly designated.
- 7 支援機関は、前項の規定による督促を受けた接続電気通信事業者等がその指定の期限までにその督促に係る第一種負担金及び第五項の規定による延滞金を納付しないときは、総務大臣にその旨を申し立てることができる。
- (7) If a telecommunications carrier conducting interconnection or other similar actions that has received a written demand under the preceding paragraph fails to pay the Category I dues related to the demand and the delinquency charge under paragraph (5) by the designated time limit, the support institution may file a petition to that effect with the Minister for Internal Affairs and Communications.
- 8 総務大臣は、前項の規定による申立てがあつたときは、当該接続電気通信事業者等に対し、支援機関に第一種負担金及び第五項の規定による延滞金を納付すべきことを命ずることができる。
- (8) If a petition is filed pursuant to the provisions of the preceding paragraph,

the Minister for Internal Affairs and Communications may order the telecommunications carrier conducting interconnection or other similar actions to pay the support institution the Category I dues and the delinquency charge under paragraph (5).

(第二号基礎的電気通信役務一般支援区域等の指定)

(Designation of Item (ii) Universal Telecommunications Service General Support District)

第百十条の二 総務大臣は、支援機関の指定をしたときは、総務省令で定めるところにより、全国を総務省令で定める地域の単位に分けた区域（以下この項及び次項において「単位区域」という。）のうち次の各号のいずれにも該当するもの（同項各号のいずれにも該当するものを除く。）を第二号基礎的電気通信役務一般支援区域（以下「一般支援区域」という。）として指定することができる。

Article 110-2 (1) When the Minister of Internal Affairs and Communications has designated a support institution, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications, the Minister may designate a district that falls under all of the following items (excluding those falling under all of the items of the following paragraph) among the areas representing units of districts into which the entire nation is divided pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications (hereinafter in this paragraph and the following paragraph referred to as "unit districts"), as an item (ii) universal telecommunications service general support district (hereinafter referred to as a "general support district"):

一 当該単位区域において第二号基礎的電気通信役務を提供するために通常要すると見込まれる費用の額から当該単位区域において第二号基礎的電気通信役務の提供により通常生ずると見込まれる収益の額を減じた額として総務省令で定める方法により算定した額が零を上回ること。

(i) the amount calculated by the method stipulated by Order of the Ministry of Internal Affairs and Communications as the amount of costs normally expected to be required to provide item (ii) universal telecommunications services in the unit district minus the amount of income normally expected to be generated by the provision of item (ii) universal telecommunications services in the relevant unit district exceeds zero; and

二 当該単位区域において現に第二号基礎的電気通信役務（総務省令で定める規模を超える電気通信回線設備を設置して提供するものに限る。）を提供している電気通信事業者（当該単位区域において当該第二号基礎的電気通信役務を継続して提供している期間が総務省令で定める期間を超える者に限る。）の数が一以下であること。

(ii) the number of telecommunications carriers (limited to those who have continuously provided the item (ii) universal telecommunications services in the unit district for a period exceeding the period specified by Order of the

Ministry of Internal Affairs and Communications) currently providing item (ii) universal telecommunications services (limited to those provided by installing telecommunications line facilities that exceed the scale prescribed by Order of the Ministry of Internal Affairs and Communications) in the unit district is one or less.

2 総務大臣は、支援機関の指定をしたときは、総務省令で定めるところにより、単位区域のうち次の各号のいずれにも該当するものを第二号基礎的電気通信役務特別支援区域（以下「特別支援区域」という。）として指定することができる。

(2) When the Minister of Internal Affairs and Communications designates a supporting institution, the Minister may designate a unit district that falls under all of the following items as an item (ii) universal telecommunications service special support district (hereinafter referred to as a "special support district"), pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications:

一 次のいずれかに該当すること。

(i) the unit district in question falls under any of the following:

イ 前項第一号の総務省令で定める方法により算定した額が零を上回る場合において、当該上回る額が第二号基礎的電気通信役務の提供を確保することが著しく困難であると見込まれる額として総務省令で定める額以上であること。

(a) if the amount calculated in the method specified by Order of the Ministry of Internal Affairs and Communications referred to in item (i) of the preceding paragraph exceeds zero, the amount so calculated is not less than the amount specified by Order of the Ministry of Internal Affairs and Communications as the amount for which it would be expected to be extremely difficult to secure the provision of item (ii) universal telecommunications services;

ロ 当該単位区域の地理的条件その他の総務省令で定める事項が第二号基礎的電気通信役務の提供を確保することが著しく困難であると見込まれる場合として総務省令で定める場合に該当すること。

(b) the geographical conditions of the unit district in question or other particulars specified by Order of the Ministry of Internal Affairs and Communications fall under the cases prescribed by Order of the Ministry of Internal Affairs and Communications as those in which it is expected to be extremely difficult to secure the provision of item (ii) universal telecommunications services;

二 前項第二号に該当すること。

(ii) the unit district in question falls under item (ii) of the precedent paragraph.

3 総務大臣は、一般支援区域が第一項各号のいずれかに該当しなくなつたとき、又は特別支援区域が前項各号のいずれかに該当しなくなつたときは、総務省令で定めるところにより、その指定を解除するものとする。

(3) When a general support district ceases to fall under any of the items of

paragraph (1) or a special support district ceases to fall under any of the items of the preceding paragraph, the Minister of Internal Affairs and Communications is to cancel its designation pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 総務大臣は、一般支援区域若しくは特別支援区域の指定をしたとき、又は当該指定を解除したときは、遅滞なく、その旨を支援機関に通知するとともに、これを公表するものとする。

(4) When the Minister of Internal Affairs and Communications has designated a general support district or a special support district, or has cancelled that designation, the Minister is to notify the support institution to that effect and make it public without delay.

(第二種適格電気通信事業者の指定)

(Designation of Category II Eligible Telecommunications Carriers)

第百十条の三 総務大臣は、支援機関及び支援区域（一般支援区域及び特別支援区域をいう。以下この条において同じ。）の指定をしたときは、第二号基礎的電気通信役務を提供する電気通信事業者であつて、次に掲げる基準に適合すると認められるものを、その申請により、第二種適格電気通信事業者として指定することができる。

Article 110-3 (1) When the Minister of Internal Affairs and Communications has designated a support institution and a support district (refers to the general support district and the special support district; hereinafter the same applies in this Article), the Minister may designate a telecommunications carrier that provides item (ii) universal telecommunications services and is recognized as conforming to the following standards as a Category II eligible telecommunications carrier upon application by that telecommunications carrier:

一 総務省令で定めるところにより、申請に係る第二号基礎的電気通信役務の提供の業務に関する収支の状況その他総務省令で定める事項を公表していること。

(i) the status of income and expenditure regarding the operations of providing item (ii) universal telecommunications services subject to the application and other matters specified by Order of the Ministry of Internal Affairs and Communications is made public pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications;

二 申請に係る第二号基礎的電気通信役務に係る業務区域の範囲が一以上の支援区域（次のいずれにも該当するものに限る。次項において同じ。）の全部を含むこと。

(ii) the scope of the service area for the item (ii) universal telecommunications services subject to the application includes all of one or more support districts (limited to those falling under all of the following; hereinafter the same applies in the following paragraph):

イ 当該支援区域について他の第二種適格電気通信事業者が次項に規定する担当支援区域の指定をされていないこと。

- (a) no other Category II eligible telecommunications carrier has been designated to be in charge of a coverage support district prescribed in the following paragraph with respect to that support district;
- ロ 当該支援区域において申請に係る第二号基礎的電気通信役務を提供するために設置する電気通信回線設備の規模が第百七条第二号の総務省令で定める規模を超えること。
- (b) the scale of telecommunications line facilities to be installed to provide item (ii) universal telecommunications services subject to the application in the support district exceeds the scale specified by Order of the Ministry of Internal Affairs and Communications as set forth in Article 107, item (ii).
- 2 前項の規定により総務大臣が第二種適格電気通信事業者を指定するときは、併せて、その申請に係る第二号基礎的電気通信役務に係る業務区域の範囲に含まれる支援区域を、当該支援区域ごとに、当該第二種適格電気通信事業者に係る支援区域（以下この条及び次条第三項において「担当支援区域」という。）として指定しなければならない。当該業務区域の範囲に新たな支援区域が含まれることとなつたときも、同様とする。
- (2) When the Minister of Internal Affairs and Communications designates a Category II eligible telecommunications carrier pursuant to the provisions of the preceding paragraph, the Minister must also designate the support district included in the scope of the service area for the item (ii) universal telecommunications services subject to the application as the support district for that Category II eligible telecommunications carrier (hereinafter in this Article and paragraph (3) of the following Article referred to as the "coverage support district"), by each such support district. The same applies when a new support district is included in the scope of that service area.
- 3 総務大臣は、次の各号に掲げる場合には、当該各号に定める担当支援区域の指定を解除するものとする。
- (3) In the cases listed in the following items, the Minister of Internal Affairs and Communications is to cancel the designation of the coverage support district as specified in those items:
- 一 担当支援区域に係る支援区域の指定を解除したとき 当該解除に係る担当支援区域
- (i) when the designation of a support district designated as the coverage support district has been cancelled: the coverage support district in question;
- 二 第二種適格電気通信事業者がその担当支援区域について次のイ又はロに該当することとなつたとき 当該イ又はロに定める当該担当支援区域
- (ii) when a Category II eligible telecommunications carrier has come to fall under either of the following (a) or (b) with regard to the coverage support district: the coverage support district as specified in that (a) or (b);
- イ 当該担当支援区域の全部又は一部がその提供する第二号基礎的電気通信役務に係る業務区域の範囲に含まれないこととなつたとき 当該範囲に含まれないこと

となつた当該担当支援区域

(a) when all or a part of the coverage support district is no longer included in the scope of the service area for the item (ii) universal telecommunications services that the carrier provides; the coverage support district that is no longer included in that scope;

ロ 当該担当支援区域が第一項第二号ロに該当しないこととなつたとき 当該同号ロに該当しないこととなつた当該担当支援区域

(b) when the coverage support district no longer falls under paragraph (1), item (ii), (b): the coverage support district that no longer falls under item that (ii), (b);

三 第六項の規定により第二種適格電気通信事業者の指定の取消しをしたとき 当該第二種適格電気通信事業者の全ての担当支援区域

(iii) when the designation of a Category II eligible telecommunications carrier has been revoked pursuant to the provisions of paragraph (6): all the coverage support districts of the Category II eligible telecommunications carrier.

4 総務大臣は、第一項の規定による第二種適格電気通信事業者の指定及び第二項前段の規定による当該第二種適格電気通信事業者に係る担当支援区域の指定をしたときは、遅滞なく、その旨を支援機関及び当該第二種適格電気通信事業者に通知するとともに、これを公表するものとする。同項後段の規定による担当支援区域の指定、前項の規定による担当支援区域の指定の解除又は第六項の規定による第二種適格電気通信事業者の指定の取消しをしたときも、同様とする。

(4) When the Minister of Internal Affairs and Communications designates a Category II eligible telecommunications carrier under the provisions of paragraph (1) and the coverage support district of that Category II eligible telecommunications carrier under the provisions of the first sentence of paragraph (2), the Minister is to notify the support institution and that Category II eligible telecommunications carrier to that effect and make it public without delay. The same applies to the designation of a coverage support district pursuant to the provisions of the second sentence of paragraph (2), the cancellation of the designation of a coverage support district under the preceding paragraph, or the revoking of the designation of a Category II eligible telecommunications carrier under paragraph (6).

5 第十七条第一項の規定による電気通信事業者の地位の承継があつた場合において、当該電気通信事業者が第二種適格電気通信事業者であつたときは、当該電気通信事業者の地位を承継した電気通信事業者は、第二種適格電気通信事業者の地位を承継するものとする。

(5) In the case of succession to the status of a telecommunications carrier under Article 17, paragraph (1), if that telecommunications carrier was a Category II eligible telecommunications carrier, a telecommunications carrier that has succeeded to the status of that telecommunications carrier is to succeed to the

status of a Category II eligible telecommunications carrier.

6 総務大臣は、第二種適格電気通信事業者が次の各号のいずれかに該当するとき、又は第二種適格電気通信事業者から第一項の規定による指定の取消しの申請があつたときは、その指定を取り消すことができる。

(6) When a Category II eligible telecommunications carrier falls under any of the following items or when an application for revoking the designation under paragraph (1) has been filed by a Category II eligible telecommunications carrier, the Minister of Internal Affairs and Communications may revoke the designation:

一 次条第三項又は第四項の規定に違反したとき。

(i) if the Category II eligible telecommunications carrier has violated the provisions of paragraph (3) or (4) of the following Article;

二 第一項各号のいずれかに適合しなくなつたと認められるとき。

(ii) if the Category II eligible telecommunications carrier is found to fail to conform to any of the items of paragraph (1).

(第二種交付金の交付)

(Provision of Category II Grants)

第百十条の四 支援機関は、年度ごとに、総務省令で定める方法により第一百七条第二号の交付金（以下「第二種交付金」という。）の額を算定し、当該第二種交付金の額及び交付方法について総務大臣の認可を受けなければならない。

Article 110-4 (1) The support institution must calculate the amount of the grants set forth in Article 107, item (ii) (hereinafter referred to as "Category II grants") by the methods specified by Order of the Ministry of Internal Affairs and Communications, and must obtain authorization from the Minister for Internal Affairs and Communications concerning the amount of the Category II grants and methods of providing them for each fiscal year.

2 前項の認可の申請は、一般支援区域又は特別支援区域の区分ごとに第二種交付金の額の内訳を明らかにした書類を添えてしなければならない。

(2) An application for the authorization set forth in the preceding paragraph must be filed together with a document clarifying the breakdown of the amount of the Category II grants for each category of general support district or special support district.

3 第二種適格電気通信事業者は、総務省令で定めるところにより、第二種交付金の額の算定をするための資料として、その担当支援区域ごとに、当該算定の前年度における第二号基礎的電気通信役務の提供に要した原価及び第二号基礎的電気通信役務の提供により生じた収益の額その他総務省令で定める事項を支援機関に届け出なければならない。

(3) Category II eligible telecommunications carriers must notify the support institution of the cost spent to provide the item (ii) universal telecommunications services in a fiscal year previous to the fiscal year for

which they calculate the amount of the Category II grants, the income generated by the provision of the item (ii) universal telecommunications services, and other particulars specified by Order of the Ministry of Internal Affairs and Communications, as the basis for calculating the amount of the Category II grants, by each coverage support district pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 前項の原価は、能率的な経営の下における適正な原価を算定するものとして総務省令で定める方法により算定し、同項の収益は、標準的な料金を設定するとしたならば通常生ずる収益を算定するものとして総務省令で定める方法により算定しなければならない。

(4) The cost set forth in the preceding paragraph must be calculated by the methods specified by Order of the Ministry of Internal Affairs and Communications as those for calculating reasonable costs under efficient management, and the income referred to in that paragraph must be calculated by the methods specified by Order of the Ministry of Internal Affairs and Communications as those that calculate income that would normally arise if standardized rates were set.

5 支援機関は、第一項の認可を受けたときは、総務省令で定めるところにより、第二種交付金の額を公表しなければならない。

(5) If the support institution has obtained authorization set forth in paragraph (1), it must make the amount of Category II grants public pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(第二種負担金の徴収)

(Collection of Category II Dues)

第百十条の五 支援機関は、年度ごとに、第百七条第二号に掲げる業務（これに附帯する業務を含む。第百十二条第一項において同じ。）に要する費用の全部又は一部に充てるため、高速度データ伝送電気通信役務（総務省令で定めるものを除く。）を提供する電気通信事業者であつて、その事業の規模が政令で定める基準を超えるもの（以下この項において「高速度データ伝送役務提供事業者」という。）から、負担金を徴収することができる。ただし、高速度データ伝送役務提供事業者の前年度における電気通信役務の提供により生じた収益の額（その者が、前年度又はその年度（次項において準用する第百十条第三項の規定による通知を受けるまでの間に限る。）において、他の高速度データ伝送役務提供事業者について合併、分割（電気通信事業の全部を承継させるものに限る。）若しくは相続があつた場合における合併後存続する法人若しくは合併により設立された法人、分割により当該電気通信事業の全部を承継した法人若しくは相続人又は他の高速度データ伝送役務提供事業者から電気通信事業の全部を譲り受けた者であるときは、合併により消滅した法人、分割をした法人若しくは被相続人又は当該電気通信事業を譲り渡した高速度データ伝送役務提供事業者の前年度における電気通信役務の提供により生じた収益の額を含む。）として総務省令で定める方法により算定した額に対する当該負担金（以下「第二種負担金」という。）の額の

割合は、政令で定める割合を超えてはならない。

Article 110-5 (1) Each fiscal year, the support institution may collect dues from telecommunications carriers that provide high-speed data transmission telecommunications services (excluding those specified by Order of the Ministry of Internal Affairs and Communications) and whose scale of business exceeds the standards specified by Cabinet Order (hereinafter referred to as "high-speed data transmission service provider" in this paragraph), in order to allocate them to all or part of the costs required for operations listed in Article 107, item (ii) (including work incidental to the operations; the same applies in Article 112, paragraph (1)); provided, however, that those dues (hereinafter referred to as "Category II dues") must not come to account for a proportion exceeding the proportion specified by Cabinet Order of the amounts calculated by methods specified by Order of the Ministry of Internal Affairs and Communications as the income generated by the provision of the telecommunications services in the previous fiscal year by a high-speed data transmission service provider (the income so generated includes the income generated by the provision of the telecommunications services in the previous fiscal year by a corporation disappearing in a merger, a corporation conducting a split (limited to a split resulting in the succession to all of telecommunications business), a decedent, or another high-speed data transmission service provider transferring its telecommunications business in either of the following cases: if another high-speed data transmission service provider has merged or split, or inheritance from that provider has occurred in the previous fiscal year or in the relevant fiscal year (limited to the period until the high-speed data transmission service provider in question receives the notification pursuant to the provisions of Article 110, paragraph (3) as applied mutatis mutandis pursuant to the following paragraph), and the high-speed data transmission service provider in question is a corporation surviving after the merger or newly established upon the merger, a corporation that has succeeded to all of the telecommunications business upon the split, or a heir; or if the high-speed data transmission service provider in question has succeeded to all of the telecommunications business from another high-speed data transmission service provider in the previous fiscal year or in the relevant fiscal year (limited to the period until the high-speed data transmission service provider in question receives the notification pursuant to the provisions of Article 110, paragraph (3) as applied mutatis mutandis pursuant to the following paragraph)).

- 2 第一百条第二項から第八項までの規定は、第二種負担金について準用する。この場合において、同条第三項中「接続電気通信事業者等」とあるのは「高速度データ伝送役務提供事業者（第一百条の五第一項に規定する高速度データ伝送役務提供事業者をいう。以下この条において同じ。）」と、同条第四項から第八項までの規定中「接続

電気通信事業者等」とあるのは「高速度データ伝送役務提供事業者」と読み替えるものとする。

(2) The provisions of Article 110, paragraphs (2) through (8) apply mutatis mutandis to Category 2 dues. In this case, the term "telecommunications carriers conducting interconnection or other similar actions" in paragraph (3) of that Article is deemed to be replaced with "high-speed data transmission service provider (meaning the high-speed data transmission service provider prescribed in Article 110-5, paragraph (1); hereinafter the same applies in this Article). The term "telecommunications carriers conducting interconnection or other similar actions" in paragraphs (4) through (8) of that Article is deemed to be replaced with "high-speed data transmission service provider".

(資料の提出の請求)

(Request for the Submission of Data)

第百十一条 支援機関は、支援業務を行うため必要があるときは、電気通信事業者に対し、資料の提出を求めることができる。

Article 111 The support institution may request that telecommunications carriers submit data, if that data is necessary for conducting support operations.

(区分経理)

(Separate Accounting)

第百十二条 支援機関は、第百七条第一号に掲げる業務に係る経理と同条第二号に掲げる業務に係る経理とを区分して整理しなければならない。

Article 112 (1) The support institution must separate accounts for the operations listed in Article 107, item (i) from accounts for the operations listed in item (ii) of that Article.

2 支援機関は、支援業務以外の業務を行っている場合には、当該業務に係る経理と支援業務に係る経理とを区分して整理しなければならない。

(2) If the support institution conducts the operations other than support operations, it must separate accounts for those operations from accounts for support operations.

(支援業務諮問委員会)

(Consultation Commission for Support Operations)

第百十三条 支援機関には、支援業務諮問委員会を置かなければならない。

Article 113 (1) The support institution must establish a consultation commission for support operations.

2 支援業務諮問委員会は、支援機関の代表者の諮問に応じ、第一種交付金及び第二種交付金の額及び交付方法、第一種負担金及び第二種負担金の額及び徴収方法その他支援業務の実施に関する重要事項を調査審議し、及びこれらに関し必要と認める意見を

支援機関の代表者に述べることができる。

(2) Upon being consulted by the representative of the support institution, the consultation commission for support operations may conduct the study and deliberation on the amount of Category I and II grants and methods of providing them, the amount of Category I and II dues and methods of collecting them, and other important particulars concerning the conduct of the support operations, and provide the representative of the support institution with the opinions that it finds necessary for those matters.

3 支援業務諮問委員会の委員は、電気通信事業者及び学識経験を有する者のうちから、総務大臣の認可を受けて、支援機関の代表者が任命する。

(3) The representative of the support institution appoints members of the consultation commission for support operations from among telecommunications carriers and persons with the relevant expertise, with authorization from the Minister for Internal Affairs and Communications.

(支援機関の指定を取り消した場合における経過措置)

(Transitional Measures upon Revocation of Support Institution Designation)

第百十四条 第百十六条第一項において準用する第八十四条第一項又は第二項の規定により支援機関の指定を取り消した場合において、総務大臣がその取消し後に新たに支援機関を指定したときは、取消しに係る支援機関の支援業務に係る財産は、新たに指定を受けた支援機関に帰属する。

Article 114 (1) If the Minister for Internal Affairs and Communications has revoked the designation of the support institution pursuant to the provisions of Article 84, paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 116, paragraph (1), and newly designates a support institution after the revocation, the assets related to the support operations of the support institution subject to the revocation belong to the newly designated support institution.

2 前項に定めるもののほか、第百十六条第一項において準用する第八十四条第一項又は第二項の規定により支援機関の指定を取り消した場合における支援業務に係る財産の管理その他所要の経過措置（罰則に関する経過措置を含む。）は、合理的に必要と判断される範囲内において、政令で定める。

(2) Beyond what is provided for in the preceding paragraph, the management of the assets related to the support operations and other necessary transitional measures (including transitional measures concerning penal provisions) in cases in which the Minister for Internal Affairs and Communications revokes the designation of a support institution pursuant to the provisions of Article 84, paragraph (1) or (2) as applied mutatis mutandis pursuant to Article 106, paragraph (1), are specified by Cabinet Order within a scope considered reasonably necessary .

(支援機関への情報提供等)

(Provision of Information to the Support Institution)

第百十五条 総務大臣は、支援機関に対し、支援業務の実施に関し必要な情報及び資料の提供又は指導及び助言を行うものとする。

Article 115 The Minister for Internal Affairs and Communications is to provide information and data, or guidance and advice necessary for conducting the support operations to the support institution.

(準用)

(Application, Mutatis Mutandis)

第百十六条 第七十五条第二項第二号から第四号まで、第七十七条第一項及び第三項、第七十八条から第八十四条まで並びに第九十条の規定は、支援機関について準用する。

Article 116 (1) The provisions of Article 75, paragraph (2), items (ii) through (iv), Article 77, paragraphs (1) and (3), Articles 78 through 84, and Article 90 apply mutatis mutandis to the support institution.

2 前項の場合において、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとする。

(2) In the cases set forth in the preceding paragraph, the terms in the middle column of the following table which are used in the provisions in its left column are deemed to be replaced with the terms in its right column.

第七十五条第二項 Article 75, paragraph (2)	前条第二項 paragraph (2) of the preceding Article	第百六条 Article 106
第七十七条第三項 Article 77, paragraph (3)	役員又は試験員 an officer or qualification examiner	役員 an officer
	試験事務規程 the rules for administration of exam	支援業務規程 support operations rules
第七十八条 Article 78	職員（試験員を含む。） employee (including a qualification examiner)	職員 employee
	試験事務 the administration of exam	支援業務 the support operations
第七十九条及び第八十四条第二項第四号 Article 79 and Article 84, paragraph (2), item(iv)	試験事務 the administration of exam	支援業務 the support operations
	試験事務規程 the rules for administration of exam	支援業務規程 support operations rules

<p>第八十一条、第八十二条、第八十三条第一項並びに第八十四条第二項各号列記以外の部分及び第三項</p> <p>Article 81, Article 82, Article 83, paragraph (1), and Article 84, paragraph (2), except the items thereof, and paragraph (3)</p>	<p>試験事務</p> <p>the administration of exam</p>	<p>支援業務</p> <p>the support operations</p>
<p>第八十四条第一項</p> <p>Article 84, paragraph (1)</p>	<p>第七十五条第二項第一号、第二号又は第四号</p> <p>Article 75, paragraph (2) item (i), item (ii) or item (iv)</p>	<p>第七十五条第二項第二号又は第四号</p> <p>Article 75, paragraph (2), item (ii) or item (iv)</p>
<p>第八十四条第二項第一号</p> <p>Article 84, paragraph (2), item (i)</p>	<p>この款</p> <p>this Subsection</p>	<p>この款の規定又は第九十条第一項若しくは第四項、第一百条第二項（第一百条の五第二項において準用する場合を含む。）、第一百条の四第一項若しくは第五項、第一百十二条若しくは第一百三十三条第三項</p> <p>The provisions of this Subsection or Article 109, paragraph (1) or paragraph (4), Article 110, paragraph (2) (including as applied mutatis mutandis pursuant to Article 110-5, paragraph (2)), Article 110-4, paragraph (1) or paragraph (5), Article 112, or Article 113, paragraph (3)</p>
<p>第八十四条第二項第二号</p> <p>Article 84, paragraph (2), item (ii)</p>	<p>第七十五条第一項各号</p> <p>any of the items of Article 75, paragraph (1)</p>	<p>第一百六条各号</p> <p>any of the items of Article 106</p>
<p>第九十条第一項</p> <p>Article 90, paragraph (1)</p>	<p>第八十六条第一項の登録</p> <p>a registration set forth in Article 86</p>	<p>支援機関の指定</p> <p>the designation of the support institution</p>

	<p>氏名又は名称及び住所並びに登録に係る事業の区分、技術基準適合認定の業務</p> <p>the name and address of the registered approval body and classification of business related to the registration, the addresses of offices where the operations for technical standards conformity approval</p>	<p>名称及び住所、支援業務</p> <p>the name and address of the registered approval body and, the addresses of offices where the support operations</p>
	<p>及び技術基準適合認定の業務</p> <p>and the date on which the operations of technical standards conformity approval</p>	<p>並びに支援業務</p> <p>and the date on which the support operations</p>
<p>第九十条第二項</p> <p>Article 90, paragraph (2)</p>	<p>第八十六条第二項第一号又は第三号に掲げる事項</p> <p>the particulars listed in Article 86, paragraph (2), item (i) or item (iii)</p>	<p>その名称若しくは住所又は支援業務を行う事務所の所在地</p> <p>the name, address or the location of the office where the support operation is conducted</p>
<p>第九十条第三項</p> <p>Article 90, paragraph (3)</p>	<p>届出（登録認定機関の氏名若しくは名称若しくは住所又は技術基準適合認定の業務を行う事務所の所在地の変更に係るものに限る。）</p> <p>a notification (limited to a notification in relation to a change in the name or address of the registered approval body, or a change in the location of the office where the operations for technical standards conformity approval are to be conducted)</p>	<p>届出</p> <p>a notification</p>

第八節 認定送信型対電気通信設備サイバー攻撃対処協会
Section 8 Certified Association against Cyber Attacks on
Telecommunications Facilities

(認定送信型対電気通信設備サイバー攻撃対処協会の認定)

(Certification as a Certified Association against Cyber Attacks on Telecommunications Facilities)

第百十六条の二 総務大臣は、電気通信事業者が設立した一般社団法人であつて、次に掲げる要件に該当すると認められるものを、その申請により、次項に規定する業務（以下この節において「送信型対電気通信設備サイバー攻撃対処業務」という。）を行う者として認定することができる。

Article 116-2 (1) The Minister for Internal Affairs and Communications may certify a general incorporated association that has been established by a telecommunications carrier and recognized as satisfying the requirements below as a person performing operations specified in the following paragraph (hereinafter referred to as "operations against cyber attacks on telecommunications facilities" in this Section), upon its application:

一 送信型対電気通信設備サイバー攻撃（次のイ又はロに掲げる行為をいう。次項において同じ。）に対処する電気通信事業者を支援することにより、電気通信業務の円滑な提供を確保するとともにその利用者の利益を保護することを目的とすること。

(i) its purpose is to ensure smooth provision of telecommunications services and protect the interests of users of the services, by supporting telecommunications carriers that deal with cyber attacks on telecommunications facilities (meaning acts listed in (a) or (b) below; the same applies in the following paragraph.);

イ 情報通信ネットワーク又は電磁的方式で作られた記録に係る記録媒体を通じた電子計算機に対する攻撃のうち、送信先の電気通信設備の機能に障害を与える電気通信の送信（当該電気通信の送信を行う指令を与える電気通信の送信を含む。）により行われるもの（ロ及び次項第一号において「設備攻撃」という。）

(a) among attacks made against computers through information and communications networks or through storage media for records created by electric or magnetic means, those that are conducted by sending telecommunications that impair the functions of the target's telecommunications facilities (the sending of the telecommunications in question includes the sending of telecommunications that give commands to send the telecommunications in question) (those attacks are referred to as "facility attacks" in (b) and item (i) in the following paragraph);

ロ 設備攻撃の送信先となる電気通信設備の探査のうち、電気通信事業者がその業務上記録している電気通信の送信元、送信先、通信日時その他の通信履歴（以下単に「通信履歴」という。）の電磁的記録により、設備攻撃に先立つて行われる当該探査を目的とする電気通信の送信（当該電気通信の送信を行う指令を与える電気通信の送信を含む。）であることを合理的に特定できるものとして総務省令で定める電気通信の送信により行われるもの（次項第一号イ（2）及びロ（2）において「攻撃先設備探査」という。）

(b) among the exploration of telecommunications facilities that are targeted for a facility attack, the exploration that is conducted by sending telecommunications specified by Order of the Ministry of Internal Affairs and Communications as the telecommunications that can be reasonably identified as telecommunications sent for the purpose of exploration before the facility attack (including the sending of telecommunications giving instructions to send those telecommunications), through electronic or magnetic records concerning the sender, target, transmission date and time of the telecommunications, and other transmission history (hereinafter simply referred to as "communications history") recorded during the course of operations of the telecommunications carrier (the exploration in question is referred to as "exploration of facilities targeted for an attack" in item (i), (a), (2) and (b), (2) of the following paragraph); and

二 次項第一号イ及びロ又は第二号イ及びロに該当する電気通信事業者を社員（同項第一号及び第二号並びに第三項第二号において「会員」という。）に含む旨の定款の定めがあること。

(ii) there are provisions in its articles of incorporation to the effect that telecommunications carriers falling under item (i), (a) and (b), or item (ii), (a) and (b) of the following paragraph are included in its membership (referred to as "members" in items (i) and (ii) of that paragraph, and item (ii) of paragraph (3));

三 送信型対電気通信設備サイバー攻撃対処業務を適正かつ確実に行うに必要な業務の実施の方法を定めているものであること。

(iii) it has established an operational method necessary to appropriately and accurately conduct operations against cyber attacks on telecommunications facilities; and

四 送信型対電気通信設備サイバー攻撃対処業務を適正かつ確実に行うに足りる知識及び能力並びに財産的基礎を有するものであること。

(iv) it has sufficient knowledge and capability, and financial stability to appropriately and accurately conduct operations against cyber attacks on telecommunications facilities.

2 前項の規定による認定を受けた一般社団法人（以下「認定送信型対電気通信設備サイバー攻撃対処協会」という。）は、次に掲げる業務を行うものとする。

(2) The general incorporated association approved under the preceding paragraph (hereinafter referred to as "certified association against cyber attacks on telecommunications facilities") is to conduct the operations listed below:

一 会員である電気通信事業者であつて次のいずれにも該当するものの委託を受けて、ロ（１）又は（２）に定める者に対し、ロの通知を行うこと。

(i) send a notification under (b) to persons specified in (b), 1. or 2., upon being

entrusted by a member telecommunications carrier that satisfies all of the following:

イ 第五十二条第一項又は第七十条第一項第一号の規定により認可を受けた技術的条件（ロにおいて単に「技術的条件」という。）において、その利用者の電気通信設備が送信型対電気通信設備サイバー攻撃（次の（１）又は（２）に掲げる行為に限る。ロにおいて同じ。）を行うことを禁止する旨を定めていること。

(a) its technical conditions approved pursuant to the provision of Article 52, paragraph (1) or Article 70, paragraph (1), item (i) (simply referred to as "technical conditions" in (b)) specify that its user's telecommunications facilities are prohibited from carrying out cyber attacks on telecommunications facilities (limited to those acts listed in 1. or 2. below; the same applies in (b));

（１） 設備攻撃（電気通信事業者がその業務上記録している通信履歴の電磁的記録により送信元の電気通信設備が前項第一号イに規定する電気通信の送信の送信元であることを合理的に特定できるものに限る。ロ（２）において同じ。）

1. facility attacks (limited to attacks for which the telecommunications carrier can rationally identify the telecommunications facilities that are the source of the transmission as being the source of the transmission of the telecommunications prescribed in item (i), (a) of the preceding paragraph, based on the electronic or magnetic records of the communications history that the carrier keeps during the course of its operations (the same applies in (b), 2.);

（２） 攻撃先設備探査（電気通信事業者がその業務上記録している通信履歴の電磁的記録により送信元の電気通信設備が前項第一号ロの総務省令で定める電気通信の送信の送信元であることを合理的に特定できるものに限る。ロ（２）において同じ。）

2. exploration of facilities targeted for an attack (limited to the exploration for which the telecommunications carrier can rationally identify the telecommunications facilities that are the source of the transmission as being the source of the transmission of the telecommunications specified by Order of the Ministry of Internal Affairs and Communication in item (i), (b) of the preceding paragraph based on the electronic or magnetic records of the communications history that the carrier keeps during the course of its operations; the same applies in (b), 2.);

ロ 電気通信役務の提供条件において、その電気通信設備又はその利用者の電気通信設備が送信型対電気通信設備サイバー攻撃（イ（１）又は（２）に掲げる行為のうち技術的条件においてその利用者の電気通信設備が行うことを禁止する旨を定めているものに限る。以下このロ（（２）を除く。）及び次号ロにおいて同じ。）の送信先であることが特定された場合において、その業務上記録している

通信履歴の電磁的記録により当該送信型対電気通信設備サイバー攻撃の送信元の電気通信設備が次の（１）又は（２）に掲げる者の電気通信設備であることが特定されたときは、当該（１）又は（２）に定める者に対し、当該通信履歴の電磁的記録を証拠として当該電気通信設備を送信元とする送信型対電気通信設備サイバー攻撃又はそのおそれへの対処を求める通知を行う旨を定めていること。

(b) its conditions for provision of telecommunications services specifies that if its telecommunications facilities or its user's telecommunications facilities are identified as the target of the cyber attack on telecommunications facilities (the cyber attack is limited to the act listed in (a), 1. or 2. that the technical conditions specify its user's telecommunications facilities are prohibited from conducting; hereinafter the same applies in this (b) (excluding 2.) and the (b) of the following item), and the telecommunications facilities that are the source of the relevant cyber attack on telecommunications facilities are identified as those of a person listed below in 1. or 2. based on electronic or magnetic records of communications history that the carrier keeps in the course of its operations, it is to send a notification to the person specified in 1. or 2. in order to require that the person deal with the relevant cyber attack on telecommunications facilities which was made from that person's telecommunications facilities or with the risk that the cyber attack will be made, using the electronic or magnetic record of the relevant communications history as evidence:

（１） 他の電気通信事業者 当該他の電気通信事業者

1. other telecommunications carriers: the relevant other telecommunications carriers; or

（２） 他の電気通信事業者（当該送信型対電気通信設備サイバー攻撃が、設備攻撃である場合にはイ（（１）に係る部分に限る。）に該当するもの限り、攻撃先設備探査である場合にはイ（（２）に係る部分に限る。）に該当するもの限り。）の利用者 当該他の電気通信事業者

2. users of other telecommunications carriers (those other carriers are limited to those that fall under (a) (limited to the part relating to 1.) if the cyber attack on telecommunications facilities is a facility attack, and are limited to those that fall under (b) (limited to the part relating to 2.) if the cyber attack on telecommunications facilities is an exploration of facilities targeted for an attack): the relevant other telecommunications carriers;

二 会員である電気通信事業者であつて次のいずれにも該当するものからロの通信履歴の電磁的記録の提供を受け、ロの調査及び研究を行うこと並びにその成果の普及を行うこと。

(ii) be provided with the electronic or magnetic records of communications history referred to in (b) from member telecommunications carriers that fall

under all of the following, conduct the investigation and research referred to in (b), and disseminate their results:

イ 前号イに該当すること。

(a) it falls under (a) as referred to in the preceding item; and

ロ 電気通信役務の提供条件において、その電気通信設備又はその利用者の電気通信設備が送信型対電気通信設備サイバー攻撃の送信先であることが特定された場合において、その業務上記録している通信履歴の電磁的記録により当該送信型対電気通信設備サイバー攻撃の送信元の電気通信設備が合理的に特定できないときは、認定送信型対電気通信設備サイバー攻撃対処協会に対し、送信型対電気通信設備サイバー攻撃の送信元の電気通信設備を合理的に特定するための調査及び研究の用に供するため、当該通信履歴の電磁的記録の提供を行う旨を定めていること。

(b) its conditions for provision of telecommunications services specify that if its telecommunications facilities or its user's telecommunications facilities are identified as the target of the cyber attack on telecommunications facilities, and the telecommunications facilities that are the source of the relevant cyber attack on telecommunications facilities cannot be rationally identified based on the electronic or magnetic record of the relevant communications history that the carrier keeps in the course of its operations, it is to provide the electronic or magnetic records of the relevant communications history to the certified association against cyber attacks on telecommunications facilities, for use in an investigation and research to rationally identify the telecommunications facilities that are the source of the cyber attack on telecommunications facilities; and

三 前二号に掲げるもののほか、送信型対電気通信設備サイバー攻撃に対処する電気通信事業者を支援すること。

(iii) beyond what is provided for in the preceding two items, it provides support for a telecommunications carrier dealing with a cyber attack on telecommunications facilities.

3 第一項の規定による認定を受けようとする者は、次に掲げる事項を記載した申請書を総務大臣に提出しなければならない。

(3) A person that intends to receive approval under paragraph (1) must submit an application describing the following particulars to the Minister for Internal Affairs and Communications:

一 名称及び住所並びに代表者の氏名

(i) its name and address, and the name of its representative;

二 特定会員（会員である電気通信事業者であつて、前項第一号イ及びロ又は第二号イ及びロに該当するものをいう。次条第一項及び第三項並びに第百八十八条第十五号において同じ。）の氏名又は名称

(ii) the name of a specified member (meaning a member telecommunications carrier that falls under item (i), (a) and (b) or item (ii), (a) and (b) of the

preceding paragraph; the same applies in paragraphs (1) and (3) of the following Article, and Article 188, item (xv));

三 送信型対電気通信設備サイバー攻撃対処業務の範囲及びその実施の方法

(iii) scope and implementation method of operations against cyber attacks on telecommunications facilities; and

四 前三号に掲げるもののほか、総務省令で定める事項

(iv) beyond what is provided for in the preceding three items, particulars specified by Order of the Ministry of Internal Affairs and Communications.

4 前項の申請書には、定款その他の総務省令で定める書類を添付しなければならない。

(4) Articles of incorporation and other documents specified by Order of the Ministry of Internal Affairs and Communications must be attached to the application in the preceding paragraph.

5 認定送信型対電気通信設備サイバー攻撃対処協会は、第三項第三号に掲げる事項を変更しようとするときは、総務大臣の認定を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

(5) The certified association against cyber attacks on telecommunications facilities must receive approval from the Minister for Internal Affairs and Communications if it intends to change the particulars listed in paragraph (3), item (iii); provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

6 第三項及び第四項の規定は、前項の変更の認定について準用する。この場合において、第三項中「次に掲げる事項」とあるのは、「第一号及び第三号に掲げる事項（同号に掲げる事項にあつては、変更に係るものに限る。）」と読み替えるものとする。

(6) The provisions set forth in paragraphs (3) and (4) apply mutatis mutandis to approval of changes referred to in the preceding paragraph. In such cases, the term "following particulars" in paragraph (3) is deemed to be replaced with "particulars listed in item (i) and item (iii) (limited to matters related to changes, for particulars listed in item (iii))".

7 認定送信型対電気通信設備サイバー攻撃対処協会は、第三項各号（第三号を除く。）に掲げる事項に変更があつたとき、又は第五項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(7) If there is a change to particulars listed in the items of paragraph (3) (excluding item (iii)), or a minor change specified by Order of the Ministry of Internal Affairs and Communications as prescribed in the proviso of paragraph (5) is made, the certified association against cyber attacks on telecommunications facilities must notify the Minister for Internal Affairs and Communications to that effect without delay.

(特定会員名簿の縦覧等)

(Public Inspection of the Specified Membership List)

第百十六条の三 認定送信型対電気通信設備サイバー攻撃対処協会は、総務省令で定め

るところにより、特定会員名簿を公衆の縦覧に供しなければならない。

Article 116-3 (1) The certified association against cyber attacks on telecommunications facilities must allow public inspection of the specified membership list pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 認定送信型対電気通信設備サイバー攻撃対処協会でない者は、その名称中に、認定送信型対電気通信設備サイバー攻撃対処協会と誤認されるおそれのある文字を用いてはならない。

(2) A person that is not the certified association against cyber attacks on telecommunications facilities must not use characters in its name that can be mistaken for the certified association against cyber attacks on telecommunications facilities.

3 認定送信型対電気通信設備サイバー攻撃対処協会の特定会員でない者は、その名称中に、認定送信型対電気通信設備サイバー攻撃対処協会の特定会員と誤認されるおそれのある文字を用いてはならない。

(3) A person that is not a specified member of the certified association against cyber attacks on telecommunications facilities must not use characters in its name that can be mistaken for a specified member of the certified association against cyber attacks on telecommunications facilities.

(秘密保持義務)

(Duty of Confidentiality)

第百十六条の四 認定送信型対電気通信設備サイバー攻撃対処協会の役員若しくは職員又はこれらの職にあつた者は、送信型対電気通信設備サイバー攻撃対処業務に関して知り得た秘密を漏らしてはならない。

Article 116-4 A officer or employee of the certified association against cyber attacks on telecommunications facilities or a person that formerly held that position must not divulge any secret which came to their knowledge with respect to the operations against cyber attacks on telecommunications facilities.

(帳簿の備付け等)

(Keeping of Books)

第百十六条の五 認定送信型対電気通信設備サイバー攻撃対処協会は、総務省令で定めるところにより、帳簿を備え付け、これに送信型対電気通信設備サイバー攻撃対処業務に関する事項で総務省令で定めるものを記載し、又は記録し、及びこれを保存しなければならない。

Article 116-5 The certified association against cyber attacks on telecommunications facilities must prepare and keep books, by recording or making entries of the particulars specified by Order of the Ministry of Internal Affairs and Communications concerning the operations against cyber attacks on telecommunications facilities in those books, pursuant to the provisions of

Order of the Ministry of Internal Affairs and Communications.

(認定送信型対電気通信設備サイバー攻撃対処協会に対する監督命令等)

(Supervision Orders for the Certified Association Against Cyber Attacks on Telecommunications Facilities)

第百十六条の六 総務大臣は、送信型対電気通信設備サイバー攻撃対処業務の運営に関し改善が必要であると認めるときは、この法律の施行に必要な限度において、認定送信型対電気通信設備サイバー攻撃対処協会に対し、その改善に必要な措置をとるべきことを命ずることができる。

Article 116-6 (1) If the Minister for Internal Affairs and Communications finds it necessary to improve the operations of the certified association against cyber attacks on telecommunications facilities, the Minister may order the certified association against cyber attacks on telecommunications facilities to take measures necessary for the improvement to the extent necessary for the enforcement of this Act.

2 総務大臣は、認定送信型対電気通信設備サイバー攻撃対処協会の業務の運営がこの法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したときは、その認定を取り消し、又は六月以内の期間を定めてその業務の全部若しくは一部の停止を命ずることができる。

(2) If the operations of the certified association against cyber attacks on telecommunications facilities violate this Act, an order based on this Act, or a disposition based on them, the Minister for Internal Affairs and Communications may revoke its approval or order the suspension of all or part of its operations for a specified period within six months in length.

(認定送信型対電気通信設備サイバー攻撃対処協会への情報提供)

(Provision of Information to a Certified Association Against Cyber Attacks on Telecommunications Facilities)

第百十六条の七 総務大臣は、認定送信型対電気通信設備サイバー攻撃対処協会の求めに応じ、認定送信型対電気通信設備サイバー攻撃対処協会が送信型対電気通信設備サイバー攻撃対処業務を適正に行うために必要な限度において、電気通信事業者に関する情報であつて送信型対電気通信設備サイバー攻撃対処業務に資するものとして総務省令で定める情報を提供することができる。

Article 116-7 In response to a request by the certified association against cyber attacks on telecommunications facilities, the Minister for Internal Affairs and Communications may provide information specified by Order of the Ministry of Internal Affairs and Communications as information that is related to a telecommunications carrier and contributes to the operations against cyber attacks on telecommunications facilities, to the extent necessary for the certified association against cyber attacks on telecommunications facilities to properly conduct operations against cyber attacks on telecommunications

facilities.

(公示)

(Public Notice)

第百十六条の八 総務大臣は、第百十六条の二第一項の規定による認定をしたとき、同条第七項の変更の届出（同条第三項第一号に掲げる事項の変更に係るものに限る。）があつたとき、又は第百十六条の六第二項の規定により認定を取り消したとき、若しくは業務の全部若しくは一部の停止を命じたときは、総務省令で定めるところにより、その旨を公示しなければならない。

Article 116-8 If the Minister for Internal Affairs and Communications has made an approval under Article 116-2, paragraph (1), there is a notification of changes as set forth in paragraph (7) of that Article (limited to notifications related to changes in the particulars listed in item (i) of paragraph (3) of that Article), or the Minister has revoked the approval or ordered suspension of all or part of operations pursuant to the provisions of Article 116-6, paragraph (2), the Minister must issue a public notice to that effect pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

第三章 土地の使用等

Chapter III Use of Land and Other Matters

第一節 事業の認定

Section 1 Approval of Business

(事業の認定)

(Approval of Business)

第百十七条 電気通信回線設備を設置して電気通信役務を提供する電気通信事業を営む電気通信事業者又は当該電気通信事業を営もうとする者は、次節の規定の適用を受けようとする場合には、申請により、その電気通信事業の全部又は一部について、総務大臣の認定を受けることができる。

Article 117 (1) If a telecommunications carrier conducting telecommunications business in which it installs telecommunications line facilities and provides telecommunications services or a person intending to conduct that telecommunications business intends to have the provisions of the following Section applied to it, it may obtain the approval from the Minister for Internal Affairs and Communications for all or part of the telecommunications business by the way of an application.

2 前項の認定を受けようとする者は、総務省令で定めるところにより、次の事項を記載した申請書を総務大臣に提出しなければならない。

(2) A person that intends to obtain the approval set forth in the preceding paragraph must file a written application describing the following particulars with the Minister for Internal Affairs and Communications pursuant to the

provisions of Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) its name and address and, in cases of a corporation, the name of its representative;

二 申請に係る電気通信事業の業務区域

(ii) service areas of the telecommunications business subject to the application; and

三 申請に係る電気通信事業の用に供する電気通信設備の概要

(iii) outline of telecommunications facilities used for the telecommunications business subject to the application.

3 前項の申請書には、事業計画書その他総務省令で定める書類を添付しなければならない。

(3) The written application set forth in the preceding paragraph must be filed together with a business plan and other documents specified by Order of the Ministry of Internal Affairs and Communications.

(欠格事由)

(Grounds for Ineligibility)

第百十八条 次の各号のいずれかに該当する者は、前条第一項の認定を受けることができない。

Article 118 A person that falls under any of the following items may not obtain the approval set forth in paragraph (1) of the preceding Article:

一 この法律、有線電気通信法若しくは電波法又はこれらに相当する外国の法令の規定により罰金以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その執行を終わり、又はその執行を受けることがなくなつた日から二年を経過しない者

(i) a person that was sentenced to a fine or a heavier punishment (including punishment by equivalent foreign law) pursuant to the provisions of this Act, the Wire Telecommunications Act, the Radio Act, or other equivalent foreign law, if two years have not passed since the date on which the enforcement of that punishment was completed or became inapplicable;

二 第二百五条第二号に該当することにより認定がその効力を失い、その効力を失つた日から二年を経過しない者又は第二百六条第一項の規定により認定の取消しを受け、その取消しの日から二年を経過しない者

(ii) a person whose approval ceased to have effect as that person fell under Article 125, item (ii), if two years have not passed since the date on which the approval ceased to have effect; or a person whose approval was revoked pursuant to the provisions of Article 126, paragraph (1), if two years have not passed from the date of revocation;

三 法人又は団体であつて、その役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation or association for which any of its officers falls under either of the preceding two items; or

四 外国法人等であつて国内における代表者又は国内における代理人を定めていない者

(iv) a foreign corporation, organization, or individual that has not designated a domestic representative or domestic agent.

(認定の基準)

(Criteria for Approval)

第百十九条 総務大臣は、第百十七条第一項の認定の申請が次の各号のいずれにも適合していると認めるときでなければ、同項の認定をしてはならない。

Article 119 The Minister for Internal Affairs and Communications must not grant the approval set forth in Article 117, paragraph (1), unless the Minister finds that an application for the approval under that paragraph complies with all of the following items:

一 申請に係る電気通信事業を適確に遂行するに足りる経理的基礎及び技術的能力があること。

(i) the applicant has adequate financial stability and the technical capabilities to properly conduct the telecommunications business subject to the application;

二 申請に係る電気通信事業の計画が確実かつ合理的であること。

(ii) the plan of the telecommunications business subject to the application is reliable and reasonable; and

三 申請に係る電気通信事業を営むために必要とされる第九条の登録若しくは第十三条第一項の変更登録を受け、又は第十六条第一項、第四項（同条第六項の規定により読み替えて適用する場合を含む。）若しくは第五項の届出をしていること。

(iii) the applicant has obtained the registration set forth in Article 9 that is necessary for operating the telecommunications business subject to the application or the registration of change set forth in Article 13, paragraph (1), or has filed a notification set forth in Article 16, paragraph (1), (4) (including as applied pursuant to the provisions of paragraph (6) of that Article following the deemed replacement of terms), or (5).

(事業の開始の義務)

(Obligation to Start Business)

第百二十条 第百十七条第一項の認定を受けた者（以下「認定電気通信事業者」という。）は、総務大臣が指定する期間内に、その認定に係る電気通信事業（以下「認定電気通信事業」という。）を開始しなければならない。

Article 120 (1) A person that has obtained the approval set forth in Article 117, paragraph (1) (hereinafter referred to as an "approved telecommunications carrier") must start the telecommunications business subject to the approval

(hereinafter referred to as "approved telecommunications business") within the period designated by the Minister for Internal Affairs and Communications.

2 総務大臣は、特に必要があると認めるときは、第百十七条第二項第二号の業務区域を区分して前項の期間の指定をすることができる。

(2) If the Minister for Internal Affairs and Communications finds it particularly necessary, the Minister may divide the service areas set forth in Article 117, paragraph (2), item (ii) and designate the period set forth in the preceding paragraph for each divided service area.

3 総務大臣は、認定電気通信事業者から申請があつた場合において、正当な理由があると認めるときは、第一項の期間を延長することができる。

(3) The Minister for Internal Affairs and Communications may extend the period set forth in paragraph (1), if the application is filed from an approved telecommunications carrier and the Minister finds that there are justifiable grounds for it.

4 認定電気通信事業者は、認定電気通信事業（第二項の規定により業務区域を区分して期間の指定があつたときは、その区分に係る認定電気通信事業）を開始したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(4) If an approved telecommunications carrier has started an approved telecommunications business (or if the service areas were divided and the period was designated for each divided area pursuant to the provisions of paragraph (2), the approved telecommunications business related to the division), it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(提供義務)

(Obligation to Provide Services)

第百二十一条 認定電気通信事業者は、正当な理由がなければ、認定電気通信事業に係る電気通信役務の提供を拒んではならない。

Article 121 (1) Without justifiable grounds, an approved telecommunications carrier must not refuse to provide telecommunications services related to its approved telecommunications business.

2 総務大臣は、認定電気通信事業者が前項の規定に違反したときは、当該認定電気通信事業者に対し、利用者の利益又は公共の利益を確保するために必要な限度において、業務の方法の改善その他の措置をとるべきことを命ずることができる。

(2) If an approved telecommunications carrier has violated the provisions of the preceding paragraph, the Minister for Internal Affairs and Communications may order the approved telecommunications carrier to improve the methods of conducting its operations or take other measures, to the extent necessary for ensuring the interests of users or the public interest.

(変更の認定等)

(Approval of Changes)

第百二十二条 認定電気通信事業者は、第百十七条第二項第二号又は第三号の事項を変更しようとするときは、総務大臣の認定を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

Article 122 (1) If an approved telecommunications carrier intends to change the particulars set forth in Article 117, paragraph (2), item (ii) or (iii), it must obtain the approval from the Minister for Internal Affairs and Communications; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Internal Affairs and Communications.

2 認定電気通信事業者は、前項ただし書の総務省令で定める軽微な変更をしたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(2) If an approved telecommunications carrier has made minor changes specified by Order of the Ministry of Internal Affairs and Communications, as set forth in the proviso of the preceding paragraph, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

3 第百十七条第三項、第百十八条（第二号を除く。）及び第百十九条の規定は、第一項の認定について準用する。

(3) The provisions of Article 117, paragraph (3), Article 118 (excluding item (ii)), and Article 119 apply mutatis mutandis to the approval set forth in paragraph (1).

4 第百二十条の規定は、第一項の場合（業務区域の減少の場合を除く。）に準用する。この場合において、同条第一項中「第百十七条第一項」とあるのは、「第百二十二条第一項」と読み替えるものとする。

(4) The provisions of Article 120 apply mutatis mutandis to the cases set forth in paragraph (1) (except for cases in which the number of service areas is decreased). In this case, the term "Article 117, paragraph (1)" in paragraph (1) of that Article is deemed to be replaced with "Article 122, paragraph (1)".

5 認定電気通信事業者は、第百十七条第二項第一号の事項に変更があつたときは、遅滞なく、その旨を総務大臣に届け出なければならない。

(5) If an approved telecommunications carrier changes any of the particulars set forth in Article 117, paragraph (2), item (i), it must notify the Minister for Internal Affairs and Communications to that effect without delay.

(承継)

(Succession)

第百二十三条 認定電気通信事業者が死亡した場合においては、その相続人（相続人が二人以上ある場合においてその協議により当該認定電気通信事業を承継すべき相続人を定めたときは、その者）が被相続人たる認定電気通信事業者の地位を承継する。

Article 123 (1) If an approved telecommunications carrier dies, the heir (or, if one particular heir has been selected from among two or more heirs as the successor of the approved telecommunications business by agreement among

the heirs, that selected heir) succeeds to the status of the approved telecommunications carrier that the decedent had.

2 前項の相続人が被相続人の死亡後六十日以内にその相続について総務大臣の認可を申請しない場合又は同項の相続人がしたその申請に対し認可をしない旨の処分があつた場合には、その期間の経過した時又はその処分があつた時に、当該認定電気通信事業の認定は、その効力を失う。

(2) If an heir set forth in the preceding paragraph does not apply for the authorization from the Minister for Internal Affairs and Communications with regard to succession within sixty days from the death of the decedent, or a decision not to authorize an application from the heir as set forth in that paragraph is rendered, the approval of the approved telecommunications business ceases to have effect at the time when the period has passed or when the decision is rendered.

3 認定電気通信事業者たる法人が合併又は分割（認定電気通信事業の全部を承継させるものに限る。）をしたときは、合併後存続する法人若しくは合併により設立された法人又は分割により当該認定電気通信事業の全部を承継した法人は、総務大臣の認可を受けて認定電気通信事業者の地位を承継することができる。

(3) If a corporation having the status as an approved telecommunications carrier has conducted a merger or split (limited to a split resulting in the succession to all of approved telecommunications business), a corporation surviving after the merger or newly established upon the merger, or a corporation that has succeeded to all of the approved telecommunications business upon the split may succeed to the status as an approved telecommunications carrier with the authorization from the Minister for Internal Affairs and Communications.

4 認定電気通信事業者が認定電気通信事業の全部の譲渡をしたときは、当該認定電気通信事業の全部を譲り受けた者は、総務大臣の認可を受けて認定電気通信事業者の地位を承継することができる。

(4) If an approved telecommunications carrier has transferred all of its approved telecommunications business, the person that has acquired all of the approved telecommunications business through the transfer may succeed to the status as an approved telecommunications carrier with authorization from the Minister for Internal Affairs and Communications.

5 第百十八条及び第百十九条の規定は、前三項の認可について準用する。

(5) The provisions of Articles 118 and 119 apply mutatis mutandis to the authorization set forth in the preceding three paragraphs.

（事業の休止及び廃止）

(Suspension and Discontinuation of Business)

第百二十四条 認定電気通信事業者は、認定電気通信事業の全部又は一部を休止し、又は廃止したときは、遅滞なく、その旨を総務大臣に届け出なければならない。

Article 124 (1) If an approved telecommunications carrier suspends or

discontinues all or part of its approved telecommunications business, it must notify the Minister for Internal Affairs and Communications to that effect without delay.

2 前項の休止の期間は、一年を超えてはならない。

(2) The period of suspension set forth in the preceding paragraph must not exceed one year.

(認定の失効)

(Lapse of Approval)

第二百五条 認定電気通信事業者が次の各号のいずれかに該当するに至ったときは、その認定は、その効力を失う。

Article 125 If an approved telecommunications carrier falls under any of the following items, its approval ceases to have effect:

一 第十二条の二第一項の規定により登録がその効力を失ったとき。

(i) if the registration ceases to have effect pursuant to the provisions of Article 12-2, paragraph (1);

二 第十四条第一項の規定により登録を取り消されたとき。

(ii) if the registration of the approved telecommunications carrier is revoked pursuant to the provisions of Article 14, paragraph (1); or

三 認定電気通信事業の全部を廃止したとき。

(iii) if the approved telecommunications carrier discontinues all of its telecommunications business.

(認定の取消し)

(Revocation of Approval)

第二十六条 総務大臣は、認定電気通信事業者が次の各号のいずれかに該当するときは、その認定を取り消すことができる。

Article 126 (1) If an approved telecommunications carrier falls under any of the following items, the Minister for Internal Affairs and Communications may revoke its approval:

一 第一百八条第一号、第三号又は第四号に該当するに至ったとき。

(i) if the approved telecommunications carrier falls under Article 118, item (i), (iii), or (iv);

二 第二百十条第一項の規定により指定した期間（同条第三項の規定による延長があったときは、延長後の期間）内に認定電気通信事業を開始しないとき。

(ii) if the approved telecommunications carrier does not commence its approved telecommunications business within the period designated pursuant to the provisions of Article 120, paragraph (1) (or if the period has been extended pursuant to the provisions of paragraph (3) of that Article, within the extended period); or

三 前二号に規定する場合のほか、認定電気通信事業者がこの法律又はこの法律に基

づく命令若しくは処分に違反した場合において、公共の利益を阻害すると認めるとき。

(iii) beyond what is provided for in the preceding two items, if the approved telecommunications carrier violates this Act or any order or disposition made under this Act, and this is found to hinder the public interest.

2 総務大臣は、前項の規定により認定を取り消したときは、文書によりその理由を付して通知しなければならない。

(2) If the Minister for Internal Affairs and Communications revokes approval pursuant to the provisions of the preceding paragraph, the Minister must notify the approved telecommunications carrier to that effect in writing together with the reasons.

(変更の認定の取消し)

(Revocation of Approval of Changes)

第二百二十七条 総務大臣は、第二百二十二条第一項の規定により第百十七条第二項第二号又は第三号の事項の変更の認定を受けた認定電気通信事業者が、第二百二十二条第四項において準用する第二百十条第一項の規定により指定した期間（第二百二十二条第四項において準用する第二百十条第三項の規定による延長があつたときは、延長後の期間）内にその事項を変更しないときは、その認定を取り消すことができる。

Article 127 (1) If an approved telecommunications carrier that has obtained the approval of a change in the particulars set forth in Article 117, paragraph (2), item (ii) or (iii), pursuant to the provisions of Article 122, paragraph (1), does not change the particulars within the period designated pursuant to the provisions of Article 120, paragraph (1) as applied mutatis mutandis pursuant to Article 122, paragraph (4) (or if the period has been extended pursuant to the provisions of Article 120, paragraph (3) as applied mutatis mutandis pursuant to Article 122, paragraph (4), within the extended period), the Minister for Internal Affairs and Communications may revoke its approval.

2 前条第二項の規定は、前項の場合に準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the cases set forth in the preceding paragraph.

第二節 土地の使用

Section 2 Use of Land

(土地等の使用权)

(Right to Use Land)

第二百二十八条 認定電気通信事業者は、認定電気通信事業の用に供する線路及び空中線（主として一の構内（これに準ずる区域を含む。）又は建物内（以下この項において「構内等」という。）にいる者の通信の用に供するため当該構内等に設置する線路及び空中線については、公衆の通行し、又は集合する構内等に設置するものに限

る。)並びにこれらの附属設備(以下この節において「線路」と総称する。)を設置するため他人の土地及びこれに定着する建物その他の工作物(国有財産法(昭和二十三年法律第七十三号)第三条第二項に規定する行政財産、地方自治法(昭和二十二年法律第六十七号)第二百三十八条第三項に規定する行政財産その他政令で定めるもの(第四項において「行政財産等」という。))を除く。以下「土地等」という。)を利用することが必要かつ適当であるときは、総務大臣の認可を受けて、その土地等の所有者(所有権以外の権原に基づきその土地等を使用する者があるときは、その者及び所有者。以下同じ。)に対し、その土地等を使用する権利(以下「使用権」という。)の設定に関する協議を求めることができる。第三項の存続期間が満了した後に、その期間を延長して使用しようとするときも、同様とする。

- Article 128 (1) If it is necessary and appropriate to use other persons' land, buildings, or other structures affixed to them (except for administrative properties prescribed in Article 3, paragraph (2) of the National Property Act (Act No. 73 of 1948), administrative properties prescribed in Article 238, paragraph (3) of the Local Autonomy Act (Act No. 67 of 1947) and other properties specified by Cabinet Order (referred to as "administrative or other prescribed properties" in paragraph (4)); hereinafter referred to as the "land, buildings, or other structures") in order to install the wires, cables and antennas (limited to the wires, cables, and antennas that are installed in a single premises (including the area equivalent to the premises) or in a single building (hereinafter referred to as the "premises or building" in this paragraph) which the public passes through or assembles at, if the wires, cables, and antennas are installed within the premises or building primarily for the use of communications for persons who are in the premises or building) and other facilities accessory to them (hereinafter referred to collectively as "telecommunications lines" in this Section) for the use of an approved telecommunications business, an approved telecommunications carrier may request that the owner of the land, buildings, or other structures (or if there is a person that uses the land, buildings, or other structures in question based on their title other than ownership, the person and the owner; hereinafter the same applies) hold negotiations related to the establishment of the right to use them (hereinafter referred to as "right to use"), with the authorization of the Minister for Internal Affairs and Communications. The same applies if an approved telecommunications carrier intends to extend the duration of the right to use as set forth in paragraph (3) and continue using the land, buildings, or other structures after the end of that duration of the right.
- 2 前項の認可は、認定電気通信事業者がその土地等の利用を著しく妨げない限度において使用する場合にすることができる。ただし、他の法律によつて土地等を収用し、又は使用することができる事業の用に供されている土地等にあつてはその事業のための土地等の利用を妨げない限度において利用する場合に限り、建物その他の工作物にあつては線路を支持するために利用する場合に限る。

- (2) The authorization set forth in the preceding paragraph may be granted if an approved telecommunications carrier uses the land, buildings, or other structures to an extent which does not seriously impair another person's use of them; provided, however, that in cases of land, buildings, or other structures that are used for business in which they may be expropriated or used pursuant to the provisions of any other law, the authorization may be granted as long as the use of the land, buildings, or other structures in question does not obstruct their use for that business; and in cases of buildings and other structures, the authorization may be granted as long as they are used to support the telecommunications lines.
- 3 第一項の使用権の存続期間は、十五年（地下ケーブルその他の地下工作物又は鉄鋼若しくはコンクリート造の地上工作物の設置を目的とするものにあつては、五十年）とする。ただし、同項の協議又は第三百三十二条第二項若しくは第三項の裁定においてこれより短い期間を定めたときは、この限りでない。
- (3) The duration of the right to use as set forth in paragraph (1) is fifteen years (or fifty years if the purpose of use is to establish underground cables or other underground structures, or to establish aboveground structures made of steel or concrete); provided, however, that this does not apply if a shorter duration is set as a result of negotiations set forth in that paragraph or a ruling set forth in Article 132, paragraph (2) or (3).
- 4 総務大臣は、第一項の認可の申請があつた場合において、必要があると認めるときは、その土地等の所有者（その土地等が行政財産等に定着する建物その他の工作物であるときは、当該行政財産等を管理する者その他の政令で定める者を含む。次項並びに第三百十条第一項及び第三百十一条において同じ。）の意見を聴くものとする。
- (4) If an application for authorization set forth in paragraph (1) is filed and the Minister for Internal Affairs and Communications finds it necessary to do so, the Minister is to hear the opinions of the owner of the land, buildings, or other structures (the owner includes the administrator of administrative or other prescribed properties or any other person specified by Cabinet Order, if the thing in question is a building or any other structure that is affixed to the administrative or other prescribed properties; the same applies in the following paragraph, Article 130, paragraph (1), and Article 131).
- 5 総務大臣は、第一項の認可をしたときは、その旨をその土地等の所有者に通知するとともに、これを公告しなければならない。
- (5) If the Minister for Internal Affairs and Communications has granted authorization set forth in paragraph (1), the Minister must notify the owner of the land, buildings, or other structures to that effect, and issue a public notice of it.
- 6 第一項の協議が調つた場合には、認定電気通信事業者及び土地等の所有者は、総務省令で定めるところにより、その協議において定めた事項を総務大臣に届け出るものとする。

(6) If an agreement is reached on the negotiations set forth in paragraph (1), the approved telecommunications carrier and the owner of the land, buildings, or other structures are to notify the Minister for Internal Affairs and Communications of the particulars decided through those negotiations, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

7 前項の届出があつたときは、その届け出たところに従い、認定電気通信事業者がその土地等の使用権を取得し、又は当該使用権の存続期間が延長されるものとする。

(7) If the notification set forth in the preceding paragraph is filed, the approved telecommunications carrier is to acquire the right to use the land, buildings, or other structures, or the duration of the right to use them is to be extended, in accordance with that notification.

8 認定電気通信事業者及び土地等の所有者は、その合意により、使用権を消滅させることができる。この場合においては、遅滞なく、その旨を総務大臣に届け出なければならない。

(8) The approved telecommunications carrier and the owner of the land, buildings, or other structures may extinguish the right to use through an agreement. In this case, they must notify the Minister for Internal Affairs and Communications to that effect without delay.

(裁定の申請)

(Application for Arbitration)

第二百二十九条 前条第一項の規定による協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者は、総務省令で定める手続に従い、その土地等の使用について、総務大臣の裁定を申請することができる。ただし、同項の認可があつた日から三月を経過したときは、この限りでない。

Article 129 (1) If negotiations under paragraph (1) of the preceding Article fail or cannot be conducted, an approved telecommunications carrier may apply to the Minister for Internal Affairs and Communications for a ruling on the use of the land, buildings, or other structures in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications; provided, however, that this does not apply to cases in which three months have passed since the date on which the authorization set forth in that paragraph was granted.

2 認定電気通信事業者は、使用権の存続期間の延長について前項の規定により裁定を申請したときは、その裁定があるまでは、引き続きその土地等を使用することができる。

(2) If an approved telecommunications carrier applies for a ruling on extension of the duration of the right to use pursuant to the provisions of the preceding paragraph, it may continue using the land, buildings, or other structures until the ruling is rendered.

(裁定)

(Rulings)

第百三十条 総務大臣は、前条第一項の規定による裁定の申請を受理したときは、三日以内に、その申請書の写しを当該市町村長に送付するとともに、土地等の所有者に裁定の申請があつた旨を通知しなければならない。

Article 130 (1) If the Minister for Internal Affairs and Communications has received an application for a ruling under paragraph (1) of the preceding Article, within three days, the Minister must send a copy of the application to the mayor of the municipality, and notify the owner of the land, buildings, or other structures to the effect that the application for a ruling has been filed.

2 市町村長は、前項の書類を受け取つたときは、三日以内に、その旨を公告し、公告の日から一週間、これを公衆の縦覧に供しなければならない。

(2) If the mayor of the municipality receives the documents set forth in the preceding paragraph, the mayor must issue a public notice to that effect within three days, and must make the documents available for public inspection one week from the date of that public notice.

3 市町村長は、前項の規定による公告をしたときは、公告の日を総務大臣に報告しなければならない。

(3) If the mayor of the municipality issues the public notice under the preceding paragraph, the mayor must report the date of that public notice to the Minister for Internal Affairs and Communications.

4 前三項の規定の適用については、これらの規定中「市町村長」とあるのは、特別区のある地にあつては「特別区の区長」と、地方自治法第二百五十二条の十九第一項の指定都市にあつては「区長又は総合区長」とする。

(4) With regard to the application of the provisions of the preceding three paragraphs, the term "mayor of the municipality" in those provisions is deemed to be replaced with "mayor of the special ward" for a place where a special ward exists; and with "mayor of the ward or mayor of consolidated ward" for a designated city prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act.

第百三十一条 前条第二項の規定による公告があつたときは、土地等の所有者その他利害関係人は、公告の日から十日以内に、総務大臣に意見書を提出することができる。

Article 131 If a public notice is issued pursuant to the provisions of paragraph (2) of the preceding Article, the owner of the land, buildings, or other structures or any other interested persons may file their written opinions with the Minister for Internal Affairs and Communications within ten days from the date of the public notice.

第百三十二条 総務大臣は、前条の期間が経過した後、速やかに、裁定をしなければな

らない。

Article 132 (1) The Minister for Internal Affairs and Communications must render a ruling promptly after the period set forth in the preceding Article has passed.

2 使用権を設定すべき旨を定める裁定においては、次の事項を定めなければならない。

(2) A ruling which determines that the right to use should be established must specify the following particulars:

一 使用権を設定すべき土地等の所在地及びその範囲

(i) the location and scope of the land, buildings, or other structures on or across which the right to use is to be established;

二 線路の種類及び数

(ii) the type and number of telecommunications lines;

三 使用開始の時期

(iii) the scheduled starting date of use;

四 使用権の存続期間を定めたときは、その期間

(iv) the duration of the right to use, if that duration has been determined; and

五 対価の額並びにその支払の時期及び方法

(v) the amount of consideration and the time and means of payment.

3 使用権の存続期間を延長すべき旨を定める裁定においては、延長する期間（延長に際し前項第五号に掲げる事項を変更するときは、延長する期間及び当該変更後の同号に掲げる事項）を定めなければならない。

(3) A ruling which determines that the duration of the right to use should be extended must specify the extended period (or if the particulars listed in item (v) of the preceding paragraph are changed at the time of extending the period, the extended period and the particulars listed in that item after the change).

4 総務大臣は、第二項第五号に掲げる事項（前項に規定する変更後のものを含む。）については、あらかじめその土地等の所在する都道府県の収用委員会の意見を聴き、これに基づいて裁定しなければならない。この場合において、同号の対価の額の基準は、その使用により通常生ずる損失を償うように、線路及び土地等の種類ごとに政令で定める。

(4) The Minister for Internal Affairs and Communications must hear the opinions of the expropriation committee in the prefecture which has jurisdiction over the land, buildings, or other structures on the particulars listed in paragraph (2), item (v) (including the particulars set forth in the preceding paragraph after the change), in advance, and render a ruling based on those opinions. In this case, the standards of the consideration set forth in that item are specified by Cabinet Order for each type of telecommunications lines and land, buildings, or other structures to cover losses which may generally arise from their use.

5 総務大臣は、第二百二十九条第一項の裁定をしたときは、遅滞なく、その旨を認定電気通信事業者及び土地等の所有者に通知するとともに、これを公告しなければならない。

(5) If the Minister for Internal Affairs and Communications renders a ruling set forth in Article 129, paragraph (1), the Minister must notify the approved telecommunications carrier and the owner of the land, buildings, or other structures to that effect without delay, and must issue a public notice of it.

6 使用権を設定すべき旨を定める裁定があつたときは、その裁定において定められた使用開始の時期に、認定電気通信事業者は、その土地等の使用権を取得するものとする。

(6) If a ruling which determines that the right to use should be established is rendered, the approved telecommunications carrier is to acquire the right to use the land, buildings, or other structures on the scheduled starting date of use as specified in the ruling.

7 使用権の存続期間を延長すべき旨を定める裁定があつたときは、当該使用権の存続期間は、その裁定において定められた期間延長されるものとする。

(7) If a ruling which determines that the duration of the right to use should be extended is rendered, the duration of the right to use is to be extended for the period specified in the ruling.

8 第三十五条第八項から第十項までの規定は、第二百二十九条第一項の裁定について準用する。この場合において、第三十五条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは、「対価の額」と読み替えるものとする。

(8) The provisions of Article 35, paragraphs (8) through (10) apply mutatis mutandis to the ruling set forth in Article 129, paragraph (1). In this case, the term "the amount of money to be received or paid by the party (or parties)" in Article 35, paragraph (8) and paragraph (10) is deemed to be replaced with "the amount of consideration".

(土地等の一時使用)

(Temporary Use of Land, Buildings, or Other Structures)

第百三十三条 認定電気通信事業者は、認定電気通信事業の実施に関し、次に掲げる目的のため他人の土地等を利用することが必要であつて、やむを得ないときは、その土地等の利用を著しく妨げない限度において、一時これを使用することができる。ただし、建物その他の工作物にあつては、線路を支持するために利用する場合に限る。

Article 133 (1) An approved telecommunications carrier may use another person's land, buildings, or other structures temporarily to the extent that this does not seriously obstruct that person's use, if using them for the purposes listed below is necessary and unavoidable in relation to conducting its approved telecommunications business; provided, however, that, in the cases of buildings or other structures, that use is limited to the purpose of supporting telecommunications lines:

一 線路に関する工事の施行のため必要な資材及び車両の置場並びに土石の捨場の設置

(i) establishing the sites for materials and vehicles and dump-sites for soil and

stone that are necessary for conducting telecommunications line installation;
二 天災、事変その他の非常事態が発生した場合その他特にやむを得ない事由がある場合における重要な通信を確保するための線路その他の電気通信設備の設置

(ii) establishing telecommunications lines and other telecommunications facilities necessary for securing essential communications in cases in which a natural disaster, serious event, or any other emergency has occurred or other cases in which any particularly compelling reasons exist; or

三 測標の設置

(iii) setting up land survey markings.

2 認定電気通信事業者は、前項の規定により他人の土地等を一時使用しようとするときは、総務大臣の許可を受けなければならない。ただし、天災、事変その他の非常事態が発生した場合において十五日以内の期間一時使用するときは、この限りでない。

(2) If an approved telecommunications carrier intends to use another person's land, buildings, or other structures temporarily pursuant to the provisions of the preceding paragraph, it must obtain permission of the Minister for Internal Affairs and Communications; provided, however, that this does not apply to temporary use for a period not exceeding fifteen days in the event of a natural disaster, serious event, or any other emergency.

3 認定電気通信事業者は、第一項の規定により他人の土地等を一時使用しようとするときは、あらかじめ、土地等の占有者に通知しなければならない。ただし、あらかじめ通知することが困難なときは、使用開始の後、遅滞なく、通知することをもつて足りる。

(3) If an approved telecommunications carrier intends to use another person's land, buildings, or other structures temporarily pursuant to the provisions of paragraph (1), it must notify their possessor to that effect in advance; provided, however, that, if the notification is difficult to file in advance, it is sufficient for the approved telecommunications carrier to notify the possessor to that effect without delay after the carrier starts to use them.

4 第一項の規定により一時使用しようとする土地等が居住の用に供されているときは、その居住者の承諾を得なければならない。

(4) If the land, buildings, or other structures that an approved telecommunications carrier intends to use temporarily pursuant to the provisions of paragraph (1) are currently in use as part of a residence, the carrier must obtain the consent of the resident staying there.

5 第一項の規定による一時使用の期間は、六月（同項第二号に規定する場合において仮線路又は測標を設置したときは、一年）を超えることができない。

(5) The period of temporary use under paragraph (1) may not exceed six months (or if temporary telecommunications lines or land survey markings have been set up in the cases set forth in item (ii) of that paragraph, one year).

6 第一項の規定による一時使用のため他人の土地等に立ち入る者は、第二項の許可を受けたことを証する書面（同項ただし書の場合にあつては、その身分を示す証明書）

を携帯し、関係人に提示しなければならない。

- (6) A person that enters another person's land, buildings, or other structures for the purpose of temporary use under paragraph (1) must carry a document certifying that the person has obtained the permission set forth in paragraph (2) (or in the cases of the proviso of that paragraph, a certificate for identification) and must show it to the persons concerned.

(土地の立入り)

(Entry into Land)

第三百三十四条 認定電気通信事業者は、線路に関する測量、実地調査又は工事のため必要があるときは、他人の土地に立ち入ることができる。

Article 134 (1) An approved telecommunications carrier may enter another person's land if it is necessary to do so in order to conduct a survey, on-site investigation, or installation of telecommunications lines.

2 前条第二項から第四項まで及び第六項の規定は、認定電気通信事業者が前項の規定により他人の土地に立ち入る場合について準用する。

- (2) The provisions of paragraphs (2) through (4) and paragraph (6) of the preceding Article apply mutatis mutandis if an approved telecommunications carrier enters another person's land pursuant to the provisions of the preceding paragraph.

(通行)

(Passage)

第三百三十五条 認定電気通信事業者は、線路に関する工事又は線路の維持のため必要があるときは、他人の土地を通行することができる。

Article 135 (1) An approved telecommunications carrier may pass through another person's land if it is necessary to do so in order to conduct telecommunications line installation or maintenance.

2 第六十九条第四項並びに第三百三十三条第三項及び第四項の規定は、認定電気通信事業者が前項の規定により他人の土地を通行する場合について準用する。

- (2) The provisions of Article 69, paragraph (4) and Article 133, paragraphs (3) and (4) apply mutatis mutandis if an approved telecommunications carrier passes through another person's land pursuant to the provisions of the preceding paragraph.

(植物の伐採)

(Clearing Plants)

第三百三十六条 認定電気通信事業者は、植物が線路に障害を及ぼし、若しくは及ぼすおそれがある場合又は植物が線路に関する測量、実地調査若しくは工事に支障を及ぼす場合において、やむを得ないときは、総務大臣の許可を受けて、その植物を伐採し、又は移植することができる。

Article 136 (1) If plants cause or are likely to cause an obstruction to telecommunications lines, or hinder surveys, on-site investigations, or installation of telecommunications lines, and if it is unavoidable to do so, an approved telecommunications carrier may clear or move the plants with the permission of the Minister for Internal Affairs and Communications.

2 認定電気通信事業者は、前項の規定により植物を伐採し、又は移植するときは、あらかじめ、植物の所有者に通知しなければならない。ただし、あらかじめ通知することが困難なときは、伐採又は移植の後、遅滞なく、通知することをもつて足りる。

(2) If an approved telecommunications carrier clears or moves plants pursuant to the provisions of the preceding paragraph, it must notify the owner of the plants to that effect in advance; provided, however, that, if the notification is difficult to make in advance, it is sufficient for the approved telecommunications carrier to notify the owner without delay after clearing or moving the plants.

3 認定電気通信事業者は、植物が線路に障害を及ぼしている場合において、その障害を放置するときは、線路を著しく損壊し、通信の確保に重大な支障を生ずると認められるときは、第一項の規定にかかわらず、総務大臣の許可を受けずに、その植物を伐採し、又は移植することができる。この場合においては、伐採又は移植の後、遅滞なく、その旨を総務大臣に届け出るとともに、植物の所有者に通知しなければならない。

(3) Notwithstanding the provision of paragraph (1), if the plants cause an obstruction to telecommunications lines and an approved telecommunications carrier finds that these plants will seriously damage the telecommunications lines and hinder the securing of communications in the case of leaving the obstruction unsolved, it may clear or move the plants without the permission of the Minister for Internal Affairs and Communications. In this case, the approved telecommunications carrier must notify the Minister for Internal Affairs and Communications to that effect, and notify the owner of the plants of it without delay after clearing or transplanting the plants.

(損失補償)

(Compensation for Losses)

第百三十七条 認定電気通信事業者は、第百三十三条第一項の規定により他人の土地等を一時使用し、第百三十四条第一項の規定により他人の土地に立ち入り、第百三十五条第一項の規定により他人の土地を通行し、又は前条第一項若しくは第三項の規定により植物を伐採し、若しくは移植したことによつて損失を生じたときは、損失を受けた者に対し、これを補償しなければならない。

Article 137 (1) If an approved telecommunications carrier has caused losses by temporarily using another person's land, buildings, or other structures pursuant to the provisions of Article 133, paragraph (1), by entering another person's land pursuant to the provisions of Article 134, paragraph (1), by

passing through another person's land pursuant to the provisions of Article 135, paragraph (1), or by clearing or moving plants pursuant to the provisions of paragraph (1) or (3) of the preceding Article, it must compensate the person for any losses that person has suffered.

2 前項の規定による損失の補償について、認定電気通信事業者と損失を受けた者との間に協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者又は損失を受けた者は、総務省令で定める手続に従い、都道府県知事の裁定を申請することができる。

(2) If negotiations on compensation for losses under the preceding paragraph between an approved telecommunications carrier and a person that has suffered the losses fail or cannot be conducted, the approved telecommunications carrier or the person that has suffered the losses may file an application for a ruling with the prefectural governor, in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications.

3 第三十五条第五項から第十項までの規定は、前項の裁定について準用する。この場合において、同条第五項中「総務大臣」とあるのは「都道府県知事」と、「答弁書」とあるのは「答弁書（損失を受けた者に通知する場合にあつては、意見書）」と、同条第六項中「総務大臣」とあるのは「都道府県知事」と、同条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは「補償金の額」と読み替えるものとする。

(3) The provisions of Article 35, paragraphs (5) through (10) apply mutatis mutandis to the ruling set forth in the preceding paragraph. In this case, the term "the Minister for Internal Affairs and Communications" and the term "written answers" in paragraph (5) of that Article are deemed to be replaced with "the prefectural governor" and "written answers (or written opinions when notifying the person that has suffered the loss)", respectively; the term "the Minister for Internal Affairs and Communications" in paragraph (6) of that Article is deemed to be replaced with "the prefectural governor"; and the term "the amount of money to be received or paid by the party (or parties)" in paragraph (8) and paragraph (10) of that Article is deemed to be replaced with "the amount of compensation".

4 損失の補償をすべき旨を定める裁定においては、補償金の額並びにその支払の時期及び方法を定めなければならない。

(4) A ruling which determines that compensation should be paid must specify the amount of compensation and the date and method of the payment.

(線路の移転等)

(Relocation of Telecommunications lines)

第三百三十八条 使用権に基づいて線路が設置されている土地等又はこれに近接する土地等の利用の目的又は方法が変更されたため、その線路が土地等の利用に著しく支障を

及ぼすようになったときは、その土地等の所有者は、認定電気通信事業者に、線路の移転その他支障の除去に必要な措置をすべきことを請求することができる。

Article 138 (1) If the purpose or methods of using land, buildings, or other structures on which telecommunications lines are installed based on the right to use them or the purpose or methods of using land, buildings, or other structures adjacent to them has been changed and thereby the telecommunications lines seriously hinder the use of the land, buildings, or other structures in question, their owner may request that the approved telecommunications carrier relocate the telecommunications lines or otherwise take measures necessary to remove the hindrance.

2 認定電気通信事業者は、前項の措置が業務の遂行上又は技術上著しく困難な場合を除き、同項の措置をしなければならない。

(2) The approved telecommunications carrier must take the measures set forth in the preceding paragraph, except for cases in which it is extremely difficult to take the measures set forth in the preceding paragraph for conducting its operations, or from a technical perspective.

3 第一項の措置について、認定電気通信事業者と土地等の所有者との間に協議が調わないとき、又は協議をすることができないときは、認定電気通信事業者又は土地等の所有者は、総務省令で定める手続に従い、総務大臣の裁定を申請することができる。

(3) If negotiations between the approved telecommunications carrier and the owner of the land, buildings, or other structures on the measures set forth in paragraph (1) fail or cannot be conducted, the carrier or the owner may apply to the Minister for Internal Affairs and Communications for a ruling, in accordance with the procedures specified by Order of the Ministry of Internal Affairs and Communications.

4 第百三十条、第百三十一条並びに第百三十二条第一項及び第五項の規定は、前項の裁定について準用する。

(4) The provisions of Article 130, Article 131, and Article 132, paragraphs (1) and (5) apply mutatis mutandis to the ruling set forth in the preceding paragraph.

5 第一項の措置をすべき旨を定める裁定においては、その措置に要する費用の全部又は一部を土地等の所有者が負担すべき旨を定めることができる。

(5) A ruling which determines that the measures set forth in paragraph (1) should be taken may specify that all or part of the cost of the measures is to be borne by the owner of the land, buildings, or other structures.

6 第一項の措置をすべき旨を定める裁定においては、その措置をすべき時期（前項の場合にあつては、その時期並びに土地等の使用者が負担すべき費用の額、支払の時期及び支払の方法）を定めなければならない。

(6) A ruling which determines that the measures set forth in paragraph (1) should be taken must specify the date when those measures should be taken (or in the case set forth in the preceding paragraph, the date when those measures should be taken, and the amount, date and means of payment of the

money to be borne by the owner of the land, buildings, or other structures).

7 第四項において準用する第百三十二条第五項の規定による公告があつたときは、裁定の定めるところに従い、認定電気通信事業者と土地等の所有者との間に協議が調つたものとみなす。

(7) If a public notice has been issued pursuant to the provisions of Article 132, paragraph (5) as applied mutatis mutandis pursuant to paragraph (4), the negotiations between the approved telecommunications carrier and the owner of the land, buildings, or other structures are deemed to have reached an agreement in accordance with the ruling.

8 第三十五条第八項から第十項までの規定は、第三項の裁定について準用する。この場合において、同条第八項及び第十項中「当事者が取得し、又は負担すべき金額」とあるのは、「費用の負担の額」と読み替えるものとする。

(8) The provisions of Article 35, paragraphs (8) through (10) apply mutatis mutandis to the ruling set forth in paragraph (3). In this case, the term "the amount of money to be received or paid by the party (or parties)" in paragraphs (8) and (10) of that Article is deemed to be replaced with "the amount of costs to be borne".

(原状回復の義務)

(Obligation of Restoration)

第百三十九条 認定電気通信事業者は、土地等の使用を終わつたとき、又はその使用する土地等を認定電気通信事業の用に供する必要がなくなつたときは、その土地等を原状に回復し、又は原状に回復しないことによつて生ずる損失を補償して、これを返還しなければならない。

Article 139 If an approved telecommunications carrier has ended the use of land, buildings, or other structures or it becomes unnecessary to use land, buildings, or other structures for its approved telecommunications business, the carrier must return that land, buildings, or other structures after restoring them or compensating for the losses arising from not restoring them.

(公用水面の使用)

(Use of Public Waters)

第百四十条 認定電気通信事業者は、公共の用に供する水面（以下「水面」という。）に認定電気通信事業の用に供する水底線路（以下「水底線路」という。）を敷設しようとするときは、あらかじめ、次の事項を総務大臣及び関係都道府県知事（漁業法（昭和二十四年法律第二百六十七号）第百八十三条の規定により農林水産大臣が自ら都道府県知事の権限を行う漁場たる水面については、農林水産大臣を含む。）に届け出なければならない。

Article 140 (1) If an approved telecommunications carrier intends to lay an underwater cable to be used for its approved telecommunications business (hereinafter referred to as an "underwater cable") under any surface of water

used for public purposes (hereinafter referred to as "waters"), in advance, it must notify the Minister for Internal Affairs and Communications and the relevant prefectural governor (including the Minister of Agriculture, Forestry and Fisheries, if the waters are fishing grounds over which the Minister of Agriculture, Forestry and Fisheries exercises the authorities of the prefectural governor pursuant to the provisions of Article 183 of the Fishery Act (Act No. 267 of 1949); the same applies in the following paragraph) of the following particulars:

一 水底線路の位置及び次条第一項の申請をしようとする区域

(i) locations of the underwater cable and areas for which the approved telecommunications carrier intends to file the application set forth in paragraph (1) of the following Article;

二 工事の開始及び完了の時期

(ii) date of the start and completion of the installation work; and

三 工事の概要

(iii) outline of the installation work.

2 関係都道府県知事は、前項の規定による届出があつた場合において、漁業権（漁業法による漁業権をいう。以下同じ。）に関する利害関係人若しくは同項第一号の区域において次条第四項の政令で定める漁業を現に適法に行つている者の意見により、又は漁業に対する影響を勘案して、前項の届出に係る事項を変更する必要があると認めるときは、他の関係都道府県知事がある場合にあつては必要な協議を行つた上、届出があつた日から三十日以内に、その旨を総務大臣及び当該認定電気通信事業者に通知することができる。

(2) If a notification is filed pursuant to the provisions of the preceding paragraph and the relevant prefectural governor finds it necessary to change the particulars related to the notification set forth in the preceding paragraph, based on the opinions of the interested persons related to the fishing rights (meaning fishing rights under the Fishery Act; hereinafter the same applies) or those of any persons actually and lawfully engaged in fishing operations specified by Cabinet Order as set forth in paragraph (4) of the following Article within the area set forth in item (i) of the preceding paragraph, or in consideration of the impact to fishing operations, after conducting the necessary negotiations with any other relevant prefectural governors, the governor may notify the Minister for Internal Affairs and Communications and the approved telecommunications carrier to that effect within thirty days from the date on which the notification was filed.

3 漁業法第六十六条の規定は、前項の規定による通知について準用する。この場合において、同条中「次の各号のいずれか」とあるのは「第二号」と、「都道府県知事」とあるのは「電気通信事業法第百四十条第一項の規定による届出を受けた関係都道府県知事」と読み替えるものとする。

(3) The provisions of Article 66 of the Fishery Act apply mutatis mutandis to the

notification under the preceding paragraph. In this case, the term "any of the following items" in that Article is deemed to be replaced with "item (ii)", and the term "the prefectural governor" in that Article is deemed to be replaced with "the relevant prefectural governor that received the notification under Article 140, paragraph (1) of the Telecommunications Business Act".

4 認定電気通信事業者は、第二項の規定による通知を受けた場合には、当該事項を変更しなければならない。ただし、当該事項の変更がその業務の遂行上著しい支障がある場合において、その変更を要しない旨の総務大臣の認可を受けたときは、その事項については、この限りでない。

(4) If an approved telecommunications carrier has received a notification under paragraph (2), it must change the particulars; provided, however, that this does not apply for the relevant provisions if changing those particulars seriously hinders the conduct of its operations and the authorization to the effect that the changes to those particulars are not necessary is obtained from the Minister for Internal Affairs and Communications.

(水底線路の保護)

(Protection of Underwater Cables)

第四百十一条 総務大臣は、認定電気通信事業者の申請があつた場合において、前条に定める敷設の経路を経た水底線路を保護するため必要があるときは、その水底線路から千メートル（河川法（昭和三十九年法律第百六十七号）が適用され、又は準用される河川（以下「河川」という。）については、五十メートル）以内の区域を保護区域として指定することができる。

Article 141 (1) If the application from an approved telecommunications carrier is filed and it is necessary for the protection of the underwater cable laid in accordance with the procedures set forth in the preceding Article, the Minister for Internal Affairs and Communications may designate an area within one thousand meters (or in case of a river to which the River Act (Act No. 167 of 1964) applies, or applies mutatis mutandis (hereinafter referred to as a "river"), within fifty meters) of the underwater cable as a protected area.

2 前項の規定による指定は、告示によつて行う。

(2) The designation set forth in the preceding paragraph is made by issuing a public notice.

3 認定電気通信事業者は、第一項の規定による保護区域の指定があつたときは、総務省令で定めるところにより、これを示す陸標を設置し、かつ、その陸標の位置を公告しなければならない。

(3) If a protected area has been designated pursuant to the provisions of paragraph (1), an approved telecommunications carrier must set up landmarks indicating that area and issue a public notice of the locations of the landmarks, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 何人も、第一項の保護区域内において、船舶をびよう泊させ、底びき網を用いる漁業その他の政令で定める漁業を行い、若しくは土砂を掘採し、又は前項の陸標に舟若しくはいかだをつないでなければならない。ただし、河川管理者が河川工事を行う場合、海岸法（昭和三十一年法律第百一号）第二条第三項に規定する海岸管理者（以下この条において「海岸管理者」という。）が同法第二条第一項に規定する海岸保全施設（以下この項において「海岸保全施設」という。）に関する工事を施行する場合又は同法第六条第一項の規定により主務大臣が海岸保全施設に関する工事を施行する場合においてやむを得ない事情があるとき、その他政令で定める場合は、この限りでない。

(4) In the protected area set forth in paragraph (1), it is prohibited for any person to anchor a vessel, engage in fishing operations using a trawl net or other fishing operations specified by Cabinet Order, mine soil, or moor a boat or raft to the landmarks set forth in the preceding paragraph; provided, however, that this does not apply to the cases in which there are compelling reasons for a river administrator to conduct river construction, for a coast administrator as prescribed in Article 2, paragraph (3) of the Coast Act (Act No. 101 of 1956) (hereinafter referred to as "coastal administrator" in this Article) to conduct construction work for coast conservation facilities prescribed in Article 2, paragraph (1) of that Act (hereinafter referred to as "coastal conservation facilities" in this paragraph), or for the competent minister to conduct construction work for coastal conservation facilities pursuant to the provisions of Article 6, paragraph (1) of that Act, or in other cases specified by Cabinet Order.

5 都道府県知事（漁業法第百八十三条の規定により農林水産大臣が自ら都道府県知事の権限を行う場合は、農林水産大臣。第七項において同じ。）は、認定電気通信事業者の申請があつた場合において、水底線路を保護する必要があると認めるときは、第一項の保護区域内の水面に設定されている漁業権を取り消し、変更し、又はその行使の停止を命ずることができる。

(5) If an approved telecommunications carrier has filed an application, and the prefectural governor (or the Minister for Agriculture, Forestry and Fisheries, if the Minister for Agriculture, Forestry and Fisheries directly exercises the authorities of the prefectural governor pursuant to the provisions of Article 183 of the Fishery Act; the same applies in paragraph (7)) finds it necessary to protect underwater cables, the governor may revoke or change the fishing rights which have been established on the waters within the protected area set forth in paragraph (1), or order the suspension of the exercise of those rights.

6 漁業法第九十三条第四項の規定は、前項の規定による漁業権の取消し若しくは変更又はその行使の停止について準用する。この場合において、同条第四項中「都道府県知事」とあるのは、「電気通信事業法第百四十一条第五項の規定による申請を受けた都道府県知事」と読み替えるものとする。

(6) The provisions of Article 93, paragraph (4) of the Fishery Act apply mutatis mutandis to the revocation or change of the fishing rights, or suspension of the

exercise of those rights, pursuant to the provisions of the preceding paragraph. In this case, the term "prefectural governor" in paragraph (4) of that Article is deemed to be replaced with "prefectural governor that has received the application under Article 141, paragraph (5) of the Telecommunications Business Act".

7 都道府県知事は、第一項の保護区域内の水面における漁業権の設定については、水底線路の保護に必要な配慮をしなければならない。

(7) The prefectural governor must pay necessary consideration to protecting underwater cables with regard to establishing fishing rights on the waters within the protected area set forth in paragraph (1).

8 海岸管理者は、第一項の保護区域の水面における施設若しくは工作物の設置又は行為の許可については、水底線路の保護に必要な配慮をしなければならない。

(8) A coastal administrator must pay necessary consideration to protecting underwater cables with regard to permitting the establishment of facilities or structures or permitting any act on the waters within the protected area set forth in paragraph (1).

第四百二十二条 認定電気通信事業者は、前条第五項の規定による漁業権の取消し、変更又はその行使の停止によつて生じた損失を当該漁業権者に対し補償しなければならない。

Article 142 (1) An approved telecommunications carrier must compensate any person that holds the fishing rights for any losses caused by the revocation of or change to their fishing rights or the suspension of the exercise of those rights under paragraph (5) of the preceding Article.

2 漁業法第一百七十七条第二項、第三項前段、第四項、第五項、第十一項及び第十二項の規定は、前項の規定による損失の補償について準用する。この場合において、同条第二項中「同項各号」とあるのは「同項」と、同条第三項前段中「農林水産大臣が」とあるのは「都道府県知事が海区漁業調整委員会の意見を聴いて」と、同条第五項中「国」とあるのは「認定電気通信事業者」と、同条第十一項中「第一項第二号又は第三号の土地」とあるのは「電気通信事業法第一百四十一条第五項に規定する漁業権（同項の規定により取り消されたものに限る。）」と、「国」とあるのは「認定電気通信事業者」と、同項及び同条第十二項中「有する者」とあるのは「有する者（登録先取特権者等に限る。）」と読み替えるものとする。

(2) The provisions of Article 177, paragraph (2), the first sentence of paragraph (3), and paragraphs (4), (5), (11) and (12) of the Fishery Act apply mutatis mutandis to the compensation for the losses under the preceding paragraph. In this case, the term "any item in that paragraph" in paragraph (2) of that Article is deemed to be replaced with "that paragraph"; the term "Minister for Agriculture, Forestry and Fisheries" in the first sentence of paragraph (3) of that Article is deemed to be replaced with "the prefectural Governor, after they hear the opinions of the Sea-area Fisheries Adjustment Commission"; the term

"the national government" in paragraph (5) of that Article is deemed to be replaced with "approved telecommunications carrier"; in paragraph (11) of that Article, the term "land in paragraph (1), item (2) or item (3)" is deemed to be replaced with "fishery right specified in Article 141, paragraph (5) of the Telecommunications Business Act (limited to fishery rights revoked pursuant to the provisions of that paragraph)" and the term "the national government" is deemed to be replaced with "approved telecommunications carrier"; and the term "person qualified" in that paragraph and paragraph (12) of that Article is deemed to be replaced with "person qualified (limited to registered lien holder)".

第百四十三条 船舶は、認定電気通信事業者の水底線路の敷設若しくは修理に従事している船舶であつて、その旨を示す標識を掲げているものから千メートル以内で総務省令で定める範囲内（河川については、五十メートル以内）又は施設若しくは修理中の水底線路の位置を示す浮標であつて、その旨の標識を掲げてあるものから四百メートル以内で総務省令で定める範囲内（河川については、三十メートル以内）の水面を航行してはならない。

Article 143 A vessel must not navigate the waters within the range specified by Order of the Ministry of Internal Affairs and Communications within one thousand meters (or in cases of a river, within fifty meters) of a vessel which is engaged in laying or repairing underwater cables of an approved telecommunications carrier and posts a sign to that effect, or within the range specified by Order of the Ministry of Internal Affairs and Communications within four hundred meters (or in cases of a river, within thirty meters) of a buoy which marks the location of the underwater cables being laid or repaired and posts a sign to that effect.

第四章 電気通信紛争処理委員会

Chapter IV Telecommunications Dispute Settlement Commission

第一節 設置及び組織

Section 1 Establishment and Organization

(設置及び権限)

(Establishment and Authority)

第百四十四条 総務省に、電気通信紛争処理委員会（以下「委員会」という。）を置く。

Article 144 (1) A Telecommunications Dispute Settlement Commission

(hereinafter referred to as the "Commission") is established under the Ministry of Internal Affairs and Communications.

2 委員会は、この法律、電波法及び放送法の規定によりその権限に属させられた事項を処理する。

(2) The Commission processes the particulars which fall under its authority pursuant to the provisions of this Act, the Radio Act, and the Broadcasting Act.

(組織)

(Organization)

第百四十五条 委員会は、委員五人をもつて組織する。

Article 145 (1) The Commission is composed of five commission members.

2 委員は、非常勤とする。ただし、そのうち二人以内は、常勤とすることができる。

(2) The commission members serve on a part-time basis; provided, however, that up to two of them may serve on a full-time basis.

(委員長)

(A Chair)

第百四十六条 委員会に、委員長を置き、委員の互選により選任する。

Article 146 (1) The Commission has a chair, whom the commission members vote on among themselves.

2 委員長は、会務を総理し、委員会を代表する。

(2) The chair presides over the affairs of the Commission and represents the Commission.

3 委員会は、あらかじめ、委員長に事故があるときにその職務を代理する委員を定めておかなければならない。

(3) In advance, the chair must designate a commission member to carry out the chair's duties in place of the chair if the chair is unable to perform their duties.

(委員の任命)

(Appointment of Commission Members)

第百四十七条 委員は、電気通信事業、電波の利用又は放送の業務に関して優れた識見を有する者のうちから、両議院の同意を得て、総務大臣が任命する。

Article 147 (1) The commission members are appointed by the Minister for Internal Affairs and Communications from among persons with deep insight into the telecommunications business, utilization of radio waves, or broadcasting operations, with the consent of both Houses of the Diet.

2 委員の任期が満了し、又は欠員が生じた場合において、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、総務大臣は、前項の規定にかかわらず、同項に定める資格を有する者のうちから、委員を任命することができる。

(2) Notwithstanding the provisions of the preceding paragraph, if the term of office of a commission member expires or a vacancy of a position occurs, and the Minister for Internal Affairs and Communications is not able to obtain the consent of both Houses of the Diet because the Diet is closed or because the House of Representatives has been dissolved, the Minister may appoint a person from qualified persons set forth in the preceding paragraph as a commission member.

3 前項の場合においては、任命後最初の国会で両議院の事後の承認を得なければなら

ない。この場合において、両議院の事後の承認を得られないときは、総務大臣は、直ちにその委員を罷免しなければならない。

- (3) In the cases set forth in the preceding paragraph, the Minister for Internal Affairs and Communications must obtain the recognition of both Houses of the Diet at the first Diet session following the appointment. In such case, if the Minister is not able to obtain the retroactive recognition of both Houses of the Diet, the Minister must immediately dismiss the commission member.

(任期)

(Term of Office)

第百四十八条 委員の任期は、三年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

Article 148 (1) The term of office of a commission member is three years; provided, however, that the term of office of a commission member that has been appointed to fill a vacancy is the remaining term of the predecessor.

2 委員は、再任されることができる。

(2) The commission members may be reappointed.

3 委員の任期が満了したときは、当該委員は、後任者が任命されるまで引き続きその職務を行うものとする。

(3) When the term of office of a commission member expires, the commission member is to perform the duties until the successor is appointed.

(委員の罷免)

(Dismissal of Commission Members)

第百四十九条 総務大臣は、委員が心身の故障のため職務の遂行ができないと認める場合又は委員に職務上の義務違反その他委員たるに適しない非行があると認める場合においては、両議院の同意を得て、これを罷免することができる。

Article 149 When the Minister for Internal Affairs and Communications finds that a commission member is unable to perform their duties due to a mental or physical disorder or that the commission member has violated the obligations in the course of duties or committed any other misconduct unfitting for a commission member, the Minister may dismiss the commission member with the consent of both Houses of the Diet.

(委員の服務)

(Service Standards of Commission Members)

第百五十条 委員は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も同様とする。

Article 150 (1) A commission member must not divulge any secrets which may have come to their knowledge in the course of the duties. The same applies even after the commission member has retired from office.

2 委員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。

(2) A commission member must not become an official of a political party or any other political organization, or actively engage in a political campaign during the term of office.

3 常勤の委員は、在任中、総務大臣の許可のある場合を除くほか、報酬を得て他の職務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行つてはならない。

(3) During the term of office, a full-time commission member must not engage in other duties for which that member receives remuneration, conduct business for profit, or conduct any other operations for monetary gain, except for cases approved by the Minister for Internal Affairs and Communications.

(委員の給与)

(Remuneration of Commission Members)

第一百五十一条 委員の給与は、別に法律で定める。

Article 151 Remuneration of commission members is prescribed separately by law.

(事務局)

(Secretariat)

第一百五十二条 委員会の事務を処理させるため、委員会に事務局を置く。

Article 152 (1) A secretariat is established under the Commission to handle the administrative functions of the Commission.

2 事務局に、事務局長のほか、所要の職員を置く。

(2) A director-general and other officials considered necessary are placed under the secretariat.

3 事務局長は、委員長の名を受けて、局務を掌理する。

(3) The director-general handles the work of the secretariat upon the orders of the chair.

(政令への委任)

(Delegation to Cabinet Order)

第一百五十三条 この節に規定するもののほか、委員会に関し必要な事項は、政令で定める。

Article 153 Beyond what is provided for in this Section, particulars necessary for the Commission are specified by Cabinet Order.

第二節 あつせん及び仲裁

Section 2 Mediation and Arbitration

(電気通信設備の接続に関するあつせん)

(Mediation on Interconnection of Telecommunications Facilities)

第百五十四条 電気通信事業者間において、その一方が電気通信設備の接続に関する協定の締結を申し入れたにもかかわらず他の一方がその協議に応じず、若しくは当該協議が調わないとき、又は電気通信設備の接続に関する協定の締結に関し、当事者が取得し、若しくは負担すべき金額若しくは接続条件その他協定の細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項の規定による仲裁の申請をした後は、この限りでない。

Article 154 (1) If a telecommunications carrier requests another telecommunications carrier to conclude an agreement on interconnection of telecommunications facilities but the requested telecommunications carrier refuses to hold negotiations or those negotiations fail, or negotiations between the parties concerning concluding an agreement on the interconnection of telecommunications facilities fail regarding the amount of money to be received or paid by the parties, the terms and conditions of interconnection, or other details of the agreement, the parties may apply to the Commission for mediation; provided, however, that this does not apply if any party has already filed a petition set forth in Article 35, paragraph (1) or (2), an application for a ruling under paragraph (3) of that Article, or an application for arbitration under paragraph (1) of the following Article.

2 委員会は、事件がその性質上あつせんをするのに適当でないと認めるとき、又は当事者が不当な目的のみだりにあつせんの申請をしたと認めるときを除き、あつせんを行うものとする。

(2) The Commission is to conduct mediation, unless it finds that the relevant case is not appropriate for mediation by its nature or it finds that the parties have filed an application for mediation without due cause and for unjust reasons.

3 委員会によるあつせんは、委員会の委員その他の職員（委員会があらかじめ指定する者に限る。次条第三項において同じ。）のうちから委員会が事件ごとに指名するあつせん委員が行う。

(3) The Commission's mediation is conducted by mediation commissioners whom the Commission nominates for each case from among the commission members or other officials (limited to those whom the Commission designates in advance; the same applies in paragraph (3) of the following Article).

4 あつせん委員は、当事者間をあつせんし、双方の主張の要点を確かめ、事件が解決されるように努めなければならない。

(4) The mediation commissioners must mediate between the parties, confirm the points of both parties' arguments, and make efforts to resolve the relevant case.

5 あつせん委員は、当事者から意見を聴取し、又は当事者に対し報告を求め、事件の解決に必要なあつせん案を作成し、これを当事者に提示することができる。

(5) The mediation commissioners may hear opinions or request reports from the parties, and prepare and present to them a draft of mediation as necessary for resolving the relevant case.

6 あつせん委員は、あつせん中の事件について、当事者が第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項の規定による仲裁の申請をしたときは、当該あつせんを打ち切るものとする。

(6) The mediation commissioners are to terminate the mediation on a case being undertaken if the parties file a petition set forth in Article 35, paragraph (1) or (2), an application for a ruling under paragraph (3) of that Article, or an application for arbitration under paragraph (1) of the following Article.

(電気通信設備の接続に関する仲裁)

(Arbitration on Interconnection of Telecommunications Facilities)

第百五十五条 電気通信事業者間において、電気通信設備の接続に関する協定の締結に関し、当事者が取得し、若しくは負担すべき金額又は接続条件その他協定の細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。ただし、当事者が第三十五条第一項若しくは第二項の申立て又は同条第三項の規定による裁定の申請をした後は、この限りでない。

Article 155 (1) If negotiations between telecommunications carriers concerning concluding an agreement on interconnection of telecommunications facilities fail regarding the amount of money to be received or paid by the parties, the terms and conditions of interconnection, or other agreement details, both parties may apply to the Commission for arbitration; provided, however, that this does not apply if any party has already filed a petition set forth in Article 35, paragraph (1) or (2), or an application for a ruling under paragraph (3) of that Article.

2 委員会による仲裁は、三人の仲裁委員が行う。

(2) The Commission's arbitration is conducted by three arbitration commissioners.

3 仲裁委員は、委員会の委員その他の職員のうちから当事者が合意によつて選定した者につき、委員会が指名する。ただし、当事者の合意による選定がなされなかつたときは、委員会の委員その他の職員のうちから委員会が指名する。

(3) The Commission appoints those selected with the agreement of the parties, from among the commission members and other officials, as arbitration commissioners; provided, however, that, if selection with the agreement of the parties has not been made, the Commission is to appoint arbitration commissioners from among the commission members and other officials.

4 仲裁については、この条に別段の定めがある場合を除いて、仲裁委員を仲裁人とみなして、仲裁法（平成十五年法律第百三十八号）の規定を準用する。

(4) Unless otherwise provided for in this Article, arbitration commissioners are deemed to be arbitrators and the provisions of the Arbitration Act (Act No. 138

of 2003) apply mutatis mutandis to them.

(準用)

(Application, Mutatis Mutandis)

第百五十六条 前二条の規定は、電気通信設備又は電気通信設備設置用工作物の共用に関する協定について準用する。この場合において、第百五十四条第一項及び前条第一項中「接続条件」とあるのは「共用の条件」と、第百五十四条第一項ただし書及び第六項並びに前条第一項ただし書中「第三十五条第一項若しくは第二項」とあるのは「第三十八条第一項」と、「同条第三項」とあるのは「同条第二項において準用する第三十五条第三項」と読み替えるものとする。

Article 156 (1) The provisions of the preceding two Articles apply mutatis mutandis to agreements concerning the sharing of telecommunications facilities or structure for telecommunications facilities installation. In this case, the term "terms and conditions of interconnection" in Article 154, paragraph (1) and paragraph (1) of the preceding Article is deemed to be replaced with "terms and conditions for sharing"; and the term "Article 35, paragraph (1) or paragraph (2)" and the term "paragraph (3) of that Article" in the proviso of Article 154, paragraph (1) and paragraph (6) and in the proviso of paragraph (1) of the preceding Article are deemed to be replaced with "Article 38, paragraph (1)" and "Article 35, paragraph (3), as applied mutatis mutandis pursuant to paragraph (2) of that Article", respectively.

2 前二条の規定は、卸電気通信役務の提供に関する契約について準用する。この場合において、第百五十四条第一項及び前条第一項中「接続条件」とあるのは「提供の条件」と、「協定の細目」とあるのは「契約の細目」と、第百五十四条第一項ただし書及び第六項並びに前条第一項ただし書中「第三十五条第一項若しくは第二項」とあるのは「第三十九条において準用する第三十五条第一項若しくは第三十八条第一項」と、「同条第三項」とあるのは「第三十九条において準用する第三十五条第三項」と読み替えるものとする。

(2) The provisions of the preceding two Articles apply mutatis mutandis to contracts on the provision of wholesale telecommunications services. In this case, the term "terms and conditions of interconnection" and the term "details of the agreement" in Article 154, paragraph (1) and paragraph (1) of the preceding Article are deemed to be replaced with "terms and conditions for the provision of those services" and " details of the contract", respectively; and the term "Article 35, paragraph (1) or paragraph (2)" and the term "paragraph (3) of that Article" in the provisos of Article 154, paragraph (1) and paragraph (6) and the provisos of paragraph (1) of the preceding Article are deemed to be replaced with "Article 35, paragraph (1) or Article 38, paragraph (1) as applied mutatis mutandis pursuant to Article 39" and "Article 35, paragraph (3) as applied mutatis mutandis pursuant to Article 39", respectively.

(その他の協定等に関するあつせん等)

(Mediation Concerning Other Agreements or Contracts)

第百五十七条 電気通信事業者間において、電気通信役務の円滑な提供の確保のためにその締結が必要なものとして政令で定める協定又は契約（第三項において「協定等」という。）の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が同項の規定による仲裁の申請をした後は、この限りでない。

Article 157 (1) If negotiations between telecommunications carriers concerning concluding an agreement or contract that is specified by Cabinet Order as the agreement or contract necessary to be concluded in order to ensure that telecommunications services are smoothly provided (referred to as an "agreement or contract" in paragraph (3)) fail regarding the amount of money to be received or paid by the parties, the terms and conditions, or other details, those parties may apply to the Commission for mediation; provided, however, that this does not apply if any party has already filed an application for arbitration under that paragraph.

2 第百五十四条第二項から第六項までの規定は、前項のあつせんについて準用する。この場合において、同条第六項中「第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項」とあるのは、「第百五十七条第三項」と読み替えるものとする。

(2) The provisions of Article 154, paragraphs (2) through (6) apply mutatis mutandis to the mediation set forth in the preceding paragraph. In this case, the term "a petition set forth in Article 35, paragraph (1) or (2), an application for a ruling under paragraph (3) of that Article, or an application for arbitration under paragraph (1) of the following Article" in paragraph (6) of that Article is deemed to be replaced with "an application for arbitration under Article 157, paragraph (3)".

3 電気通信事業者間において、協定等の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。

(3) If negotiations between telecommunications carriers concerning concluding an agreement or contract fail regarding the amount of money to be received or paid by the parties, the terms and conditions, or other details, both parties may apply to the Commission for arbitration.

4 第百五十五条第二項から第四項までの規定は、前項の仲裁について準用する。

(4) The provisions of Article 155, paragraphs (2) through (4) apply mutatis mutandis to the arbitration set forth in the preceding paragraph.

第百五十七条の二 電気通信事業者と第三号事業を営む者との間において、当該第三号事業を営む者が申し入れた当該第三号事業を営むに当たって利用すべき電気通信役務

の提供に関する契約（第三項において単に「契約」という。）の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者は、委員会に対し、あつせんを申請することができる。ただし、当事者が同項の規定による仲裁の申請をした後は、この限りでない。

Article 157-2 (1) If negotiations between a telecommunications carrier and a person conducting item (iii) business concerning concluding a contract (hereinafter referred to simply as a "contract" in paragraph (3)) related to the provision of telecommunications service which the person conducting item (iii) business has requested for use in conducting that business fail regarding the amount of money to be received or paid by the parties, the terms and conditions, or other details, the parties may apply to the Commission for mediation; provided, however, that this does not apply if any party has already filed an application for arbitration under that paragraph.

2 第百五十四条第二項から第六項までの規定は、前項のあつせんについて準用する。この場合において、同条第六項中「第三十五条第一項若しくは第二項の申立て、同条第三項の規定による裁定の申請又は次条第一項」とあるのは、「第百五十七条の二第三項」と読み替えるものとする。

(2) The provisions of Article 154, paragraphs (2) through (6) apply mutatis mutandis to the mediation set forth in the preceding paragraph. In this case, the phrase "petition set forth in Article 35, paragraph (1) or (2), an application for arbitration under paragraph (3) of that Article, or paragraph (1) of the following Article" in paragraph (6) of that Article is deemed to be replaced with "Article 157-2, paragraph (3)".

3 電気通信事業者と第三号事業を営む者との間において、当該第三号事業を営む者が申し入れた契約の締結に関し、当事者が取得し、若しくは負担すべき金額又は条件その他その細目について当事者間の協議が調わないときは、当事者の双方は、委員会に対し、仲裁を申請することができる。

(3) If negotiations between a telecommunications carrier and a person conducting item (iii) business concerning concluding an agreement which the person conducting that business has requested fail regarding the amount of money to be received or paid by the parties, the terms and conditions, or other details, both parties may apply to the Commission for arbitration.

4 第百五十五条第二項から第四項までの規定は、前項の仲裁について準用する。

(4) The provisions of Article 155, paragraphs (2) through (4) apply mutatis mutandis to the arbitration set forth in the preceding paragraph.

(申請の経由)

(Application via the Minister)

第百五十八条 この節の規定により委員会に対してするあつせん又は仲裁の申請は、総務大臣を経由してしなければならない。

Article 158 An application for mediation or arbitration filed with the

Commission pursuant to the provisions of this Section must be made via the Minister for Internal Affairs and Communications.

(政令への委任)

(Delegation to Cabinet Order)

第百五十九条 この節に規定するもののほか、あつせん及び仲裁の手續に関し必要な事項は、政令で定める。

Article 159 Beyond what is provided for in this Section, particulars necessary for procedures for mediation and arbitration are specified by Cabinet Order.

第三節 諮問等

Section 3 Consultations

(委員会への諮問)

(Consultations with the Commission)

第百六十条 総務大臣は、次に掲げる事項については、委員会に諮問しなければならない。ただし、委員会が軽微な事項と認めたものについては、この限りでない。

Article 160 The Minister for Internal Affairs and Communications must consult the Commission on the particulars listed below; provided, however, that this does not apply to particulars that the Commission finds to be minor:

一 第三十五条第一項若しくは第二項の規定による電気通信設備の接続に関する命令、同条第三項若しくは第四項の規定による電気通信設備の接続に関する裁定、第三十八条第一項の規定による電気通信設備若しくは電気通信設備設置用工作物の共用に関する命令、同条第二項において準用する第三十五条第三項若しくは第四項の規定による電気通信設備若しくは電気通信設備設置用工作物の共用に関する裁定、第三十九条において準用する第三十五条第一項の規定による特定卸電気通信役務の提供に関する命令、第三十九条において準用する第三十五条第三項若しくは第四項の規定による卸電気通信役務の提供に関する裁定、第三十九条において準用する第三十八条第一項の規定による特定卸電気通信役務以外の卸電気通信役務の提供に関する命令、第二百二十八条第一項の規定による土地等の使用に関する認可、第二百二十九条第一項の規定による土地等の使用に関する裁定又は第百三十八条第三項の規定による支障の除去に必要な措置に関する裁定

(i) orders concerning interconnection of telecommunications facilities under Article 35, paragraph (1) or (2); rulings concerning interconnection of telecommunications facilities under paragraph (3) or (4) of that Article; orders concerning the sharing of telecommunications facilities or structures for telecommunications facilities installation under Article 38, paragraph (1); rulings concerning the sharing of telecommunications facilities or structures for telecommunications facilities installation under Article 35, paragraph (3) or (4) as applied *mutatis mutandis* pursuant to Article 38, paragraph (2); orders concerning the provision of specified wholesale telecommunications

services under Article 35, paragraph (1) as applied mutatis mutandis pursuant to Article 39; rulings concerning the provision of wholesale telecommunications services under Article 35, paragraph (3) or (4) as applied mutatis mutandis pursuant to Article 39; orders concerning the provision of wholesale telecommunications services other than specified wholesale telecommunications services under Article 38, paragraph (1) as applied mutatis mutandis pursuant to Article 39; authorization concerning use of the land, buildings, or other structures under Article 128, paragraph (1); rulings concerning use of the land, buildings, or other structures under Article 129, paragraph (1); or rulings concerning measures necessary to remove a hindrance under Article 138, paragraph (3); and

二 第十九条第二項の規定による届出契約約款の変更の命令、第二十条第三項の規定による保障契約約款の変更の命令、第二十一条第四項の規定による特定電気通信役務の料金の変更の命令、第二十九条第一項の規定による業務の改善命令、第三十条第五項の規定による同条第三項若しくは第四項の規定に違反する行為の停止若しくは変更の命令、第三十一条第四項の規定による同条第二項各号に掲げる行為の停止若しくは変更の命令若しくは第三十条第四項各号若しくは第三十一条第二項各号に掲げる行為を停止させ若しくは変更させるために必要な措置をとるべきことの命令、第三十三条第六項の規定による接続約款の変更の認可の申請の命令、同条第八項の規定による接続約款の変更の命令、第三十四条第三項の規定による接続約款の変更の命令、第三十六条第三項の規定による計画の変更の勧告、第三十八条の二第四項の規定による業務の改善命令、第三十九条の三第二項の規定による業務の改善命令、第四十四条の五の規定による電気通信設備統括管理者の解任命令又は第百二十一条第二項の規定による業務の改善命令

(ii) orders to change notified contract conditions under Article 19, paragraph (2); orders to change general conditions of contracts for securing the provision of the telecommunications services under Article 20, paragraph (3); orders to change charges for specified telecommunications services under Article 21, paragraph (4); orders to improve operations under Article 29, paragraph (1); orders under Article 30, paragraph (5) to suspend or change acts violating the provisions of paragraph (3) or (4) of that Article; orders under Article 31, paragraph (4) to suspend or change acts violating the provisions the items of paragraph (2) of that Article; orders under Article 31, paragraph (4) to take necessary measures to suspend or change acts listed in the items of Article 30, paragraph (4), or the items of Article 31, paragraph (2); orders relevant to the application for authorization for a change of general conditions of contracts for interconnection under Article 33, paragraph (6); orders to change general conditions of contracts for interconnection under paragraph (8) of that Article; orders to change general conditions of contracts for interconnection under Article 34, paragraph (3); recommendations to change a plan under Article 36, paragraph (3); order to

improve the operations pursuant to Article 38-2, paragraph (4); orders to improve the operations under Article 39-3, paragraph (2); orders to dismiss the general manager of telecommunications facilities under Article 44-5; or orders to improve operations under Article 121, paragraph (2).

(聴聞の特例)

(Special Provisions for Hearings)

第百六十一条 総務大臣は、第十九条第二項、第二十条第三項、第二十一条第四項、第二十七条の七、第二十九条、第三十条第五項、第三十一条第四項、第三十三条第六項若しくは第八項、第三十四条第三項、第三十五条第一項（第三十九条において準用する場合を含む。）若しくは第二項、第三十八条第一項（第三十九条において準用する場合を含む。）、第三十八条の二第四項、第三十九条の三第二項、第四十四条の二、第五十一条、第七十三条の四又は第百二十一条第二項の規定による処分をしようとするときは、行政手続法（平成五年法律第八十八号）第十三条第一項の規定による意見の陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

Article 161 (1) Notwithstanding the classification of procedures for hearing the statements of opinions under Article 13, paragraph (1) of the Administrative Procedure Act (Act No. 88 of 1993), if the Minister for Internal Affairs and Communications intends to make a disposition under Article 19, paragraph (2), Article 20, paragraph (3), Article 21, paragraph (4), Article 27-7, Article 29, Article 30, paragraph (5), Article 31, paragraph (4), Article 33, paragraph (6) or (8), Article 34, paragraph (3), Article 35, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39) or (2), Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39), Article 38-2, paragraph (4), Article 39-3, paragraph (2), Article 44-2, Article 51, Article 73-4, or Article 121, paragraph (2), the Minister must hold a hearing.

2 前項に規定する処分又は第四十四条の五の規定による処分に係る聴聞を行う場合において、当該処分が前条の規定により委員会に諮問すべきこととされている処分であるときは、当該処分に係る聴聞の主宰者は、委員会の委員のうちから、委員会の推薦により指名するものとする。

(2) If a hearing is held in relation to a disposition set forth in the preceding paragraph or a disposition under Article 44-5, and the Minister for Internal Affairs and Communications is to consult with the Commission concerning the relevant disposition pursuant to the provisions of the preceding Article, the official presiding over the hearing related to the disposition is to be appointed from among the commission members with a recommendation from the Commission.

3 第一項に規定する処分又は第四十四条の五の規定による処分に係る聴聞の主宰者は、行政手続法第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。

(3) The presiding official of the hearing related to a disposition set forth in

paragraph (1) or a disposition under Article 44-5 must grant permission if the interested person related to the disposition has made a request to participate in the procedures of the hearing pursuant to the provisions of Article 17, paragraph (1) of the Administrative Procedure Act.

(勧告)

(Recommendations)

第百六十二条 委員会は、この法律の規定によりその権限に属させられた事項に関し、総務大臣に対し、必要な勧告をすることができる。

Article 162 (1) The Commission may provide necessary recommendations to the Minister for Internal Affairs and Communications with respect to the particulars which fall under its authorities pursuant to the provisions of this Act.

2 総務大臣は、前項の勧告を受けたときは、その内容を公表しなければならない。

(2) If the Minister for Internal Affairs and Communications receives a recommendation set forth in the preceding paragraph, the Minister must make that recommendation public.

第五章 雑則

Chapter V Miscellaneous Provisions

(登録等の条件)

(Conditions for Registration)

第百六十三条 登録（第九条の登録（第十二条の二第一項の登録の更新及び第十三条第一項の変更登録を含む。）に限る。次項において同じ。））、認可、許可又は認定（技術基準適合認定を除く。同項において同じ。）には、条件を付し、及びこれを変更することができる。

Article 163 (1) Conditions may be attached to registration (limited to the registration under Article 9 (including the renewal of registration under Article 12-2, paragraph (1) and the registration of change referred to in Article 13, paragraph (1)); the same applies in the following paragraph), authorization, permission or approval (except for technical standards conformity approval; the same applies in that paragraph), and those conditions may be changed.

2 前項の条件は、登録、認可、許可若しくは認定の趣旨に照らして、又は登録、認可、許可若しくは認定に係る事項の確実な実施を図るため必要最小限度のものに限り、かつ、当該登録、認可、許可又は認定を受ける者に不当な義務を課することとなるものであつてはならない。

(2) Conditions set forth in the preceding paragraph are limited to those minimally necessary in light of the purposes of registration, authorization, permission, or approval, or for ensuring the reliable implementation of particulars related to the registration, authorization, permission, or approval,

and must not impose unreasonable obligations on persons to whom the registration, authorization, permission, or approval is granted.

(適用除外等)

(Exemptions)

第百六十四条 この法律の規定は、次に掲げる電気通信事業については、適用しない。

Article 164 (1) The provisions of this Act do not apply to the telecommunications business listed below:

一 専ら一の者に電気通信役務（当該一の者が電気通信事業者であるときは、当該一の者の電気通信事業の用に供する電気通信役務を除く。）を提供する電気通信事業

(i) telecommunications business to exclusively provide telecommunications services to a single person (except for telecommunications services provided for the use of telecommunications business of a single person if the person is a telecommunications carrier);

二 その一の部分の設置の場所が他の部分の設置の場所と同一の構内（これに準ずる区域内を含む。）又は同一の建物内である電気通信設備その他総務省令で定める基準に満たない規模の電気通信設備により電気通信役務を提供する電気通信事業

(ii) telecommunications business to provide telecommunications services by using telecommunications facilities for which a part is installed in the same premises (including the areas equivalent to the premises) or in the same building or that do not have a scale that meets the standards specified by Order of the Ministry of Internal Affairs and Communications; and

三 電気通信設備を用いて他人の通信を媒介する電気通信役務以外の電気通信役務（次に掲げる電気通信役務（ロ及びハに掲げる電気通信役務にあつては、当該電気通信役務を提供する者として総務大臣が総務省令で定めるところにより指定する者により提供されるものに限る。）を除く。）を電気通信回線設備を設置することなく提供する電気通信事業

(iii) telecommunications business that provides telecommunications services other than telecommunications services of intermediating another person's communications through the use of telecommunications facilities (except for the following telecommunications services (in the case of telecommunications services listed in (b) and (c), limited to those provided by a person designated by the Minister for Internal Affairs and Communications pursuant to Order of the Ministry of Internal Affairs and Communications as a provider of those telecommunications services)) without installing telecommunications line facilities:

イ ドメイン名電気通信役務

(a) domain name telecommunications services;

ロ 検索情報電気通信役務

(b) search information telecommunications services;

ハ 媒介相当電気通信役務

(c) telecommunications services equivalent to intermediation.

2 この条において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(2) In this Article, the meaning of the following terms is as prescribed in those items:

一 ドメイン名電気通信役務 入力されたドメイン名の一部又は全部に対応してアイ・ピー・アドレスを出力する機能を有する電気通信設備を電気通信事業者の通信の用に供する電気通信役務のうち、確実かつ安定的な提供を確保する必要があるものとして総務省令で定めるものをいう。

(i) domain name telecommunications services: telecommunications services that provide telecommunications facilities for the use in communications of telecommunications carriers, with the functions to output IP addresses in correspondence to all or part of the domain name being entered, and which are specified by Order of the Ministry of Internal Affairs and Communications as the services whose reliable and stable provision is necessary to secure;

二 ドメイン名 インターネットにおいて電気通信事業者が受信の場所にある電気通信設備を識別するために使用する番号、記号その他の符号のうち、アイ・ピー・アドレスに代わって使用されるものとして総務省令で定めるものをいう

(ii) domain names: numbers, signs, and other codes that are used on the Internet by telecommunications carriers to identify telecommunications facilities installed at places of reception, and that are specified by Order of the Ministry of Internal Affairs and Communications as those used in place of IP addresses;

三 アイ・ピー・アドレス インターネットにおいて電気通信事業者が受信の場所にある電気通信設備を識別するために使用する番号、記号その他の符号のうち、当該電気通信設備に固有のものとして総務省令で定めるものをいう。

(iii) IP addresses: numbers, signs, and other codes that are used on the Internet by telecommunications carriers to identify telecommunications facilities installed at places of reception, and that are specified by Order of the Ministry of Internal Affairs and Communications as unique numbers assigned to individual telecommunications facilities;

四 検索情報電気通信役務 入力された検索情報（検索により求める情報をいう。以下この号において同じ。）に対応して当該検索情報が記録されたウェブページのドメイン名その他の所在に関する情報を出力する機能を有する電気通信設備を他人の通信の用に供する電気通信役務のうち、その内容、利用者の範囲及び利用状況を勘案して利用者の利益に及ぼす影響が大ききものとして総務省令で定める電気通信役務

(iv) search information telecommunications services: telecommunications services that provide telecommunications facilities for the use in other persons' communications, with the functions to output the domain name of the web page on which search information (meaning information sought

through a search; hereinafter the same applies in this item) is entered or other information on the location of the web page in response to search information being input, and that are specified by Order of the Ministry of Internal Affairs and Communications as having a significant influence on the interests of users in consideration of the content, scope of users and their usage; and

五 媒介相当電気通信役務 その記録媒体（当該記録媒体に記録された情報が不特定の者に送信されるものに限る。）に情報を記録し、又はその送信装置（当該送信装置に入力された情報が不特定の者に送信されるものに限る。）に情報を入力する電気通信を不特定の者から受信し、これにより当該記録媒体に記録され、又は当該送信装置に入力された情報を不特定の者の求めに応じて送信する機能を有する電気通信設備を他人の通信の用に供する電気通信役務のうち、その内容、利用者の範囲及び利用状況を勘案して利用者の利益に及ぼす影響が大きいものとして総務省令で定める電気通信役務

(v) telecommunications services equivalent to intermediation:

telecommunications services that provide telecommunications facilities for use in other persons' communications, with the functions to receive telecommunications from unspecified persons that have information recorded on the facilities' recording medium (limited to the recording medium that has the information that is recorded on it transmitted to unspecified persons) or entered into the facilities' transmission server (limited to the transmission server that has the information that is entered into it transmitted to unspecified persons), and to transmit the information recorded in the recording medium or entered in the transmission server at the request of unspecified persons, and that are specified by Order of the Ministry of Internal Affairs and Communications as having a significant influence on the interests of users, in consideration of the content, scope of users, and their usage.

3 第一項の規定にかかわらず、第三条及び第四条の規定は同項各号に掲げる電気通信事業を営む者の取扱中に係る通信について、第二十七条の十二、第二十九条第二項（第四号に係る部分に限る。）、第百五十七条の二、第百六十六条第一項、第百六十七條の二、第百八十六条（第三号中第二十九条第二項に係る部分に限る。）及び第百八十八条（第十七号中第百六十六条第一項に係る部分に限る。）の規定は第三号事業を営む者について、それぞれ適用する。

(3) Notwithstanding the provisions of paragraph (1), the provisions of Article 3 and Article 4 apply to communications handled by a person that conducts telecommunications business listed in the items of that paragraph, and the provisions of Article 27-12, Article 29, paragraph (2) (limited to the part relating to item (iv)), Article 157-2, Article 166, paragraph (1), Article 167-2, Article 186 (limited to the part in item (iii) that relates to Article 29, paragraph (2)), and Article 188 (limited to the part in item (xvii) that relates to

Article 166, paragraph (1)) apply to a person conducting item (iii) business.

4 認定送信型対電気通信設備サイバー攻撃対処協会が行う第百十六条の二第二項第一号に掲げる業務が電気通信事業に該当しない場合においても、認定送信型対電気通信設備サイバー攻撃対処協会が行う同号口の通知は、電気通信事業者の取扱中に係る通信とみなして第三条及び第四条の規定を適用し、認定送信型対電気通信設備サイバー攻撃対処協会が行う同号に掲げる業務に従事する者は、電気通信事業に従事する者とみなして同条第二項の規定を適用する。

(4) Even if the operations listed in Article 116-2, paragraph (2), item (i) which the certified association against cyber attacks on telecommunications facilities conducts do not fall under the telecommunications business, the notification given by the certified association against cyber attacks on telecommunications facilities as set forth in (b) of that item is deemed to be a communication handled by a telecommunications carrier, and the provisions of Article 3 and Article 4 apply; and a person engaged in the operations listed in that item which the certified association against cyber attacks on telecommunications facilities conducts is deemed to be a person engaged in the telecommunications business, and the provisions of Article 4, paragraph (2) apply.

5 認定送信型対電気通信設備サイバー攻撃対処協会が取り扱う第百十六条の二第二項第二号口の通信履歴の電磁的記録は、電気通信事業者の取扱中に係る通信とみなして第三条及び第四条の規定を適用し、認定送信型対電気通信設備サイバー攻撃対処協会が行う同号に掲げる業務に従事する者は、電気通信事業に従事する者とみなして同条第二項の規定を適用する。

(5) The electronic or magnetic records of communications history specified in Article 116-2, paragraph (2), item (ii), (b) which the certified association against cyber attacks on telecommunications facilities handles are deemed to be communications handled by a telecommunications carrier, and the provisions of Article 3 and Article 4 apply; and a person engaged in the operations listed in that item which the certified association against cyber attacks on telecommunications facilities conducts is deemed to be a person engaged in the telecommunications business, and the provisions of Article 4, paragraph (2) apply.

(営利を目的としない電気通信事業を行う地方公共団体の取扱い)

(Handling of Local Governments Operating Not-For-Profit Telecommunications Business)

第百六十五条 営利を目的としない電気通信事業（内容、利用者の範囲等からみて利用者の利益に及ぼす影響が比較的大きいものとして総務省令で定める電気通信役務を提供する電気通信事業に限る。）を行おうとする地方公共団体は、総務省令で定めるところにより、第十六条第一項各号に掲げる事項を記載した書類を添えて、その旨を総務大臣に届け出なければならない。

Article 165 (1) A local government that intends to conduct not-for-profit

telecommunications business (limited to the business to provide telecommunications services specified by Order of the Ministry of Internal Affairs and Communications as those which have a comparatively significant influence on the interests of users in light of their content, the scope of users, and other factors) must notify the Minister for Internal Affairs and Communications to that effect together with documents describing the particulars listed in the items of Article 16, paragraph (1), pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

2 前項の規定による届出をした地方公共団体は、第十六条第一項の規定による届出をした電気通信事業者とみなす。ただし、第十九条から第二十五条まで、第二十七条の五から第二十七条の十二まで、第三十条、第三十一条、第三十三条から第三十四条の二まで、第三十六条、第三十七条、第三十八条の二、第三十九条の三、第四十条、第四十二条、第四十四条、第四十五条、第五十二条、第六十九条、第七十条及び第二章第七節の規定の適用については、この限りでない。

(2) A local government that has filed a notification under the preceding paragraph is deemed to be a telecommunications carrier that has filed a notification under Article 16, paragraph (1); provided, however, that this does not apply to the application of the provisions of Articles 19 through 25, Articles 27-5 through 27-12, Article 30, Article 31, Articles 33 through 34-2, Article 36, Article 37, Article 38-2, Article 39-3, Article 40, Article 42, Article 44, Article 45, Article 52, Article 69, Article 70, and Chapter II, Section 7.

(報告及び検査)

(Reports and Inspections)

第百六十六条 総務大臣は、この法律の施行に必要な限度において、電気通信事業者、第三号事業を営む者若しくは媒介等業務受託者に対し、その事業に関し報告をさせ、又はその職員に、電気通信事業者、第三号事業を営む者若しくは媒介等業務受託者の営業所、事務所その他の事業場に立ち入り、電気通信設備（電気通信事業者又は第三号事業を営む者の事業場に立ち入る場合に限る。）、帳簿、書類その他の物件を検査させることができる。

Article 166 (1) To the extent necessary for enforcement of this Act, the Minister for Internal Affairs and Communications may have a telecommunications carrier, person conducting item (iii) business, or person entrusted with intermediation or other similar actions report on their business, or have ministerial officials enter into the offices, business offices, or other places of business of the telecommunications carrier, person conducting item (iii) business, or person entrusted with intermediation or other similar actions, in order to inspect their telecommunications facilities (limited to cases in which the ministerial officials enter the place of business of a telecommunications carrier or person conducting item (iii) business), books, documents, and other items.

2 総務大臣は、この法律の施行に必要な限度において、登録認定機関による技術基準適合認定を受けた者に対し、当該技術基準適合認定に係る端末機器に関し報告をさせ、又はその職員に、当該技術基準適合認定を受けた者の事業所に立ち入り、当該端末機器その他の物件を検査させることができる。

(2) To the extent necessary for enforcement of this Act, the Minister for Internal Affairs and Communications may have a person that has obtained technical standards conformity approval from a registered approval body report on terminal equipment related to technical standards conformity approval, or have ministerial officials enter into the places of business of the person that has obtained the technical standards conformity approval, in order to inspect the terminal equipment and other items.

3 前項の規定は、認証取扱業者、届出業者又は登録修理業者について準用する。この場合において、同項中「当該技術基準適合認定に」とあるのは、認証取扱業者については「当該認証取扱業者が受けた設計認証に」と、届出業者については「その届出に」と、登録修理業者については「当該登録修理業者が修理したその登録に」と読み替えるものとする。

(3) The provisions of the preceding paragraph apply mutatis mutandis to a certified dealer, a notifying supplier, or a registered repairer. In this case, the term "technical standards conformity approval" in that paragraph is deemed to be replaced with "certification of design granted to the certified dealer" for a certified dealer, with "its notification" for a notifying supplier, and with "its registration of the repair performed by that registered repairer" for a registered repairer.

4 総務大臣は、この法律の施行に必要な限度において、指定試験機関若しくは支援機関に対し、その業務に関し報告をさせ、又はその職員に、指定試験機関若しくは支援機関の事務所若しくは事業所に立ち入り、帳簿、書類その他の物件を検査させることができる。

(4) To the extent necessary for enforcement of this Act, the Minister for Internal Affairs and Communications may have a designated examination body or the support institution report on its operations, or commission ministerial officials to enter into the offices or places of business of the designated examination body or the support institution, in order to inspect its books, documents, and other items.

5 前項の規定は、登録講習機関、登録認定機関又は認定送信型対電気通信設備サイバー攻撃対処協会について準用する。

(5) The provisions of the preceding paragraph apply mutatis mutandis to a registered training agency, registered approval body, or certified association against cyber attacks on telecommunications facilities.

6 第二項の規定は承認認定機関による技術基準適合認定を受けた者又は承認認定機関による設計認証を受けた者について、第四項の規定は承認認定機関について、それぞれ準用する。この場合において、第二項中「技術基準適合認定」とあるのは、設計認

証を受けた者については「設計認証」と読み替えるものとする。

(6) The provisions of paragraph (2) apply mutatis mutandis to a person that has obtained technical standards conformity approval from a recognized approval body or a person that has obtained a certification of design from a recognized approval body, and the provisions of paragraph (4) apply mutatis mutandis to a recognized approval body. In this case, the term "technical standards conformity approval" in paragraph (2) is deemed to be replaced with "certification of design" for a person that has obtained a certification of design.

7 第一項の規定又は第二項（第三項及び前項において準用する場合を含む。次項において同じ。）若しくは第四項（前二項において準用する場合を含む。次項において同じ。）の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(7) A ministerial official that conducts on-site inspection pursuant to the provisions of paragraph (1), paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) and the preceding paragraph; the same applies in the following paragraph), or paragraph (4) (including as applied mutatis mutandis pursuant to the preceding two paragraphs; the same applies in the following paragraph) must carry a certificate for identification and show it to the persons concerned.

8 第一項の規定又は第二項若しくは第四項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(8) The authority for on-site inspection under paragraph (1), (2), or (4) must not be construed as being invested for criminal investigations.

（端末機器等の提出）

(Submission of Terminal Equipment)

第百六十七条 総務大臣は、前条第二項の規定によりその職員に検査をさせた場合において、その所在の場所において検査をさせることが著しく困難であると認められる端末機器又は当該端末機器の検査を行うために特に必要な物件があつたときは、登録認定機関による技術基準適合認定を受けた者に対し、期限を定めて、当該端末機器又は当該物件を提出すべきことを命ずることができる。

Article 167 (1) If the Minister for Internal Affairs and Communications has had ministerial officials conduct an inspection pursuant to the provisions of paragraph (2) of the preceding Article and those officials find terminal equipment which is extremely difficult to inspect on-site or particular properties which are particularly necessary for the inspection of the terminal items, the Minister may designate the period and order the person that has obtained technical standards conformity approval from the registered approval body to submit the terminal equipment or the items within that period.

2 国は、前項の規定による命令によつて生じた損失を当該技術基準適合認定を受けた者に対し補償しなければならない。

- (2) The State must compensate the person that has obtained technical standards conformity approval for any loss caused by the order under the preceding paragraph.
- 3 前項の規定により補償すべき損失は、第一項の規定による命令により通常生ずべき損失とする。
- (3) The loss to be compensated pursuant to the provisions of the preceding paragraph is the loss to be incurred ordinarily from the order under paragraph (1).
- 4 前三項の規定は、認証取扱業者、届出業者又は登録修理業者について準用する。この場合において、第一項中「前条第二項」とあるのは、「前条第三項において準用する同条第二項」と読み替えるものとする。
- (4) The provisions of the preceding three paragraphs apply mutatis mutandis to a certified dealer, a notifying supplier or a registered repairer. In this case, the term "paragraph (2) of the preceding Article" in paragraph (1) is deemed to be replaced with the term "paragraph (2) of that Article as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article".
- 5 技術基準適合認定を受けた者が外国取扱業者である場合における当該外国取扱業者に対する第一項から第三項までの規定の適用については、第一項中「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」とする。
- (5) If the person that has obtained technical standards conformity approval is a foreign dealer, for the provisions of paragraphs (1) through (3) to apply to the foreign dealer, the term "order" in paragraph (1) is deemed to be replaced with "request" and the terms "the order" in paragraph (2) and paragraph (3) are deemed to be replaced with "the request".
- 6 認証取扱業者が外国取扱業者である場合における当該外国取扱業者に対する第四項において準用する第一項から第三項までの規定の適用については、第一項中「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」とする。
- (6) If the certified dealer is a foreign dealer, for the provisions of paragraphs (1) through paragraph (3) as applied mutatis mutandis pursuant to paragraph (4) to apply to the foreign dealer, the term "order" in paragraph (1) is deemed to be replaced with the term "request", and the term "the order" in paragraph (2) and paragraph (3) is deemed to be replaced with "the request".
- 7 第一項から第三項までの規定は、承認認定機関による技術基準適合認定を受けた者又は承認認定機関による設計認証を受けた者について準用する。この場合において、第一項中「前条第二項」とあるのは「前条第六項において準用する同条第二項」と、「命ずる」とあるのは「請求する」と、第二項及び第三項中「命令」とあるのは「請求」と読み替えるものとする。
- (7) The provisions of paragraphs (1) through (3) apply mutatis mutandis to a person that has obtained technical standards conformity approval from a recognized approval body or a person that has obtained a certification of design

from a recognized approval body. In such cases, the term "paragraph (2) of the preceding Article" and the term "order" in paragraph (1) are deemed to be replaced with "paragraph (2) of the preceding Article as applied mutatis mutandis pursuant to paragraph (6) of that Article" and "request", respectively; and the term "the order" in paragraph (2) and paragraph (3) is deemed to be replaced with "the request".

(法令等違反行為を行つた者の氏名等の公表)

(Making Public the Name of a Person Who Has Committed an Act that Violates the Act or an Order or Disposition Based on the Act)

第百六十七条の二 総務大臣は、電気通信役務の利用者の利益を保護し、又はその円滑な提供を確保するため必要かつ適当であると認めるときは、総務省令で定めるところにより、この法律又はこの法律に基づく命令若しくは処分に違反する行為（以下この条において「法令等違反行為」という。）を行つた者の氏名又は名称その他法令等違反行為による被害の発生若しくは拡大を防止し、又は電気通信事業の運営を適正かつ合理的なものとするために必要な事項を公表することができる。

Article 167-2 If the Minister for Internal Affairs and Communications finds it to be necessary and appropriate to do so in order to protect the interests of users of telecommunications services or to ensure smooth provision of telecommunications services, the Minister may make public the name of a person who has committed an act that violates this Act or an order or disposition based on this Act (hereinafter referred to as an "act that violates the Act or an order or disposition based on the Act" in this Article), or make public other particulars necessary for preventing the occurrence of or expansion of damage caused by the act that violates the Act or an order or disposition based on the Act, or for making operation of the telecommunications business appropriate and rational, pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

(民法の特例)

(Special Provisions for the Civil Code)

第百六十七条の三 電気通信事業による電気通信役務の提供に係る取引に関して民法（明治二十九年法律第八十九号）第五百四十八条の二第一項の規定を適用する場合には、同項第二号中「表示していた」とあるのは、「表示し、又は公表していた」とする。

Article 167-3 If the provisions of Article 548-2, paragraph (1) of the Civil Code (Act No. 89 of 1896) apply to transactions related to the provision of telecommunications services by a telecommunications carrier, the term "manifests" in item (ii) of that paragraph is deemed to be replaced with "manifests or publishes".

(協議等)

(Negotiations)

第百六十八条 この法律の規定により、電気通信事業（電気通信回線設備を設置することなく電気通信役務を提供するものに限る。以下この条において同じ。）、「媒介等業務受託者又は端末機器」に関し、総務大臣が総務省令（政令で定めるものに限る。）を定め、若しくは命令その他の処分（政令で定めるものに限る。）を行う場合又は総務大臣に対し電気通信事業に関する届出（政令で定めるものに限る。）があつた場合における必要な関係行政機関との協議、これに対する通知その他の手続については、政令で定める。

Article 168 When the Minister for Internal Affairs and Communications establishes Order of the Ministry of Internal Affairs and Communications (limited to those specified by Cabinet Order) or issues an order, or conducts other dispositions (limited to those specified by Cabinet Order) in relation to telecommunications business (limited to those to provide telecommunications services without installing telecommunications line facilities; hereinafter the same applies in this Article), a person entrusted with intermediation or other similar actions, or terminal equipment, pursuant to the provisions of this Act, or when a notification on telecommunications business (limited to those specified by Cabinet Order) is filed with the Minister pursuant to the provisions of this Act, the necessary negotiations with other relevant administrative organs, notifications to those organs, and other procedures are specified by Cabinet Order.

(審議会等への諮問)

(Consultation with Councils or Other Prescribed Organizations)

第百六十九条 総務大臣は、次に掲げる事項については、審議会等（国家行政組織法（昭和二十三年法律第二十号）第八条に規定する機関をいう。）で政令で定めるものに諮問しなければならない。ただし、当該審議会等が軽微な事項と認めたものについては、この限りでない。

Article 169 The Minister for Internal Affairs and Communications must consult the councils or other prescribed organizations (meaning organizations prescribed in Article 8 of the National Government Organization Act (Act No. 120 of 1948)) specified by Cabinet Order with regard to the particulars listed below; provided, however, that this does not apply to particulars which the councils or other prescribed organizations consider to be minor:

一 第二十一条第二項の規定による特定電気通信役務に関する料金の認可、第三十三条第二項の規定による接続約款の認可、同条第十項の規定による第一種指定電気通信設備との接続に関する協定の認可、第百八条第一項の規定による第一種適格電気通信事業者の指定、第百九条第一項の規定による第一種交付金の額及び交付方法の認可、第百十条第二項の規定による第一種負担金の額及び徴収方法の認可、第百十条の三第一項の規定による第二種適格電気通信事業者の指定、第百十条の四第一項

の規定による第二種交付金の額及び交付方法の認可、第百十条の五第二項において準用する第百十条第二項の規定による第二種負担金の額及び徴収方法の認可又は第百十六条第一項において準用する第七十九条第一項の規定による支援業務規程の認可

(i) authorization for charges concerning specified telecommunications services under Article 21, paragraph (2); authorization for general conditions of contracts for interconnection under Article 33, paragraph (2); authorization for an agreement on interconnection with Category I designated telecommunications facilities under paragraph (10) of that Article; designation of Category I eligible telecommunications carriers under Article 108, paragraph (1); authorization for the amount of Category I grants and means of providing them under Article 109, paragraph (1); authorization for the amount and methods of collecting Category I dues under Article 110, paragraph (2); designation of Category 2 eligible telecommunications carriers under Article 110-3, paragraph (1); authorization of the amount and methods of providing the Category II grants under Article 110-4, paragraph (1); authorization of the amount and methods of collection of Category II dues under Article 110, paragraph (2) as applied mutatis mutandis pursuant to Article 110-5, paragraph (2); or authorization of the support operations rules under Article 79, paragraph (1) as applied mutatis mutandis pursuant to Article 116, paragraph (1);

二 第十二条の二第四項第二号ロ若しくはニの規定による電気通信設備の指定、第二十一条第一項の規定による基準料金指数の設定、第二十六条第一項各号の規定による電気通信役務の指定、第二十七条の三第一項の規定による移動電気通信役務の指定若しくは電気通信事業者の指定、第二十七条の五、第三十条第一項若しくは第三項第二号若しくは第四十一条第四項の規定による電気通信事業者の指定、第三十一条第一項の規定による特定関係事業者の指定、第三十三条第一項の規定による第一種指定電気通信設備の指定、第三十四条第一項の規定による第二種指定電気通信設備の指定、第五十条第二項の規定による電気通信番号計画の作成、第五十条の二第三項の規定による標準電気通信番号使用計画の制定又は第百六十四条第一項第三号の規定による同号ロ若しくはハに掲げる電気通信役務を提供する者の指定

(ii) designation of telecommunications facilities under Article 12-2, paragraph (4), item (ii), (b) or (d); setting of the standard charge index under Article 21, paragraph (1); designation of telecommunications services under the items of Article 26, paragraph (1); designation of mobile telecommunications services or designation of telecommunications carriers under Article 27-3, paragraph (1); designation of telecommunications carriers under Article 27-5, Article 30, paragraph (1) or paragraph (3), item (ii), or Article 41, paragraph (4); designation of specified relevant carriers under Article 31, paragraph (1); designation as Category I designated telecommunications facilities under Article 33, paragraph (1); designation as Category II designated

telecommunications facilities under Article 34, paragraph (1); preparation of a telecommunications numbers plan under Article 50, paragraph (2); establishment of standard telecommunications number usage plan under Article 50-2, paragraph (3); or designation under Article 164, paragraph (1), item (iii) of a person who provides telecommunications services listed in (b) or (c) of that item;

三 第一百十条第一項又は第一百十条の五第一項の規定による政令の制定又は改廃の立案
(iii) planning of establishment, amendment, or repeal of Cabinet Orders under Article 110, paragraph (1), or Article 110-5, paragraph (1); and

四 第二条第七号イ、第七条各号、第八条第三項、第九条第一号、第十二条の二第四項第二号ロ若しくはニ、第二十条第一項、第二十一条第一項、第二十四条第一号ロ、第二十六条第一項（第七十三条の三において準用する場合を含む。）、第二十六条の二第一項、第二十六条の三第一項若しくは第三項ただし書、第二十六条の四、第二十七条の二（第一号を除き、第七十三条の三において準用する場合を含む。）、第二十七条の三第一項若しくは第二項（第七十三条の三において準用する場合を含む。）、第二十七条の五、第三十条第一項若しくは第六項、第三十一条第二項ただし書、第六項若しくは第八項、第三十二条第三号、第三十三条第一項、第三項、第四項第一号イ、ロ若しくはホ若しくは第二号、第五項、第十一項、第十三項若しくは第十四項、第三十四条第一項、第三項第一号イ、ロ若しくはホ若しくは第二号、第五項若しくは第六項、第三十六条第一項若しくは第二項、第三十八条の二第一項から第三項まで、第三十九条の三第三項、第四十一条第一項から第五項まで、第四十五条第一項ただし書、第五十条の二第一項第四号、第五十条の四第三号、第五十条の十、第五十二条第一項、第七十条第一項第一号、第八十七条第一項第二号、第一百七条第二号、第一百八条第一項各号若しくは第三項、第一百九条第一項から第三項まで、第一百十条第一項ただし書若しくは第二項（第一百十条の五第二項において準用する場合を含む。）、第一百十条の二第一項若しくは第二項、第一百十条の三第一項第一号、第一百十条の四第一項、第三項若しくは第四項、第一百十条の五第一項又は第一百六十四条第二項第一号、第四号若しくは第五号の規定による総務省令の制定又は改廃
(iv) establishment, amendment, or repeal of Orders of the Ministry of Internal Affairs and Communications under Article 2, item (vii), (a); items of Article 7; Article 8, paragraph (3); Article 9, item (i); Article 12-2, paragraph (4), item (ii), (b) or (d); Article 20, paragraph (1); Article 21, paragraph (1); Article 24, item (i), (b); Article 26, paragraph (1) (including as applied mutatis mutandis pursuant to Article 73-3); Article 26-2, paragraph(1); Article 26-3, paragraph (1) or the proviso of Article 26-3, paragraph (3); Article 26-4; Article 27-2 (excluding item (i), and including as applied mutatis mutandis pursuant to Article 73-3); Article 27-3, paragraph (1) or (2) (including as applied mutatis mutandis pursuant to Article 73-3); Article 27-5; Article 30, paragraph (1) or (6); Article 31, paragraph (2), the proviso of Article 31, paragraph (6), or Article 31, paragraph (8); Article 32, item (iii); Article 33, paragraph (1), paragraph (3), paragraph (4), item (i), (a), (b) or (e)

or item (ii), paragraph (5), paragraph (11), paragraph (13), or paragraph (14); Article 34, paragraph (1), paragraph (3), item (i), (a), (b) or (e) or item (ii), paragraph (5), or paragraph (6); Article 36, paragraph (1) or (2); Article 38-2, paragraphs (1) through (3); Article 39-3, paragraph (3); Article 41, paragraphs (1) through (5); the proviso of Article 45, paragraph (1); Article 50-2, paragraph (1), item (iv); Article 50-4, item (iii); Article 50-1; Article 52, paragraph (1); Article 70, paragraph (1), item (i); Article 87, paragraph (1), item (ii); Article 107, item (ii); items of Article 108, paragraph (1); Article 108, paragraph (3); Article 109, paragraphs (1) through (3); proviso of Article 110, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 110-5, paragraph (2)); Article 110-2, paragraph (1) or (2); Article 110-3, paragraph (1), item (i); Article 110-4, paragraph (1), (3), or (4); Article 110-5, paragraph (1); or Article 164, paragraph (2), item (i), (iv), or (v).

(聴聞の特例)

(Special Provisions for Hearings)

第七十条 第十四条第一項、第四十七条（第七十二条第二項において準用する場合を含む。）、第五十条の九、第七十七条第三項（第一百六条第一項において準用する場合を含む。）、第二百二十六条第一項又は第二百二十七条第一項の規定による処分に係る聴聞の主事者は、行政手続法第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。

Article 170 If the interested person related to an disposition under Article 14, paragraph (1), Article 47 (including as applied mutatis mutandis pursuant to Article 72, paragraph (2)), Article 50-9, Article 77, paragraph (3) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)), Article 126, paragraph (1), or Article 127, paragraph (1) has made a request to participate in the procedures of the hearing pursuant to the provisions of Article 17, paragraph (1) of the Administrative Procedure Act, the presiding official of a hearing related to the disposition must grant permission.

(審査請求の手続における意見の聴取)

(Hearing of Opinions in Appeal Procedures)

第七十一条 この法律の規定による処分又はその不作為についての審査請求に対する裁決は、行政不服審査法（平成二十六年法律第六十八号）第二十四条の規定により当該審査請求を却下する場合を除き、審査請求人に対し、相当な期間を置いて予告をした上、同法第十一条第二項に規定する審理員が意見の聴取をした後にしなければならない。

Article 171 (1) Except for cases in which the request for administrative review is dismissed pursuant to the provisions of Article 24 of the Administrative Appeal Act (Act No. 68 of 2014), a ruling on a request for administrative review of a

disposition under this Act or its inaction must be rendered after an advance notice is given to the requester of the administrative review in a reasonable time period before the ruling, and the review officers set forth in Article 11, paragraph (2) of that Act conduct a hearing of opinions.

2 前項の意見の聴取に際しては、審査請求人及び利害関係人に対し、当該事案について証拠を提示し、意見を述べる機会を与えなければならない。

(2) In the hearing of opinions set forth in the preceding paragraph, the requester of the administrative review and the interested persons must be given the opportunity to present the evidence related to the case and state their opinions.

3 第一項に規定する審査請求については、行政不服審査法第三十一条の規定は適用せず、同項の意見の聴取については、同条第二項から第五項までの規定を準用する。

(3) The provisions of Act 31 of the Administrative Appeal Act do not apply to the request for administrative review set forth in paragraph (1) of this Act, and the provisions of paragraph (2) through (5) of Act 31 of the Administrative Appeal Act apply mutatis mutandis to the hearing of opinions set forth in paragraph (1) of this Act.

(意見の申出)

(Offering of Opinions)

第百七十二条 電気通信事業者の電気通信役務に関する料金その他の提供条件又は電気通信事業者若しくは媒介等業務受託者の業務の方法に関し苦情その他の意見のある者は、総務大臣に対し、理由を記載した文書を提出して意見の申出をすることができる。

Article 172 (1) A person that has complaints or other opinions concerning the charges or other terms and conditions for the provision of telecommunications services or concerning the methods of conducting operations of telecommunications carriers or persons entrusted with intermediation or other similar actions may offer opinions to the Minister for Internal Affairs and Communications by filing the documents describing the reason for those complaints or opinions.

2 総務大臣は、前項の申出があつたときは、これを誠実に処理し、処理の結果を申出者に通知しなければならない。

(2) In cases of the offerings set forth in the preceding paragraph, the Minister for Internal Affairs and Communications must process the offerings in a sincere manner and notify the person that offered the opinion of the result of the process.

(指定試験機関の処分等についての審査請求)

(Requests for Administrative Review of Decisions Rendered by Designated Examination Bodies)

第百七十三条 この法律の規定による指定試験機関の処分又はその不作為に不服がある者は、総務大臣に対し、審査請求をすることができる。この場合において、総務大臣

は、行政不服審査法第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、指定試験機関の上級行政庁とみなす。

Article 173 A person that is dissatisfied with a decision rendered by a designated examination body pursuant to the provisions of this Act or its inaction may make a request for administrative review with the Minister for Internal Affairs and Communications. In this case, with respect to the application of Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47, and Article 49, paragraph (3), the Minister is deemed to be the higher administrative agency of the designated examination body.

(手数料)

(Fees)

第百七十四条 次に掲げる者は、実費を勘案して政令で定める額の手数料を納めなければならない。

Article 174 (1) The following persons must pay fees specified by Cabinet Order in consideration of the actual cost:

一 第十二条の二第一項の規定による登録の更新を受けようとする者

(i) a person that intends to renew registration pursuant to the provisions of Article 12-2, paragraph (1);

二 電気通信主任技術者試験又は工事担任者試験を受けようとする者

(ii) a person that intends to take the examination for chief telecommunications engineers or for installation technicians;

三 第六十八条の三第一項の規定による登録又は第六十八条の六第一項の規定による変更登録を受けようとする者

(iii) a person that intends to obtain registration under Article 68-3, paragraph (1) or registration of change under Article 68-6, paragraph (1);

四 第八十五条の十五第一項の規定により総務大臣が行う講習を受けようとする者

(iv) a person that intends to take training provided by the Minister for Internal Affairs and Communications pursuant to the provisions of Article 85-15, paragraph (1);

五 第八十八条第一項の規定による登録の更新を受けようとする者

(v) a person that intends to renew registration pursuant to the provisions of Article 88, paragraph (1);

六 第二条第一項（第三条において準用する場合を含む。）の規定による技術基準適合認定又は設計認証を求める者

(vi) a person that intends to obtain a technical standards conformity approval or certification of design under Article 102, paragraph (1) (including as applied mutatis mutandis pursuant to Article 103); or

七 電気通信主任技術者資格者証又は工事担任者資格者証の交付又は再交付を受けようとする者

(vii) a person that intends to obtain or renew a chief telecommunications engineer's license or an installation technician's license.

2 前項の手数料は、指定試験機関がその試験事務を行う試験を受けようとする者の納めるものについては当該指定試験機関の、その他のものについては国庫の収入とする。

(2) If the fees set forth in the preceding paragraph are paid by persons that intend to take an examination whose administration is being conducted by a designated examination body, they are the income of that body, and in other cases, they are the revenue of the national treasury.

(経過措置)

(Transitional Measures)

第七十五条 この法律の規定に基づき命令を制定し、又は改廃するときは、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 175 If an order is established, amended, or repealed pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be specified by that order within a scope that is found reasonably necessary in conjunction with that establishment, amendment, or repeal.

(事務の区分)

(Classification of Functions)

第七十六条 第三十条第二項及び第三項（これらの規定を第三十八条第四項において準用する場合を含む。）の規定により市町村が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

Article 176 The functions to be handled by municipalities pursuant to the provisions of Article 130, paragraphs (2) and (3) (including as applied mutatis mutandis pursuant to Article 138, paragraph (4)) are the item (i) statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(総務省令への委任)

(Delegation to Order of the Ministry of Internal Affairs and Communications)

第七十六条の二 この法律に定めるもののほか、この法律を実施するため必要な事項は、総務省令で定める。

Article 176-2 Beyond what is provided for in this Act, particulars necessary for implementing this Act are specified by Order of the Ministry of Internal Affairs and Communications.

第六章 罰則

Chapter VI Penal Provisions

第一百七十七条 第九条の規定に違反して電気通信事業を営んだときは、当該違反行為をした者は、三年以下の懲役若しくは二百万円以下の罰金に処し、又はこれを併科する。

Article 177 When a person has conducted telecommunications business in violation of the provisions of Article 9, the person who has committed that violation is subject to imprisonment for not more than three years or a fine of not more than two million yen, or both.

第一百七十八条 削除

Article 178 Deleted

第一百七十九条 電気通信事業者の取扱中に係る通信（第百六十四条第三項に規定する通信並びに同条第四項及び第五項の規定により電気通信事業者の取扱中に係る通信とみなされる認定送信型対電気通信設備サイバー攻撃対処協会が行う第百十六条の二第二項第一号口の通知及び認定送信型対電気通信設備サイバー攻撃対処協会が取り扱う同項第二号口の通信履歴の電磁的記録を含む。）の秘密を侵した者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 179 (1) A person that has violated the secrecy of communications handled by a telecommunications carrier (including communication set forth in Article 164, paragraph (3); notification under Article 116-2, paragraph (2), item (i), (b) conducted by the certified association against cyber attacks on telecommunications facilities which is deemed to be communication handled by a telecommunications carrier pursuant to the provisions of Article 164, paragraphs (4) and (5); and electronic or magnetic records of communications history under Article 116-2, paragraph (2), item (ii), (b) handled by the certified association against cyber attacks on telecommunications facilities) is subject to imprisonment for not more than two years or a fine of not more than one million yen.

2 電気通信事業に従事する者（第百六十四条第四項及び第五項の規定により電気通信事業に従事する者とみなされる認定送信型対電気通信設備サイバー攻撃対処協会が行う第百十六条の二第二項第一号又は第二号に掲げる業務に従事する者を含む。）が前項の行為をしたときは、三年以下の懲役又は二百万円以下の罰金に処する。

(2) A person engaging in telecommunications business (including persons engaging in the operations listed in Article 116-2, paragraph (2), item (i) or item (ii) conducted by the certified association against cyber attacks on telecommunications facilities that are deemed to be persons engaging in telecommunications business pursuant to the provisions of Article 164, paragraphs (4) and (5)) that has undertaken the act set forth in the preceding paragraph is subject to imprisonment for not more than three years or a fine of not more than two million yen.

3 前二項の未遂罪は、罰する。

(3) An attempt to commit the offenses set forth in the preceding two paragraphs is subject to punishment.

第一百八十条 みだりに電気通信事業者の事業用電気通信設備を操作して電気通信役務の提供を妨害した者は、二年以下の懲役又は五十万円以下の罰金に処する。

Article 180 (1) A person that has operated any telecommunications facilities for the use of telecommunications business of a telecommunications carrier without due cause and thereby impeded the provision of telecommunications services is subject to imprisonment for not more than two years or a fine of not more than five hundred thousand yen.

2 電気通信事業に従事する者が、正当な理由がないのに電気通信事業者の事業用電気通信設備の維持又は運用の業務の取扱いをせず、電気通信役務の提供に障害を生ぜしめたときは、二年以下の禁錮又は五十万円以下の罰金に処する。

(2) When a person that engages in telecommunications business fails to carry out the operations of maintaining or operating the telecommunications facilities for the use of telecommunications business of a telecommunications carrier without reasonable grounds and thereby causes an obstruction to the provision of telecommunications services, the person is subject to imprisonment for not more than two years or a fine of not more than five hundred thousand yen.

3 第一項の未遂罪は、罰する。

(3) An attempt to commit the offenses set forth in paragraph (1) is subject to punishment.

第一百八十条の二 第二十五条第一項から第三項までの規定に違反して電気通信役務の提供を拒んだときは、その違反行為をした者は、二年以下の禁錮若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 180-2 When a person refuses to provide telecommunications services in violation of the provisions of Article 25, paragraphs (1) through (3), the person who has committed that violation is subject to imprisonment of not more than two years or a fine of not more than one million yen, or both.

第一百八十一条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 181 When a person falls under either of the following items, the person who has committed that violation is subject to imprisonment for not more than one year or a fine of not more than one million yen:

一 第五十四条（第六十一条及び第六十八条において準用する場合を含む。）の規定による命令に違反したとき。

(i) when a person has violated an order under Article 54 (including as applied mutatis mutandis pursuant to Articles 61 and 68); or

二 第六十条第一項（第一号に係る部分に限る。）、第六十六条第一項（第一号に係る部分に限る。）に違反したとき。

る部分に限る。)又は第六十七条第一項の規定による禁止に違反したとき。

(ii) when a person has violated the prohibition under Article 60, paragraph (1) (limited to the part in relation to item (i)), Article 66, paragraph (1) (limited to the part in relation to item (i)), or Article 67, paragraph (1).

第百八十二条 第七十八条第一項（第百十六條第一項において準用する場合を含む。）又は第百十六條の四の規定に違反してその職務に関し知り得た秘密を漏らした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 182 (1) A person that has divulged any secret that has come to their knowledge with respect to the duties in violation of the provisions of Article 78, paragraph (1) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)) or Article 116-4 is subject to imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

2 第八十五条の十三第二項、第百条第二項（第百三条において準用する場合を含む。）又は第百十六條の六第二項の規定による業務の停止の命令に違反したときは、当該違反行為をした者も、前項と同様とする。

(2) If a person has violated an order to suspend operations under Article 85-13, paragraph (2), Article 100, paragraph (2) (including as applied mutatis mutandis pursuant to Article 103) or Article 116-6, paragraph (2), the punishment referred to in the preceding paragraph also applies to this person.

第百八十三条 削除

Article 183 Deleted

第百八十四条 第八十四条第二項（第百十六條第一項において準用する場合を含む。）の規定による業務の停止の命令に違反したときは、その違反行為をした指定試験機関又は支援機関の役員又は職員は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 184 If a designated examination body or the support institution has violated an order to suspend its operations under Article 84, paragraph (2) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)), officers or employees of the designated examination body or the support institution that has committed the violation are subject to imprisonment for not more than one year or a fine of not more five hundred thousand yen.

第百八十五条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 185 When a person falls under either of the following items, the person who has committed that violation is subject to imprisonment for not more than six months or a fine of not more than five hundred thousand yen:

一 第十六條第一項の規定による届出をせず、若しくは虚偽の届出をして電気通信事業を営んだとき、又は同条第二項の規定により読み替えて適用する同条第一項の規

定による届出をせず、若しくは虚偽の届出をしたとき。

(i) when a person that has operated telecommunications business has failed to provide notice or provided false notice pursuant to the provisions of Article 16, paragraph (1), or when the person has failed to provide notice or provided false notice pursuant to the provisions of paragraph (1) of that Article as applied pursuant to the provisions of paragraph (2) of that Article following the deemed replacement of terms;

二 第七十三条の二第一項の規定による届出をせず、又は虚偽の届出をして、第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の媒介等の業務を行つたとき。

(ii) when a person that has performed intermediation or other similar actions for concluding a contract related to provision of telecommunications services listed in the items of Article 26, paragraph (1) has failed to provide notice or provided false notice pursuant to the provisions of Article 73-2, paragraph (1).

第百八十六条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、二百万円以下の罰金に処する。

Article 186 If a person falls under any of the following items, the person that has committed the relevant violation is subject to a fine of not more than two million yen:

一 第十三条第一項の規定に違反して第十条第一項第三号若しくは第四号の事項を変更したとき、又は第十三条第二項の規定により読み替えて適用する同条第一項の規定に違反して変更登録を受けなかつたとき。

(i) if a person has changed the particulars set forth in Article 10, paragraph (1), item (iii) or (iv) in violation of the provisions of Article 13, paragraph (1), or a person has failed to obtain a registration of change in violation of the provisions of Article 13, paragraph (1) as applied pursuant to the provisions of paragraph (2) of that Article following the deemed replacement of terms;

二 第十九条第三項、第二十条第五項又は第二十一条第六項の規定に違反して電気通信役務を提供したとき。

(ii) if a person has provided telecommunications services in violation of the provisions of Article 19, paragraph (3), Article 20, paragraph (5), or Article 21, paragraph (6);

三 第十九条第二項、第二十条第三項、第二十一条第四項、第二十七条の七第一項若しくは第二項、第二十九条第一項若しくは第二項、第三十条第五項、第三十一条第四項、第三十三条第六項若しくは第八項、第三十四条第三項、第三十五条第一項（第三十九条において準用する場合を含む。）若しくは第二項、第三十八条第一項（第三十九条において準用する場合を含む。）、第三十八条の二第四項、第三十九条の三第二項、第四十三条第一項（同条第二項において準用する場合を含む。）、第四十四条の二第一項若しくは第二項、第四十四条の五、第五十一条、第七十三条の四又は第二百一十一条第二項の規定による命令又は処分に違反したとき。

(iii) if a person has violated any order or disposition under Article 19, paragraph (2), Article 20, paragraph (3), Article 21, paragraph (4), Article 27-7, paragraph (1) or (2), Article 29, paragraph (1) or (2), Article 30, paragraph (5), Article 31, paragraph (4), Article 33, paragraph (6) or (8), Article 34, paragraph (3), Article 35, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39) or paragraph (2), Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 39), Article 38-2, paragraph (4), Article 39-3, paragraph (2), Article 43, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (2) of that Article), Article 44-2, paragraph (1) or (2), Article 44-5, Article 51, Article 73-4, or Article 121, paragraph (2);

四 第二十七条の十第一項の規定に違反して特定利用者情報統括管理者を選任しなかったとき。

(iv) if a person has not appointed a general manager of specified user information in violation of the provisions of Article 27-10, paragraph (1);

五 第三十三条第九項、第三十四条第四項又は第四十条の規定に違反して協定又は契約を締結し、変更し、又は廃止したとき。

(v) if a person has concluded, revised, or discontinued an agreement or contract in violation of the provisions of Article 33, paragraph (9), Article 34, paragraph (4), or Article 40;

六 第四十四条の三第一項の規定に違反して電気通信設備統括管理者を選任しなかったとき。

(vi) if a person has not appointed a general manager of telecommunications facilities in violation of the provisions of Article 44-3, paragraph (1);

七 第四十五条第一項の規定に違反して電気通信主任技術者を選任しなかったとき。

(vii) if a person has not appointed a chief telecommunications engineer in violation of the provisions of Article 45, paragraph (1);

八 第五十条の二第一項の規定に違反して電気通信番号を使用したとき。

(viii) if a person has used a telecommunications number in violation of the provisions of Article 50-2, paragraph (1); or

九 第五十条の六第一項の規定に違反して電気通信番号使用計画を変更したとき。

(ix) if a person has changed a telecommunications number usage plan in violation of the provisions of Article 50-6, paragraph (1).

第百八十七条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、五十万円以下の罰金に処する。

Article 187 If a person falls under either of the following items, a person that has committed the relevant violation is subject to a fine of not more than five hundred thousand yen:

一 第十六条第四項の規定による届出をしないで同条第一項第三号若しくは第四号の事項を変更し、若しくは虚偽の届出をしたとき、又は同条第五項若しくは同条第六

項の規定により読み替えて適用する同条第四項の規定による届出をせず、若しくは虚偽の届出をしたとき。

- (i) if a person has changed the matters set forth in Article 16, paragraph (1), item (iii) or (iv) and fails to file a notification under paragraph (4) of that Article or files a false notification, or if the person has failed to give a notification pursuant to the provisions of paragraph (4) of that Article as applied pursuant to the provisions of paragraph (5) or (6) of that Article following the deemed replacement of terms, or has filed a false notification;
or

二 第五十三条第三項又は第六十八条の八第二項の規定に違反して表示を付したとき。

- (ii) if a person that has affixed marks in violation of the provisions of Article 53, paragraph (3) or Article 68-8, paragraph (2).

第百八十八条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

Article 188 If a person falls under any of the following items, the person that has committed the relevant violation is subject to a fine of not more than three hundred thousand yen:

- 一 第十七条第二項、第十八条第一項、第二十六条の四第二項、第二十七条の六第一項若しくは第二項、第二十七条の十第二項、第三十六条第一項、第三十七条第一項若しくは第二項、第三十八条の二第一項、第四十二条第三項（同条第四項から第六項（同条第七項の規定により読み替えて適用する場合を含む。）までにおいて準用する場合を含む。）、第四十四条第一項（同条第四項の規定により読み替えて適用する場合を含む。）若しくは第三項、第四十四条の三第二項、第四十五条第二項、第七十三条の二第三項若しくは第四項、第百八条第三項、第百二十条第四項（第百二十二条第四項において準用する場合を含む。）又は第二百二十四条第一項の規定による届出をせず、又は虚偽の届出をしたとき。

- (i) if a person has filed a notification under Article 17, paragraph (2), Article 18, paragraph (1), Article 26-4, paragraph (2), Article 27-6, paragraph (1) or (2), Article 27-10, paragraph (2), Article 36, paragraph (1), Article 37, paragraph (1) or (2), Article 38-2, paragraph (1), Article 42, paragraph (3) (including as applied mutatis mutandis pursuant to paragraphs (4) through (6) of that Article (including as applied pursuant to the provisions of paragraph (7) of that Article following the deemed replacement of terms)), Article 44, paragraph (1) (including as applied pursuant to the provisions of paragraph (4) of that Article following the deemed replacement of terms) or paragraph (3), Article 44-3, paragraph (2), Article 45, paragraph (2), Article 73-2, paragraph (3) or (4), Article 108, paragraph (3), Article 120, paragraph (4) (including as applied mutatis mutandis pursuant to Article 122, paragraph (4)) or Article 124, paragraph (1), or has filed a false notification;

二 第十九条第一項（第二号基礎的電気通信役務に係る部分に限る。）又は第二十条

- 第一項の規定による届出をしなかつたとき。
- (ii) if a person has filed a notification under Article 19, paragraph (1) (limited to the part related to item (ii) universal telecommunications service), Article 20, paragraph (1);
- 三 第二十二條又は第三十三條第十二項の規定による記録をせず、又は虚偽の記録をしたとき。
- (iii) if a person has not kept records under Article 22 or Article 33, paragraph (12), or has kept false records;
- 四 第二十三條第一項の規定に違反したとき。
- (iv) if a person has violated the provisions of Article 23, paragraph (1);
- 五 第二十六條の二第一項の規定に違反して、書面を交付せず、又は虚偽の記載をした書面を交付したとき。
- (v) if a person has not delivered a document, or a document containing false statements has been delivered in violation of the provisions of Article 26-2, paragraph (1);
- 六 第二十八條第一項又は第三十一條第八項の規定による報告をせず、又は虚偽の報告をしたとき。
- (vi) if a person has not filed a report under Article 28, paragraph (1) or Article 31, paragraph (8), or filed a false report;
- 七 第三十三條第十一項、第三十四條第五項又は第百八條第三項の規定に違反して接続約款を公表しなかつたとき。
- (vii) if a person has not made general conditions of contracts for interconnection public in violation of the provisions of Article 33, paragraph (11), Article 34, paragraph (5), or Article 108, paragraph (3);
- 八 第三十六條第二項の規定に違反して計画を公表しなかつたとき。
- (viii) if a person has not made a plan public in violation of the provisions of Article 36, paragraph (2);
- 九 第六十三條第三項の規定による届出をする場合において虚偽の届出をしたとき。
- (ix) if a person has filed a false notification in cases of filing a notification under Article 63, paragraph (3);
- 十 第六十三條第四項の規定に違反して、記録を作成せず、若しくは虚偽の記録を作成し、又は記録を保存しなかつたとき。
- (x) if a person has not made or kept records or has made false records in violation of the provisions of Article 63, paragraph (4);
- 十一 第八十五條の十、第九十六條（第百三條において準用する場合を含む。）又は第百十六條の五の規定に違反して、帳簿を備え付けず、帳簿に記載せず、若しくは記録せず、若しくは帳簿に虚偽の記載若しくは記録をし、又は帳簿を保存しなかつたとき。
- (xi) if a person has not prepared books, has not made entries or recordings in the books, has made a false entry or record in the books, or has not kept the books, in violation of the provisions of Article 85-10, Article 96 (including as

- applied mutatis mutandis pursuant to Article 103), or Article 116-5;
- 十二 第八十五条の十二第一項の規定による届出をしないで講習事務を廃止し、又は虚偽の届出をしたとき。
- (xii) if a person has discontinued training affairs without filing a notification under Article 85-12, paragraph (1), or has filed a false notification;
- 十三 第九十二条第一項（第百三条において準用する場合を含む。）の規定による報告をせず、又は虚偽の報告をしたとき。
- (xiii) if a person has filed a report under Article 92, paragraph (1) (including as applied mutatis mutandis pursuant to Article 103), or has filed a false report;
- 十四 第九十九条第一項（第百三条において準用する場合を含む。）の規定による届出をしないで業務を廃止し、又は虚偽の届出をしたとき。
- (xiv) if operations have been discontinued without filing a notification under Article 99, paragraph (1) (including as applied mutatis mutandis pursuant to Article 103), or a false notification has been filed;
- 十五 第百十六条の三第三項の規定に違反してその名称中に認定送信型対電気通信設備サイバー攻撃対処協会の特定会員と誤認されるおそれのある文字を用いたとき。
- (xv) if a person has used characters that might cause the relevant person to be mistaken for a specified member of the certified association against cyber attacks on telecommunications facilities in their name in violation of the provisions of Article 116-3, paragraph (3);
- 十六 第百四十一条第四項又は第百四十三条の規定に違反したとき。
- (xvi) if a person has violated the provisions of Article 141, paragraph (4) or Article 143;
- 十七 第百六十六条第一項、第二項（同条第三項において準用する場合を含む。）若しくは同条第五項において準用する同条第四項の規定による報告をせず、若しくは虚偽の報告をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避したとき
- (xvii) if a person has not filed a report under Article 166, paragraph (1), paragraph (2) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article), or paragraph (4) as applied mutatis mutandis pursuant to paragraph (5) of that Article, has filed a false report, or has refused, obstructed, or evaded inspection under these provisions; or
- 十八 第百六十七条第一項（同条第四項において準用する場合を含む。）の規定による命令に違反したとき。
- (xviii) if a person has violated an order under Article 167, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (4) of that Article).

第百八十九条 次の各号のいずれかに該当するときは、その違反行為をした指定試験機関又は支援機関の役員又は職員は、三十万円以下の罰金に処する。

Article 189 If a designated examination body or support institution falls under any of the following items, officers or employees of the designated examination body or support institution that has committed the violation are subject to a fine of not more than three hundred thousand yen:

一 第八十一条（第百十六条第一項において準用する場合を含む。）の規定に違反して、帳簿を備え付けず、帳簿に記載せず、若しくは記録せず、若しくは帳簿に虚偽の記載若しくは記録をし、又は帳簿を保存しなかつたとき。

(i) if the organization has failed to prepare books or make entries or recordings in the books, has made false entries or records in the books, or has failed to keep the books, in violation of the provisions of Article 81 (including as applied *mutatis mutandis* pursuant to Article 116, paragraph (1));

二 第八十三条第一項（第百十六条第一項において準用する場合を含む。）の規定に違反して試験事務又は支援業務の全部を廃止したとき。

(ii) if the organization has discontinued all examination affairs or all of support operations in violation of the provisions of Article 83, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 116, paragraph (1)); or

三 第百六十六条第四項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) if the organization has failed to make a report under Article 166, paragraph (4), has made a false report, or has refused, obstructed or evaded the inspection under that paragraph.

第九十条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 190 If any representative of a corporation, or an agent, employee or other worker of a corporation or individual, has committed a violation of the provisions set forth in the following items in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation is subject to the fine prescribed in those items and the individual is subject to the fine referred to in the relevant Article:

一 第八十一条 一億円以下の罰金刑

(i) Article 181: fine of not more than one hundred million yen; and

二 第七十七条、第七十九条、第八十条の二、第八十二条第二項又は第八十五条から第八十八条まで 各本条の罰金刑

(ii) Article 177, Article 179, Article 180-2, Article 182, paragraph (2), or Articles 185 through 188: fine set forth in the relevant Article.

第九十一条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。ただ

し、その行為について刑を科すべきときは、この限りでない。

Article 191 A person that falls under any of the following items is subject to a civil fine of not more than one million yen; provided, however, that this does not apply if that person is to be subject to a punishment on account of the act in question:

一 第二十四条の規定に違反した者

(i) a person that has violated the provisions of Article 24;

二 第三十条第六項、第三十三条第十三項、第三十四条第六項又は第三十九条の第三項の規定に違反して公表することを怠り、又は不実の公表をした者

(ii) a person that has failed to make something public or has made false things public in violation of the provisions of Article 30, paragraph (6), Article 33, paragraph (13), Article 34, paragraph (6) or Article 39-3, paragraph (3); and

三 第三十一条第一項の規定に違反して役員を兼ねた者

(iii) a person that concurrently serves as an officer in violation of the provisions of Article 31, paragraph (1).

第百九十二条 次の各号のいずれかに該当する者は、三十万円以下の過料に処する。

Article 192 A person that falls under any of the following items is subject to a civil fine of not more than three hundred thousand yen:

一 第六十三条第五項、第六十八条の六第四項、第六十八条の十第一項、第八十五条の六第二項、第九十条第二項（第百十六条第一項において準用する場合を含む。）又は第百十六条の二第七項の規定による届出をせず、又は虚偽の届出をした者

(i) a person that has failed to file a notification under Article 63, paragraph (5), Article 68-6, paragraph (4), Article 68-10, paragraph (1), Article 85-6, paragraph (2), Article 90, paragraph (2) (including as applied mutatis mutandis pursuant to Article 116, paragraph (1)), or Article 116-2, paragraph (7), or has filed a false notification;

二 第八十五条の九第一項若しくは第九十五条第一項の規定に違反して、財務諸表等を備えて置かず、財務諸表等に記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は正当な理由がないのに第八十五条の九第二項若しくは第九十五条第二項の規定による請求を拒んだ者

(ii) a person that has failed to retain financial statements and other documents or to enter or record the particulars to be entered or recorded in the financial statements and other documents, or has made false entries or records, in violation of the provisions of Article 85-9, paragraph (1) or Article 95, paragraph (1); or, without reasonable grounds, has refused a request under Article 85-9, paragraph (2) or Article 95, paragraph (2); or

三 正当な理由がないのに第百十六条の三第一項の規定による名簿の縦覧を拒んだ者

(iii) a person that has refused to make a membership list available for public inspection, without reasonable grounds.

第百九十三条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 193 A person that falls under any of the following items is subject to a civil fine of not more than one hundred thousand yen:

一 第十三条第五項、第十六条第三項、第十八条第二項、第五十条の六第三項又は第七十三条の二第二項若しくは第五項の規定による届出をせず、又は虚偽の届出をした者

(i) a person that has failed to file a notification under Article 13, paragraph (5), Article 16, paragraph (3), Article 18, paragraph (2), Article 50-6, paragraph (3), or Article 73-2, paragraph (2) or (5), or has filed a false notification;

二 正当な理由がないのに第四十七条（第七十二条第二項において準用する場合を含む。）の規定による命令に違反して電気通信主任技術者資格者証又は工事担任者資格者証を返納しなかつた者

(ii) a person that has failed to return a chief telecommunications engineer's license or installation technician's license in violation of an order under Article 47 (including as applied mutatis mutandis pursuant to Article 72, paragraph (2)), without reasonable grounds;

三 第百十六条の三第二項の規定に違反してその名称中に認定送信型対電気通信設備サイバー攻撃対処協会と誤認されるおそれのある文字を用いた者

(iii) a person that has used characters in a name that may cause that person to be mistaken for the certified association against cyber attacks on telecommunications facilities in violation of the provisions of Article 116-3, paragraph (2); or

四 第百四十一条第三項の規定に違反した者

(iv) any person that has violated the provisions of Article 141, paragraph (3).

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、昭和六十年四月一日から施行する。

Article 1 This Act comes into effect as of April 1, 1985.

(検討)

(Review)

第二条 政府は、この法律の施行の日から三年以内に、この法律の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 The government is to review the status of enforcement of this Act and is to take necessary measures based on the results of the review, within three years from the date of enforcement of this Act.

(公衆電気通信法の廃止)

(Repeal of the Public Telecommunications Act)

第三条 公衆電気通信法（昭和二十八年法律第九十七号）は、廃止する。

Article 3 The Public Telecommunications Act (Act No. 97 of 1953) is repealed.

(経過措置)

(Transitional Measures)

第四条 この法律の施行の際現に解散前の日本電信電話公社（以下「旧公社」という。）が行っている公衆電気通信業務に係る事業であつて第一種電気通信事業に該当し、又はこれとみなされるものについては、この法律の施行の日（以下「施行日」という。）に日本電信電話株式会社（以下「日本電電」という。）が第九条第一項の許可を受けたものとみなす。

Article 4 (1) The business related to public telecommunications activities which is being actually conducted by Nippon Telegraph and Telephone Public Corporation before its dissolution (hereinafter referred to as the "former Public Corporation") at the time of enforcement of this Act, and falls, or is deemed to fall, under type I telecommunications business is deemed to be the business for which Nippon Telegraph and Telephone Corporation (hereinafter referred to as "NTT") has obtained the permission set forth in Article 9, paragraph (1) on the date of enforcement of this Act (hereinafter referred to as the "effective date").

2 この法律の施行の際現に国際電信電話株式会社（以下「国際電電」という。）が行っている公衆電気通信業務に係る事業であつて第一種電気通信事業に該当し、又はこれとみなされるものについては、施行日に第九条第一項の許可を受けたものとみなす。

(2) The business related to public telecommunications activities which is being actually conducted by Kokusai Denshin Denwa Company, Limited (hereinafter referred to as "KDD") at the time of enforcement of this Act, and falls, or is deemed to fall, under type I telecommunications business is deemed to be the business for which KDD has obtained the permission set forth in Article 9, paragraph (1) on the effective date.

3 日本電電及び国際電電は、前二項に規定する事業に関し、郵政省令で定める事項を施行日から一月以内に、郵政大臣に届け出なければならない。

(3) Both NTT and KDD must notify the Minister of Posts and Telecommunications of the particulars specified by Order of the Ministry of Posts and Telecommunications with respect to the business set forth in the preceding two paragraphs, within one month from the effective date.

第五条 電報の事業（配達の業務を含む。以下この条において同じ。）は、当分の間、電気通信事業とみなし、当該事業に係る業務のうち受付及び配達業務については、東日本電信電話株式会社、西日本電信電話株式会社及び電気通信分野における規制の合理化のための関係法律の整備等に関する法律（平成十年法律第五十八号）第一条の規定による廃止前の国際電信電話株式会社法（昭和二十七年法律第三百一号）により

設立された国際電信電話株式会社の電気通信事業者の地位を承継した者（以下この条において「国際電電承継人」という。）のみがこれを行うことができる。この場合において、電報の事業については、電気通信事業法及び日本電信電話株式会社等に関する法律の一部を改正する法律（平成十五年法律第百二十五号）第二条の規定による改正前のこの法律（以下この条において「旧法」という。）の規定（第十六条、第十七条及び附則第五条第一項の規定を除き、罰則を含む。次項において同じ。）はなお効力を有する。

Article 5 (1) Telegram business (including operations of delivering them; hereinafter the same applies in this Article) is deemed to be telecommunications business until otherwise provided for by law, and the operations of accepting and delivering them, from among the operations related to that business, may be conducted only by Nippon Telegraph and Telephone East Corporation, Nippon Telegraph and Telephone West Corporation, and the person that has succeeded to the status of Kokusai Denshin Denwa Company, Limited as a telecommunications carrier established under the Kokusai Denshin Denwa Company, Limited Act (Act No. 301 of 1952), before being repealed by Article 1 of the Act on Development of the Relevant Acts for Rationalization of the Regulations in the Telecommunications Field (Act No. 58 of 1998) (hereinafter referred to as "KDD successor" in this Article). In this case, the provisions on the telegram business (excluding Article 16, Article 17 and Article 5, paragraph (1) of Supplementary Provisions, and including penal provisions; the same applies in the following paragraph) in this Act before being amended by Article 2 of the Act to Amend the Telecommunications Business Act and the Act on Nippon Telegraph and Telephone Corporation, Etc. (Act No. 125 of 2003) (hereinafter referred to as the "former Act" in this Article) remain in force.

2 前項の場合において、東日本電信電話株式会社、西日本電信電話株式会社及び国際電電承継人（以下この条において「東日本電信電話株式会社等」という。）が行う電報の取扱いの役務は旧法第二条第三号に規定する電気通信役務とみなし、当該役務の提供の業務は旧法第二条第六号に規定する電気通信業務とみなし、東日本電信電話株式会社等が行う電報の事業は旧法第六条第二項に規定する第一種電気通信事業とみなして、前項の規定によりなお効力を有するものとされる旧法の規定を適用する。

(2) In the case set forth in the preceding paragraph, the telegram handling services provided by Nippon Telegraph and Telephone East Corporation, Nippon Telegraph and Telephone West Corporation, and the KDD successor (hereinafter referred to as "NTT East or West or the KDD successor" in this Article) is deemed to be the telecommunications services prescribed in Article 2, item (iii) of the former Act; the operations involved in providing the service is deemed to be the telecommunications operations prescribed in Article 2, item (vi) of the former Act; the telegram business conducted by NTT East or West or the KDD successor is deemed to be the type I telecommunications business as

prescribed in Article 6, paragraph (2) of the former Act; and the provisions of the former Act which are deemed to remain in force pursuant to the provisions of the preceding paragraph apply.

3 東日本電信電話株式会社等は、旧法第十五条第一項の規定にかかわらず、総務省令で定めるところにより、電報の事業に係る業務の一部を委託することができる。

(3) Notwithstanding the provision of Article 15, paragraph (1) of the former Act, NTT East or West or the KDD successor may entrust part of its operations in relation to their telegram business to others pursuant to the provisions of Order of the Ministry of Internal Affairs and Communications.

4 前三項に規定するもののほか、電報の取扱いに係る業務又は役務に関し必要な事項は、総務省令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, particulars necessary for operations or services in relation to telegram handling are specified by Order of the Ministry of Internal Affairs and Communications.

第六条 この法律の施行の際現にこの法律による廃止前の公衆電気通信法（以下「旧公衆法」という。）第五十五条の十三第二項の郵政省令で定める場合に該当するものとして一般第二種電気通信事業に相当する事業を営んでいる者は、施行日に第二十二条第一項の規定による届出をしたものとみなす。

Article 6 A person that actually is conducting the business equivalent to the general type II telecommunications business at the time of enforcement of this Act as that which falls under the cases specified by Order of the Ministry of Posts and Telecommunications as prescribed in Article 55-13, paragraph (2) of the Public Telecommunications Act before being repealed by this Act (hereinafter referred to as the "former Public Act") is deemed to have filed a notification under Article 22, paragraph (1) on the effective date.

第七条 この法律の施行の際現に旧公衆法第七条から第十条までの規定に基づき旧公社又は国際電電が行っている公衆電気通信業務の一部の委託については、施行日において定められているその期限までの間は、日本電電又は国際電電が第十五条第一項の認可を受け、又は附則第五条第二項の規定に基づいて行っている委託とみなす。

Article 7 Entrustment of part of public telecommunications activities which are actually being conducted by a former Public Corporation or KDD pursuant to the provisions of Articles 7 through 10 of the former Public Act at the time of enforcement of this Act is deemed to be entrustment conducted by NTT or KDD with authorization set forth in Article 15, paragraph (1) or pursuant to the provisions of Article 5, paragraph (2) of Supplementary Provisions until the time limit specified as of the effective date.

第八条 附則第四条第一項又は第二項の規定により第九条第一項の許可を受けたものとみなされた第一種電気通信事業に係る電気通信役務の提供に関しこの法律の規定によ

り認可を必要とする事項については、日本電電及び国際電電は、施行日から二月以内に、その認可の申請をしなければならない。

Article 8 (1) NTT and KDD must apply within two months from the effective date for an authorization for the particulars for which they need to obtain an authorization pursuant to the provisions of this Act with respect to the provision of telecommunications services related to the type I telecommunications business for which NTT and KDD are deemed to have obtained the permission set forth in Article 9, paragraph (1) pursuant to the provisions of Article 4, paragraph (1) or (2) of Supplementary Provisions.

2 日本電電及び国際電電は、施行日から前項の申請に基づく認可に関する処分があるまでの間は、従前の条件でその電気通信役務を提供することができる。

(2) NTT and KDD may continue to provide their telecommunications services under the same terms and conditions as those previously in force, from the effective date until a disposition is rendered concerning the authorization based on the application set forth in the preceding paragraph.

第九条 旧公社と締結した契約に基づく旧公衆法の規定による電話加入権については、当分の間、旧公衆法第三十八条から第三十八条の三までの規定は、施行日以後も、なおその効力を有する。この場合において、旧公衆法第三十八条第一項中「公社」とあるのは「日本電信電話株式会社法の一部を改正する法律（平成九年法律第九十八号）附則第五条第六項に規定する承継計画において定めるところに従い当該電話加入権に係る権利及び義務を承継した東日本電信電話株式会社又は西日本電信電話株式会社」と、同条第二項中「公社」とあるのは「東日本電信電話株式会社又は西日本電信電話株式会社」と、同条第四項中「質権の目的とすることができない」とあるのは「電話加入権質に関する臨時特例法（昭和三十三年法律第百三十八号）に定める場合を除き、質権の目的とすることができない」と、旧公衆法第三十八条の二及び第三十八条の三第一項中「電話取扱局」とあるのは「東日本電信電話株式会社又は西日本電信電話株式会社において電話に関する現業事務を取り扱う事務所」とする。

Article 9 (1) With regard to the telephone subscriber's right under the former Public Act, based on the contract concluded with the former Public Corporation, the provisions of Articles 38 through 38-3 of the former Public Act remain in force until otherwise provided for by law, even after the effective date. In this case, the term "the Public Corporation" in Article 38, paragraph (1) of the former Public Act is deemed to be replaced with "Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation that has succeeded to the rights and obligation in relation to the telephone subscriber's rights pursuant to the provisions of the Succeeding Plan prescribed in Supplementary Provisions Article 5, paragraph (6) of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997)"; the term "the Public Corporation" in paragraph (2) of that Article is deemed to be replaced with "Nippon Telegraph and Telephone East

Corporation or Nippon Telegraph and Telephone West Corporation"; the phrase "must not be put in pledge" in paragraph (4) of that Article is deemed to be replaced with "must not be put in pledge except for the cases prescribed in the Act on Temporary Special Measures for Telephone Subscriber's Right (Act No. 138 of 1958)"; and the term "telephone offices" in Article 38-2 and Article 38-3, paragraph (1) of the former Public Act is deemed to be replaced with "offices of Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation which conduct affairs concerning government enterprise related to telephone services".

2 施行日以後に日本電電と締結した契約に基づく権利及び日本電信電話株式会社法の一部を改正する法律（平成九年法律第九十八号）の施行の日以後に東日本電信電話株式会社又は西日本電信電話株式会社と締結する契約に基づく権利であつて、前項の電話加入権に相当するものとして総務省令で定める要件に該当するものについては、旧公衆法第三十八条から第三十八条の三までの規定が同項の規定によりなおその効力を有する間は、同項の電話加入権に関して適用されるこれらの規定の例による。

(2) The rights based on the contract concluded with NTT after the effective date and the rights based on the contract concluded with Nippon Telegraph and Telephone East Corporation or Nippon Telegraph and Telephone West Corporation after the date of enforcement of the Act to Amend the Nippon Telegraph and Telephone Corporation Act (Act No. 98 of 1997), which satisfy the requirements specified by Order of the Ministry of Internal Affairs and Communications as equivalent to the telephone subscriber's rights set forth in the preceding paragraph, are governed by the provisions of Articles 38 through 38-3 of the former Public Act, which apply to the telephone subscriber's rights set forth in that paragraph, during the period within which the provisions of these Articles remain in force pursuant to the provision of that paragraph.

第十条 この法律の施行の際現に国際電電が旧公衆法第百八条の認可を受けて締結している協定又は契約については、当該協定又は契約に定められている期限までの間は、第四十条の認可を受けて締結しているものとみなす。

Article 10 An agreement or contract which KDD has actually concluded by obtaining the authorization set forth in Article 108 of the former Public Act as of the time of enforcement of this Act is deemed to be an agreement or contract which KDD has concluded by obtaining the authorization set forth in Article 40, until the time limit prescribed in the agreement or contract.

第十一条 日本電電又は国際電電についての第四十三条第一項の規定の適用については、同項中「事業の開始前に」とあるのは、「この法律の施行後、遅滞なく」とする。

Article 11 With regard to the application of the provisions of Article 43, paragraph (1) to NTT or KDD, the phrase "prior to the commencement of its telecommunications business" is deemed to be replaced with "without delay

after the enforcement of this Act".

第十二条 第四十四条第一項の規定は、日本電電又は国際電電については、施行日から六月間は、適用しない。

Article 12 The provisions of Article 44, paragraph (1) do not apply to NTT or KDD for six months from the effective date.

第十三条 この法律の施行の際現に旧公衆法第五十五条の八、第五十五条の十一第三項（旧公衆法第五十五条の十八において準用する場合を含む。）、第五十五条の十三の二第一項、第五十五条の二十一、第五十五条第一項若しくは第百八条の二又は第五十五条の十六若しくは第百六条の規定に基づき、公衆電気通信役務の利用者等が設置し、電気通信回線設備に接続している端末設備又は私設有線設備については、第五十一条第一項前段（第五十二条第二項において準用する場合を含む。）の検査を受け技術基準に適合していると認められた端末設備又は自営電気通信設備とみなす。

Article 13 Terminal facilities or private cable facilities which have been actually installed and interconnected to telecommunications line facilities by users or other persons of public telecommunications services as of the time of enforcement of this Act, pursuant to the provisions of Article 55-8, Article 55-11, paragraph (3) (including as applied mutatis mutandis pursuant to Article 55-18 of the former Public Act), Article 55-13-2, paragraph (1), Article 55-21, Article 105, paragraph (1) or Article 108-2, or Article 55-16 or Article 106 of the former Public Act are deemed to be terminal facilities or customer's telecommunications facilities which have undergone inspection set forth in the first sentence of Article 51, paragraph (1) (including as applied mutatis mutandis pursuant to Article 52, paragraph (2)) and have been certified to be in conformity with the technical standards.

第十四条 この法律の施行の際現に旧公衆法第五十五条の十七若しくは第百五条第七項の規定又は第百八条の二に規定する契約約款の条項に基づく工事担任者である者は、施行日から六月間に限り、従前の資格の範囲内において第五十三条第一項に規定する工事担任者とみなす。次項の規定による届出をした場合において、工事担任者資格者証の交付があるまでの間も、同様とする。

Article 14 (1) A person that is actually an installation technician as of the time of enforcement of this Act based on Article 55-17 or Article 105, paragraph (7) of the former Public Act or the clauses on general conditions of contracts set forth in Article 108-2 of the former Public Act is deemed to be an installation technician set forth in Article 53, paragraph (1) within the scope of the license previously in force, only for six months from the effective date. If a notification is filed pursuant to the provisions of the following paragraph, the same applies until an installation technician's license is granted.

2 前項に規定する者は、郵政省令で定めるところにより、同項に規定する期間に郵政

大臣に届出をしたときは、第五十四条第二項において準用する第四十五条第三項第三号の認定を受けたものとみなす。

(2) If the person set forth in the preceding paragraph has filed a notification with the Minister of Posts and Telecommunications within the period set forth in that paragraph, pursuant to the provisions of Order of the Ministry of Posts and Telecommunications, that person is deemed to have obtained the certification set forth in Article 45, paragraph (3), item (iii) as applied mutatis mutandis pursuant to Article 54, paragraph (2).

第十五条 この法律の施行前に旧公社又は国際電電が旧公衆法第百条第一項の規定により行つた届出は、日本電電又は国際電電が第八十五条第一項の規定により行つた届出とみなす。

Article 15 A notification which the former Public Corporation or KDD has filed before the enforcement of this Act pursuant to the provisions of Article 100, paragraph (1) of the former Public Act is deemed to be a notification which NTT or KDD has filed pursuant to the provisions of Article 85, paragraph (1).

第十六条 この法律の施行の際現に旧公衆法第百一条第一項の規定により指定されている区域については、第八十六条第一項の規定による保護区域の指定があつたものとみなす。

Article 16 An area which has been actually designated pursuant to the provisions of Article 101, paragraph (1) of the former Public Act as of the time of enforcement of this Act is deemed to be designated as a protected area pursuant to the provisions of Article 86, paragraph (1).

第十七条 この法律の施行前に、旧公衆法又はこれに基づく命令により旧公社若しくは国際電電に対して行い、又はこれらの者が行つた処分、手続その他の行為は、この法律の相当する規定により、日本電電若しくは国際電電に対して行い、又はこれらの者が行つた処分、手続その他の行為とみなす。

Article 17 A decision made, procedure carried out, or other action taken against or by the former Public Corporation or KDD before the enforcement of this Act, pursuant to the provisions of the former Public Act or an order under the former Public Act, is deemed to be a decision made, procedure carried out, or other action taken against or by the NTT or KDD pursuant to the corresponding provisions of this Act.

第十八条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 18 (1) Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of this Act.

2 この法律の施行前の旧公社又は国際電電の取扱中に係る通信の秘密に関しては、旧

公衆法第百十二条の規定は、施行日以後も、なおその効力を有する。この場合において、同条第二項中「公衆電気通信業務に従事する者」とあるのは、「電気通信事業法の施行の際公衆電気通信業務に従事していた者で同法の施行後引き続き電気通信事業に従事するもの」とする。

(2) The provisions of Article 112 of the former Public Act remain in force even after the effective date with respect to the secrecy of communications handled by the former Public Corporation or KDD before the enforcement of this Act. In this case, the term "any person that engages in public telecommunications activities" in paragraph (2) of that Article is deemed to be replaced with "any person that was engaged in public telecommunications activities at the time of enforcement of the Telecommunications Business Act and that continues to be engaged in telecommunications business after enforcement of that Act".

第十九条 第十二条第一項第一号及び第三号、第七十五条第二項第二号及び第四号イ並びに第八十七条第二項第一号及び第三号の規定の適用については、この法律の施行前に旧公衆法の規定により罰金以上の刑に処せられ、若しくはこの法律の施行後に前条の規定によりなおその例によることとされ、若しくはなおその効力を有することとされる旧公衆法の規定により罰金以上の刑に処せられた者（その執行を終わり、又はその執行を受けることがなくなった日から二年を経過しない者に限る。）又はこれらの者をその役員に含む法人若しくは団体は、これらの規定に該当する者とみなす。

Article 19 With regard to the application of the provisions of Article 12, paragraph (1), item (i) and item (iii), Article 75, paragraph (2), items (ii) and (iv), (a), and Article 87, paragraph (2), items (i) and (iii), a person that has been sentenced to a fine or a heavier punishment before the enforcement of this Act pursuant to the provisions of the former Public Act; a person that has been sentenced to a fine or a heavier after enforcement of this Act punishment pursuant to the provisions of the former Public Act that continue to govern the situation or remain in force even after the enforcement of this Act pursuant to the provisions of the preceding Article (but only if two years have not passed since the date on which the enforcement of that punishment was completed or became inapplicable); or any corporation or organization that includes those persons as its officers, is deemed to be a person that falls under these provisions.

(政令への委任)

(Delegation to Cabinet Order)

第二十条 附則第四条から前条までに規定するもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 20 Beyond what is provided for in Article 4 through the preceding Article of Supplementary Provisions, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔昭和六十二年六月二日法律第五十七号〕

Supplementary Provisions [Act No. 57 of June 2, 1987]

この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、第二十七条第三項の改正規定は、公布の日から施行する。

This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions to amend Article 27, paragraph (3) come into effect as of the date of promulgation.

附 則 〔平成元年六月二十八日法律第五十五号〕〔抄〕

Supplementary Provisions [Act No. 55 of June 28, 1989] [Extract]

(施行期日等)

(Effective Date)

1 この法律は、平成元年十月一日から施行する。

(1) This Act comes into effect as of October 1, 1989.

附 則 〔平成四年五月二十七日法律第六十一号〕

Supplementary Provisions [Act No. 61 of May 27, 1992]

この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect as of the date of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures Concerning Adverse Dispositions on Which Consultations Are Made)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手

続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 Notwithstanding the provisions of the relevant laws amended by this Act, if a request for consultation or other request has been made to a council or other council organization concerning taking procedures equivalent to those for holding hearings or granting the opportunity for explanation and other procedures for stating opinions as prescribed in Article 13 of the Administrative Procedure Act, based on laws and regulations before the enforcement of this Act, prior laws continue to govern the procedures for adverse dispositions in relation to the request for consultation or other request.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 13 Prior laws continue to govern the application of penal provisions to any act undertaken before the enforcement of this Act.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures Concerning the Adjustment of Provisions Related to Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 Any hearings (except for those related to adverse dispositions) or procedures for those hearings which have been conducted before the enforcement of this Act pursuant to the provisions of a law are deemed to be conducted pursuant to the corresponding provisions of the relevant law amended by this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 Beyond what is provided for in Article 2 through the preceding Article of Supplementary Provisions, other transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成六年六月二十九日法律第七十三号〕

Supplementary Provisions [Act No. 73 of June 29, 1994]

この法律は、公布の日から施行する。

This Act comes into effect as of the date of promulgation.

附 則 〔平成七年五月八日法律第八十二号〕

Supplementary Provisions [Act No. 82 of May 8, 1995]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行の際現に改正前の電気通信事業法（以下「旧法」という。）第三十一条第一項の規定により認可を受けている契約約款に定める料金であつて改正後の電気通信事業法（以下「新法」という。）第三十一条第一項の規定が適用される料金に該当するものは、同項の規定により認可を受けた料金とみなす。

(2) The charges that are specified in the general conditions of contracts which have actually been authorized pursuant to the provisions of Article 31, paragraph (1) of the Telecommunications Business Act before being amended (hereinafter referred to as the "former Act") as of the time of enforcement of this Act, and that fall under the charges to which the provisions of Article 31, paragraph (1) of the amended Telecommunications Business Act (hereinafter referred to as the "new Act") apply are deemed to be charges authorized pursuant to the provisions of that paragraph.

3 この法律の施行の際現に旧法第三十一条第一項の規定により認可を受けている契約約款に定める料金であつて新法第三十一条第三項の規定が適用される料金に該当するものは、同項の規定により届け出た料金とみなす。

(3) The charges that are specified in the general conditions of contracts which have been actually authorized pursuant to the provisions of Article 31, paragraph (1) of the former Act as of the time of enforcement of this Act, and that fall under the charges to which the provisions of Article 31, paragraph (3) of the new Act apply are deemed to be charges for which the notification has been filed pursuant to the provisions of that paragraph.

4 この法律の施行の際現に旧法第三十一条第一項の規定により認可を受けている契約約款（料金に係る部分を除く。）は、新法第三十一条の二第一項の規定により認可を受けた契約約款とみなす。

(4) The general conditions of contracts (except for parts related to charges) which

have been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 31, paragraph (1) of the former Act are deemed to be the general conditions of contracts authorized pursuant to the provisions of Article 31-2, paragraph (1) of the new Act.

5 この法律の施行前に旧法第三十一条第五項の規定により届け出た契約約款に定める料金は、新法第三十一条第六項の規定により届け出た料金とみなす。

(5) The charges specified in the general conditions of contracts for which the notification has been filed before the enforcement of this Act pursuant to the provision of Article 31, paragraph (5) of the former Act are deemed to be charges for which the notification has been filed pursuant to the provision of Article 31, paragraph (6) of the new Act.

6 この法律の施行前に旧法第三十一条第五項の規定により届け出た契約約款（料金に係る部分を除く。）は、新法第三十一条の二第五項の規定により届け出た契約約款とみなす。

(6) The general conditions of contracts (except for parts related to charges) for which the notification has been filed before the enforcement of this Act pursuant to the provisions of Article 31, paragraph (5) of the former Act are deemed to be the general conditions of contracts for which the notification has been filed pursuant to the provisions of Article 31-2, paragraph (5) of the new Act.

7 この法律の施行の際現にされている旧法第三十一条第一項の規定による契約約款の認可の申請は、新法第三十一条第一項の規定が適用される料金に係るものにあつては同項の規定によりした認可の申請と、同条第三項の規定が適用される料金に係るものにあつては同項の規定によりした届出と、新法第三十一条の二第一項の契約約款に係るものにあつては同項の規定によりした認可の申請とみなす。

(7) An application which has actually been filed as of the time of enforcement of this Act for authorization for the general conditions of contracts under Article 31, paragraph (1) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 31, paragraph (1) of the new Act, if it is related to the charges to which the provisions of that paragraph apply; the application in question is deemed to be a notification filed pursuant to the provisions of Article 31, paragraph (3) of the new Act, if it is related to the charges to which the provisions of that paragraph apply; or the application in question is deemed to be an application for authorization filed pursuant to the provisions of Article 31-2, paragraph (1) of the new Act, if it is related to the general conditions of contracts set forth in that paragraph.

8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(8) Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of this Act.

附 則 〔平成九年六月二十日法律第九十七号〕

Supplementary Provisions [Act No. 97 of June 20, 1997]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following Article comes into effect as of the date of promulgation.

(審議会への諮問)

(Consultation with Councils)

第二条 郵政大臣は、この法律の施行前においても、改正後の電気通信事業法（以下「新法」という。）第三十八条第三号、第三十八条の二第一項、第三項第一号イ、ロ若しくはニ若しくは第二号、第四項、第七項若しくは第九項、第三十九条の二第一項若しくは第二項又は第四十八条の二第一項の郵政省令の制定のために、新法第九十四条第一項の政令で定める審議会に諮問することができる。

Article 2 In order to establish Order of the Ministry of Posts and Telecommunications prescribed in Article 38, item (iii), Article 38-2, paragraph (1), paragraph (3), item (i), (a), (b) or (d) or item (ii), or paragraph (4), (7) or (9), Article 39-2, paragraph (1) or (2), or Article 48-2, paragraph (1) of the amended Telecommunications Business Act (hereinafter referred to as the "new Act"), the Minister of Posts and Telecommunications may consult the council specified by Cabinet Order as prescribed in Article 94, paragraph (1) of the new Act, even before the enforcement of this Act.

(接続等に関する経過措置)

(Transitional Measures Concerning Interconnection)

第三条 この法律の施行前に改正前の電気通信事業法（以下「旧法」という。）第三十六条第三項の規定によりした命令は、新法第三十六条第五項の規定によりした命令とみなす。

Article 3 An order which has been issued before the enforcement of this Act pursuant to the provisions of Article 36, paragraph (3) of the Telecommunications Business Act before being amended (hereinafter referred to as the "former Act") is deemed to be an order issued pursuant to the provisions of Article 36, paragraph (5) of the new Act.

第四条 この法律の施行の際現に旧法第三十八条第一項の規定により認可を受けている接続又は共用に関する協定は、接続に関する協定にあつては新法第三十八条の三第一項の規定により認可を受けた協定と、共用に関する協定にあつては新法第三十九条の

三第一項の規定により認可を受けた協定とみなす。

Article 4 An agreement concerning interconnection or sharing which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 38, paragraph (1) of the former Act is deemed to be an agreement authorized pursuant to the provisions of Article 38-3, paragraph (1) of the new Act in the case of an agreement concerning interconnection, or an agreement authorized pursuant to the provisions of Article 39-3, paragraph (1) of the new Act in the case of an agreement concerning sharing.

第五条 この法律の施行の際現にされている旧法第三十八条第一項の規定による接続又は共用に関する協定の認可の申請は、接続に関する協定にあつては新法第三十八条の三第一項の規定によりした認可の申請と、共用に関する協定にあつては新法第三十九条の三第一項の規定によりした認可の申請とみなす。

Article 5 An application for authorization for an agreement concerning interconnection or sharing which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 38, paragraph (1) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 38-3, paragraph (1) of the new Act in the case of an agreement concerning interconnection, or an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (1) of the new Act in the case of an agreement concerning sharing.

第六条 この法律の施行の際現に旧法第三十八条第二項の規定により認可を受けている契約は、新法第三十九条の三第二項の規定により認可を受けた契約とみなす。

Article 6 A contract which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 38, paragraph (2) of the former Act is deemed to be a contract authorized pursuant to the provisions of Article 39-3, paragraph (2) of the new Act.

第七条 この法律の施行の際現にされている旧法第三十八条第二項の規定による契約の認可の申請は、新法第三十九条の三第二項の規定によりした認可の申請とみなす。

Article 7 An application for authorization for a contract which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 38, paragraph (2) of the former Act is deemed to be an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (2) of the new Act.

第八条 この法律の施行の際現に旧法第三十八条第四項の規定により届け出ている接続又は共用に関する協定は、接続に関する協定にあつては新法第三十八条の三第五項の規定により届け出た協定と、共用に関する協定にあつては新法第三十九条の三第四項の規定により届け出た協定とみなす。

Article 8 An agreement concerning interconnection or sharing for which the notification has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 38, paragraph (4) of the former Act is deemed to be an agreement for which the notification has been filed pursuant to the provisions of Article 38-3, paragraph (5) of the new Act in the case of an agreement concerning interconnection, or an agreement for which the notification has been filed pursuant to the provisions of Article 39-3, paragraph (4) of the new Act in the case of an agreement concerning sharing.

第九条 この法律の施行前に旧法第三十九条第一項の規定によりした命令は、接続に関する命令にあっては新法第三十九条第一項又は第二項の規定によりした命令と、共用又はその提供条件（旧法第三十一条第一項の郵政省令で定める料金、旧法第三十一条の二第一項の郵政省令で定める事項及び旧法第四十九条第一項又は旧法第五十二条第一項第一号の規定により認可を受けるべき技術的条件に係るものを除く。）が旧法第三十一条第一項の規定により認可を受けた料金、同条第三項の規定により届け出た料金及び旧法第三十一条の二第一項の規定により認可を受けた契約約款で定める提供条件と異なる電気通信役務（以下「約款外役務」という。）の提供に関する命令にあっては新法第三十九条の四第一項の規定によりした命令とみなす。

Article 9 An order which has been issued before the enforcement of this Act pursuant to the provisions of Article 39, paragraph (1) of the former Act is deemed to be an order issued pursuant to the provisions of Article 39, paragraph (1) or (2) of the new Act in the case of an order concerning interconnection, or is deemed to be an order issued pursuant to the provisions of Article 39-4, paragraph (1) of the new Act in the case of an order concerning the provision of telecommunications services with terms and conditions for sharing or for the provision of the services (except for those related to the charges specified by Order of the Ministry of Posts and Telecommunications as set forth in Article 31, paragraph (1) of the former Act, the particulars specified by Order of the Ministry of Posts and Telecommunications as set forth in Article 31-2, paragraph (1) of the former Act, or the technical conditions to be authorized pursuant to the provision of Article 49, paragraph (1) or Article 52, paragraph (1), item (i) of the former Act) which differ from: the charges authorized pursuant to the provisions of Article 31, paragraph (1) of the former Act; the charges for which notification has been filed pursuant to the provisions of paragraph (3) of that Article; or the terms and conditions for the provision of those services that are specified in the general conditions of contracts authorized pursuant to the provisions of Article 31-2, paragraph (1) of the former Act (hereinafter referred to as "services not based on the general conditions of contracts").

第十条 この法律の施行前に旧法第三十九条第一項の規定によりした命令の申立てにつ

いては、接続に関するものにあつては新法第三十九条第一項又は第二項の規定によりした命令の申立てと、共用又は約款外役務の提供に関するものにあつては新法第三十九条の四第一項の規定によりした命令の申立てとみなす。

Article 10 A petition for an order which has been filed before the enforcement of this Act pursuant to the provisions of Article 39, paragraph (1) of the former Act is deemed to be a petition for an order filed pursuant to the provisions of Article 39, paragraph (1) or paragraph (2) of the new Act, if it concerns interconnection, or is deemed to be a petition for an order filed pursuant to the provisions of Article 39-4, paragraph (1) of the new Act, if it concerns sharing or concerns the provision of services not based on the general conditions of contracts.

第十一条 この法律の施行前に旧法第三十九条第二項の規定によりした裁定は、接続に関する裁定にあつては新法第三十九条第四項の規定によりした裁定と、共用又は約款外役務の提供に関する裁定にあつては新法第三十九条の四第二項の規定によりした裁定とみなす。

Article 11 A ruling which has been rendered before the enforcement of this Act pursuant to the provisions of Article 39, paragraph (2) of the former Act is deemed to be a ruling rendered pursuant to the provisions of Article 39, paragraph (4) of the new Act in the case of a ruling concerning interconnection, or is deemed to be a ruling rendered pursuant to the provisions of Article 39-4, paragraph (2) of the new Act in the case of a ruling concerning the sharing or concerning the provision of services not based on the general conditions of contracts.

第十二条 この法律の施行前に旧法第三十九条第二項の規定によりした裁定の申請については、接続に関するものにあつては新法第三十九条第四項の規定によりした裁定の申請と、共用又は約款外役務の提供に関するものにあつては新法第三十九条の四第二項の規定によりした裁定の申請とみなす。

Article 12 An application for a ruling which has been filed before the enforcement of this Act pursuant to the provisions of Article 39, paragraph (2) of the former Act is deemed to be an application for a ruling filed pursuant to the provisions of Article 39, paragraph (4) of the new Act if that application concerns interconnection, or is deemed to be an application for a ruling filed pursuant to the provisions of Article 39-4, paragraph (2) of the new Act if that application concerns the sharing or concerns the provision of services not based on the general conditions of contracts.

第十三条 この法律の施行前に旧法第九十五条の規定により行われた聴聞及びその手続は、新法第九十五条の規定により行われたものとみなす。

Article 13 Hearings and their procedures which have been conducted before the

enforcement of this Act pursuant to the provisions of Article 95 of the former Act are deemed to be conducted pursuant to the provisions of Article 95 of the new Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 14 Prior laws continue to govern the application of penal provisions to any act undertaken before the enforcement of this Act.

(検討)

(Review)

第十五条 政府は、この法律の施行後三年を目途として、接続に係る新法の規定の施行の状況を勘案し、必要があると認めるときは、接続に係る制度について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 15 As approximately three years have passed since the enforcement of this Act, the government is to review the systems related to interconnection, if the government finds it necessary, taking into account the status of enforcement of the provisions related to interconnection of the new Act, and is to take necessary measures based on the results of the review.

附 則 [平成九年六月二十日法律第九十八号] [抄]

Supplementary Provisions [Act No. 98 of June 20, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

附 則 [平成九年六月二十日法律第百号]

Supplementary Provisions [Act No. 100 of June 20, 1997]

(施行期日)

(Effective Date)

1 この法律は、サービスの貿易に関する一般協定の第四議定書が日本国について効力を生ずる日から施行する。

(1) This Act comes into effect as of the date on which the Fourth Protocol to the

General Agreement on Trade in Services becomes effective in Japan.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

- 2 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (2) Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of this Act.

附 則 〔平成十年五月八日法律第五十八号〕 〔抄〕

Supplementary Provisions [Act No. 58 of May 8, 1998] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in those items:

一 第三条中電波法第九十九条の三の改正規定並びに次条及び附則第三条の規定 公布の日

(i) the provisions in Article 3 to amend Article 99-3 of the Radio Act, and the provisions of the following Article and Article 3 of Supplementary Provisions: the date of promulgation;

二 第一条の規定、第二条中電気通信事業法附則第五条の改正規定並びに附則第四条、第七条、第九条及び第十一条から第十六条までの規定 公布の日から起算して五月を超えない範囲内において政令で定める日

(ii) the provisions of Article 1, the provisions in Article 2 to amend Article 5 of Supplementary Provisions of the Telecommunications Business Act, and the provisions of Articles 4, 7 and 9 and Articles 11 through 16 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding five months from the date of promulgation;

三 第二条中電気通信事業法目次の改正規定、同法第五十条の改正規定、同条の次に三条を加える改正規定、同法第二章第五節の節名の改正規定、同法第七十二条の改正規定、同条の次に一条及び一款を加える改正規定、同法第九十二条及び第九十八条の改正規定、同法第一百八条の改正規定（第四号に係る部分に限る。）、同法第一百九条の改正規定（第三号に係る部分に限る。）並びに同法第一百十条の改正規定並びに第三条中電波法目次の改正規定、同法第十条及び第十八条の改正規定、同法第二十四条の八の次に一条を加える改正規定、同法第三十八条の二の改正規定、同法第三十八条の十五の次に三条を加える改正規定、同法第七十三条の改正規定、同法第

九十九条の十一の改正規定（「第三十八条の五第二項（）」の下に「第三十八条の十七第五項及び」を加える部分に限る。）、同法第百三条の改正規定、同法第百十二条の改正規定（「第三十八条の二第六項又は第七項」を「第三十八条の二第七項又は第八項」に改める部分に限る。）、同法第百十三条の改正規定並びに附則第八条の規定 公布の日から起算して十月を超えない範囲内において政令で定める日

(iii) in Article 2, the provisions to amend the Table of Contents of the Telecommunications Business Act, the provisions to amend Article 50 of that Act, the provisions to amend by adding three Articles after Article 50 of that Act, the provisions to amend by changing the title of Section 5 in Chapter II of that Act, the provisions to amend Article 72 of that Act, the provisions to amend by adding one Article and one Subsection after Article 72 of that Act, the provisions to amend Article 92 and Article 98 of that Act, the provisions to amend Article 108 of that Act (limited to the part related to item (iv)), the provisions to amend Article 109 of that Act (limited to the part related to item (iii)) and the provisions to amend Article 110 of that Act; in Article 3, the provisions to amend the Table of Contents of the Radio Act, the provisions to amend Articles 10 and 18 of that Act, the provisions to amend by adding one Article after Article 24-8 of that Act, the provisions to amend Article 38-2 of that Act, the provisions to amend by adding three Articles after Article 38-15 of that Act, the provisions to amend Article 73 of that Act, the provision to amend Article 99-11 of that Act (limited to the part to add "Article 38-17, paragraph (5) and" after "Article 38-5, paragraph (2) (")"), the provisions to amend Article 103 of that Act, the provisions to amend Article 112 of that Act (limited to the part to replace "Article 38-2, paragraph (6) or (7)" with "Article 38-2, paragraph (7) or (8)"), the provisions to amend Article 113 of that Act; and the provisions of Article 8 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding ten months from the date of promulgation.

(定款の変更)

(Changes to the Articles of Incorporation)

第二条 旧国際電電法により設立された国際電信電話株式会社（附則第四条において「会社」という。）は、前条第二号に掲げる規定の施行の日前に、同号に掲げる規定の施行の日から効力を生ずる定款の変更の決議を行うことができる。

Article 2 (1) Before the date of enforcement of the provisions listed in item (ii) of the preceding Article, Kokusai Denshin Denwa Company, Limited, which has been established under the former KDD Act (referred to as "the Company" in Article 4 of Supplementary Provisions), may make a resolution for changes to its articles of incorporation which become effective from the date of enforcement of the provisions listed in that item.

2 前項の決議については、旧国際電電法第十一条第一項の規定は、適用しない。

(2) The provisions of Article 11, paragraph (1) of the former KDD Act do not apply to the resolution set forth in the preceding paragraph.

(審議会への諮問)

(Consultation with Councils)

第三条 郵政大臣は、この法律の施行の日（以下「施行日」という。）前においても、第二条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第三十一条第三項の規定による郵政省令の制定又は同項の規定による基準料金指数の設定のために、新電気通信事業法第九十四条の政令で定める審議会に諮問することができる。

Article 3 (1) In order to establish Order of the Ministry of Posts and Telecommunications pursuant to the provisions of Article 31, paragraph (3) of the Telecommunications Business Act amended by the provisions of Article 2 (hereinafter referred to as the "new Telecommunications Business Act") or in order to set the standard charge index pursuant to the provisions of Article 31, paragraph (3) of that Act, the Minister of Posts and Telecommunications may consult the councils specified by Cabinet Order as prescribed in Article 94 of the new Telecommunications Business Act, even before the date of enforcement of this Act (hereinafter referred to as the "effective date").

2 郵政大臣は、施行日又は附則第一条第三号に掲げる規定の施行の前においても、それぞれ第三条の規定による改正後の電波法（以下「新電波法」という。）第四条第三号の規定による機能を定める郵政省令又は新電波法第三十八条の十七第五項において準用する新電波法第三十八条の五第二項の規定による郵政省令の制定のために、電波監理審議会に諮問することができる。

(2) In order to establish Order of the Ministry of Posts and Telecommunications that specifies functions under Article 4, item (iii) of the Radio Act amended by the provisions of Article 3 (hereinafter referred to as the "new Radio Act") or in order to establish Order of the Ministry of Posts and Telecommunications pursuant to the provisions of Article 38-5, paragraph (2) of the new Radio Act as applied mutatis mutandis pursuant to Article 38-17, paragraph (5) of the new Radio Act, the Minister of Posts and Telecommunications may consult the Radio Regulatory Council, even before the effective date or the date of enforcement of the provisions listed in Article 1, item (iii) of Supplementary Provisions.

(旧国際電電法の廃止に伴う経過措置)

(Transitional Measures in Connection with Repeal of the Former KDD Act)

第四条 附則第一条第二号に掲げる規定の施行前に会社が発行した社債券及び利札並びにこれらを失った者に交付するために同号に掲げる規定の施行後に会社が発行する社債券及び利札については、旧国際電電法第七条の規定は、同号に掲げる規定の施行後も、なおその効力を有する。

Article 4 The provisions of Article 7 of the former KDD Act remain in force with regard to company bond certificates and coupons issued by the Company before the enforcement of the provisions listed in Article 1, item (ii) of Supplementary Provisions, and with regard to the company bond certificates and coupons to be issued by the Company to persons that have lost them after the enforcement of the provisions listed in that item, even after the enforcement of the provisions listed in that item.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with Partial Amendment of the Telecommunications Business Act)

第五条 この法律の施行の際現に第二条の規定による改正前の電気通信事業法（以下「旧電気通信事業法」という。）第二十二條第一項の規定による届出をして第二種電気通信事業を営んでいる者であつて当該第二種電気通信事業が新電気通信事業法第二十一條第三項に規定する特別第二種電気通信事業（本邦外の場所との間の通信を行うための電気通信設備を他人の通信の用に供する第二種電気通信事業を除く。次項において「新国内特別第二種電気通信事業」という。）に該当するものは、施行日から起算して六月を経過する日までの間は、新電気通信事業法第二十四條第一項の登録を受けなくて、当該第二種電気通信事業を従前の例により引き続き営むことができる。その者がその期間内に同項の登録の申請をした場合において、その期間を経過したときは、その申請について登録又は登録の拒否の処分があるまでの間も、同様とする。

Article 5 (1) Any person that has actually filed a notification under Article 22, paragraph (1) of the Telecommunications Business Act before being amended by Article 2 (hereinafter referred to as the "former Telecommunications Business Act") and is actually conducting type II telecommunications business as of the time of enforcement of this Act, and whose type II telecommunications business falls under the category of the special type II telecommunications business prescribed in Article 21, paragraph (3) of the new Telecommunications Business Act (except for type II telecommunications business that provides telecommunications facilities to perform communications with places outside Japan for the use in other persons' communications; referred to as "new domestic special type II telecommunications business" in the following paragraph) may continue conducting the type II telecommunications business within a period not exceeding six months from the effective date, in accordance with prior laws, without the registration prescribed in Article 24, paragraph (1) of the new Telecommunications Business Act. If that person has applied for registration prescribed in that paragraph within that period and that period has passed, the same applies until the disposition of approval of the registration or the disposition of refusal is rendered for the application.

2 この法律の施行の際現に旧電気通信事業法第二十四條第一項の登録を受けて第二種

電気通信事業を営んでいる者（本邦外の場所との間の通信を行うための電気通信設備を他人の通信の用に供する第二種電気通信事業を営む者を除く。）であつて、当該第二種電気通信事業が新国内特別第二種電気通信事業に該当しないものは、施行日に新電気通信事業法第二十二条第一項の届出をしたものとみなす。

- (2) A person that is actually conducting type II telecommunications business at the time of enforcement of this Act with registration set forth in Article 24, paragraph (1) of the former Telecommunications Business Act (other than a person that operates type II telecommunications business that provides telecommunications facilities to perform communications with places outside Japan for the use in other persons' communications) and whose type II telecommunications business does not fall under the category of new domestic special type II telecommunications business is deemed to have filed a notification set forth in Article 22, paragraph (1) of the new Telecommunications Business Act on the effective date.

第六条 施行日前に旧電気通信事業法第三十一条第一項の規定により認可を受けている料金及び旧電気通信事業法第三十一条第三項の規定により届け出ている料金は、新電気通信事業法第三十一条第一項の規定により届け出た料金とみなす。

Article 6 (1) The charges which have been authorized before the effective date pursuant to the provisions of Article 31, paragraph (1) of the former Telecommunications Business Act and the charges for which the notification has been filed pursuant to the provisions of Article 31, paragraph (3) of the former Telecommunications Business Act are deemed to be charges for which the notification has been filed pursuant to the provisions of Article 31, paragraph (1) of the new Telecommunications Business Act.

2 この法律の施行の際現にされている旧電気通信事業法第三十一条第一項の規定による料金の認可の申請は、新電気通信事業法第三十一条第一項の規定によりした届出とみなす。

(2) An application which has been actually filed as of the time of enforcement of this Act for the authorization for charges pursuant to the provisions of Article 31, paragraph (1) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 31, paragraph (1) of the new Telecommunications Business Act.

3 この法律の施行の際現に新電気通信事業法第三十八条の二第二項に規定する指定電気通信設備を設置する第一種電気通信事業者が当該指定電気通信設備を用いて提供する電気通信役務であつて新電気通信事業法第三十一条第三項の総務省令で定めるものに関する料金については、同項に規定する基準料金指数が適用されるまでの間は、前二項及び新電気通信事業法（新電気通信事業法第三十一条第三項を除く。）の規定は適用せず、なお従前の例による。

(3) During the time before the standard charge index prescribed in Article 31, paragraph (3) of the new Telecommunications Business Act becomes applicable,

the provisions of the preceding two paragraphs and the new Telecommunications Business Act (except for Article 31, paragraph (3) of the new Telecommunications Business Act) do not apply, and prior laws continue to govern the charges related to the telecommunications services which a type I telecommunications carrier installing designated telecommunications facilities prescribed in Article 38-2, paragraph (2) of the new Telecommunications Business Act is providing at the time of enforcement of this Act by using those facilities, and which are specified by Order of the Ministry of Internal Affairs and Communications as prescribed in Article 31, paragraph (3) of the new Telecommunications Business Act.

4 前項の規定によりなお従前の例によることとされる料金については、第一項及び第二項の規定を準用する。この場合において、第一項中「施行日前」とあるのは「第三項に規定する基準料金指数の適用の日前」と、「旧電気通信事業法」とあるのは「第三項の規定によりその例によることとされる旧電気通信事業法」と、第二項中「この法律の施行」とあるのは「次項に規定する基準料金指数の適用」と、「旧電気通信事業法」とあるのは「次項の規定によりその例によることとされる旧電気通信事業法」と読み替えるものとする。

(4) The provisions of paragraphs (1) and (2) apply *mutatis mutandis* to the charges which prior laws continue to govern pursuant to the provisions of the preceding paragraph. In this case, the phrase "prior to the effective date" and the term "former Telecommunications Business Act" in paragraph (1) are deemed to be replaced with "prior to the date on which the standard charge index set forth in paragraph (3) becomes applicable" and "former Telecommunications Business Act, which continue to govern the situation pursuant to the provisions of paragraph (3)", respectively; and the term "enforcement of this Act" and the term "former Telecommunications Business Act" in paragraph (2) are deemed to be replaced with "application of the standard charge index set forth in the following paragraph" and "former Telecommunications Business Act which continue to govern the situation pursuant to the provisions of the following paragraph", respectively.

5 電気通信事業法及び日本電信電話株式会社等に関する法律の一部を改正する法律（平成十五年法律第百二十五号。以下「平成十五年改正法」という。）第二条の規定による改正後の電気通信事業法附則第五条第二項の電報の取扱いの役務に関する料金については、同条第一項の規定により電報の事業が電気通信事業とみなされる間は、同条第一項の規定によりなお効力を有するものとされる平成十五年改正法第二条の規定による改正前の電気通信事業法の規定は適用せず、旧電気通信事業法の規定はなお効力を有する。この場合において、旧電気通信事業法中「郵政省令」とあるのは「総務省令」と、「郵政大臣」とあるのは「総務大臣」とする。

(5) During the period when the telegram business is deemed to be telecommunications business pursuant to the provisions of Article 5, paragraph (1) of Supplementary Provisions of the Telecommunications Business Act

amended by Article 2 of the Act to Amend the Telecommunications Business Act and the Act on Nippon Telegraph and Telephone Corporation, Etc. (Act No. 125 of 2003; hereinafter referred to as the "amended Act of 2003"), the provisions of the Telecommunications Business Act before being amended by Article 2 of the amended Act of 2003, which remain in force pursuant to the provisions of Article 5, paragraph (1) of Supplementary Provisions of the amended Telecommunications Business Act, do not apply to the charges for telegram handling services prescribed in Article 5, paragraph (2) of Supplementary Provisions of the amended Telecommunications Business Act, and the provisions of the former Telecommunications Business Act remain in force with respect to them. In this case, the term "Order of the Ministry of Posts and Telecommunications" and the term "the Minister of Posts and Telecommunications" in the former Telecommunications Business Act are deemed to be replaced with "Order of the Ministry of Internal Affairs and Communications" and "the Minister for Internal Affairs and Communications", respectively.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七条 この法律の各改正規定の施行前にした行為並びに附則第五条第一項及び前条第三項の規定により従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 7 Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of the provisions to amend this Act and to any act undertaken after the effective date in a situation that prior laws continue to govern pursuant to the provisions of Article 5, paragraphs (1) and (3) of Supplementary Provisions of the preceding Article.

(検討)

(Review)

第八条 政府は、附則第一条第三号に掲げる規定の施行後十年を目途として、新電気通信事業法第五十条の二、第五十条の三、第七十二条の三及び第七十二条の四の規定並びに新電波法第二十四条の九、第三十八条の十七及び第三十八条の十八の規定の施行状況について検討を加え、それぞれ電気通信の規律及び電波監理の観点から必要があると認めるときには、その結果に基づいて所要の措置を講ずるものとする。

Article 8 As approximately ten years have passed since the enforcement of the provisions listed in Article 1, item (iii) of Supplementary Provisions, the government is to review the status of enforcement of the provisions of Article 50-2, Article 50-3, Article 72-3 and Article 72-4 of the new Telecommunications Business Act, and the provisions of Articles 24-9, Article 38-17 and Article 38-18 of the new Radio Act, and is to take the necessary measures based on the

results of the review, if the government finds it necessary by taking into account telecommunications rules and radio regulations.

附 則 〔平成十一年五月二十八日法律第五十四号〕〔抄〕

Supplementary Provisions [Act No. 54 of May 28, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

附 則 〔平成十一年七月十六日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of April 1, 2000; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in those items:

一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定（市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。）並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

(i) in Article 1, the provisions to amend the Local Autonomy Act by adding five Articles, a Section title, and two Subsections and Subsection titles after Article 250 of the Local Autonomy Act (limited to the part related to Article 250-9, paragraph (1) of that Act (limited to the part related to consent to be obtained from both Houses of the Diet)); in Article 40, the provisions to amend paragraphs (9) and (10) of Supplementary Provisions of the Natural Parks Act (limited to the part related to paragraph (10) of Supplementary Provisions of that Act); the provisions of Article 244 (except for the part

related to the provisions to amend Article 14-3 of the Agricultural Improvement Promotion Act); the provisions of Article 472 (except for the parts related to the provisions to amend Articles 6, 8 and 17 of the Municipal Merger Act); and the provisions of Article 7, Article 10, Article 12, the proviso of Article 59, Article 60, paragraphs (4) and (5), Article 73, Article 77, Article 157, paragraphs (4) through (6), Article 160, Article 163, Article 164, and Article 202 of Supplementary Provisions: the date of promulgation.

(国等の事務)

(Administrative Affairs of the National Government or Other Public Entities)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is provided for in laws before being amended by this Act, the administrative affairs of the national government, local governments and other public entities (referred to as "administrative affairs of the national government or other public entities" in Article 161 of Supplementary Provisions) which have been managed or enforced by organizations of local governments pursuant to laws or Cabinet Orders under them before the enforcement of this Act are to be processed by local governments as their administrative affairs pursuant to laws and Cabinet Orders under them, after the enforcement of this Act.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Decisions and Applications)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) Except for what is provided for in the provisions of Article 2 through the preceding Article of Supplementary Provisions or in the provisions concerning transitional measures under the amended laws (including orders under those laws), for amended laws to be applied after the date of

enforcement of this Act, if a disposition regarding a matter such as permission or any other similar action has actually been undertaken before the enforcement of this Act (for the provisions set forth in the items of Supplementary Provisions Article 1, before the enforcement of the provisions of those items; hereinafter the same applies in this Article and in Supplementary Provisions Article 163) pursuant to the provisions of the laws before being amended (hereinafter referred to as a "disposition or similar action" in this Article), or an application regarding a matter such as permission or any other similar action has actually been undertaken as of the time of enforcement of this Act pursuant to the provisions of laws before being amended (hereinafter referred to as an "application or similar action" in this Article), and that disposition or similar action or that application or similar action involves administrative affairs that a different person from the prior person will start to conduct as of the date of enforcement of this Act, that disposition or similar action or that application or similar action is deemed to be a decision or similar action undertaken pursuant to the corresponding provisions of the amended laws, or to be an application or similar action undertaken pursuant to the corresponding provisions of the amended laws.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) Beyond what is otherwise provided for in this Act or Cabinet Order based on this Act, the particulars that a person must report to, file with, submit to, or otherwise process with the national government or a local government entity before the date of enforcement of this Act pursuant to laws before being amended by this Act, but that have not been processed before the date of enforcement of this Act, are deemed to be the particulars that a person must report to, file with, submit to, or otherwise process with the national government or corresponding entity of the local government pursuant to the corresponding provisions of the respective amended laws but that have not been processed, and the laws amended by this Act apply.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについて

の同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であった行政庁とする。

Article 161 (1) For an appeal under the Administrative Appeal Act against an disposition that has been taken in connection with administrative affairs of the national government or other public entities before the effective date by an administrative agency (hereinafter referred to in this Article as the "agency taking the administrative action") that answered to the higher administrative agency as prescribed in that Act (hereinafter in this Act referred to as the "higher administrative agency") before the effective date, the agency taking the administrative action is deemed to continue to answer to the higher administrative agency even after the effective date, and the provisions of the Administrative Appeal Act apply. In this case, the agency deemed to be the higher administrative agency to which the agency taking the administrative action answers is that to which it answered before the effective date.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case set forth in the preceding paragraph, if the administrative agency regarded as the higher administrative agency is an organization of a local government, the affairs to be handled by the organization pursuant to the provisions of the Administrative Appeal Act are deemed as the item (i) statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures Concerning Fees)

第六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 Except for what is otherwise provided for in this Act and Cabinet Orders under this Act, prior laws continue to govern fees which have been paid before the effective date pursuant to the provisions of the laws before being amended by this Act (including orders under those laws).

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 Prior laws continue to govern application of the penal provisions to

any act undertaken before the enforcement of this Act.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Particulars necessary for the application of the provisions of Article 18, Article 51 and Article 184 of Supplementary Provisions are specified by Cabinet Order.

(検討)

(Review)

第二百五十条 新地方自治法第二条第九項第一号に規定する第一号法定受託事務については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 In addition to reviews being made of the item (i) statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act from the perspective of ensuring that no new functions are created to the greatest extent possible, reviews are also made of the functions set forth in Appended Table 1 of the new Local Autonomy Act and functions provided for by Cabinet Order based on the new Local Autonomy Act from the perspective of promoting decentralization of authority, and these functions are to be amended as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 In order to help local governments conduct their administrative affairs and services voluntarily and independently, the government is to review how to secure adequate sources of local tax revenues according to the sharing of roles between the state and local governments, taking the economic trends or other trends into account, and is to take the necessary measures based on the results of the review.

第二百五十二条 政府は、医療保険制度、年金制度等の改革に伴い、社会保険の事務処理の体制、これに従事する職員の在り方等について、被保険者等の利便性の確保、事務処理の効率化等の視点に立って、検討し、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 252 The government is to review the best mode for the administrative system and personnel system for social insurance, along with the reforms of the medical insurance system, the pension system and other systems, from the viewpoint of ensuring convenience for the insured and improving efficiency in administration, and is to take the necessary measures based on the results of the review, if the government finds it necessary.

附 則 〔平成十一年八月十八日法律第百三十七号〕〔抄〕

Supplementary Provisions [Act No. 137 of August 18, 1999] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

附 則 〔平成十一年十二月二十二日法律第百六十号〕〔抄〕

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

(施行期日)

(Effective Date)

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

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

附 則 〔平成十二年五月十九日法律第七十九号〕

Supplementary Provisions [Act No. 79 of May 19, 2000]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次項の規定は、公布の日から施行する。

(1) This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following paragraph come into effect as of

the date of promulgation.

(審議会への諮問)

(Consultation with Councils)

2 郵政大臣は、この法律の施行前においても、改正後の電気通信事業法第三十八条の二第四項又は第十二項の郵政省令の制定のために、同法第九十四条の政令で定める審議会に諮問することができる。

(2) In order to establish Order of the Ministry of Posts and Telecommunications as prescribed in Article 38-2, paragraph (4) or (12) of the amended Telecommunications Business Act, the Minister of Posts and Telecommunications may consult the councils specified by Cabinet Order as prescribed in Article 94 of that Act, even before the enforcement of this Act.

附 則 [平成十二年五月三十一日法律第九十一号]

Supplementary Provisions [Act No. 91 of May 31, 2000]

(施行期日)

(Effective Date)

1 この法律は、商法等の一部を改正する法律（平成十二年法律第九十号）の施行の日から施行する。

(1) This Act comes into effect as of the date on which the Act to Amend the Commercial Code, Etc. (Act No. 90 of 2000) comes into effect.

(経過措置)

(Transitional Measures)

2 この法律の施行の日が独立行政法人農林水産消費技術センター法（平成十一年法律第八十三号）附則第八条の規定の施行の日前である場合には、第三十一条のうち農林物資の規格化及び品質表示の適正化に関する法律第十九条の五の二、第十九条の六第一項第四号及び第二十七条の改正規定中「第二十七条」とあるのは、「第二十六条」とする。

(2) If the date of enforcement of this Act comes before the date of enforcement of the provisions of Article 8 of Supplementary Provisions of the Act on the Center for Food Quality, Labeling and Consumer Services (Act No. 183 of 1999), the term "Article 27" in the provisions in Article 31 to amend Article 19-5-2, Article 19-6, paragraph (1), item (iv), and Article 27 of the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products is deemed to be replaced with "Article 26".

附 則 [平成十三年六月二十二日法律第六十二号]

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in those items:

一 第一条中電気通信事業法第三章の次に一章を加える改正規定（同法第八十八条の五第一項中両議院の同意を得ることに関する部分に限る。）及び次条の規定 公布の日

(i) the amending provisions in Article 1 to add one Chapter after Chapter 3 of the Telecommunications Business Act (limited to the part related to obtaining consent from both Houses of the Diet in Article 88-5, paragraph (1) of that Act) and the provisions of the following Article: the date of promulgation; and

二 第二条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(ii) the provisions of Article 2: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(審議会等への諮問)

(Consultation with Councils or Other Prescribed Organizations)

第二条 総務大臣は、この法律の施行の日前においても、第一条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第三十七条の二第一項若しくは第五項、第三十七条の三第三項ただし書若しくは第五項、第三十八条の三第一項若しくは第五項、第三十八条の四第三項若しくは第三十九条の五第四項の規定による総務省令の制定又は第二条の規定による改正後の電気通信事業法第七十二条の十第一項の規定による政令の制定の立案若しくは同法第七十二条の五、第七十二条の八第一項第一号若しくは第三号、第七十二条の九第一項から第三項まで若しくは第七十二条の十第一項若しくは第二項の規定による総務省令の制定のために、新電気通信事業法第九十四条に規定する審議会等に諮問することができる。

Article 2 In order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 37-2, paragraph (1) or (5), the proviso of Article 37-3, paragraph (3), Article 37-3, paragraph (5), Article 38-3, paragraph (1) or (5), Article 38-4, paragraph (3) or Article 39-5, paragraph (4) of the Telecommunications Business Act amended by Article 1 (hereinafter referred to as the "new Telecommunications Business Act"), in order to plan the establishment of a Cabinet Order pursuant to the provisions of Article 72-10, paragraph (1) of the Telecommunications Business Act

amended by Article 2, or in order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 72-5, Article 72-8, paragraph (1), item (i) or (iii), Article 72-9, paragraphs (1) through (3), or Article 72-10, paragraph (1) or (2) of that Act, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as provided for in Article 94 of the new Telecommunications Business Act, even before the date of enforcement of this Act.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with the Partial Amendment of the Telecommunications Business Act)

第三条 この法律の施行の際現に第一条の規定による改正前の電気通信事業法（以下「旧電気通信事業法」という。）第三十一条の四第一項の認可を受けている契約約款は、新電気通信事業法第三十一条の四第一項の規定が適用される契約約款にあつては同項の規定により届け出た契約約款と、同条第三項の規定が適用される契約約款にあつては同項の認可を受けた契約約款とみなす。

Article 3 (1) The general conditions of contracts which have been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 31-4, paragraph (1) of the Telecommunications Business Act before being amended by Article 1 (hereinafter referred to as the "former Telecommunications Business Act") are deemed to be the general conditions of contracts for which the notification has been filed pursuant to the provisions of Article 31-4, paragraph (1) of the new Telecommunications Business Act in the case of the general conditions of contracts to which the provisions of that paragraph apply, or are deemed to be the general conditions of contracts authorized pursuant to the provisions of paragraph (3) of that Article in the case of the general conditions of contracts to which the provisions of that paragraph apply.

2 この法律の施行の際現にされている旧電気通信事業法第三十一条の四第一項の規定による契約約款の認可の申請は、新電気通信事業法第三十一条の四第一項の規定が適用される契約約款にあつては同項の規定によりした届出と、同条第三項の規定が適用される契約約款にあつては同項の規定によりした認可の申請とみなす。

(2) An application for authorization for the general conditions of contracts which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 31-4, paragraph (1) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 31-4, paragraph (1) of the new Telecommunications Business Act in the case of the general conditions of contracts to which the provisions of that paragraph apply, or is deemed to be an application for authorization filed pursuant to the provisions of paragraph (3) of that Article in the case of the general conditions of contracts to which the provisions of that paragraph apply.

3 この法律の施行の際現に旧電気通信事業法第三十八条の三第一項の認可を受けている協定は、新電気通信事業法第三十八条の四第一項の規定により届け出た協定とみなす。

(3) An agreement which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 38-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an agreement for which the notification has been filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

4 この法律の施行の際現にされている旧電気通信事業法第三十八条の三第一項の規定による認可の申請は、新電気通信事業法第三十八条の四第一項の規定によりした届出とみなす。

(4) An application for authorization which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 38-3, paragraph (1) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

5 この法律の施行の際現に旧電気通信事業法第三十八条の三第二項の認可を受け、又は同項ただし書の規定により届け出ている接続約款は、新電気通信事業法第三十八条の四第二項の規定により届け出た接続約款とみなす。

(5) The general conditions of contracts for interconnection which have been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 38-3, paragraph (2) of the former Telecommunications Business Act or for which the notification has been actually filed as of the time of enforcement of this Act pursuant to the provision of that paragraph are deemed to be the general conditions of contracts for interconnection for which the notification has been filed pursuant to the provision of Article 38-4, paragraph (2) of the new Telecommunications Business Act.

6 この法律の施行の際現にされている旧電気通信事業法第三十八条の三第二項の規定による認可の申請は、新電気通信事業法第三十八条の四第二項の規定によりした届出とみなす。

(6) An application for authorization which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 38-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 38-4, paragraph (2) of the new Telecommunications Business Act.

7 この法律の施行の際現に旧電気通信事業法第三十八条の三第二項の規定により認可を受け、若しくは同項ただし書の規定により届け出た接続約款により締結している協定又は同条第五項の規定により届け出ている協定は、新電気通信事業法第三十八条の四第一項の規定により届け出た協定とみなす。

(7) An agreement which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 38-3, paragraph

(2) of the former Telecommunications Business Act or has been concluded based on the general conditions of contracts for interconnection for which the notification has been filed pursuant to the proviso of that paragraph, or an agreement for which the notification has been actually filed as of the time of enforcement of this Act pursuant to the provisions of paragraph (5) of that Article, is deemed to be an agreement for which the notification has been filed pursuant to the provisions of Article 38-4, paragraph (1) of the new Telecommunications Business Act.

8 この法律の施行の際現に旧電気通信事業法第三十九条の三第一項の認可を受けている協定は、新電気通信事業法第三十九条の三第一項の規定が適用される協定にあっては同項の認可を受けた協定と、同条第五項の規定が適用される協定にあっては同項の規定により届け出た協定とみなす。

(8) An agreement which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 39-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an agreement authorized pursuant to the provisions of Article 39-3, paragraph (1) of the new Telecommunications Business Act in the case of an agreement to which the provisions of that paragraph apply, or is deemed to be an agreement for which the notification has been filed pursuant to the provisions of paragraph (5) of that Article in the case of an agreement to which the provisions of that paragraph apply.

9 この法律の施行の際現にされている旧電気通信事業法第三十九条の三第一項の規定による協定の認可の申請は、新電気通信事業法第三十九条の三第一項の規定が適用される協定にあっては同項の規定によりした認可の申請と、同条第五項の規定が適用される協定にあっては同項の規定によりした届出とみなす。

(9) An application for authorization for an agreement which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 39-3, paragraph (1) of the former Telecommunications Business Act is deemed to be an application for authorization filed pursuant to the provisions of Article 39-3, paragraph (1) of the new Telecommunications Business Act in the case of an agreement to which the provisions of that paragraph apply, or is deemed to be a notification filed pursuant to the provisions of paragraph (5) of that Article in the case of an agreement to which the provisions of that paragraph apply.

10 この法律の施行の際現に旧電気通信事業法第三十九条の三第二項の認可を受けている契約は、新電気通信事業法第三十九条の五第一項の規定により届け出た契約とみなす。

(10) A contract which has been actually authorized as of the time of enforcement of this Act pursuant to the provisions of Article 39-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a contract for which the notification has been filed pursuant to the provisions of Article 39-5,

paragraph (1) of the new Telecommunications Business Act.

1 1 この法律の施行の際現にされている旧電気通信事業法第三十九条の三第二項の規定による認可の申請は、新電気通信事業法第三十九条の五第一項の規定による届出とみなす。

(11) An application for authorization which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 39-3, paragraph (2) of the former Telecommunications Business Act is deemed to be a notification filed pursuant to the provisions of Article 39-5, paragraph (1) of the new Telecommunications Business Act.

1 2 この法律の施行の際現に旧電気通信事業法第三十九条の三第四項の規定により届け出ている協定は、新電気通信事業法第三十九条の三第五項の規定により届け出た協定とみなす。

(12) An agreement for which the notification has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 39-3, paragraph (4) of the former Telecommunications Business Act is deemed to be an agreement for which the notification has been filed pursuant to the provisions of Article 39-3, paragraph (5) of the new Telecommunications Business Act.

1 3 この法律の施行の際現にされている旧電気通信事業法第三十九条の四第一項の申立ては、共用に関するものにあつては新電気通信事業法第三十九条の四第一項の申立てと、約款外役務（旧電気通信事業法第三十九条の三第二項に規定する約款外役務をいう。次項において同じ。）に関するものにあつては新電気通信事業法第三十九条の六において準用する新電気通信事業法第三十九条の四第一項の申立てとみなす。

(13) A petition prescribed in Article 39-4, paragraph (1) of the former Telecommunications Business Act which has been actually filed as of the time of enforcement of this Act is deemed to be a petition prescribed in Article 39-4, paragraph (1) of the new Telecommunications Business Act if that petition concerns sharing, or is deemed to be a petition prescribed in Article 39-4, paragraph (1) of the new Telecommunications Business Act as applied mutatis mutandis pursuant to Article 39-6 of the new Telecommunications Business Act, if that petition concerns the services not based on the general conditions of contracts (meaning services not based on the general conditions of contracts prescribed in Article 39-3, paragraph (2) of the former Telecommunications Business Act; the same applies in the following paragraph).

1 4 この法律の施行の際現にされている旧電気通信事業法第三十九条の四第二項の裁定の申請は、共用に関するものにあつては新電気通信事業法第三十九条の四第二項において準用する新電気通信事業法第三十九条第四項の裁定の申請と、約款外役務に関するものにあつては新電気通信事業法第三十九条の六において準用する新電気通信事業法第三十九条第四項の裁定の申請とみなす。

(14) An application for a ruling prescribed in Article 39-4, paragraph (2) of the former Telecommunications Business Act which has been actually filed as of

the time of enforcement of this Act is deemed to be an application for a ruling prescribed in Article 39, paragraph (4) of the new Telecommunications Business Act as applied mutatis mutandis pursuant to Article 39-4, paragraph (2) of the new Telecommunications Business Act if that application concerns sharing, or is deemed to be an application for a ruling prescribed in Article 39, paragraph (4) of the new Telecommunications Business Act as applied mutatis mutandis pursuant to Article 39-6 of the new Telecommunications Business Act, if that application concerns services not based on the general conditions of contracts.

15 この法律の施行の際現に旧電気通信事業法第六十八条第一項の指定を受けている者は、この法律の施行の日に新電気通信事業法第六十八条第一項の指定を受けたものとみなす。

(15) A person that has been actually designated as of the time of enforcement of this Act pursuant to the provisions of Article 68, paragraph (1) of the former Telecommunications Business Act is deemed to have been designated on the date of enforcement of this Act, pursuant to the provisions of Article 68, paragraph (1) of the new Telecommunications Business Act.

16 前各項に規定するものを除くほか、この法律の施行前に旧電気通信事業法の規定によってした処分、手続その他の行為は、新電気通信事業法中にこれに相当する規定があるときは、新電気通信事業法の規定によってしたものとみなす。

(16) Except for what is provided for in the preceding paragraphs, a disposition made, procedure carried out, or other act taken before the enforcement of this Act pursuant to the provisions of the former Telecommunications Business Act is deemed to be a disposition made, procedure carried out, or other act taken pursuant to the provisions of the new Telecommunications Business Act if there are corresponding provisions in the new Telecommunications Business Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of the penal provisions to acts undertaken before the enforcement of this Act.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 5 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act

(including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(検討)

(Review)

第六条 政府は、この法律による改正後の規定の実施状況、インターネットその他の高度情報通信ネットワークに係る技術及びその利用の動向その他内外の社会経済情勢の変化等を勘案し、並びに国際的な電気通信事業の円滑な遂行及び我が国の電気通信技術の国際競争力の向上に配意し、通信と放送に係る事業の区分を含む電気通信に係る制度の在り方について総合的に検討を加え、その結果に基づいて法制の整備その他の必要な措置を講ずるものとする。

Article 6 By taking into account the status of implementation of the provisions amended by this Act, trends of technologies and their uses related to the Internet and other advanced information networks, and other changes in socioeconomic circumstances in Japan and abroad, while giving due consideration to smooth operation of international telecommunications business and improvement of the international competitiveness of Japan's telecommunications technologies, the government is to comprehensively review the best mode for systems related to telecommunications, including the classification of business related to communications and broadcasting, and is to improve the legislative system or take other necessary measures based on the results of the review.

附 則 〔平成十五年七月二十四日法律第百二十五号〕 〔抄〕

Supplementary Provisions [Act No. 125 of July 24, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into force as of the date prescribed in those items:

一 次条及び附則第十七条から附則第十九条までの規定 公布の日

(i) the provisions of the following Article and Articles 17 through 19 of Supplementary Provisions: the date of promulgation;

二 第三条中日本電信電話株式会社等に関する法律（次号及び附則第十六条において「会社法」という。）附則に一条を加える改正規定及び附則第十六条の規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(ii) the provisions in Article 3 to amend Supplementary Provisions of the Act on Nippon Telegraph and Telephone Corporation, Etc. (referred to as "the NTT Act" in the following item and Supplementary Provisions Article 16) by adding one Article, and the provisions of Article 16 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation; and

三 第二条の規定、第三条中会社法第十一条第二項の改正規定並びに附則第六条から附則第十五条まで、附則第二十一条から附則第三十一条まで、附則第三十四条から附則第四十一条まで及び附則第四十四条から附則第四十八条までの規定 公布の日から起算して一年を超えない範囲内において政令で定める日

(iii) the provisions of Article 2, the provisions in Article 3 to amend Article 11, paragraph (2) of the NTT Act, the provisions of Articles 6 through 15 of Supplementary Provisions, the provisions of Articles 21 through 31 of Supplementary Provisions, the provisions of Articles 34 through 41 of Supplementary Provisions, and the provisions of Articles 44 through 48 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(審議会等への諮問)

(Consultation with Councils or Other Prescribed Organizations)

第二条 総務大臣は、第二条の規定の施行前においても、同条の規定による改正後の電気通信事業法第八条第三項、第九条ただし書、第二十条第一項、第二十一条第一項、第二十六条、第四十一条第一項若しくは第二項、第四十五条第一項ただし書、第五十二条第一項、第七十条第一項第一号、第百八条第一項第二号又は同条第三項の総務省令の制定のために、第二条の規定による改正後の電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 In order to establish Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 8, paragraph (3), the proviso of Article 9, Article 20, paragraph (1), Article 21, paragraph (1), Article 26, Article 41, paragraph (1) or (2), the proviso of Article 45, paragraph (1), Article 52, paragraph (1), Article 70, paragraph (1), item (i), or Article 108, paragraph (1), item (ii) or paragraph (3) of the Telecommunications Business Act amended by Article 2, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are prescribed in Article 169 of the Telecommunications Business Act amended by the provisions of Article 2, even before the enforcement of the provision of Article 2.

(指定認定機関等に関する経過措置)

(Transitional Measures Concerning Designated Approval Bodies)

第三条 この法律の施行の際現に第一条の規定による改正前の電気通信事業法（以下こ

の条及び次条において「旧法」という。)第六十八条第一項の規定により指定を受けている者は、この法律の施行の日に第一条の規定による改正後の電気通信事業法(以下この条から附則第五条までにおいて「新法」という。)第六十八条第一項の規定により登録を受けたものとみなす。この場合において、新法第六十九条の二第一項に規定する期間は、旧法による指定又は指定の更新の日から起算するものとする。

Article 3 (1) A person that has been actually designated as of the time of enforcement of this Act pursuant to the provisions of Article 68, paragraph (1) of the Telecommunications Business Act before being amended by Article 1 (hereinafter referred to as the "former Act" in this Article and the following Article) is deemed to be a person that has been registered on the date of enforcement of this Act pursuant to the provisions of Article 68, paragraph (1) of the Telecommunications Business Act amended by Article 1 (hereinafter referred to as the "new Act" in this Article through Article 5 of Supplementary Provisions). In this case, the period prescribed in Article 69-2, paragraph (1) of the new Act is to be calculated from the date of designation or renewal of designation under the former Act.

2 この法律の施行の際現にされている旧法第六十八条第二項の規定による指定の申請、旧法第六十九条の二第一項の規定による指定の更新の申請又は旧法第七十二条の三第一項の規定による承認の申請は、それぞれ新法第六十八条第一項の規定による登録の申請、新法第六十九条の二第一項の規定による登録の更新の申請又は新法第七十二条の三第一項の規定による承認の申請とみなす。

(2) An application for designation which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 68, paragraph (2) of the former Act, an application for renewal of designation which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 69-2, paragraph (1) of the former Act, or an application for recognition which has been actually filed as of the time of enforcement of this Act pursuant to the provisions of Article 72-3, paragraph (1) of the former Act is deemed to be an application for registration filed pursuant to the provisions of Article 68, paragraph (1) of the new Act, an application for renewal of registration filed pursuant to the provisions of Article 69-2, paragraph (1) of the new Act, or an application for recognition filed pursuant to the provisions of Article 72-3, paragraph (1) of the new Act, respectively.

3 この法律の施行の際現に旧法第七十二条の三第一項の規定により承認を受けている者は、この法律の施行の日に、新法第七十二条の三第一項の規定により承認を受けたものとみなす。

(3) A person that has been actually recognized as of the time of enforcement of this Act pursuant to the provisions of Article 72-3, paragraph (1) of the former Act is deemed to be a person that has been recognized on the date of enforcement of this Act pursuant to the provisions of Article 72-3, paragraph (1) of the new Act.

(技術基準適合認定等に関する経過措置)

(Transitional Measures Concerning Technical Standards Conformity Approval)

第四条 この法律の施行の際現にされている旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定による技術基準適合認定の申請、旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定による認定の申請又は旧法第五十条の四第一項、第七十二条の二第一項若しくは第七十二条の三第六項の規定による認証の申請については、それぞれ新法第五十条第一項（新法第七十二条の三第四項において準用する場合を含む。）の規定による技術基準適合認定の求め又は新法第五十条の四第一項若しくは第七十二条の三第六項の規定による設計認証の求めとみなす。

Article 4 (1) Any application for technical standards conformity approval which has been actually filed at the time of enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72 of the former Act) or any application for approval which has been actually filed at the time of enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act is deemed to be a request for technical standards conformity approval under Article 50, paragraph (1) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act); and any application for certification which is actually filed at the time of enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1) or Article 72-3, paragraph (6) of the former Act is deemed to be a request for certification of design under Article 50-4, paragraph (1) or Article 72-3, paragraph (6) of the new Act.

2 この法律の施行前に旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器又は旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定により認定を受けた端末機器については、新法第五十条第一項（新法第七十二条の三第四項において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器であって新法第五十条第二項（新法第七十二条の三第四項において準用する場合を含む。）の規定により表示が付されているものとみなす。

(2) Terminal equipment which has obtained technical standards conformity approval before the enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72 of the former Act) or terminal equipment which has obtained approval before the enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act is deemed to be terminal equipment which has obtained technical standards conformity approval pursuant to the provisions of Article 50, paragraph (1) of the new Act

(including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act) and is marked pursuant to the provisions of Article 50, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (4) of the new Act).

3 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている設計は、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設計認証を受けた設計とみなす。

(3) A design which has obtained a certification before the enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to be a design which has obtained a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act).

4 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている者は、この法律の施行の日に、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設計認証を受けたものとみなす。この場合において、旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けている者は、新法第五十条の五第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定による義務を履行したものとみなす。

(4) Any person that has obtained a certification before the enforcement of this Act, pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to have obtained a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act). In this case, a person that has obtained a certification pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act is deemed to have fulfilled the obligations under Article 50-5, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act).

5 この法律の施行前に旧法第五十条の四第一項、第七十二条の二第一項又は第七十二条の三第六項の規定により認証を受けた設計に基づく端末機器であって旧法第五十条の四第五項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により表示が付されているものについては、新法第五十条の四第二項（新法第七十二条の三第七項において準用する場合を含む。）の規定により設計認証を受けた設計に基づく端末機器であって新法第五十条の六（新法第七十二条の三第七項において準用する場合を含む。）の規定により表示が付されているものとみなす。

(5) Terminal equipment which is based on a design certified before the

enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (1), Article 72-2, paragraph (1), or Article 72-3, paragraph (6) of the former Act and is marked pursuant to the provisions of Article 50-4, paragraph (5) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act) is deemed to be terminal equipment which is based on a design that obtained a certification of design pursuant to the provisions of Article 50-4, paragraph (2) of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act) and which is marked pursuant to the provisions of Article 50-6 of the new Act (including as applied mutatis mutandis pursuant to Article 72-3, paragraph (7) of the new Act).

6 新法第五十条の二（新法第五十条の九並びに第七十二条の三第四項及び第七項において準用する場合を含む。）の規定は、この法律の施行前に旧法第五十条第二項（旧法第七十二条において準用する場合を含む。）の規定により技術基準適合認定を受けた端末機器、旧法第七十二条の三第五項において準用する旧法第五十条第二項の規定により認定を受けた端末機器及び旧法第五十条の四第三項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により認証を受けた設計に基づく端末機器であって旧法第五十条の四第五項（旧法第七十二条の二第三項及び第七十二条の三第八項において準用する場合を含む。）の規定により表示が付されているものについては、適用しない。

(6) The provisions of Article 50-2 of the new Act (including as applied mutatis mutandis pursuant to Article 50-9 and Article 72-3, paragraphs (4) and (7) of the new Act) do not apply to terminal equipment which has obtained a technical standards conformity approval before the enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act (including as applied mutatis mutandis pursuant to Article 72 of the former Act), terminal equipment which has obtained a certification before the enforcement of this Act pursuant to the provisions of Article 50, paragraph (2) of the former Act as applied mutatis mutandis pursuant to Article 72-3, paragraph (5) of the former Act, and terminal equipment which is based on a design certified before the enforcement of this Act pursuant to the provisions of Article 50-4, paragraph (3) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act), and is marked pursuant to the provision of Article 50-4, paragraph (5) of the former Act (including as applied mutatis mutandis pursuant to Article 72-2, paragraph (3) and Article 72-3, paragraph (8) of the former Act).

（独立行政法人情報通信研究機構に関する経過措置）

(Transitional Measures Concerning the National Institute of Information and Communications Technology)

第五条 この法律の施行の日から、独立行政法人通信総合研究所法の一部を改正する法律（平成十四年法律第百三十四号）の施行の日の前日までの間における新法第六十九条第一項第二号の規定の適用については、同号イ中「独立行政法人情報通信研究機構（ハにおいて「機構」という。）」とあるのは「独立行政法人通信総合研究所（ハにおいて「研究所」という。）」と、同号ハ中「機構」とあるのは「研究所」とする。

Article 5 With regard to the application of the provisions of Article 69, paragraph (1), item (ii) of the new Act during the period from the date of enforcement of this Act until the day before the date of enforcement of the Act to Amend the Act on the Incorporated Administrative Agency Communications Research Laboratory (Act No. 134 of 2002), the term "the National Institute of Information and Communications Technology (referred to as "the Institute" in sub-item D)" in Article 69, paragraph (1), item (ii), (a) is deemed to be replaced with "the Incorporated Administrative Agency Communications Research Laboratory (referred to as "the Laboratory" in (c))", and the term "the Institute" in (c) of that item is deemed to be replaced with "the Laboratory".

（事業の登録等に関する経過措置）

(Transitional Measures Concerning the Registration of Business)

第六条 第二条の規定の施行の際現に同条の規定による改正前の電気通信事業法（以下「旧法」という。）第九条第一項の許可を受けて第一種電気通信事業を営んでいる者であつて、第二条の規定による改正後の電気通信事業法（以下「新法」という。）第九条の規定により登録を受けるべき者に該当するものは第二条の規定の施行の日（以下「施行日」という。）に新法第九条の登録を受けたものと、新法第十六条第一項の規定により届出をすべき者に該当するものは施行日に同項の届出をしたものとみなす。

Article 6 (1) If a person is actually conducting type I telecommunications business at the time of enforcement of the provisions of Article 2 with permission set forth in Article 9, paragraph (1) of the Telecommunications Business Act before being amended by Article 2 (hereinafter referred to as the "former Act"), that person is deemed to have obtained registration prescribed in Article 9 of the Telecommunications Business Act amended by Article 2 (hereinafter referred to as the "new Act") on the date of enforcement of the provisions of Article 2 (hereinafter referred to as the "effective date"), if that person falls under persons to be registered pursuant to the provisions of Article 9 of the new Act; or that person is deemed to have filed a notification prescribed in Article 16, paragraph (1) of the new Act on the effective date, if the person fall under persons who are to file a notification pursuant to the provisions of that paragraph.

2 第二条の規定の施行の際現にされている旧法第九条第一項の規定による許可の申請は、新法第九条の規定により登録を受けるべき者に係るものにあつては同条の規定による登録の申請と、新法第十六条第一項の規定により届出をすべき者に係るものにあつては同項の規定によりした届出とみなす。

- (2) An application for permission which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 9, paragraph (1) of the former Act is deemed to be an application for registration filed pursuant to the provisions of Article 9 of the new Act, if that application is related to the person to be registered pursuant to the provision of that Article, or is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (1) of the new Act, if that notification is related to the person who is to file a notification pursuant to the provisions of that paragraph.
- 3 第二条の規定の施行の際現にされている旧法第十四条第一項の規定による許可の申請は、新法第九条の規定により登録を受けるべき者に係るものにあつては新法第十三条第一項の規定による変更登録の申請と、新法第十六条第一項の規定により届出をすべき者に係るものにあつては同条第三項の規定によりした届出とみなす。
- (3) An application for permission which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 14, paragraph (1) of the former Act is deemed to be an application for registration of change filed pursuant to the provisions of Article 13, paragraph (1) of the new Act, if that application is related to the person to be registered pursuant to the provisions of Article 9 of the new Act, or is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (3) of the new Act, if that notification is related to the person who is to file a notification pursuant to the provisions of paragraph (1) of that Article.
- 4 第二条の規定の施行の際現にされている旧法第十八条第三項の規定による認可の申請は、新法第十八条第二項の規定によりした届出とみなす。
- (4) An application for authorization which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 18, paragraph (3) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 18, paragraph (2) of the new Act.
- 5 第二条の規定の施行の際現に旧法第二十二条第一項の規定による届出をし、又は旧法第二十四条第一項の登録を受けて第二種電気通信事業を営んでいる者は、施行日に新法第十六条第一項の届出をしたものとみなす。
- (5) A person that has actually filed a notification as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 22, paragraph (1) of the former Act, or that is actually conducting type II telecommunications business at the time of enforcement of the provisions of Article 2 with a registration set forth in Article 24, paragraph (1) of the former Act, is deemed to have filed a notification set forth in Article 16, paragraph (1) of the new Act on the effective date.
- 6 第二条の規定の施行の際現にされている旧法第二十四条第一項の規定による登録の申請は、新法第十六条第一項の規定によりした届出とみなす。
- (6) An application for registration which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article

24, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (1) of the new Act.

7 第二条の規定の施行の際現にされている旧法第二十七条第一項の規定による変更登録の申請は、新法第十六条第三項の規定によりした届出とみなす。

(7) An application for registration of change which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 27, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 16, paragraph (3) of the new Act.

(事業の認定等に関する経過措置)

(Transitional Measures Concerning Approval of Business)

第七条 第二条の規定の施行の際現に旧法第九条第一項の許可を受けて第一種電気通信事業を営んでいる者は、その営む電気通信事業について施行日に新法第一百七条第一項の認定を受けたものとみなす。

Article 7 (1) A person that is actually conducting type I telecommunications business at the time of enforcement of the provisions of Article 2 with permission set forth in Article 9, paragraph (1) of the former Act is deemed to have obtained approval set forth in Article 117, paragraph (1) of the new Act on the effective date for the telecommunications business which that person conducts.

2 第二条の規定の施行の際現にされている旧法第九条第一項の規定による許可の申請は、新法第一百七条第一項の規定によりした認定の申請とみなす。

(2) An application for permission which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 9, paragraph (1) of the former Act is deemed to be an application for approval filed pursuant to the provisions of Article 117, paragraph (1) of the new Act.

3 第二条の規定の施行の際現に旧法第十二条第一項（旧法第十四条第四項において準用する場合を含む。）の規定により指定されている期間は、新法第二百十条第一項（新法第二百二十二条第四項において準用する場合を含む。）の規定により指定された期間とみなす。

(3) A period which has been actually designated as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 12, paragraph (1) of the former Act (including as applied mutatis mutandis pursuant to Article 14, paragraph (4) of the former Act) is deemed to be a period designated pursuant to the provisions of Article 120, paragraph (1) of the new Act (including as applied mutatis mutandis pursuant to Article 122, paragraph (4) of the new Act).

4 第二条の規定の施行の際現にされている旧法第十四条第一項の規定による許可の申請は、新法第二百二十二条第一項の規定による認定の申請とみなす。

(4) An application for permission which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article

14, paragraph (1) of the former Act is deemed to be an application for approval filed pursuant to the provisions of Article 122, paragraph (1) of the new Act.

5 旧法第三章の規定により旧法第十二条第一項に規定する第一種電気通信事業者に対してした処分、手続その他の行為又は旧法第三章の規定により旧法第十二条第一項に規定する第一種電気通信事業者がした手続その他の行為は、新法第三章第二節の相当規定により新法第百二十条第一項に規定する認定電気通信事業者に対してしたもの又は新法第三章第二節の相当規定により新法第百二十条第一項に規定する認定電気通信事業者がしたものとみなす。

(5) A disposition made, procedure carried out, or other act taken pursuant to the provisions of Chapter III of the former Act, against a type I telecommunications carrier prescribed in Article 12, paragraph (1) of the former Act, or a procedure carried out or other act taken pursuant to the provisions of Chapter III of the former Act by a type I telecommunications carrier prescribed in Article 12, paragraph (1) of the former Act, is deemed to be a disposition made, procedure carried out or other act taken pursuant to the corresponding provisions of Chapter III, Section 2 of the new Act, against an approved telecommunications carrier prescribed in Article 120, paragraph (1) of the new Act, or a procedure carried out or other act taken pursuant to the corresponding provisions of Chapter III, Section 2 of the new Act by an approved telecommunications carrier prescribed in Article 120, paragraph (1) of the new Act, respectively.

(技術基準適合確認に関する経過措置)

(Transitional Measures Concerning Confirmation of Technical Standards Conformity)

第八条 第二条の規定の施行の際現に旧法第九条第一項の許可に係る電気通信設備について旧法第十二条第四項（旧法第十四条第四項で準用する場合を含む。）の確認を受けている者は、当該電気通信設備について新法第四十二条第三項（同条第四項で準用する場合を含む。）の規定による届出をしたものとみなす。

Article 8 A person that has actually obtained a confirmation set forth in Article 12, paragraph (4) of the former Act (including as applied mutatis mutandis pursuant to Article 14, paragraph (4) of the former Act) as of the time of enforcement of the provisions of Article 2 with respect to telecommunications facilities related to the permission prescribed in Article 9, paragraph (1) of the former Act is deemed to have filed a notification under Article 42, paragraph (3) of the new Act (including as applied mutatis mutandis pursuant to paragraph (4) of that Article) with respect to the telecommunications facilities.

(事業の承継等に関する経過措置)

(Transitional Measures Concerning Succession of Business)

第九条 第二条の規定の施行の際現にされている旧法第十六条第一項の規定による認可

の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第四項の規定による認可の申請とみなす。

Article 9 (1) An application for authorization which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 16, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act or an application for authorization under Article 123, paragraph (4) of the new Act.

2 第二条の規定の施行の際現にされている旧法第十六条第二項の規定による認可の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第三項の規定による認可の申請とみなす。

(2) An application for authorization which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 16, paragraph (2) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act or an application for authorization under Article 123, paragraph (3) of the new Act.

3 第二条の規定の施行の際現にされている旧法第十七条第二項の規定による認可の申請は、新法第十七条第二項の規定によりした届出及び新法第二百二十三条第二項の規定による認可の申請とみなす。

(3) An application for authorization which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 17, paragraph (2) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 17, paragraph (2) of the new Act or an application for authorization under Article 123, paragraph (2) of the new Act.

4 第二条の規定の施行の際現にされている旧法第十八条第一項の規定による許可の申請は、新法第十八条第一項の規定によりした届出及び新法第二百二十四条第一項の規定によりした届出とみなす。

(4) An application for permission which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 18, paragraph (1) of the former Act is deemed to be a notification filed pursuant to the provisions of Article 18, paragraph (1) of the new Act or a notification filed pursuant to the provisions of Article 124, paragraph (1) of the new Act.

(契約約款等に関する経過措置)

(Transitional Measures Concerning General Conditions of Contracts)

第十条 施行日前に旧法第三十一条第一項の規定により届け出ている料金のうち新法第七条に規定する基礎的電気通信役務に関するものについては、新法第十九条第一項の規定により届け出た契約約款に定める料金とみなす。

Article 10 (1) From among the charges for which the notification has been filed before the effective date pursuant to the provisions of Article 31, paragraph (1)

of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be charges specified in the general conditions of contracts for which the notification has been filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

2 施行日前に旧法第三十一条の四第一項の規定により届け出ている契約約款に定める提供条件又は同条第三項の規定により認可を受けている契約約款に定める提供条件のうち新法第七条に規定する基礎的電気通信役務に関するものについては、新法第十九条第一項の規定により届け出た契約約款に定める提供条件とみなす。

(2) From among the terms and conditions for the provision of the services specified in the general conditions of contracts for which the notification has been filed before the effective date pursuant to the provisions of Article 31-4, paragraph (1) of the former Act or the terms and conditions for the provision of the services specified in the general conditions of contracts which have been authorized pursuant to the provisions of paragraph (3) of that Article, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be terms and conditions for the provision of the services specified in the general conditions of contracts for which the notification has been filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

3 第二条の規定の施行の際現にされている旧法第三十一条の四第三項の規定による契約約款の認可の申請のうち新法第七条に規定する基礎的電気通信役務に関するものは、新法第十九条第一項の規定による契約約款（料金を除く。）の届出とみなす。

(3) From among the applications for authorization for the general conditions of contracts which have been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act are deemed to be notifications of the general conditions of contracts (except for charges) filed pursuant to the provisions of Article 19, paragraph (1) of the new Act.

4 施行日前に旧法第三十一条第一項の規定により届け出ている料金のうち新法第二十条第一項に規定する指定電気通信役務（新法第七条に規定する基礎的電気通信役務であるものを除く。以下同じ。）に関するものについては、新法第二十条第一項の規定により届け出た契約約款に定める料金とみなす。

(4) From among the charges for which the notification has been filed before the effective date pursuant to the provisions of Article 31, paragraph (1) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act (except for universal telecommunications services prescribed in Article 7 of the new Act; hereinafter the same applies) are deemed to be charges specified in the general conditions of contracts for which the notification has been filed pursuant to the provisions of Article 20, paragraph (1) of the new Act.

5 施行日前に旧法第三十一条の四第三項の規定により認可を受けている契約約款に定

める提供条件のうち新法第二十条第一項に規定する指定電気通信役務に関するものについては、同項の規定により届け出た契約約款に定める提供条件とみなす。

(5) From among the terms and conditions for the provision of the services specified in the general conditions of contracts which have been authorized before the effective date pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be terms and conditions for the provision of the services specified in the general conditions of contracts for which the notification has been filed pursuant to the provisions of that paragraph.

6 第二条の規定の施行の際現にされている旧法第三十一条の四第三項の規定による契約約款の認可の申請のうち新法第二十条第一項に規定する指定電気通信役務に関するものは、同項の規定による契約約款（料金を除く。）の届出とみなす。

(6) From among the applications for authorization for the general conditions of contracts which have been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 31-4, paragraph (3) of the former Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be notifications of general conditions of contracts (except for charges) filed pursuant to the provisions of Article 20, paragraph (1).

（契約約款の変更命令等に関する経過措置）

(Transitional Measures Concerning Orders to Change General Conditions of Contracts)

第十一条 施行日前に旧法第三十一条第二項の規定によりした命令又は旧法第三十一条の四第二項の規定によりした命令のうち、新法第七条に規定する基礎的電気通信役務の料金その他の提供条件に関するものは新法第十九条第二項の規定により、新法第二十条第一項に規定する指定電気通信役務の料金その他の提供条件に関するものは同条第三項の規定により、基礎的電気通信役務又は指定電気通信役務以外の電気通信役務の料金その他の提供条件に関するものは新法第二十九条第一項の規定によりした命令とみなす。

Article 11 (1) From among the orders which have been issued before the effective date pursuant to the provisions of Article 31, paragraph (2) of the former Act or the orders which have been issued before the effective date pursuant to the provisions of Article 31-4, paragraph (2) of the former Act, those concerning charges and other terms and conditions for the provision of universal telecommunications services prescribed in Article 7 of the new Act are deemed to be orders issued pursuant to the provisions of Article 19, paragraph (2) of the new Act, those concerning charges and other terms and conditions for the provision of designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be orders issued pursuant to the

provisions of paragraph (3) of that Article, or those concerning charges and other terms and conditions for the provision of telecommunications services other than universal telecommunications services or designated telecommunications services are deemed to be orders issued pursuant to the provisions of Article 29, paragraph (1) of the new Act.

2 施行日前に旧法第三十六条第一項の規定によりした契約約款の変更の認可の申請の命令のうち新法第七条に規定する基礎的電気通信役務の契約約款に関するものは新法第十九条第二項の規定により、新法第二十条第一項に規定する指定電気通信役務の契約約款に関するものは同条第三項の規定により、基礎的電気通信役務又は指定電気通信役務以外の電気通信役務の契約約款に関するものは新法第二十九条第一項の規定によりした命令とみなす。

(2) From among the orders relevant to the application for authorization for changes in the general conditions of contracts which have been issued before the effective date pursuant to the provisions of Article 36, paragraph (1) of the former Act, those concerning the general conditions of contracts for universal telecommunications services prescribed in Article 7 of the new Act are deemed to be orders issued pursuant to the provisions of Article 19, paragraph (2) of the new Act, those concerning the general conditions of contracts for designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to be orders issued pursuant to the provisions of paragraph (3) of that Article, or those concerning the general conditions of contracts for telecommunications services other than universal telecommunications services or designated telecommunications services are deemed to be orders issued pursuant to the provisions of Article 29, paragraph (1) of the new Act.

(契約約款等の掲示に関する経過措置)

(Transitional Measures Concerning the Posting of General Conditions of Contracts)

第十二条 施行日前に旧法第三十二条第一項の規定により公表し、掲示している料金及び契約約款のうち、新法第七条に規定する基礎的電気通信役務に関するもの、新法第二十条第一項に規定する指定電気通信役務に関するもの又は新法第二十一条第一項に規定する特定電気通信役務に関するものについては、新法第二十三条第一項の規定により公表し、掲示したものとみなす。

Article 12 (1) From among the charges and the general conditions of contracts which have been made public and posted before the effective date pursuant to the provisions of Article 32, paragraph (1) of the former Act, those concerning universal telecommunications services prescribed in Article 7 of the new Act, those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act, or those concerning specified telecommunications services prescribed in Article 21, paragraph (1) of the new

Act are deemed to be charges and the general conditions of contracts that have been made public and posted pursuant to the provisions of Article 23, paragraph (1) of the new Act.

- 2 施行日前に旧法第三十二条第二項において準用する同条第一項の規定により公表し、掲示している料金及び提供条件のうち、新法第七条に規定する基礎的電気通信役務に関するもの又は新法第二十条第一項に規定する指定電気通信役務に関するものは、新法第二十三条第二項において準用する同条第一項の規定により公表し、掲示したものとみなす。

- (2) From among the charges and terms and conditions for the provision of the services which have been made public and posted before the effective date pursuant to the provisions of Article 32, paragraph (1) of the former Act as applied mutatis mutandis pursuant to paragraph (2) of that Article, those concerning universal telecommunications services prescribed in Article 7 of the new Act or those concerning designated telecommunications services prescribed in Article 20, paragraph (1) of the new Act are deemed to have been made public and posted pursuant to the provisions of Article 23, paragraph (1) of the new Act as applied mutatis mutandis pursuant to paragraph (2) of that Article.

(会計の整理に関する経過措置)

(Transitional Measures Concerning the Keeping of Accounts)

第十三条 新法第二十四条の規定は、施行日以後に開始する事業年度に係る会計の整理について適用し、施行日前に開始した事業年度に係る会計の整理については、なお従前の例による。

Article 13 The provisions of Article 24 of the new Act apply to the keeping of accounts in relation to the fiscal year starting on or after the effective date, whereas prior laws continue to govern the keeping of accounts in relation to the fiscal years that have started before the effective date.

(共用の協定に関する経過措置)

(Transitional Measures Concerning Agreement on Sharing)

第十四条 施行日前に旧法第三十九条の三第一項の規定により認可を受けている共用に関する協定は、新法第三十七条第一項の規定により届け出た共用に関する協定とみなす。

Article 14 (1) An agreement on sharing which has been authorized before the effective date pursuant to the provisions of Article 39-3, paragraph (1) of the former Act is deemed to be an agreement on sharing for which the notification has been filed pursuant to the provisions of Article 37, paragraph (1) of the new Act.

- 2 第二条の規定の施行の際現にされている旧法第三十九条の三第一項の規定による共用に関する協定の認可の申請は、新法第三十七条第一項の規定によりした共用に関する協定の届出とみなす。

(2) An application for authorization for an agreement on sharing which has been actually filed as of the time of enforcement of the provisions of Article 2 pursuant to the provisions of Article 39-3, paragraph (1) of the former Act is deemed to be a notification of an agreement on sharing which has been filed pursuant to the provisions of Article 37, paragraph (1) of the new Act.

(地方公共団体に関する経過措置)

(Transitional Measures Concerning Local Governments)

第十五条 第二条の規定の施行の際現に新法第百六十五条第一項の規定の適用を受ける電気通信事業を行っている地方公共団体は、施行日から三月間は、同項の届出をしないで、その事業を行うことができる。

Article 15 A local government which is actually conducting telecommunications business to which the provisions of Article 165, paragraph (1) of the new Act apply at the time of enforcement of the provisions of Article 2 may continue to conduct its business for three months from the effective date, without filing the notification set forth in Article 165, paragraph (1) of the new Act.

(日本電信電話株式会社等に関する法律の改正に伴う経過措置)

(Transitional Measures in Connection with Amendment of the Nippon Telegraph and Telephone Corporation Act)

第十六条 第三条中会社法附則に一条を加える改正規定の施行の日から施行日の前日までの間における当該改正規定による改正後の会社法附則第十六条の適用については、同条第一項中「第三十三条第二項」とあるのは「第三十八条の二第二項」と、同条第二項中「第三十三条第四項第二号」とあるのは「第三十八条の二第三項第二号」とする。

Article 16 With regard to the application of Article 16 of Supplementary Provisions of the NTT Act amended by the provisions in Article 3 to amend the Supplementary Provisions of the NTT Act by adding one Article, during the period from the date of enforcement of those amending provisions until the day previous to the effective date, the term "Article 33, paragraph (2)" in Article 16, paragraph (1) of Supplementary Provisions is deemed to be replaced with "Article 38-2, paragraph (2)"; and the term "Article 33, paragraph (4), item (ii)" in Article 16, paragraph (2) is deemed to be replaced with "Article 38-2, paragraph (3), item (ii)".

(処分等の効力)

(Effects of Dispositions)

第十七条 この法律の各改正規定の施行前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 17 Beyond what is otherwise provided for in these Supplementary Provisions, a disposition made, procedure carried out, or other act taken before the enforcement of amending provisions in this Act pursuant to the provisions of laws before being amended, for which amended laws include corresponding provisions, is deemed to have been made, carried out, or taken pursuant to the provisions of those amended laws.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十八条 この法律の各改正規定の施行前にした行為及び附則第十三条の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 18 Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of the respective amending provisions in this Act and to any act undertaken after the effective date in a situation where prior laws continue to govern pursuant to the provision of Article 13 of Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十九条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 19 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary in connection with the enforcement of this Act (including transitional measures concerning the penal provisions) are specified by Cabinet Order.

(検討)

(Reviews)

第二十条 政府は、第一条又は第二条の規定の施行後十年を経過した場合において、第一条又は第二条の規定による改正後の規定の施行状況について電気通信の規律の観点から検討を加え、必要があると認めるときには、その結果に基づいて所要の措置を講ずるものとする。

Article 20 When ten years have passed since the enforcement of the provisions of Article 1 or Article 2, the government is to review the status of enforcement of the provisions amended by Article 1 or Article 2 from the viewpoint of telecommunications rules and take the necessary measures based on the results of this review, if the government finds it necessary.

附 則 〔平成十五年八月一日法律第百三十八号〕 〔抄〕

Supplementary Provisions [Act No. 138 of August 1, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 〔平成十六年六月二日法律第七十六号〕 〔抄〕

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act comes into effect as of the date of enforcement of the Bankruptcy Act (Act No. 75 of 2004; referred to as "the new Bankruptcy Act" in paragraph (8) of the following Article, Article 3, paragraph (8), Article 5, paragraphs (8), (16), and (21), Article 8, paragraph (3), and Article 13 of Supplementary Provisions).

(罰則の適用等に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十二条 施行日前にした行為並びに附則第二条第一項、第三条第一項、第四条、第五条第一項、第九項、第十七項、第十九項及び第二十一項並びに第六条第一項及び第三項の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 12 (1) Prior laws continue to govern the application of the penal provisions to any act undertaken before the effective date and to any act undertaken after the effective date in a situation where prior laws continue to govern pursuant to the provisions of Article 2, paragraph (1), Article 3, paragraph (1), Article 4, Article 5, paragraphs (1), (9), (17), (19), and (21), and Article 6, paragraphs (1) and (3) of Supplementary Provisions.

5 施行日前にされた破産の宣告、再生手続開始の決定、更生手続開始の決定又は外国倒産処理手続の承認の決定に係る届出、通知又は報告の義務に関するこの法律による改正前の証券取引法、測量法、国際観光ホテル整備法、建築士法、投資信託及び投資法人に関する法律、電気通信事業法、電気通信役務利用放送法、水洗炭業に関する法律、不動産の鑑定評価に関する法律、外国証券業者に関する法律、積立式宅地建物販売業法、銀行法、貸金業の規制等に関する法律、浄化槽法、有価証券に係る投資顧問業の規制等に関する法律、抵当証券業の規制等に関する法律、金融先物取引法、遊漁

船業の適正化に関する法律、前払式証票の規制等に関する法律、商品投資に係る事業の規制に関する法律、不動産特定共同事業法、保険業法、資産の流動化に関する法律、債権管理回収業に関する特別措置法、新事業創出促進法、建設工事に係る資材の再資源化等に関する法律、著作権等管理事業法、マンションの管理の適正化の推進に関する法律、確定給付企業年金法、特定製品に係るフロン類の回収及び破壊の実施の確保等に関する法律、社債等の振替に関する法律、確定拠出年金法、使用済自動車の再資源化等に関する法律、信託業法及び特定目的会社による特定資産の流動化に関する法律等の一部を改正する法律附則第二条第一項の規定によりなおその効力を有するものとされる同法第一条の規定による改正前の特定目的会社による特定資産の流動化に関する法律の規定並びにこれらの規定に係る罰則の適用については、なお従前の例による。

- (5) Prior laws continue to govern the application of the provisions of the Securities and Exchange Act, Survey Act, Act on Development of Hotels for Inbound Tourists, Act on Architects and Building Engineers, Act on Investment Trusts and Investment Corporations, Telecommunications Business Act, Act on Broadcast on Telecommunications Services, Act on Coal Washing Operations, Act on Real Estate Appraisal, Act on Foreign Securities Dealers, Advanced-Installment Type Building Lots and Building Sales Business Act, Banking Act, Act on Controls, etc. on Money Lending, Purification Tank Act, Act on Regulation, etc. of Investment Advisory Business Pertaining to Securities, Act on Regulation, etc. of Mortgage Security Business, Financial Future Transaction Act, Act on Regulation of Sportfishing Boat Service, Act on Regulation, etc. on Advanced Payment Certificate, Act on Regulation of Commodity Investment, Act on Specified Joint Real Estate Ventures, Insurance Business Act, Act on the Securitization of Assets, Act on Special Measures Concerning Claim Management and Collection Business, Act for Facilitating the Creation of New Business, Construction Material Recycling Act, Act on Copyright, etc. Management, Act on Advancement of Proper Condominium Management, Defined-Benefit Corporate Pension Act, Act on Ensuring the Implementation of Recovery and Destruction of Fluorocarbons concerning Designated Products, Act on Book Entry of Corporate Bonds and Shares, Defined Contribution Pension Act, Act on Recycling etc. of End-of-Life Vehicles, Trust Business Act, and Act on the Securitization of Specified Assets by Special Purpose Companies before being amended under Article 1 of the Act Partially Amending the Act on the Securitization of Specified Assets by Special Purpose Companies, which is deemed to remain in force pursuant to Article 2, paragraph (1) of Supplementary Provisions of that Act before being amended by this Act regarding obligation of notifications, notices or reports concerning declaration of bankruptcy, order commencing rehabilitation proceedings, order commencing reorganization proceedings, or order of recognition of foreign insolvency proceedings made before the effective date, and the penal provisions

relating to these provisions.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 Beyond what is provided for in Article 2 of Supplementary Provisions through the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十六年六月九日法律第八十四号〕〔抄〕

Supplementary Provisions [Act No. 84 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(検討)

(Review)

第五十条 政府は、この法律の施行後五年を経過した場合において、新法の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 50 When five years have passed since the enforcement of this Act, the government is to review the status of enforcement of the new Act and take necessary measures based on the results of this review, if the government finds it necessary.

附 則 〔平成十六年十二月三日法律第百五十四号〕〔抄〕

Supplementary Provisions [Act No. 154 of December 3, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

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

(その他の経過措置の政令への委任)

(Delegation of Transitional Measures to Cabinet Order)

第八十九条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 89 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十七年三月三十一日法律第二十一号〕〔抄〕

Supplementary Provisions [Act No. 21 of March 31, 2005] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十七年四月一日から施行する。

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

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八十九条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 89 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成十七年七月二十六日法律第八十七号〕〔抄〕

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

この法律は、会社法の施行の日から施行する。

This Act comes into effect as of the date of enforcement of the Companies Act.

附 則 〔平成十八年六月二日法律第五十号〕〔抄〕

Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

(施行期日)

(Effective Date)

この法律は、一般社団・財団法人法の施行の日から施行する。

This Act comes into effect as of the date of enforcement of the General Incorporated Associations and General Incorporated Foundations Act.

附 則 〔平成十九年十二月二十八日法律第百三十六号〕〔抄〕

Supplementary Provisions [Act No. 136 of December 28, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation (hereinafter referred to as the "effective date"); provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in those items:

一 第二条中電波法第九十九条の十一第二項の改正規定、第三条中電気通信事業法第二十九条第一項の改正規定及び第百四十七条第一項の改正規定並びに次条及び附則第九条から第十一条までの規定 公布の日

(i) the provisions in Article 2 to amend Article 99-11, paragraph (2) of the Radio Act, the provisions in Article 3 to amend Article 29, paragraph (1) and Article 147, paragraph (1) of the Telecommunications Business Act, and the provisions of the following Article and Articles 9 through 11 of Supplementary Provisions: the date of promulgation;

二 第二条中電波法の目次の改正規定（「第二節 無線局の登録（第二十七条の十八—第二十七条の三十四）」を「／第二節 無線局の登録（第二十七条の十八—第二十七条の三十四）／第三節 無線局の開設に関するあつせん等（第二十七条の三十五・第二十七条の三十六）／」に改める部分に限る。）、同法第六条第一項に一号を加える改正規定、同条第二項に一号を加える改正規定、同法第二十六条の二第五項の改正規定、同法第二十七条の三第一項に一号を加える改正規定、同法第二十七条の十八第三項の改正規定、同法第二章第二節の次に一節を加える改正規定、同法第九十九条の十一第一項第一号中「（無線局の開設の届出）」の下に「、第二十七条の三十五第一項（電気通信事業紛争処理委員会によるあつせん及び仲裁）」を加える改正規定及び第三条中電気通信事業法第百四十四条第二項の改正規定並びに附則第八条及び第十六条の規定 公布の日から起算して九月を超えない範囲内において政令で定める日

(ii) in Article 2, the provisions to amend the Table of Contents of the Radio Act (limited to the part that amends "Section 2 Registration for Radio Stations (Articles 27-18 through 27-34)" to "Section 2 Registration for Radio Stations (Articles 27-18 through 27-34) Section 3 Mediation, Etc. for Establishment of Radio Stations (Articles 27-35 and 27-36)"), the provisions to amend Article 6, paragraph (1) of that Act by adding one item, the provisions to amend paragraph (2) of that Article by adding one item, the provisions to amend Article 26-2, paragraph (5) of that Act, the provisions to amend Article 27-3, paragraph (1) of that Act by adding one item, the provisions to amend Article 27-18, paragraph (3) of that Act, the provisions to amend that Act by adding one Section after Chapter II, Section 2, and the provisions to amend that Act

by adding ", Article 27-35 paragraph (1) (Mediation and Arbitration by the Telecommunications Business Dispute Settlement Commission)" after "(Notification on Establishment of Radio Stations)" in Article 99-11, paragraph (1), item (i) of that Act; the provisions in Article 3 to amend Article 144, paragraph (2) of the Telecommunications Business Act; and the provisions of Articles 8 and 16 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

(処分等の効力)

(Effects of Dispositions)

第九条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前に改正前のそれぞれの法律の規定によってした又はすべき処分、手続その他の行為であつて、改正後のそれぞれの法律に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってした又はすべきものとみなす。

Article 9 Beyond what is otherwise provided for in these Supplementary Provisions, a disposition made or to be made, procedure carried out or to be carried out, or other act taken or to be taken before the enforcement of this Act (or for the provisions set forth in the items of Supplementary Provisions Article 1, before the enforcement of those provisions) pursuant to the provisions of laws before being amended, for which amended laws include corresponding provisions, is deemed to be a disposition made or to be made, procedure carried out or to be carried out, or other act taken or to be taken pursuant to the provisions of those amended laws.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 10 Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of this Act (or for the provisions set forth in the items of Article 1 of Supplementary Provisions, before the enforcement of the provisions set forth in those items).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十一条 この附則に規定するもののほか、この法律（附則第一条各号に掲げる規定については、当該各規定）の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は政令で定める。

Article 11 Beyond what is provided for in these Supplementary Provisions,

transitional measures necessary in connection with the enforcement of this Act (or for the provisions set forth in the items of Article 1 of Supplementary Provisions, in connection with enforcement of the provisions of those items) are specified by Cabinet Order (including transitional measures concerning the penal provisions).

(検討)

(Reviews)

第十二条 政府は、この法律の施行後五年を経過した場合において、新放送法の施行状況、社会経済情勢の変化等を勘案し、新放送法第九条第一項第五号に規定する委託協会国際放送業務、新放送法第五十二条の四第一項に規定する有料放送、新放送法第五十二条の六の二第一項に規定する有料放送管理業務、新放送法第五十二条の十八第二項に規定する委託放送事業者の地位の承継及び新放送法第五十二条の三十一に規定する認定放送持株会社に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 12 (1) When five years have passed since the enforcement of this Act, the government is to take account of the status of enforcement of the new Broadcasting Act, the changes in socioeconomic circumstances, and other trends; review NHK's international broadcast programming operations prescribed in Article 9, paragraph (1), item (v) of the new Broadcasting Act, the paid broadcasting prescribed in Article 52-4, paragraph (1) of the new Broadcasting Act, the paid broadcasting management business prescribed in Article 52-6-2, paragraph (1) of the new Broadcasting Act, the succession of the status of the entrusted broadcaster prescribed in Article 52-18, paragraph (2) of the new Broadcasting Act and the system related to the approved broadcasting holding company prescribed in Article 52-31 of the new Broadcasting Act; and take necessary measures based on the results of the review, if the government finds it necessary.

2 政府は、この法律の施行後五年を経過した場合において、新電波法第七十条の七、第七十条の九及び第八十条の規定の施行状況について電波の監督管理の観点から検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) When five years have passed since the enforcement of this Act, the government is to review the status of enforcement of the provisions of Article 70-7, Article 70-9, and Article 80 of the new Radio Act from the viewpoint of radio regulations and take the necessary measures based on the results of the review, if the government finds it necessary.

附 則 [平成二十年五月三十日法律第五十号] [抄]

Supplementary Provisions [Act No.50 of May 30, 2008] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

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

附 則 [平成二十二年十二月三日法律第六十五号] [抄]

Supplementary Provisions [Act No.65 of December 3, 2010] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation (hereinafter referred to as the "effective date"); provided, however, that the provisions set forth in the following items come into effect as of date prescribed in those items:

一 第一条中放送法第五十三条の十一の改正規定、第三条中電波法第九十九条の十二の改正規定及び第五条中電気通信事業法第一百四十七条第一項の改正規定並びに附則第三条、第十三条及び第十四条第一項の規定 公布の日

(i) the provisions in Article 1 to amend Article 53-11 of the Broadcasting Act; the provisions in Article 3 to amend Article 99-12 of the Radio Act; the provisions in Article 5 to amend Article 147, paragraph (1) of the Telecommunications Business Act; and the provisions in Article 3, Article 13 and Article 14, paragraph (1) of Supplementary Provisions: the dates of promulgation;

二 第一条中放送法第五十二条の十三第一項第五号チの改正規定、同法第五十二条の二十四第二項第四号の改正規定及び同法第五十二条の三十第二項第五号の改正規定並びに第三条の規定（前号に掲げる改正規定を除く。）並びに附則第十一条、第十二条、第二十七条、第三十五条及び第三十七条の規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(ii) in Article 1, the provisions to amend Article 52-13, paragraph (1), item (v), (h) of the Broadcasting Act, the provisions to amend Article 52-24, paragraph (2), item (iv) of that Act, and the provisions to amend Article 52-30, paragraph (2), item (v) of that Act; the provisions in Article 3 (excluding amending provisions set forth in item (i) above); and the provisions of Article 11, Article 12, Article 27, Article 35 and Article 37 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding

three months from the dates of promulgation;

三 第一条の規定（前二号に掲げる改正規定を除く。）並びに第五条中電気通信事業法第三十四条の改正規定、同法第六十九条第四号の改正規定及び同法第九十一条第二号の改正規定並びに附則第十条第一項の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(iii) the provisions of Article 1 (excluding amending provisions set forth in items (i) and (ii) above); in Article 5, the provisions to amend Article 34 of the Telecommunications Business Act, the provisions to amend Article 169, paragraph (4) of that Act, and the provisions to amend Article 191, paragraph (2) of that Act; and the provisions of Article 10, paragraph (1) of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the dates of promulgation.

(準備行為)

(Preparatory Actions)

第三条 第二条の規定による改正後の放送法（以下「新放送法」という。）第七十七条並びに第三条及び第四条の規定による改正後の電波法第九十九条の十一の規定による電波監理審議会に対する諮問、第五条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第六十九条の規定による同条の政令で定める審議会等に対する諮問並びにこれらに関し必要な手続その他の行為は、これらの規定の例により、この法律（附則第一条第二号及び第三号に掲げる規定については、当該各規定）の施行前においても行うことができる。

Article 3 Consultation with the Radio Regulatory Council under Article 177 of the Broadcasting Act amended under Article 2 (hereinafter referred to as the "new Broadcasting Act"), and under Article 99-11 of the Radio Act amended under Article 3 and Article 4, consultation with the councils or other prescribed organizations as specified by Cabinet Order that are referred to in Article 169 under that Article of the Telecommunications Business Act amended under Article 5 (hereinafter referred to as the "new Telecommunications Business Act"), and procedures and other acts concerning these consultations may be performed in accordance with these provisions, even before the enforcement of this Act (or for the provisions set forth in Article 1, items (ii) and (iii) of Supplementary Provisions, before the enforcement of those provisions).

(有線テレビジョン放送法の廃止に伴う経過措置)

(Transitional Measures in Connection with the Repeal of the Cable Television Broadcast Act)

第五条 3 この法律の施行の際現に旧有線テレビジョン放送法第九条の規定による有線テレビジョン放送施設の使用の承諾に係る事業を営んでいる者は、施行日から起算して三年間（当該期間内に新電気通信事業法第九条の登録若しくは第十二条第一項の規定による登録の拒否の処分があり、又は新電気通信事業法第十六条第一項の届出を

したときは、その日までの間)は、新電気通信事業法第九条又は第十六条第一項の規定にかかわらず、従前の例により引き続き当該有線テレビジョン放送施設の使用の承諾に係る事業を営むことができる。その者がその期間内に新電気通信事業法第九条の登録の申請をした場合において、その期間を経過したときは、その申請について登録又は登録の拒否の処分があるまでの間も、同様とする。

Article 5 (3) Notwithstanding the provisions of Article 9 or Article 16, paragraph (1) of the new Telecommunications Business Act, any person that is actually conducting business related to consent for use of cable television broadcast facilities under Article 9 of the former Cable Television Broadcast Act at the time of enforcement of this Act may continue conducting the relevant business related to consent for use of cable television broadcast facilities, in accordance with prior laws, for three years after the effective date (or if, during this period, there is a decision of a refusal of registration set forth in Article 9 or registration under Article 12, paragraph (1) of the new Telecommunications Business Act, or there is the notification set forth in Article 16, paragraph (1) of the new Telecommunications Business Act, for the period up to that date). If the person applies for the registration set forth in Article 9 of the new Telecommunications Business Act within that period, and that period has passed, the same applies until there is a disposition of approval of registration of that application or disposition of refusal of registration.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with the Partial Amendment of the Telecommunications Business Act)

第十条 新電気通信事業法第三十四条第六項の規定は、第五条中電気通信事業法第三十四条の改正規定の施行の日以後に終了する事業年度から適用する。

Article 10 (1) The provisions in Article 34, paragraph (6) of the new Telecommunications Business Act apply from the fiscal year ending after the enforcement date of the provisions in Article 5 to amend Article 34 of the Telecommunications Business Act.

2 この法律の施行の際現に第五条の規定による改正前の電気通信事業法（以下この条において「旧電気通信事業法」という。）第四百七条第一項又は第二項の規定により任命された電気通信事業紛争処理委員会の委員である者は、それぞれ、施行日に、新電気通信事業法第四百七条第一項又は第二項の規定により電気通信紛争処理委員会の委員として任命されたものとみなす。この場合において、その任命されたものとみなされる者の任期は、新電気通信事業法第四百八条第一項の規定にかかわらず、施行日における旧電気通信事業法第四百七条第一項又は第二項の規定により任命された電気通信事業紛争処理委員会の委員としての任期の残任期間と同一の期間とする。

(2) A person who has been appointed as a member of the Telecommunications Business Dispute Settlement Commission as of the time of the enforcement of this Act pursuant to the provisions of Article 147, paragraph (1) or (2) of the

Telecommunications Business Act before being amended by Article 5 (hereinafter referred to as the "former Telecommunications Business Act" in this Article) is deemed to have been individually appointed as a member of the Telecommunications Business Dispute Settlement Commission on the effective date of this Act pursuant to the provisions of Article 147, paragraph (1) or (2) of the new Telecommunications Business Act. In this case, notwithstanding the provisions of Article 148, paragraph (1) of the new Telecommunications Business Act, the term of office of the person who is deemed to be appointed is the same as the remaining term of office of that person on the effective date as a member of the Telecommunications Business Dispute Settlement Commission to which that person has been appointed pursuant to the provisions of Article 147, paragraph (1) or (2) of the former Telecommunications Business Act.

3 この法律の施行の際現に旧電気通信事業法第百四十六条第一項の規定により選任された電気通信事業紛争処理委員会の委員長である者又は同条第三項の規定により定められた委員である者は、それぞれ、施行日に、新電気通信事業法第百四十六条第一項の規定により選任され、又は同条第三項の規定により委員長の職務を代理する委員として定められたものとみなす。

(3) A person who has been appointed as the chair of the Telecommunications Business Dispute Settlement Commission as of the time of the enforcement of this Act pursuant to the provisions of Article 146, paragraph (1) of the former Telecommunications Business Act is deemed to have been appointed as the chair of the Telecommunications Business Dispute Settlement Commission on the effective date of this Act pursuant to the provisions of Article 146, paragraph (1) of the new Telecommunications Business Act; and a person who is a member designated pursuant to the provisions of Article 146, paragraph (3) of the former Telecommunications Business Act as of the time of the enforcement of this Act is deemed to have been designated on the effective date of this Act as a member that carries out the duties of the chair of the Telecommunications Business Dispute Settlement Commission in place of the chair pursuant to the provisions of Article 146, paragraph (3) of the new Telecommunications Business Act.

4 電気通信事業紛争処理委員会の委員であった者に係るその職務に関して知り得た秘密を漏らしてはならない義務については、施行日以後も、なお従前の例による。

(4) Prior laws continue to govern the obligations of the ex-members of the Telecommunications Business Dispute Settlement Commission to maintain the confidentiality of information which came to their knowledge in the course of their duties as Commission members, after the effective date.

(処分等の効力)

(Effect of Dispositions)

第十一条 この法律（附則第一条第二号及び第三号に掲げる規定については、当該各規定）の施行前に改正又は廃止前のそれぞれの法律の規定によってした又はすべき処分、手続その他の行為であつて、改正後のそれぞれの法律に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってした又はすべきものとみなす。

Article 11 Unless otherwise provided for in these Supplementary Provisions, a disposition made or to be made, procedure carried out or to be carried out, or other act taken or to be taken before the enforcement of this Act (or for the provisions set forth in Article 1, items (ii) and (iii) of Supplementary Provisions, before the enforcement of the provisions set forth in those items) pursuant to the provisions of laws before being amended, for which the amended laws include corresponding provisions, is deemed as a disposition made or to be made, procedure carried out or to be carried out, or other act taken or to be taken pursuant to the corresponding provisions in those amended laws.

（罰則の適用に関する経過措置）

（Transitional Measures Concerning the Application of Penal Provisions）

第十二条 この法律（附則第一条第二号及び第三号に掲げる規定については、当該各規定。以下この条において同じ。）の施行前にした行為及び附則第四条第二項、第五条第八項、第六条第五項、第七条及び第八条第十二項の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 12 Prior laws continue to govern the applicability of penal provisions to any act undertaken before the enforcement of this Act (or for the provisions set forth in Article 1, items (i) and (iii) of Supplementary Provisions, before the enforcement of those provisions; the same applies hereinafter in this Article), or any act undertaken after the enforcement of this Act in a situation where prior laws continue to govern pursuant to the provisions of Article 4, paragraph (2), Article 5, paragraph (8), Article 6, paragraph (5), Article 7, and Article 8, paragraph (12) of Supplementary Provisions.

（その他の経過措置の政令への委任）

（Delegation of Other Transitional Measures to Cabinet Order）

第十三条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 13 Beyond what is provided for in these Supplementary Provisions, any necessary transitional measures for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

（検討）

(Review)

第十四条 政府は、この法律の公布後一年を目途として、日本放送協会の役員に係る欠格事由の在り方について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 14 (1) After approximately one year since the promulgation of this Act, the government is to review the best mode for the reasons for ineligibility of officers of the Japan Broadcasting Corporation and take necessary measures based on the results of the review, if the government finds it necessary.

2 政府は、この法律の施行後五年以内に、前項に定める事項のほか、この法律による改正後の規定の実施状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) Beyond the particulars specified in paragraph (1) above, within five years from the enforcement of this Act, the government is to review the status of implementation of the provisions amended by this Act and take necessary measures based on the findings of the review, if the government finds it necessary.

附 則 [平成二十三年五月二日法律第三十五号] [抄]

Supplementary Provisions [Act No.35 of May 2, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

附 則 [平成二十三年六月一日法律第五十八号] [抄]

Supplementary Provisions [Act No.58 of June 1, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions of the following Article come into effect as of the date of promulgation.

(審議会等への諮問)

(Consultation with Councils or Other Prescribed Organizations)

第二条 総務大臣は、この法律の施行前においても、第一条の規定による改正後の電気通信事業法第三十一条第五項又は第七項の総務省令の制定のために、電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Even before the enforcement of this Act, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as set forth by Cabinet Order that are specified by Article 169 of the Telecommunications Business Act, in order to establish Order of the Ministry of Internal Affairs and Communications as prescribed in Article 31, paragraph (5) or (7) of the Telecommunications Business Act amended by Article 1.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue govern the application of penal provisions to acts undertaken before the enforcement of this Act.

(検討)

(Reviews)

第五条 政府は、この法律の施行後三年を目途として、この法律による改正後の規定の実施状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 After approximately three years from the enforcement of this Act, the government is to review the status of implementation of the provisions amended by this Act and take necessary measures based on the results of the review, if the government finds it necessary.

附 則 [平成二十三年六月二十四日法律第七十四号] [抄]

Supplementary Provisions [Act No.74 of June 24, 2011] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。

Article 1 This Act comes into effect after twenty days from the date of promulgation.

附 則 [平成二十六年五月三十日法律第四十二号] [抄]

Supplementary Provisions [Act No.42 of May 30, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

附 則 [平成二十六年六月十一日法律第六十三号] [抄]

Supplementary Provisions [Act No.63 of June 11, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date specified in those items:

一 第八十六条第一項、第八十九条、第九十条第三項、第一百条第二項、第一百十六条第二項の表の改正規定及び第百六十一条第一項の改正規定（「第二十九条第一項若しくは第二項」を「第二十九条」に改める部分に限る。）並びに次条の規定 公布の日

(i) the provisions to amend Article 86, paragraph (1), Article 89, Article 90, paragraph (3), Article 100, paragraph (2) and the table in Article 116, paragraph (2); the provisions to amend Article 161, paragraph (1) (limited to the part to amend "Article 29, paragraph (1) or (2)" to "Article 29"); and the provisions of the following Article: the date of promulgation;

二 第五十三条第三項の改正規定、第六十八条の次に十一条を加える改正規定（第六十八条の二に係る部分に限る。）及び第六十九条第一項の改正規定並びに附則第四条第一項、第七条及び第八条の規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(ii) the provisions to amend Article 53, paragraph (3); the provisions to amend by adding eleven Articles after Article 68 (limited to the part related to Article 68-2); the provisions to amend Article 69, paragraph (1), and the provisions of Article 4, paragraph (1), Article 7 and Article 8 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding three months from the dates of promulgation;

三 目次の改正規定、第二章第五節第三款を同節第四款とする改正規定、第八十七条第一項、第九十一条第二項及び第九十五条第一項の改正規定、第二章第五節第二款を同節第三款とし、同節第一款の次に一款を加える改正規定、第百六十三条第一項、第百六十六条第五項、第百七十四条第一項及び第百八十二条の改正規定、第百八十

八条の改正規定（同条第一号の改正規定を除く。） 、 第百九十二条の改正規定並びに別表第二を別表第三とし、別表第一第一号中「（昭和二十二年法律第二十六号）」を削り、同表を別表第二とし、附則の次に一表を加える改正規定並びに附則第四条第二項及び第六条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(iii) the provisions to amend the table of contents; the provisions to amend Chapter II, Section 5, Subsection 3 by changing that Subsection 3 into Subsection 4 of that Section; the provisions to amend Article 87, paragraph (1), Article 91, paragraph (2), and Article 95, paragraph (1); the provisions to amend Chapter II, Section 5, Subsection 2 by changing that Subsection 2 into Subsection 3 of that Section and adding a subsection after Subsection 1 of that Section; the provisions to amend Article 163, paragraph (1), Article 166, paragraph (5), Article 174, paragraph (1), and Article 182; the provisions to amend Article 188 (excluding the provisions to amend item (i) of that Article); the provisions to amend Article 192; the amending provisions to change Appended Table 2 into Appended Table 3, delete "(Law No. 26 of 1947)" in Appended Table 1, item (i), change that Table into Appended Table 2, and add a table after Supplementary Provisions; and the provisions of Article 4, paragraphs (2) and Article 6 of Supplementary Provisions: the date specified by Cabinet Order within a period not exceeding six months from the dates of promulgation.

（審議会等への諮問）

(Consultation with Councils or Other Prescribed Organizations)

第二条 総務大臣は、この法律の施行前においても、この法律による改正後の電気通信事業法（以下「新法」という。）第四十一条第三項及び第四項の総務省令の制定のために、電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Even before the enforcement of this Act, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act, in order to establish Order of the Ministry of Internal Affairs and Communications as set forth in Article 41, paragraphs (3) and (4) of the Telecommunications Business Act amended by this Act (hereinafter referred to as the "new Act").

（電気通信事業法の一部改正に伴う経過措置）

(Transitional Measures upon Partial Amendment of the Telecommunications Business Act)

第三条 この法律の施行の際現に事業用電気通信設備（この法律による改正前の電気通信事業法第四十四条第一項に規定する事業用電気通信設備をいう。次項において同じ。）を設置している電気通信事業者についての新法第四十四条第一項の規定の適用

については、同項中「、第二項又は第四項」とあるのは「又は第二項」と、「電気通信事業の開始前に」とあるのは「電気通信事業法の一部を改正する法律（平成二十六年法律第六十三号）の施行の日から起算して一月以内に」とする。

Article 3 (1) With regard to the application of the provisions of Article 44, paragraph (1) of the new Act to the telecommunications carriers that are actually installing telecommunications facilities for the use of telecommunications business (meaning telecommunications facilities for the use of telecommunications business defined in Article 44, paragraph (1) of the Telecommunications Business Act before being amended by this Act; the same applies in following paragraph) at the time of enforcement of this Act, the term "paragraph (2) or (4)" in that paragraph is deemed to be replaced with "or paragraph (2)" and the phrase "before the commencement of the telecommunications business" in that paragraph is deemed to be replaced with "within one month from the date of enforcement of the Act for Partial Amendment of the Telecommunications Business Act (Act No. 63 of 2014)" respectively.

2 この法律の施行の際現に事業用電気通信設備を設置している電気通信事業者が新法第四十四条の三第一項の規定により最初にすべき選任は、この法律の施行の日（次条及び附則第八条において「施行日」という。）から起算して一月以内にしなければならない。

(2) Within one month from the date of the enforcement of this Act (referred to as "effective date" in the following Article and Article 8 of Supplementary Provisions), telecommunications carriers that are actually installing telecommunications facilities for the use of telecommunications business at the time of enforcement of this Act must make the initial appointment which they should make pursuant to the provisions of Article 44-3, paragraph (1) of the new Act.

第四条 附則第一条第二号に定める日から施行日の前日までの間における新法第五十三条第三項及び第六十八条の二の規定の適用については、同項中「、第六十八条の二又は第六十八条の八第三項」とあるのは「又は第六十八条の二」と、同条中「若しくは第六十五条又は第六十八条の八第三項」とあるのは「又は第六十五条」とする。

Article 4 (1) With regard to the application of the provisions in Article 53, paragraph (3) and Article 68-2 of the new Act for the period from the date specified in Article 1, item (ii) of Supplementary Provisions until the day before the effective date, the term "Article 68-2 or Article 68-8, paragraph (3)" in Article 53, paragraph (3) is deemed to be replaced with "or Article 68-2", and the phrase "or Article 65 or Article 68-8, paragraph (3)" in Article 68-2 is deemed to be replaced with "or Article 65".

2 附則第一条第三号に定める日から施行日の前日までの間における新法第八十五条の二第一項、第八十五条の五、第七百七十四条第一項及び第九十二条第二号の規定の適

用については、第八十五条の二第一項中「講習の実施」とあるのは「事業用電気通信設備の工事、維持及び運用に関する事項の監督に関する講習（以下この款、第七十四条第一項及び別表第一において「講習」という。）の実施」と、第八十五条の五中「登録講習機関について」とあるのは「第八十五条の二第一項の規定により登録を受けた者（以下「登録講習機関」という。）について」と、第七十四条第一項中「第六十八条の三第一項の規定による登録若しくは第六十八条の六第一項の規定による変更登録を受けようとする者、第八十五条の十五第一項」とあるのは「第八十五条の十五第一項」と、同号中「第六十八条の六第四項、第六十八条の十第一項、第八十五条の六第二項」とあるのは「第八十五条の六第二項」とする。

- (2) With regard to the application of the provisions of Article 85-2, paragraph (1), Article 85-5, Article 174, paragraph (1) and Article 192, item (ii) of the new Act for the period from the date specified in Article 1, item (iii) of Supplementary Provisions until the day before the effective date, the term "implementation of training" in Article 85-2, paragraph (1) is deemed to be replaced with "implementation of training on the supervision of particulars related to installation, maintenance and operation of telecommunications facilities for the use of telecommunications business (hereinafter referred to in this Section, Article 174, paragraph (1) and Appended Table 1 as "training")", and the phrase "for Registered Training Agency" in Article 85-5 is deemed to be replaced with "for a person registered pursuant to the provisions in Article 85-2, paragraph (1) (hereinafter referred to as a "registered training agency")", the term "a person that intends to obtain registration under Article 68-3, paragraph (1) or registration of change under Article 68-6, paragraph (1), the person that intends to receive training provided by the Minister for Internal Affairs and Communications under Article 85-15, paragraph (1)" in Article 174, paragraph (1) is deemed to be replaced with "the person that intends to receive training provided by the Minister for Internal Affairs and Communications under Article 85-15, paragraph (1)", and the term "Article 68-6, paragraph (4), Article 68-10, paragraph (1), Article 85-6, paragraph (2)" in that item is deemed to be replaced with "Article 85-6, paragraph (2)".

(検討)

(Review)

第五条 政府は、この法律の施行後五年を経過した場合において、次項に定めるものを除くほか、新法の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 (1) Except for what is specified in the following paragraph, when five years have passed since the enforcement of this Act, the government is to review the status of enforcement of the provisions of the new Act and take necessary measures based on the results of the review, if the government finds it necessary.

2 政府は、この法律の施行後十年を経過した場合において、登録修理業者（新法第六十八条の五に規定する登録修理業者をいう。）に係る新法の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

(2) When ten years have passed since the enforcement of this Act, the government is to review the status of enforcement of the provisions in the new Act that are related to registered repairers (meaning registered repairers defined in Article 68-5 of the new Act) and take necessary measures based on the results of the review, if the government finds it necessary.

附 則 〔平成二十六年六月十三日法律第六十七号〕 〔抄〕
Supplementary Provisions [Act No.67 of June 13, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号。以下「通則法改正法」という。）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date of enforcement of the Act for the Partial Amendment of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014; hereinafter referred to as the "General Rules Revising Act"); provided, however, that the provisions set forth in the following items come into effect as of the date specified respectively in those items:

一 附則第十四条第二項、第十八条及び第三十条の規定 公布の日

(i) the provisions of Article 14, paragraph (2), Article 18, and Article 30 of Supplementary Provisions: the date of promulgation.

(処分等の効力)

(Effect of Decisions)

第二十八条 この法律の施行前にこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定によってした又はすべき処分、手続その他の行為であつてこの法律による改正後のそれぞれの法律（これに基づく命令を含む。以下この条において「新法令」という。）に相当の規定があるものは、法律（これに基づく政令を含む。）に別段の定めのあるものを除き、新法令の相当の規定によってした又はすべき処分、手続その他の行為とみなす。

Article 28 Except for what is otherwise provided for in any law (including a Cabinet Order issued under a law), a disposition made or to be made, procedure carried out or to be carried out, and any other act taken or to be taken before the enforcement of this Act pursuant to the provisions of laws before being amended (including orders issued under them), for which laws

amended by this Act (including orders issued thereunder; hereinafter referred to as "new laws" in this Article) include corresponding provisions, is deemed as a disposition made or to be made, procedure carried out or to be carried out, and other act taken or to be taken pursuant to the corresponding provisions of the new laws.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二十九条 この法律の施行前にした行為及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 29 Prior laws continue to govern the application of penal provisions to acts undertaken before the enforcement of this Act, and to acts that are undertaken after the enforcement of this Act in a situation where prior laws are to remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令等への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十条 附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令（人事院の所掌する事項については、人事院規則）で定める。

Article 30 Beyond what is provided for in Article 3 through the preceding Article of these Supplementary Provisions, transitional measures necessary to enforce this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order (or by the Rules of the National Personnel Authority for particulars governed by the National Personnel Authority).

附 則 〔平成二十六年六月十三日法律第六十九号〕 〔抄〕

Supplementary Provisions [Act No.69 of June 13, 2014] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政不服審査法（平成二十六年法律第六十八号）の施行の日から施行する。

Article 1 This Act comes into effect as of the enforcement date of the Administrative Appeal Act (Act No. 68 of 2014).

(経過措置の原則)

(Principle of Transitional Measures)

第五条 行政庁の処分その他の行為又は不作為についての不服申立てであってこの法律

の施行前にされた行政庁の処分その他の行為又はこの法律の施行前にされた申請に係る行政庁の不作为に係るものについては、この附則に特別の定めがある場合を除き、なお従前の例による。

Article 5 Unless otherwise provided for in these Supplementary Provisions, prior laws continue to govern appeals on a disposition or other act, or inaction of an administrative agency that are related to the administrative agency's disposition or other act made before the enforcement of this Act, or that are related to the administrative agency's inaction in relation to applications made before the enforcement of this Act.

(訴訟に関する経過措置)

(Transitional Measures Concerning Litigation)

第六条 この法律による改正前の法律の規定により不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ訴えを提起できないこととされる事項であつて、当該不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したもの（当該不服申立てが他の不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ提起できないとされる場合にあつては、当該他の不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したものを含む。）の訴えの提起については、なお従前の例による。

Article 6 (1) Prior laws continue to govern the filing of actions concerning matters for which it is not deemed possible to file any action until a ruling, decision, or other act has been made by an administrative agency regarding appeals, and for which the period during which the filing of the relevant appeals should have been made has passed without those appeals being filed, before the enforcement of this Act (including matters for which the period to file has passed before the enforcement of this Act without any other appeals being filed, for cases in which the relevant appeals cannot be filed unless a ruling, decision or other act has been made by an administrative agency in relation to other appeals).

2 この法律の規定による改正前の法律の規定（前条の規定によりなお従前の例によることとされる場合を含む。）により異議申立てが提起された処分その他の行為であつて、この法律の規定による改正後の法律の規定により審査請求に対する裁決を経た後でなければ取消しの訴えを提起することができないこととされるものの取消しの訴えの提起については、なお従前の例による。

(2) Prior laws continue to govern the filing of actions to revoke an administrative action or other act for which an objection was filed pursuant to laws before being amended by this Act (including cases which prior laws govern pursuant to the provisions of the preceding Article) and for which it is not deemed possible to file an action for revocation until the ruling regarding request for administrative review has been made pursuant to laws amended by this Act.

3 不服申立てに対する行政庁の裁決、決定その他の行為の取消しの訴えであつて、こ

の法律の施行前に提起されたものについては、なお従前の例による。

(3) Prior laws continue to govern an action to revoke a ruling, decision or other act by an administrative agency regarding an appeal that was filed before enforcement of this Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第九条 この法律の施行前にした行為並びに附則第五条及び前二条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 9 Prior laws continue to govern the application of the penal provisions to any act undertaken before the enforcement of this Act, and to any act undertaken after the enforcement of this Act in a situation where prior laws continue to govern pursuant to Article 5 and the preceding two Articles of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十条 附則第五条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 10 Beyond what is provided for in Article 5 through the preceding Article of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

附 則 〔平成二十七年五月二十二日法律第二十六号〕 〔抄〕

Supplementary Provisions [Act No.26 of May 22, 2015] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、次条及び附則第八条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of the following Article and Article 8 of Supplementary Provisions come into effect as of the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、この法律の施行の日（以下「施行日」という。）前において、第一号に掲げる事項については第一条の規定による改正前の電気通信事業法（以下「旧

電気通信事業法」という。) 第百六十九条の政令で定める審議会等に、第二号及び第三号に掲げる事項については電波監理審議会に、それぞれ諮問することができる。

Article 2 Before the enforcement of this Act (hereinafter referred to as the "effective date"), the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by Article 1 (hereinafter referred to as the "former Telecommunications Business Act") for particulars set forth in item (i) below, and consult the Radio Regulatory Council for particulars set forth in items (ii) and (iii) below:

一 第一条の規定による改正後の電気通信事業法（以下「新電気通信事業法」という。）第十二条の二第四項第二号ロ若しくはニの規定による電気通信設備の指定、新電気通信事業法第二十六条第一項各号の規定による電気通信役務の指定、新電気通信事業法第三十条第三項第二号の規定による電気通信事業者の指定又は新電気通信事業法第十二条の二第四項第二号ロ若しくはニ、第二十四条第一号ハ、第二十六条第一項、第二十六条の二第一項、第二十六条の三第一項若しくは第三項ただし書、第二十七条の二第二号、第三十条第六項、第三十四条第三項第一号イ、ロ若しくはホ若しくは第二号、第三十八条の二、第三十九条の三第三項、第五十条第一項ただし書若しくは第百六十四条第二項第一号の規定による総務省令の制定又は改廃

(i) designation of telecommunications facilities under Article 12-2, paragraph (4), item (ii), (b) or (d) of the Telecommunications Business Act amended by Article 1 (hereinafter referred to as the "new Telecommunications Business Act"); designation of telecommunications services under the items of Article 26, paragraph (1) of the new Telecommunications Business Act; designation of telecommunications carriers under Article 30, paragraph (3), item (ii); or establishment, amendment or repeal of the Order of the Ministry of Internal Affairs and Communications under Article 12-2, paragraph (4), item (ii), (b) or (d), Article 24, item (i), (c), Article 26, paragraph (1), Article 26-2, paragraph (1), Article 26-3, paragraph (1), the proviso of paragraph (3) of that Article, Article 27-2, item (ii), Article 30, paragraph (6), Article 34, paragraph (3), item (i), (a), (b) or (e), or item (ii), Article 38-2, Article 39-3, paragraph (3), the proviso of Article 50, paragraph (1), or Article 164, paragraph (2), item (i);

二 第二条の規定による改正後の電波法（以下「新電波法」という。）第四条第二項の規定による総務省令の制定又は改廃

(ii) establishment, amendment or repeal of the Order of the Ministry of Internal Affairs and Communications under Article 4, paragraph (2) of the Radio Act amended by Article 2 (hereinafter referred to as the "new Radio Act"); and

三 第三条の規定による改正後の放送法（以下「新放送法」という。）第百五十条の三第一項各号の規定による有料放送の役務の指定又は新放送法第百五十条、第百五

十条の二第一項、第百五十条の三第一項若しくは第四項ただし書若しくは第百五十一条の二第二号の規定による総務省令の制定又は改廃

(iii) designation of services of paid broadcasting under the items of Article 150-3, paragraph (1) of the Broadcasting Act amended by Article 3 (hereinafter referred to as the "new Broadcasting Act"); or establishment, amendment, or repeal of Order of the Ministry of Internal Affairs and Communications under Article 150, Article 150-2, paragraph (1), Article 150-3, paragraph (1), the proviso of paragraph (4) of that Article, or Article 151-2, item (ii) of the new Broadcasting Act.

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures upon Partial Amendment of the Telecommunications Business Act)

第三条 新電気通信事業法第十二条の二第一項の規定は、施行日以後に同項各号に掲げる事由が生じた場合について適用する。

Article 3 (1) The provisions of Article 12-2, paragraph (1) of the new Telecommunications Business Act apply if any event specified in the items of that paragraph occurs on or after the effective date.

2 この法律の施行の際現にドメイン名電気通信役務（新電気通信事業法第百六十四条第二項第一号に規定するドメイン名電気通信役務をいう。以下この条において同じ。）を提供する電気通信事業（新電気通信事業法第二条第四号に規定する電気通信事業をいう。以下この条において同じ。）を営んでいる者（旧電気通信事業法第九条の登録を受けた者に限る。）の当該電気通信事業についての新電気通信事業法第十三条第一項の規定の適用については、同項中「を変更しようとするときは」とあるのは、「の変更について電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して一月以内に」とする。

(2) With regard to the application of the provisions of Article 13, paragraph (1) of the new Telecommunications Business Act to the telecommunications business (meaning telecommunications business as defined in Article 2, item (4) of the new Telecommunications Business Act; the same applies to this Article) that at the time of enforcement of this Act the persons are actually conducting to provide the domain name telecommunications services (meaning domain name telecommunications services defined in Article 164, paragraph (2), item (i) of the new Telecommunications Business Act; the same applies to this Article) (limited to the persons that have obtained the registration under Article 9 of the former Telecommunications Business Act), the phrase "When any person that has obtained registration set forth in Article 9 intends to change any of the particulars set forth in item (ii) or (iii) of Article 10, paragraph (1), they must obtain registration of the change from the Minister for Internal Affairs and Communications;" is deemed to be replaced with "Any person that has obtained registration as set forth in Article 9 is to obtain registration of a

change in any of the particulars set forth in item (ii) or (iii) of Article 10, paragraph (1) from the Minister for Internal Affairs and Communications within one month from the enforcement of the Act for Partial Amendment of the Telecommunications Business Act (Act No. 26 of 2015)".

- 3 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（旧電気通信事業法第九条の登録を受けた者及び旧電気通信事業法第十六条第一項の規定による届出をした者を除く。）の当該電気通信事業についての新電気通信事業法第十六条第一項の規定の適用については、同項中「総務省令」とあるのは、「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して一月以内に、総務省令」とする。

- (3) With regard to the application of the provisions of Article 16, paragraph (1) of the new Telecommunications Business Act to the telecommunications business that at the time of enforcement of this Act the persons are actually conducting to provide domain name telecommunications services (excluding persons that have obtained the registration under Article 9 of the former Telecommunications Business Act and persons that have filed a notification under Article 16, paragraph (1) of the former Telecommunications Business Act), the phrase "by Order of the Ministry of Internal Affairs and Communications" is deemed to be replaced with "by Order of the Ministry of Internal Affairs and Communications, within one month from the date of enforcement of the Act for Partial Amendment of the Telecommunications Business Act (Act No. 26 of 2015)".

- 4 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（旧電気通信事業法第十六条第一項の規定による届出をした者に限る。）の当該電気通信事業についての新電気通信事業法第十六条第三項の規定の適用については、同項中「を変更しようとするときは」とあるのは、「の変更について電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して一月以内に」とする。

- (4) With regard to the application of the provisions of Article 16, paragraph (3) of the new Telecommunications Business Act to the telecommunications business that at the time of enforcement of this Act the persons are actually conducting to provide domain name telecommunications services (limited to the persons that have filed the notification under Article 16, paragraph (1) of the former Telecommunications Business Act), the phrase "When any person that has filed a notification as set forth in paragraph (1) intends to change any of the particulars set forth in item (ii) or (iii) of that paragraph, they are to notify the Minister for Internal Affairs and Communications to that effect;" is deemed to be replaced with "Any person that has filed a notification as set forth in paragraph (1) must obtain registration of a change in any of the particulars as set forth in item (ii) or (iii) of that paragraph, from the Minister for Internal Affairs and Communications within one month from the enforcement of the Act

for Partial Amendment of the Telecommunications Business Act (Act No. 26 of 2015)".

5 新電気通信事業法第二十四条第一号ハの規定は、施行日以後に開始する事業年度に係る会計理について適用する。

(5) The provisions of Article 24, item (i), (c) of the new Telecommunications Business Act apply to the keeping of accounts for the fiscal year commencing after the effective date.

6 新電気通信事業法第二十六条の二及び第二十六条の三の規定は、施行日以後に締結される電気通信役務（新電気通信事業法第二条第三号に規定する電気通信役務をいう。）の提供に関する契約について適用する。

(6) The provisions of Article 26-2 and Article 26-3 of the new Telecommunications Business Act apply to the contracts concluded on or after the effective date in relation to the provision of telecommunications services (meaning telecommunications services defined in Article 2, item (iii) of the new Telecommunications Business Act).

7 この法律の施行の際現に新電気通信事業法第三十三条第二項に規定する第一種指定電気通信設備又は新電気通信事業法第三十四条第二項に規定する第二種指定電気通信設備を用いる卸電気通信役務（新電気通信事業法第二十九条第一項第十号に規定する卸電気通信役務をいう。）の提供の業務を行っている当該第一種指定電気通信設備又は第二種指定電気通信設備を設置する電気通信事業者（新電気通信事業法第二条第五号に規定する電気通信事業者をいう。）に係る新電気通信事業法第三十八条の二の規定の適用については、同条中「は、当該第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を開始したときは、」とあるのは「は、」と、「遅滞なく、その旨」とあるのは「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行後遅滞なく、当該第一種指定電気通信設備又は第二種指定電気通信設備を用いる卸電気通信役務の提供の業務を行っている旨」とする。

(7) With regard to the application of the provisions of Article 38-2 of the new Telecommunications Business Act related to telecommunications carriers (meaning telecommunications carriers defined in Article 2, item (v) of the amended Telecommunications Business Act) that install Category I designated telecommunications facilities defined in Article 33, paragraph (2) of the new Telecommunications Business Act or Category II designated telecommunications facilities defined in Article 34, paragraph (2) of that Act, and are conducting the operations involved in providing wholesale telecommunications services (meaning wholesale telecommunications services defined in Article 29, paragraph (1), item (x) of the new Telecommunications Business Act) at the time of the enforcement of this Act, by using the Category I or II designated telecommunications facilities, the phrase "when they commence the provision of wholesale telecommunications services by using Category I or Category II designated telecommunications facilities," is deleted

and the phrase "promptly thereof" is deemed to be replaced with "the fact that they are conducting the operations involved in providing wholesale telecommunications services by using said Category I or Category II designated telecommunications facilities, promptly after the enforcement of the Act for Partial Amendment of the Telecommunications Business Act (Act No. 26 of 2015)".

8 新電気通信事業法第三十九条の三第三項の規定は、施行日以後に開始する事業年度に係る会計の公表について適用する。

(8) The provisions of Article 39-3, paragraph (3) of the new Telecommunications Business Act apply to the announcement of the account for the fiscal year commencing after the effective date.

9 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者（この法律の施行の際現に旧電気通信事業法第四十四条第一項に規定する事業用電気通信設備を設置している者を除く。次項において同じ。）についての新電気通信事業法第四十四条第一項の規定の適用については、同項中「電気通信事業の開始前に」とあるのは、「電気通信事業法等の一部を改正する法律（平成二十七年法律第二十六号）の施行の日から起算して三月以内に」とする。

(9) With regard to application of the provisions of Article 44, paragraph (1) of the new Telecommunications Business Act to the persons that are actually conducting telecommunications business to provide domain name telecommunications services (excluding persons that are actually installing telecommunications facilities for the use of telecommunications business defined in Article 44, paragraph (1) of the former Telecommunications Business Act at the time of enforcement of this Act; the same applies in the following paragraph) at the time of enforcement of this Act, the phrase "before the commencement of the telecommunications business" in that paragraph is deemed to be replaced with "within three months from the enforcement of the Act for Partial Amendment of the Telecommunications Business Act (Act No. 26 of 2015)".

10 この法律の施行の際現にドメイン名電気通信役務を提供する電気通信事業を営んでいる者が新電気通信事業法第四十四条の三第一項又は第四十五条第一項の規定により最初にすべき選任は、施行日から起算して三月以内にしなければならない。

(10) Within three months from the effective date, persons that are actually conducting telecommunications business to provide domain name telecommunications services at the time of enforcement of this Act must make the initial appointment which they should make pursuant to the provisions of Article 44-3, paragraph (1) or Article 45, paragraph (1) of the new Telecommunications Business Act.

(処分等の効力)

(Effect of Dispositions)

第六条 施行日前に改正前のそれぞれの法律の規定によってした処分、手続その他の行為であつて、改正後のそれぞれの法律に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 6 Except for what is otherwise provided for in these Supplementary Provisions, a disposition made, procedure carried out, or other act taken before the effective date pursuant to the provisions of respective laws before being amended, for which amended laws include corresponding provisions, is deemed to have been made, carried out, taken pursuant to the corresponding provisions in those amended laws.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七条 施行日前にした行為に対する罰則の適用については、なお従前の例による。

Article 7 Prior laws continue to govern the application of penal provisions to acts undertaken before the effective date.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八条 附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 8 Beyond what is provided for in Article 3 through the preceding Article of these Supplementary Provisions, any transitional measures necessary to enforce this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

(検討)

(Review)

第九条 政府は、この法律の施行後三年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 9 When three years have passed since enforcement of this Act, the government is to review the status of implementation of the provisions amended by this Act and take necessary measures based on the results of the review if the government finds it necessary.

附 則 〔平成二十九年五月十二日法律第二十七号〕 〔抄〕

Supplementary Provisions [Act No.27 of May 12, 2017] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions in the following items come into effect as of the date prescribed in those items:

一 第一条中電波法附則第十五項の見出しを削り、同項の前に見出しを付し、同項の次に一項を加える改正規定並びに次条及び附則第四条の規定 公布の日

(i) the provisions in Article 1 to delete the heading of paragraph (15) of Supplementary Provisions of the Radio Act, add a heading in front of that paragraph, and add one paragraph after that paragraph; and the provisions of the following Article and Article 4 of Supplementary Provisions: date of promulgation

(準備行為)

(Preparatory Actions)

第二条 2 総務大臣は、施行日前においても、第二条の規定による改正後の電気通信事業法第八十七条第一項第二号の規定による総務省令の制定又は改廃のために、第二条の規定による改正前の電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 (2) Even before the effective date, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by Article 2 in order to establish, amend, or repeal Order of the Ministry of Internal Affairs and Communications under Article 87, paragraph (1), item (ii) of the Telecommunications Business Act amended by Article 2.

第四条 前条に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 4 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 [平成二十九年五月三十一日法律第四十一号] [抄]

Supplementary Provisions [Act No.41 of May 31, 2017] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成三十一年四月一日から施行する。ただし、次条及び附則第四

十八条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of April 1, 2019; provided, however, that the provisions of the following Article and Article 48 of Supplementary Provisions come into effect as of the date of promulgation.

(政令への委任)

(Delegation to Cabinet Order)

第四十八条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 48 Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成二十九年六月二日法律第四十五号〕〔抄〕

Supplementary Provisions [Act No.45 of June 2, 2017] [Extract]

この法律は、民法改正法の施行の日から施行する。ただし、第百三条の二、第百三条の三、第二百六十七條の二、第二百六十七條の三及び第三百六十二條の規定は、公布の日から施行する。

This Act comes into effect as of the date of the enforcement of the Act Amending the Civil Code; provided, however, that the provisions of Article 103-2, Article 103-3, Article 267-2, Article 267-3, and Article 362 of the Supplementary Provisions come into effect as of the date of promulgation.

附 則 〔平成三十年五月二十三日法律第二十四号〕〔抄〕

Supplementary Provisions [Act No.24 of May 23, 2018] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in those items:

一 次条及び附則第五条の規定 公布の日

(i) the provisions of the following Article and Article 5 of Supplementary Provisions: the date of promulgation

二 第一条中電気通信事業法の目次の改正規定（「第五十一条」を「第四十九条」に、「第二款 端末設備の接続等（第五十二条一第七十三条）」を「／第二款 電気通

信番号（第五十条—第五十一条）／第三款 端末設備の接続等（第五十二条—第七十三条）／」に改める部分に限る。）、同法第十五条の改正規定、同法第十八条第三項を削る改正規定、同法第二十六条の三の次に二条を加える改正規定、同法第二十九条第二項第二号の改正規定、同法第三十三条の次に一条を加える改正規定、同法第三十四条の次に一条を加える改正規定、同法第二章第四節第二款を同節第三款とする改正規定、同法第四十九条の次に款名を付する改正規定、同法第五十条の改正規定、同条の次に十一条を加える改正規定、同法第五十一条の改正規定、同法第百六十一条第一項の改正規定、同法第百六十四条第二項第二号及び第三号の改正規定、同法第百六十五条第二項ただし書の改正規定、同法第百六十九条第二号及び第四号の改正規定、同法第七十条の改正規定、同法第百八十六条に二号を加える改正規定、同法第百八十八条第一号の改正規定並びに同法第百九十三条第一号の改正規定並びに附則第三条及び第七条の規定 公布の日から起算して一年を超えない範囲内において政令で定める日

- (ii) in Article 1, the provisions to amend the Table of Contents of the Telecommunications Business Act (limited to the amending part to change "Article 51" into "Article 49" and change "Subsection 2 Interconnection of Terminal Facilities (Article 52 to Article 73)" into "Subsection 2 Telecommunications Numbers (Article 50 to Article 51) Subsection 3 Interconnection of Terminal Facilities (Article 52 to Article 73)"), the provisions to amend Article 15 of that Act, the provisions to amend that Act by deleting Article 18, paragraph (3), the provisions to amend that Act by adding two Articles after Article 26-3, the provisions to amend Article 29, paragraph (2), item (ii) of that Act, the provisions to amend that Act by adding one Article after Article 33, the provisions to amend that Act by adding one Article after Article 34, the provisions to amend Chapter II, Section 4, Subsection 2 by changing that Subsection into Subsection 3 of that Section of that Act, the provisions to amend that Act by adding a Subsection title after Article 49 of that Act, the provisions to amend Article 50 of that Act, the provisions to add 11 Articles after that Article, the provisions to amend Article 51 of that Act, the provisions to amend Article 161, paragraph (1) of that Act, the provisions to amend Article 164, paragraph (2), items (ii) and (iii) of that Act, the provisions to amend the proviso of Article 165, paragraph (2) of that Act, the provisions to amend Article 169, items (ii) and (iv) of that Act, the provisions to amend Article 170 of that Act, the provisions to amend Article 186 of that Act by adding two items, the provisions to amend Article 188, item (i) of that Act, and the provisions to amend Article 193, item (i) of that Act; and the provisions of Article 3 and Article 7 of Supplementary Provisions: date specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、前条第二号に掲げる規定の施行の日（次条第一項及び第二項において「第二号施行日」という。）前においても、第一条の規定による改正後の電気通信事業法（以下「新事業法」という。）第五十条第二項の規定による電気通信番号計画（同項に規定する電気通信番号計画をいう。）の作成、新事業法第五十条の二第三項の規定による標準電気通信番号使用計画（同項の標準電気通信番号使用計画をいう。次条第一項において同じ。）の制定又は新事業法第二十六条の四、第五十条の二第一項第四号、第五十条の四第三号若しくは第五十条の十の規定による総務省令の制定若しくは改廃のために、第一条の規定による改正前の電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Before the effective date of the provisions listed in item (ii) of the preceding Article (hereinafter referred to as the "effective date in item (ii)" in paragraphs (1) and (2) of the following Article), the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by Article 1 in order to prepare the telecommunications numbering plan under Article 50, paragraph (2) of the Telecommunications Business Act amended by Article 1 (hereinafter referred to as the "new Telecommunications Business Act") (meaning the telecommunications numbering plan specified in that paragraph), establish the standard telecommunications number usage plan under Article 50-2, paragraph (3) of the new Telecommunications Business Act (meaning the standard telecommunications number usage plan in that paragraph; hereinafter the same applies in paragraph (1) of the following Article), or establish, amend, or repeal Order of the Ministry of Internal Affairs and Communications under Article 26-4, Article 50-2, paragraph (1), item (iv), Article 50-4, item (iii), or Article 50-10 of the new Telecommunications Business Act.

（電気通信事業法の一部改正に伴う経過措置）

(Transitional Measures in Connection with Partial Amendment of the Telecommunications Business Act)

第三条 附則第一条第二号に掲げる規定の施行の際現に電気通信番号（新事業法第五十条第一項に規定する電気通信番号をいう。以下この条において同じ。）を使用している電気通信事業者（次項に規定するものを除く。）は、新事業法第五十条第一項及び第五十条の二第一項の規定にかかわらず、第二号施行日から起算して六月を経過する日までの間（当該期間内に当該電気通信事業者が標準電気通信番号使用計画と同一の電気通信番号使用計画（同項に規定する電気通信番号使用計画をいう。）を作成したときは、同条第三項の規定により同条第一項の認定を受けたものとみなされるまでの間）は、電気通信番号を従前の例により引き続き使用することができる。当該電気通信事業者がその期間内に同項の認定を申請した場合において、その期間を経過したと

きは、当該申請について認定又は認定の拒否の処分があるまでの間も、同様とする。

Article 3 (1) Notwithstanding the provisions of Article 50, paragraph (1) and Article 50-2, paragraph (1) of the new Telecommunications Business Act, any telecommunications carrier (excluding those specified in the following paragraph) that is actually using telecommunications numbers (meaning telecommunications numbers specified in Article 50, paragraph (1) of the new Telecommunications Business Act; hereinafter the same applies in this Article) as of the time of enforcement of the provisions listed in Article 1, item (ii) of Supplementary Provisions may continue using the telecommunications number within a period not exceeding six months from the effective date in item (ii) (or within the period up until when the approval referred to in paragraph (1) of that Article is deemed to have been received pursuant to paragraph (3) of that Article, if the relevant telecommunications carrier creates the same telecommunications number usage plan as the standard telecommunications number usage plan (meaning the telecommunications number usage plan specified in that paragraph) within the relevant period not exceeding six months from the effective date in item (ii)), in accordance with prior laws. If the relevant telecommunications carrier applied for the approval in that paragraph within that period and this period has passed, the same applies until there is a disposition of approval of the relevant application or disposition of refusal of its approval.

2 附則第一条第二号に掲げる規定の施行の際現に電気通信番号を使用している電気通信事業者（同号に掲げる規定の施行の際現に付番（新事業法第五十条の二第一項第二号に規定する付番をいう。以下この項において同じ。）をしているものに限る。）は、新事業法第五十条第一項及び第五十条の二第一項の規定にかかわらず、第二号施行日から起算して六月を経過する日までの間は、電気通信番号を従前の例により引き続き使用すること（付番を従前の例により引き続きすることを含む。）ができる。当該電気通信事業者がその期間内に次項の規定により読み替えて適用する同条第一項の認定（同項の指定を含む。以下この項において同じ。）を申請した場合において、その期間を経過したときは、当該申請について認定又は認定の拒否の処分があるまでの間も、同様とする。

(2) Notwithstanding the provisions of Article 50, paragraph (1) and Article 50-2, paragraph (1) of the new Telecommunications Business Act, any telecommunications carrier that is actually using a telecommunications number (limited to those actually carrying out number assignment (meaning number assignment specified in Article 50-2, paragraph (1), item (ii) of the new Telecommunications Business Act; hereinafter the same applies in this paragraph) as of the time of enforcement of the provisions listed in that item) as of the time of enforcement of the provisions listed in Article 1, item (ii) of the Supplementary Provisions may continue using the telecommunications number (including continuation of number assignment in accordance with prior

laws) within a period not exceeding six months from the effective date in item (ii), in accordance with prior laws. If the relevant telecommunications carrier applies for the approval in paragraph (1) of that Article as applied pursuant to the following paragraph following the deemed replacement of terms (including the designation set forth in that paragraph; hereinafter the same applies in this paragraph) within that period, and this period has passed, the same applies until there is a disposition of approval of the relevant application or a disposition of refusal of its approval.

3 前項に規定する電気通信事業者に対する新事業法第五十条の二第一項の規定の適用については、同項第二号中「場合には、付番をしようとする利用者設備識別番号」とあるのは、「場合（電気通信事業法及び国立研究開発法人情報通信研究機構法の一部を改正する法律（平成三十年法律第二十四号）附則第一条第二号に掲げる規定の施行の際現に付番をしている場合を含む。）には、付番をしようとする利用者設備識別番号（同号に掲げる規定の施行の日前に付番をした利用者設備識別番号及び同日以後に同法附則第三条第二項の規定により付番を従前の例によりした利用者設備識別番号を含む。）」とする。

(3) With regard to application of the provisions of Article 50-2, paragraph (1) of the new Telecommunications Business Act to the telecommunications carrier specified in the preceding paragraph, the phrase "the user facility identification numbers that are to be assigned (this assignment means assigning unused user facility identification numbers to a user's terminal facility; the same applies in this item) and particulars listed below, if those numbers are assigned" is deemed to be replaced with "the user facility identification numbers that are to be assigned (including user facility identification numbers that were assigned before the date of enforcement of the provisions listed in Article 1, item (ii) of the Supplementary Provisions of the Act Partially Amending the Telecommunications Business Act and Act on the National Institute of Information and Communications Technology, Independent Administrative Agency (Act No. 24 of 2018); and user facility identification numbers that were assigned after the same date in accordance with prior laws, pursuant to Article 3, paragraph (2) of the Supplementary Provisions of that Act) (this assignment means assigning an unused user facility identification number to a user's terminal facility; the same applies in this item) and particulars listed below, if those numbers are assigned (including cases in which numbers are actually being assigned as of the time of enforcement of the provisions listed in Article 1, item (ii) of the Supplementary Provisions of that Act)".

4 第一項又は第二項の規定により電気通信番号を従前の例により引き続き使用することができる電気通信事業者に対する新事業法第五十一条の規定の適用については、同条中「当該電気通信事業者の認定電気通信番号使用計画」とあるのは「電気通信事業法及び国立研究開発法人情報通信研究機構法の一部を改正する法律（平成三十年法律

第二十四号) 附則第三条第一項又は第二項の規定」と、「当該認定電気通信番号使用計画に」とあるのは「当該規定に」と、「当該認定電気通信番号使用計画を変更するよう命ずる」とあるのは「その使用を禁止する」とする。

(4) With regard to application of the provisions of Article 51 of the new Telecommunications Business Act to a telecommunications carrier that may continue using telecommunications numbers pursuant to paragraph (1) or (2) in accordance with prior laws, the term "approved telecommunications number usage plan of the relevant telecommunications carrier" is deemed to be replaced with "provisions in Article 3, paragraph (1) or (2) of the Supplementary Provisions of the Act Partially Amending the Telecommunications Business Act and Act on the National Institute of Information and Communications Technology, Independent Administrative Agency (Act No. 24 of 2018)", the term "relevant approved telecommunications number usage plan" is deemed to be replaced with "relevant provisions", and the term "order to change the relevant approved telecommunications number usage plan" is deemed to be replaced with "to prohibit its use".

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この法律（附則第一条第二号に掲げる規定にあつては、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of penal provisions to acts undertaken before the enforcement of this Act (or for the provisions listed in Article 1, item (ii) of Supplementary Provisions, before the enforcement of the relevant provisions).

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 5 Beyond what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第六条 政府は、この法律の施行後三年を経過した場合において、新事業法及び新機構法の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 6 When three years have passed since the date of enforcement of this Act, the government is to review the status of implementation of the provisions of

the new Telecommunications Business Act and new Agency Act and take necessary measures based on the results of the review, if the government finds it necessary.

附 則 〔平成三十年十二月十四日法律第九十五号〕 〔抄〕

Supplementary Provisions [Act No.95 of December 14, 2018] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions in the following items come into effect as of the date prescribed in those items:

一 次条から附則第七条まで並びに附則第十四条、第十五条第一項及び第三項、第十六条、第三十一条並びに第三十三条第一項の規定 公布の日（附則第十四条及び第十五条第三項において「公布日」という。）

(i) the provisions of the following Article through Article 7 of Supplementary Provisions, and Article 14, Article 15, paragraphs (1) and (3), Article 16, Article 31, and Article 33, paragraph (1) of Supplementary Provisions: date of promulgation (referred to as "promulgation date" in Article 14 and Article 15, paragraph (3) of Supplementary Provisions);

二 第二条並びに附則第十七条及び第七十五条の規定 平成三十一年四月一日

(ii) the provisions of Article 2, and the provisions of Article 17 and Article 75 of the Supplementary Provisions: April 1, 2019.

(電気通信事業法の一部改正)

(Partial Amendment of the Telecommunications Business Act)

第五十七条 電気通信事業法（昭和五十九年法律第八十六号）の一部を次のように改正する。

Article 57 The Telecommunications Business Act (Act No. 86 of 1984) is to be partially amended as follows:

第百四十条第一項中「第百三十六条」を「第百八十三条」に改め、同条第三項中「第十一条第六項」を「第六十六条」に、「同条第六項中」を「同条中「次の各号のいずれか」とあるのは「第二号」と、」に、「とあるのは、」を「とあるのは」に改める。

In Article 140, paragraph (1), "Article 136" is to be amended to "Article 183"; and in paragraph (3) of that Article, "Article 11, paragraph (6)" is to be amended to "Article 66", "in paragraph (6) of that Article" is to be amended to

"in that Article", and "any of the following items" is to be amended to "item (ii)".
第百四十一条第五項中「第百三十六条」を「第百八十三条」に改め、同条第六項中「第十一条第六項」を「第九十三条第四項」に、「同条第六項」を「同条第四項」に改める。

In Article 141, paragraph (5), "Article 136" is to be amended to "Article 183"; and in paragraph (6) of that Article, "Article 11, paragraph (6)" is to be amended to "Article 93, paragraph (4)", and "paragraph (6) of that Article" is to be amended to "paragraph (4) of that Article".

第百四十二条第二項中「第三十九条第七項から第十二項まで」を「第一百七十七条第二項、第三項前段、第四項、第五項、第十一項及び第十二項」に、「同条第十項及び第十一項中「都道府県」とあるのは、「認定電気通信事業者」を「同条第二項中「同項各号」とあるのは「同項」と、同条第三項前段中「農林水産大臣が」とあるのは「都道府県知事が海区漁業調整委員会の意見を聴いて」と、同条第五項中「国」とあるのは「認定電気通信事業者」と、同条第十一項中「第一項第二号又は第三号の土地」とあるのは「電気通信事業法第百四十一条第五項に規定する漁業権（同項の規定により取り消されたものに限る。））」と、「国」とあるのは「認定電気通信事業者」と、同項及び同条第十二項中「有する者」とあるのは「有する者（登録先取特権者等に限る。））」に改める。

In Article 142, paragraph (2), "Article 39, paragraphs (7) through (12)" is to be amended to "Article 177, paragraph (2), first sentence of paragraph (3), paragraphs (4), (5), (11), and (12)"; in paragraphs (10) and (11) of that Article, "prefecture" is to be amended to "approved telecommunications carrier"; in paragraph (2) of that Article, "each item of that paragraph" is to be amended to "that paragraph"; in the first sentence of paragraph (3) of that Article, "Minister of Agriculture, Forestry and Fisheries" is to be amended to "Governor hears the opinions of the Sea-area Fisheries Adjustment Commission"; in paragraph (5) of that Article, "the national government" is to be amended to "approved telecommunications carrier"; in paragraph (11) of that Article, "land in paragraph (1), item (2) or (3)" is to be amended to "fishery right specified in Article 141, paragraph (5) of the Telecommunications Business Act (limited to fishery rights revoked pursuant to the provisions of that paragraph)" and "the national government" is to be amended to "approved telecommunications carrier"; in paragraphs (11) and (12) of that Article, "person qualified" is to be amended to "person qualified (limited to registered lien holder)".

附 則 〔令和元年五月十七日法律第五号〕 〔抄〕

Supplementary Provisions [Act No.5 of May 17, 2019] [Extract]

(施行期日)

(Effective Date)

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

る日から施行する。ただし、次条及び附則第五条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions in the following Article and Article 5 of Supplementary Provisions come into effect as of the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、この法律の施行の日（以下「施行日」という。）前においても、この法律による改正後の電気通信事業法（以下この条及び次条第二項において「新法」という。）第二十七条の二第二号若しくは第四号又は第二十七条の三（これらの規定（同条第一項を除く。）を新法第七十三条の三において準用する場合を含む。）の規定による総務省令の制定又は改廃のために、この法律による改正前の電気通信事業法（次条第一項において「旧法」という。）第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 (1) Even before the date of enforcement of this Act (hereinafter referred to as the "effective date"), the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by this Act (referred to as "the former Act" in paragraph (1) of the following Article), in order to establish, amend, or repeal Order of the Ministry of Internal Affairs and Communications under Article 27-2, item (ii) or (iv) or Article 27-3 of the Telecommunications Business Act amended by this Act (hereinafter referred to as the "new Act" in this Article and paragraph (2) of the following Article) (including cases in which these provisions (excluding item(i) of that Article) are applied mutatis mutandis pursuant to Article 73-3 of the new Act).

2 総務大臣は、施行日前においても、新法第二十七条の三第一項及び第百六十九条の規定の例により、同項の規定による移動電気通信役務（同項に規定する移動電気通信役務をいう。）の指定又は電気通信事業者の指定をすることができる。この場合において、これらの指定は、施行日にその効力を生ずる。

(2) Even before the effective date, as set forth in Article 27-3, paragraph (1) and Article 169 of the new Act, the Minister for Internal Affairs and Communications may designate mobile telecommunications services under that paragraph (meaning mobile telecommunications services specified in that paragraph) or designate a telecommunications carrier. In this case, the designations become effective on the effective date.

(経過措置)

(Transitional Measures)

第三条 旧法第二十六条第一項に規定する媒介等業務受託者が施行日前に旧法第二十六

条の三第一項に規定する行為をした場合における同項の規定の適用については、なお従前の例による。

Article 3 (1) Prior laws continue to govern the application of provisions in Article 26-3, paragraph (1) of the former Act, if a person entrusted with intermediation or other similar actions as specified in the Article 26, paragraph (1) of the former Act commits an act specified in Article 26-3, paragraph (1) of the former Act before the effective date.

2 この法律の施行の際現に電気通信事業者又は新法第二十七条の四に規定する媒介等業務受託者から委託を受けて新法第二十六条第一項各号に掲げる電気通信役務の提供に関する契約の締結の媒介等（新法第二十七条の四に規定する媒介等をいう。以下この項において同じ。）の業務を行っている者（以下この項において「施行時媒介等業務受託者」という。）は、施行日から起算して三月を経過する日（施行時媒介等業務受託者が同日以前に新法第七十三条の二第一項の届出をしたときは、当該届出をした日）までの間は、新法第七十三条の二第一項の規定にかかわらず、引き続き当該媒介等の業務を行うことができる。この場合において、当該施行時媒介等業務受託者を同条第二項に規定する届出媒介等業務受託者とみなして、新法第二十六条の三及び第二十七条の三第二項（第二号に係る部分に限る。）、新法第七十三条の三において準用する新法第二十六条、第二十七条の二及び第二十七条の三第二項並びに新法第七十三条の四及び第百八十六条（第三号に係る部分に限る。）の規定を適用する。

(2) Notwithstanding the provisions of Article 73-2, paragraph (1) of the new Act, a person actually conducting intermediation or other similar actions for concluding a contract related to provision of telecommunications services listed in the items of Article 26, paragraph (1) in the new Act (meaning intermediation or other similar actions as specified in Article 27-4 of the new Act; hereinafter the same applies in this paragraph) upon being entrusted by a telecommunications carrier or person entrusted with intermediation or other similar actions as specified in Article 27-4 of the new Act as of the time of enforcement of this Act (hereinafter referred to as a "person entrusted with intermediation or other similar actions as of the time of enforcement" in this paragraph) may continue conducting the intermediation or other similar actions in question within a period not exceeding three months from the effective date (or, if the person entrusted with intermediation or other similar actions as of the time of enforcement files the notification set forth in Article 73-2, paragraph (1) of the new Act before the date on which three months have passed since the effective date, within a period up until the date when the relevant notification is filed). In this case, the relevant person entrusted with intermediation or other similar actions as of the time of enforcement is deemed to be the person entrusted with intermediation or other similar actions that conducts notification as specified in Article 73-2, paragraph (2) of the new Act, and the provisions of Article 26-3 and Article 27-3, paragraph (2) (limited to parts concerning item (ii)) of the new Act, Article 26, Article 27-2 and Article

27-3, paragraph (2) of the new Act as applied mutatis mutandis pursuant to Article 73-3 of the new Act, and Article 73-4 and Article 186 (limited to parts concerning item (iii)) of the new Act are applied.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 施行日前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of penal provisions to acts undertaken before the effective date.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 5 Beyond what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

(検討)

(Review)

第六条 政府は、この法律の施行後三年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 6 When three years have passed since enforcement of this Act, the government is to review the status of implementation of the provisions amended by this Act and take necessary measures based on the results of the review, if the government finds it necessary,.

附 則 〔令和二年五月二十二日法律第三十号〕 〔抄〕

Supplementary Provisions [Act No.30 of May 22, 2020] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、第一条の規定並びに次条及び附則第四条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Article 1, and the provisions of the following Article and Article 4 of Supplementary Provisions come into effect as of the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、この法律の施行の日前においても、第二条の規定による改正後の電気通信事業法（次条において「新事業法」という。）第四十一条第三項の規定による総務省令の制定又は改廃のために、第二条の規定による改正前の電気通信事業法第百六十九条の政令で定める審議会等に諮問することができる。

Article 2 Even before the date of enforcement of this Act, the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by Article 2, in order to establish, amend, or repeal Order of the Ministry of Internal Affairs and Communications under Article 41, paragraph (3) of the Telecommunications Business Act amended by Article 2 (hereinafter referred to as the "new Telecommunications Business Act" in the following Article).

(電気通信事業法の一部改正に伴う経過措置)

(Transitional Measures in Connection with the Partial Amendment of the Telecommunications Business Act)

第三条 この法律の施行の際現に電気通信事業法第九条の登録を受けている者又は第二条の規定による改正前の電気通信事業法第十六条第一項の規定による届出をしている者であつて、外国法人等（新事業法第十条第一項第二号に規定する外国法人等をいう。）であるものについては、この法律の施行の日において同号又は新事業法第十六条第一項第二号に掲げる事項について変更があったものとみなして、新事業法第十三条第四項又は第十六条第二項の規定を適用する。

Article 3 (1) Any person that has actually obtained the registration set forth in Article 9 of the Telecommunications Business Act, or has actually made the notification under Article 16, paragraph (1) of the Telecommunications Business Act before being amended by Article 2 as of the time of enforcement of this Act, and that is a foreign corporation, organization, or individual (meaning a foreign corporation, organization, or individual specified in Article 10, paragraph (1), item (ii) of the new Telecommunications Business Act) is deemed to have changed the particulars listed in that item or in Article 16, paragraph (1), item (ii) of the new Telecommunications Business Act on the date of enforcement of this Act, and the provisions of Article 13, paragraph (4) or Article 16, paragraph (2) of the new Telecommunications Business Act apply.

2 この法律の施行の際現に電気通信事業法第百八条第一項の規定により指定されている適格電気通信事業者についての次の表の上欄に掲げる新事業法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

(2) With regard to application of the provisions of the new Telecommunications

Act in the left column of the table below regarding the eligible telecommunications carrier that has been actually designated pursuant to Article 108, paragraph (1) of the Telecommunications Business Act as of the time of enforcement of this Act, the terms in its middle column that are used in these provisions of the new Telecommunications Act are deemed to be replaced with the terms in its right column.

<p>第四十二条第五項において読み替えて準用する同条第一項 Article 42, paragraph (1) as applied mutatis mutandis pursuant to paragraph (5) of that Article following the deemed replacement of terms</p>	<p>第四十一条第三項に規定する電気通信設備の使用を開始しようとするときは、当該 intends to start using the telecommunications facilities set forth in Article 41, paragraph (3), it</p>	<p>電気通信事業法及び日本電信電話株式会社等に関する法律の一部を改正する法律（令和二年法律第三十号。第四十四条第一項において「令和二年改正法」という。）の施行の日から起算して三月以内に、第四十一条第三項に規定する specified in Article 41, paragraph (3) within a period not exceeding three months from the date of enforcement of the Act Partially Amending the Telecommunications Business Act and Act on Nippon Telegraph and Telephone Corporation, etc. (Act No. 30 of 2020; referred to as "2020 Amendment Act" in Article 44, paragraph (1))</p>
<p>第四十二条第五項において準用する同条第三項 Article 42, paragraph (3) as applied mutatis mutandis pursuant to paragraph (5) of that Article</p>	<p>又は or</p>	<p>の規定により確認した場合には遅滞なく、 without delay, if confirmed pursuant to</p>
	<p>、当該各項 respectively in those paragraphs</p>	<p>同項 in that paragraph</p>

<p>第四十四条第一項 Article 44, paragraph (1)</p>	<p>電気通信事業の開始前に prior to the commencement of its telecommunications business</p>	<p>令和二年改正法の施行の 日から起算して三月以内 に within a period not exceeding three months from the date of enforcement of the 2020 Amendment Act</p>
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(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第四条 前条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 4 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第五条 政府は、この法律の施行後三年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 5 When three years have passed since enforcement of this Act, the government is to review the status of implementation of the provisions amended by this Act and take necessary measures based on the results of the review, if the government finds it necessary.

附 則 〔令和三年六月十六日法律第七十五号〕〔抄〕

Supplementary Provisions [Act No.75 of June 16, 2021] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して二十日を経過した日から施行する。

(1) This Act comes into effect after twenty days from the date of promulgation.

附 則 〔令和四年六月十七日法律第六十八号〕〔抄〕

Supplementary Provisions [Act No.68 of June 17, 2022] [Extract]

(施行期日)

(Effective Date)

1 この法律は、刑法等一部改正法施行日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

(1) This Act comes into effect as from the date of enforcement of the Act Partially Amending the Penal Code and Related Acts; provided, however, that the provisions of the following items come into effect as of the date prescribed in the items:

一 第五百九条の規定 公布の日

(i) the provisions of Article 509: date of promulgation

附 則 [令和四年六月十七日法律第七十号] [抄]

Supplementary Provisions [Act No.70 of June 17, 2022] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date prescribed in the items:

一 次条及び附則第五条の規定 公布の日

(i) the provisions of the following Article and Article 5 of the Supplementary Provisions: date of promulgation;

二 第七十三条の二の改正規定 公布の日から起算して三月を超えない範囲内において政令で定める日

(ii) the provisions to amend Article 73-2: the date specified by Cabinet Order within a period not exceeding three months from the date of promulgation.

(準備行為)

(Preparatory Actions)

第二条 総務大臣は、この法律の施行の日（以下この条及び次条において「施行日」という。）前においても、この法律による改正後の電気通信事業法（以下この条及び次条において「新法」という。）第二条第七号イ、第七条第二号、第二十七条の五、第三十三条第一項、第三十八条の二第二項若しくは第三項、第七十条第二号、第一百条の二第一項若しくは第二項、第一百条の三第一項第一号、第一百条の四第一項、第三項若しくは第四項若しくは第一百条の五第一項、同条第二項において準用する新法第一百条第二項若しくは新法第一百六十四条第二項第四号若しくは第五号の規定による総務省令の制定若しくは改廃又は新法第一百条の五第一項の規定による政令の制定若しくは改廃のために、この法律による改正前の電気通信事業法（次項及び次条第三項において「旧法」という。）第一百六十九条の政令で定める審議会等に諮問することができる。

Article 2 (1) Even before the date of enforcement of this Act (hereinafter in this

Article and the following Article referred to as the "effective date"), regarding the Telecommunications Business Act amended by this Act (hereinafter referred to as the "new Act"), the Minister for Internal Affairs and Communications may consult the councils or other prescribed organizations as specified by Cabinet Order that are set forth in Article 169 of the Telecommunications Business Act before being amended by this Act (hereinafter referred to as the "former Act" in the following paragraph, and paragraph (3) of the following Article), in order to establish, amend, or repeal a Cabinet Order pursuant to the provisions of Article 2, item (vii), (a), Article 7, item (ii), Article 27-5, Article 33, paragraph (1), Article 38-2, paragraph (2) or (3), Article 107, item (ii), Article 110-2, paragraph (1) or (2), Article 110-3, paragraph (1), item (i), Article 110-4, paragraph (1), (3), or (4), or Article 110-5, paragraph (1) of the new Act, pursuant to the provisions of Article 110, paragraph (2) of the new Act as applied mutatis mutandis pursuant to paragraph (2) of that Article, or pursuant to the provisions of Article 164, paragraph (2), item (iv) or (v) of the new Act, or in order to establish, amend, or repeal Order of the Ministry of Internal Affairs and Communications pursuant to the provisions of Article 110-5, paragraph (1) of the new Act.

2 基礎的電気通信役務支援機関（旧法第百六条に規定する基礎的電気通信役務支援機関をいう。第四項において同じ。）は、施行日前においても、新法第百十六条第一項において準用する新法第七十九条第一項の規定の例により、支援業務規程（新法第百七条第二号に掲げる業務（これに附帯する業務を含む。）の実施に関する事項に係る部分に限る。）について、同項の認可の申請をすることができる。

(2) Even before the effective date, the universal telecommunications services support institution (meaning the universal telecommunications service support institution prescribed in Article 106 of the former Act; the same applies in paragraph (4)) may file an application for authorization referred to in Article 79, paragraph (1) of the new Act as applied mutatis mutandis pursuant to Article 116, paragraph (1) of the new Act, in accordance with Article 79, paragraph (1) of the new Act, with regard to the support operations rules (limited to the part relating to matters concerning the implementation of the operations listed in Article 107, item (ii) of the new Act (including operations incidental to them)).

3 総務大臣は、前項の規定による認可の申請があった場合には、施行日前においても、新法第百十六条第一項において準用する新法第七十九条第一項の規定の例により、その認可をすることができる。この場合において、その認可を受けた支援業務規程は、施行日において、同項の規定による認可を受けたものとみなす。

(3) If an application for authorization under the preceding paragraph has been filed, the Minister may grant that authorization pursuant to the provisions of Article 79, paragraph (1) of the new Act as applied mutatis mutandis pursuant to Article 116, paragraph (1) of the new Act, even before the effective date. In

this case, the support operations rules for which that authorization has been granted are deemed to have been authorized pursuant to the provisions of that paragraph on the effective date.

4 基礎的電気通信役務支援機関は、施行日前においても、新法第百十六条第一項において準用する新法第八十条第一項の規定の例により、事業計画及び収支予算（新法第一百七条第二号に掲げる業務（これに附帯する業務を含む。）に係る部分に限る。）について、同項の認可の申請をすることができる。

(4) Even before the effective date, a universal telecommunications services support institution may apply for authorization referred to in Article 80, paragraph (1) of the new Act as applied mutatis mutandis pursuant to Article 116, paragraph (1) of the new Act in accordance with that paragraph, with respect to its business plan and income and expenditure budget (limited to the part relating to the operations listed in Article 107, item (ii) of the new Act (including operations incidental to them)).

5 総務大臣は、前項の規定による認可の申請があった場合には、施行日前においても、新法第百十六条第一項において準用する新法第八十条第一項の規定の例により、その認可をすることができる。この場合において、その認可を受けた事業計画及び収支予算は、施行日において、同項の規定による認可を受けたものとみなす。

(5) If an application for authorization under the preceding paragraph has been filed, the Minister for Internal Affairs and Communications may grant that authorization in accordance with the provisions of Article 80, paragraph (1) of the new Act as applied mutatis mutandis pursuant to Article 116, paragraph (1) of the new Act, even before the effective date. In this case, the authorized business plan and income and expenditure budget is deemed to have been approved pursuant to the provisions of Article 80, paragraph (1) of the new Act on the effective date.

（経過措置）

(Transitional Measures)

第三条 この法律の施行の際現に新法第七条第二号に規定する第二号基礎的電気通信役務を提供している電気通信事業者が施行日以後最初に新法第十九条第一項の規定により総務大臣に届け出るべき契約約款については、同項中「その実施前に、総務大臣に届け出なければならない。これを変更しようとするときも、同様とする」とあるのは、「電気通信事業法の一部を改正する法律（令和四年法律第七十号）の施行の日から六月以内に、総務大臣に届け出なければならない」とする。

Article 3 (1) With respect to the contract conditions to be notified to the Minister for Internal Affairs and Communications pursuant to the provisions of Article 19, paragraph (1) of the new Act for the first time on and after the effective date of this Act by telecommunications carriers that are actually providing item (ii) universal telecommunications service prescribed in Article 7, item (ii) of the new Act at the time of the enforcement of this Act, the phrase "The

telecommunications carrier must notify the Minister for Internal Affairs and Communications prior to the implementation. The same applies when the telecommunications carrier intends to change it" in that paragraph are deemed to be replaced with "must notify the Minister within six months from the date of enforcement of the Act Partially Amending the Telecommunications Business Act (Act No. 70 of 2022)".

2 前項の場合において、新法第十九条第二項中「前項」とあるのは、「前項（電気通信事業法の一部を改正する法律（令和四年法律第七十号）附則第三条第一項の規定により読み替えて適用する場合を含む。以下同じ。））」とする。

(2) In the case of the preceding paragraph, the term "preceding paragraph" in Article 19, paragraph (2) of the new Act is deemed to be replaced with "preceding paragraph (including as applied pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Telecommunications Business Act (Act No. 70 of 2022); the same applies hereinafter)".

3 施行日前に終了した事業年度に係る旧法第二十四条（第一号イに係る部分に限る。）の規定による会計の整理については、なお従前の例による。

(3) Prior laws continue to govern the accounting under Article 24 of the former Act (limited to the part relating to item (i), (a)) for the fiscal year that ended before the effective date.

（罰則の適用に関する経過措置）

(Transitional Measures Concerning the Application of Penal Provisions)

第四条 この法律の施行前にした行為及び前条第三項の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 4 Prior laws continue to govern the application of penal provisions to any act undertaken before the enforcement of this Act and to any act undertaken after the enforcement of this Act in a situation that prior laws continue to govern pursuant to paragraph (3) of the preceding Article.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前三条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 5 Beyond what is provided for in the preceding three Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

（検討）

(Review)

第六条 政府は、この法律の施行後三年を経過した場合において、この法律による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 6 When three years have passed since the enforcement of this Act, the government is to review the status of enforcement of the provisions amended by this Act, and take necessary measures based on the results of the review, if the government finds it necessary.

別表第一（第八十五条の二、第八十五条の三関係）

Appended Table 1 (Re: Article 85-2 and Article 85-3)

講習 Training	科目 Subject	講師 Instructor
一 伝送交換技術に係る電気通信主任技術者定期講習 (i) Regular training of the chief telecommunications engineer pertaining to transmission and switching technology	イ 伝送交換設備及びその管理に関する科目 (a) Subjects pertaining to transmission and switching facilities and their management	(1) 伝送交換技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者 (1) A person with experience totaling one year or more in engaging in supervisory matters related to installation, maintenance or operation of telecommunications facilities for the use of telecommunications business as a chief telecommunications engineer of transmission and switching technology

		<p>(2) 学校教育法（昭和二十二年法律第二十六号）による大学（短期大学を除く。以下この表において同じ。）において電気工学又は通信工学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者</p> <p>(2) A person who currently serves or has served in the past as a professor or associate professor teaching electrotechnology or communication engineering in a university (excluding junior college; the same applies in this table) defined under the School Education Act (Act No. 26 of 1947)</p> <p>(3) (1) 又は (2) に掲げる者と同等以上の知識及び経験を有する者</p> <p>(3) A person who has knowledge and experience equivalent to or higher than the person specified in (1) or (2) above</p>
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<p>ロ 電気通信事業法その他関係法令に関する科目 (b) Subjects pertaining to the Telecommunications Business Act and other relevant laws</p>	<p>(1) 伝送交換技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者 (1) A person with experience totaling one year or more in engaging in supervisory matters related to installation, maintenance or operation of telecommunications facilities for the use of telecommunications business as a chief telecommunications engineer of transmission and switching technology</p> <p>(2) 学校教育法による大学において行政法学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者 (2) A person who currently serves or has served in the past as a professor or associate professor teaching administrative jurisprudence in a university defined under the School Education Act</p> <p>(3) (1) 又は(2)に掲げる者と同等以上の知識及び経験を有する者 (3) A person who has knowledge and experience equivalent to or higher than the person specified in (1) or (2) above</p>
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<p>二 線路技術に係る電気通信主任技術者定期講習 (ii) Regular training of the chief telecommunications engineer pertaining to transmission line technology</p>	<p>イ 線路設備及びその管理に関する科目 (a) Subjects pertaining to transmission line facilities and their management</p>	<p>(1) 線路技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者 (1) A person with experience totaling one year or more in engaging in supervisory matters related to installation, maintenance or operation of telecommunications facilities for the use of telecommunications business as a chief telecommunications engineer of transmission line technology</p> <p>(2) 学校教育法による大学において電気工学又は通信工学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者 (2) A person who currently serves or has served in the past as a professor or associate professor teaching electrotechnology or communication engineering in a university defined under the School Education Act</p> <p>(3) (1) 又は (2) に掲げる者と同等以上の知識及び経験を有する者 (3) A person who has knowledge and experience equivalent to or higher than the person specified in (1) or (2) above</p>
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<p>ロ 電気通信事業法その他関係法令に関する科目 (b) Subjects pertaining to the Telecommunications Business Act and other relevant laws</p>	<p>(1) 線路技術に係る電気通信主任技術者として事業用電気通信設備の工事、維持又は運用に関する事項の監督の職務に従事した経験を一年以上有する者 (1) A person with experience totaling one year or more in engaging in supervisory matters related to installation, maintenance or operation of telecommunications facilities for the use of telecommunications business as a chief telecommunications engineer of transmission line technology</p> <p>(2) 学校教育法による大学において行政法学を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者 (2) A person who currently serves or has served in the past as a professor or associate professor teaching administrative jurisprudence in a university defined under the School Education Act</p> <p>(3) (1) 又は(2)に掲げる者と同等以上の知識及び経験を有する者 (3) A person who has knowledge and experience equivalent to or higher than the person specified in (1) or (2) above</p>
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別表第二（第八十七条、第九十一条関係）

Appended Table 2 (Re: Article 87 and Article 91)

一 学校教育法による大学（短期大学を除く。第三号において同じ。）若しくは旧大学令（大正七年勅令第三百八十八号）による大学において電気工学若しくは通信工学に関する科目を修めて卒業した者又は電気通信主任技術者資格者証の交付を受けている者であつて、技術基準適合認定若しくは設計認証又は端末機器の試験、調整若しくは保守の業務に従事した経験（以下「業務経験」という。）を一年以上有すること。

(i) a person that has graduated from a university (excluding junior college; the same applies to item (iii)) under the School Education Act or a university under the former University Order (Imperial Order No. 388 of 1918) after completing a course in electrical engineering or communications engineering, or a person that has obtained a chief telecommunications engineer's license and has experience of being engaged in the operations for technical standards conformity approval or certification of design, or for testing, adjustment or maintenance of terminal equipment for one year or more (hereinafter referred to as "operational experience");

二 学校教育法による短期大学（同法による専門職大学の前期課程を含む。）若しくは高等専門学校又は旧専門学校令（明治三十六年勅令第六十一号）による専門学校において電気工学又は通信工学に関する科目を修めて卒業した者（同法による専門職大学の前期課程にあつては、修了した者）であつて、業務経験を三年以上有すること。

(ii) a person that has graduated from a junior college (including the first half of a professional university course under the School Education Act) or college of technology under the School Education Act or from a college under the former Technical College Order (Imperial Order No. 61 of 1903) (or in cases of the first half of a professional university course under the School Education Act, a person that has completed the first half of that course) after completing a course in electrical engineering or communications engineering, and has operational experience of three years or more;

三 学校教育法による大学に相当する外国の学校において電気工学又は通信工学に関する科目を修めて卒業した者であつて、業務経験を一年以上有すること。

(iii) a person that has graduated from a foreign educational establishment corresponding to a university under the School Education Act after completing a course in electrical engineering or communications engineering and has operational experience of one year or more;

四 学校教育法による短期大学又は高等専門学校に相当する外国の学校において電気工学又は通信工学に関する科目を修めて卒業した者であつて、業務経験を三年以上有すること。

(iv) a person that has graduated from a foreign educational establishment corresponding to a junior college or college of technology under the School

Education Act after completing a course in electrical engineering or communications engineering and has operational experience of three years or more.

別表第三（第八十七条関係）

Appended Table 3 (Re: Article 87)

- 一 電圧電流計
(i) Voltmeter/ammeter
- 二 オシロスコープ
(ii) Oscilloscope
- 三 インピーダンス分析器
(iii) Impedance analyzer
- 四 絶縁抵抗計
(iv) Megohmmeter
- 五 光パワーメータ
(v) Optical power meter
- 六 レベル計
(vi) Level meter
- 七 スペクトル分析器
(vii) Spectrum analyzer
- 八 プロトコル分析器
(viii) Protocol analyzer
- 九 発振器
(ix) Oscillator