

外国為替及び外国貿易法 Foreign Exchange and Foreign Trade Act

(昭和二十四年十二月一日法律第二百二十八号)
(Act No. 228 of December 1, 1949)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、外国為替、外国貿易その他の対外取引が自由に行われることを基本とし、対外取引に対し必要最小限の管理又は調整を行うことにより、対外取引の正常な発展並びに我が国又は国際社会の平和及び安全の維持を期し、もつて国際収支の均衡及び通貨の安定を図るとともに我が国経済の健全な発展に寄与することを目的とする。

Article 1 The purpose of this Act is to ensure that international transactions develop normally and that peace and security are maintained in Japan and the international community through the implementation of the minimum necessary controls and coordination for international transactions, under the basic principle of free engagement in foreign exchange, foreign trade, and other such international transactions; and in doing so, to help achieve balance of payments equilibrium and currency stability and also to contribute to the sound development of the Japanese economy.

第二条 削除

Article 2 Deleted

第三条 削除

Article 3 Deleted

第四条 削除

Article 4 Deleted

(適用範囲)

(Scope of Application)

第五条 この法律は、本邦内に主たる事務所を有する法人の代表者、代理人、使用人その他の従業者が、外国においてその法人の財産又は業務についてした行為にも適用する。本邦内に住所を有する人又はその代理人、使用人その他の従業者が、外国においてその人の財産又は業務についてした行為についても、同様とする。

Article 5 This Act also applies to actions that the representative, agent, employee, or other such worker of a corporation whose principal office is in Japan takes in a foreign country concerning the corporation's assets or business. The same applies to actions that a person whose domicile is in Japan or the agent, employee, or other such worker of such a person takes in a foreign country concerning that person's assets or business.

(定義)

(Definitions)

第六条 この法律又はこの法律に基づく命令において、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 6 (1) In this Act and Orders based on this Act, the meanings of the terms stated in the following items are as prescribed in those items:

一 「本邦」とは、本州、北海道、四国、九州及び財務省令・経済産業省令で定めるその附属の島をいう。

(i) the term "Japan" means Honshu, Hokkaido, Shikoku, and Kyushu, and the islands associated with them that are prescribed by Ministry of Finance Order and Order of the Ministry of Economy, Trade and Industry;

二 「外国」とは、本邦以外の地域をいう。

(ii) the term "foreign country" means any area outside Japan;

三 「本邦通貨」とは、日本円を単位とする通貨をいう。

(iii) the term "Japanese currency" means currency expressed in units of Japanese yen;

四 「外国通貨」とは、本邦通貨以外の通貨をいう。

(iv) the term "foreign currency" means any currency other than Japanese currency;

五 「居住者」とは、本邦内に住所又は居所を有する自然人及び本邦内に主たる事務所を有する法人をいう。非居住者の本邦内の支店、出張所その他の事務所は、法律上代理権があると否とにかかわらず、その主たる事務所が外国にある場合においても居住者とみなす。

(v) the term "resident" means a natural person with a domicile or residence in Japan or a corporation whose principal office is in Japan. Regardless of whether a non-resident's branch office, local office, or other such office in Japan has the legal authority to represent that non-resident, that office is deemed to be a resident, even if the non-resident's principal office is located in a foreign state;

六 「非居住者」とは、居住者以外の自然人及び法人をいう。

(vi) the term "non-resident" means a natural person or corporation other than a resident;

七 「支払手段」とは、次に掲げるものをいう。

(vii) the term "means of payment" means any of the following:

イ 銀行券、政府紙幣及び硬貨

(a) banknotes, government notes, and coins;

ロ 小切手（旅行小切手を含む。）、為替手形、郵便為替及び信用状

(b) checks (including traveler's checks), bills of exchange, postal money orders, and letters of credit;

ハ 証票、電子機器その他の物（第十九条第一項において「証票等」という。）に

電磁的方法（電子的方法、磁気的方法その他の人の知覚によつて認識することができない方法をいう。）により入力されている財産的価値であつて、不特定又は多数の者相互間での支払のために使用することができるもの（その使用の状況が通貨のそれと近似しているものとして政令で定めるものに限る。）

(c) the proprietary value entered in a voucher, electronic device, or any other object (meaning a "voucher or other such object" in Article 19, paragraph (1)) using electronic or magnetic means (meaning electronic means, magnetic means, or any other means that cannot be perceived with the human senses), which non-specific groups of persons or large numbers of persons can use among themselves for payment (limited to one prescribed by Cabinet Order as having a status of use that approximates a currency); and

ニ イ又はロに掲げるものに準ずるものとして政令で定めるもの

(d) what is prescribed by Cabinet Order as being equivalent to what is stated in (a) or (b);

八 「対外支払手段」とは、外国通貨その他通貨の単位のいかんにかかわらず、外国通貨をもつて表示され、又は外国において支払のために使用することのできる支払手段（本邦通貨を除く。）をいう。

(viii) the term "foreign means of payment" means a foreign currency or any other means of payment (excluding Japanese currency) that is denominated in a foreign currency or that can be used for payment in a foreign country, regardless of the currency unit;

九 「電子決済手段等」とは、次に掲げるものをいう。

(ix) the term "electronic payment instruments" means any of the following ;

イ 電子決済手段（資金決済に関する法律（平成二十一年法律第五十九号）第二条第五項に規定する電子決済手段をいう。第十六条の二の表の一の項の下欄、第十七条の四第二項及び第十八条の六第二項において同じ。）

(a) electronic payment instrument (meaning an electronic payment instrument as prescribed in Article 2, paragraph (5) of the Payment Services Act (Act No.59 of 2009); the same applies in the right-hand column of row 1 of the table in Article 16-2, Article 17-4, paragraph (2) and Article 18-6, paragraph (2); and

ロ 暗号資産（資金決済に関する法律第二条第十四項に規定する暗号資産をいう。第十六条の二の表の五の項の下欄において同じ。）

(b) cryptoasset (meaning a cryptoasset as prescribed in Article 2, paragraph (14) of the Payment Services Act; the same applies in the right-hand column of row 5 of the table in Article 16-2;

十 「貴金属」とは、金の地金、金の合金の地金、流通していない金貨その他金を主たる材料とする物をいう。

(x) the term "precious metal" means gold bullion, gold alloy bullion, gold coins that are not in circulation, or any other object whose principal material is

gold;

十一 「証券」とは、券面が発行されていると否とを問わず、公債、社債、株式、出資の持分、公債又は株式に関する権利を与える証書、債券、国庫証券、抵当証券、利潤証券、利札、配当金受領証、利札引換券その他これらに類する証券又は証書として政令で定めるものをいう。

(xi) the term "security" means a public bond, corporate bond, share, equity in investment, certificate granting rights related to a public bond or share, bond certificate, treasury bond, mortgage instrument, profit certificate, coupon, dividend certificate, renewal coupon, or any security or certificate prescribed by Cabinet Order as being similar to them, regardless of whether it has been materialized;

十二 「外貨証券」とは、外国において支払を受けることができる証券又は外国通貨をもつて表示される証券をいう。

(xii) the term "foreign currency security" means a security for which a person can receive payment in a foreign country or a security that is denominated in a foreign currency;

十三 「債権」とは、定期預金、当座預金、特別当座預金、通知預金、保険証券及び当座勘定残高並びに貸借、入札その他により生ずる金銭債権で前各号に掲げられていないものをいう。

(xiii) the term "claim" means a time deposit, current deposit, special current deposit, deposit at notice, insurance policy, or current account balance, or a monetary claim not stated in any of the preceding items which arises from a loan, bid, or other source;

十四 「金融指標等先物契約」とは、金融商品取引法（昭和二十三年法律第二十五号）第二条第二十一項に規定する市場デリバティブ取引（政令で定めるものを除く。以下この号において同じ。）、同条第二十二項に規定する店頭デリバティブ取引（政令で定めるものを除く。）及び同条第八項第三号ロに規定する外国金融商品市場において行われる同条第二十一項に規定する市場デリバティブ取引に類する取引その他これらに類する取引として政令で定める取引に係る契約をいう。

(xiv) the term "futures contract on a financial indicator or similar metric" means a contract associated with market derivatives transactions prescribed in Article 2, paragraph (21) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (excluding those prescribed by Cabinet Order; hereinafter the same applies in this item), over-the-counter derivatives transactions prescribed in paragraph (22) of that Article (excluding those prescribed by Cabinet Order), transactions similar to market derivatives transactions prescribed in paragraph (21) of that Article which are conducted on a foreign financial instruments market prescribed in paragraph (8), item (iii), (b) of that Article, or any other transaction prescribed by Cabinet Order as being similar to them;

十五 「貨物」とは、貴金属、支払手段及び証券その他債権を化体する証書以外の動

産をいう。

(xv) the term "goods" means movables other than precious metals, means of payment, and securities and any other certificates embodying claims; and

十六 「財産」とは、第七号、第九号から第十一号まで、第十三号及び前号に規定するものを含む財産をいう。

(xvi) the term "assets" means assets including what is prescribed in items (vii), (ix) through (xi), and (xiii), and the preceding item.

2 居住者又は非居住者の区別が明白でない場合については、財務大臣の定めるところによる。

(2) If it is not clear whether a person is a resident or a non-resident, the Minister of Finance decides this.

(外国為替相場)

(Foreign Exchange Rates)

第七条 財務大臣は、本邦通貨の基準外国為替相場及び外国通貨の本邦通貨に対する裁定外国為替相場を定め、これを告示するものとする。

Article 7 (1) The Minister of Finance is to set and issue public notice of the reference foreign exchange rates for Japanese currency and arbitrated foreign exchange rates of foreign currencies to Japanese currency.

2 財務大臣は、前項の規定により本邦通貨の基準外国為替相場を定めようとするときは、内閣の承認を得なければならない。

(2) Before setting a reference foreign exchange rate for Japanese currency pursuant to the provisions of the preceding paragraph, the Minister of Finance must obtain the approval of the Cabinet.

3 財務大臣は、対外支払手段の売買等所要の措置を講ずることにより、本邦通貨の外国為替相場の安定に努めるものとする。

(3) The Minister of Finance is to work towards stability in the foreign exchange rates of Japanese currency by taking necessary measures such as buying and selling foreign means of payment.

(通貨の指定)

(Designation of Currency)

第八条 この法律の適用を受ける取引又は行為に係る通貨による支払等（支払又は支払の受領をいう。以下同じ。）は、財務大臣の指定する通貨により行わなければならない。

Article 8 A payment in currency that is made or received in connection with a transaction or action to which this Act applies must be made or received in the currency designated by the Minister of Finance.

(取引等の非常停止)

(Suspension of Transactions in Case of Emergency)

第九条 主務大臣は、国際経済の事情に急激な変化があつた場合において、緊急の必要があると認めるときは、政令で定めるところにより、政令で定める期間内において、この法律の適用を受ける取引、行為又は支払等の停止を命ずることができる。

Article 9 (1) If there has been a rapid change in international economic conditions and the competent minister finds that there is an urgent need to do so, the competent minister, pursuant to the provisions of Cabinet Order, may order the suspension of transactions, actions, or the making or receiving of payments to which this Act applies, for a period prescribed by Cabinet Order.

2 前項の規定により命ずる停止は、その停止の時までにこの法律により認められている支払を不可能とするものではなく、その停止による支払の遅延は、政令で定める期間内に限られるものとする。

(2) A suspension that the competent minister orders pursuant to the provisions of the preceding paragraph is not to make it impossible to make a payment that had been authorized pursuant to this Act up until the time of the suspension, and any delay in making a payment due to such a suspension is to be limited to within the period prescribed by Cabinet Order.

第二章 我が国の平和及び安全の維持のための措置

Chapter II Measures to Maintain Peace and Security in Japan

第十条 我が国の平和及び安全の維持のため特に必要があるときは、閣議において、対応措置（この項の規定による閣議決定に基づき主務大臣により行われる第十六条第一項、第二十一条第一項、第二十三条第四項、第二十四条第一項、第二十五条第六項、第四十八条第三項及び第五十二条の規定による措置をいう。）を講ずべきことを決定することができる。

Article 10 (1) If it is particularly necessary to do so in order to maintain peace and security in Japan, it may be decided, in a Cabinet meeting, that responsive measures (meaning measures under Article 16, paragraph (1), Article 21, paragraph (1), Article 23, paragraph (4), Article 24, paragraph (1), Article 25, paragraph (6), Article 48, paragraph (3), and Article 52, which are taken by the competent minister based on a cabinet decision under this paragraph) are to be implemented.

2 政府は、前項の閣議決定に基づき同項の対応措置を講じた場合には、当該対応措置を講じた日から二十日以内に国会に付議して、当該対応措置を講じたことについて国会の承認を求めなければならない。ただし、国会が閉会中の場合又は衆議院が解散されている場合には、その後最初に召集される国会において、速やかに、その承認を求めなければならない。

(2) If the government has implemented the responsive measures referred to in the preceding paragraph based on the cabinet decision referred to in that paragraph, it must refer these measures to the Diet for discussion within 20 days from the day on which it implemented them, and seek Diet approval for

having implemented them; provided, however, that if the Diet has been adjourned or the House of Representatives has been dissolved, the government must seek this approval promptly at the first Diet session convoked thereafter.

3 政府は、前項の場合において不承認の議決があつたときは、速やかに、当該対応措置を終了させなければならない。

(3) If a resolution of disapproval is passed in a case as referred to in the preceding paragraph, the government must terminate the responsive measures promptly.

第十一条 削除

Article 11 Deleted

第十二条 削除

Article 12 Deleted

第十三条 削除

Article 13 Deleted

第十四条 削除

Article 14 Deleted

第十五条 削除

Article 15 Deleted

第三章 支払等

Chapter III Making and Receiving Payments

(支払等)

(Making and Receiving Payments)

第十六条 主務大臣は、我が国が締結した条約その他の国際約束を誠実に履行するため必要があると認めるとき、国際平和のための国際的な努力に我が国として寄与するため特に必要があると認めるとき、又は第十条第一項の閣議決定が行われたときは、支払等が、これらと同一の見地から許可又は承認を受ける義務を課した取引又は行為に係る支払等である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者との間で支払等を行おうとする居住者に対し、当該支払又は支払等について、許可を受ける義務を課することができる。

Article 16 (1) If the competent minister finds it to be necessary to do so in order for Japan to faithfully perform its obligations under a treaty or any other international agreement that it has concluded, if the competent minister finds it to be particularly necessary to do so in order for Japan to contribute to

international efforts towards international peace, or if a cabinet decision as referred to in Article 10, paragraph (1) is reached, the competent minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from Japan to a foreign state to get permission to make that payment, and may make it obligatory for residents seeking to make or receive a payment to or from non-residents to get permission to make or receive that payment, unless the payment in question is one that is being made or received in connection with a transaction or action that it has been made obligatory for persons to get permission or approval for from the same perspective as stated above.

2 前項に定める場合のほか、主務大臣は、我が国の国際収支の均衡を維持するため特に必要があると認めるときは、支払が、次章から第六章までの規定により許可を受け、若しくは届出をする義務が課され、又は許可若しくは承認を受ける義務を課することができることとされている取引又は行為に係る支払である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者に対して支払をしようとする居住者に対し、これらの支払について、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, if the competent minister finds it to be particularly necessary to do so in order to maintain Japan's balance of payments equilibrium, the competent minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from Japan to a foreign state or residents seeking to make a payment to non-residents to get permission to make that payment, unless the payment in question is made in connection with a transaction or action for which it has been made obligatory pursuant to the following Chapter through Chapter IV for persons to get permission or file a notification, or is made in connection with a transaction or action that, pursuant to those Chapters, the relevant authority is permitted to make it obligatory for persons to get permission or approval for.

3 前二項に定める場合のほか、主務大臣は、この法律又はこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるときは、支払等が、次章から第六章までの規定により許可を受け、若しくは届出をする義務が課され、又は許可若しくは承認を受ける義務を課することができることとされている取引又は行為に係る支払等である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者との間で支払等をしようとする居住者に対し、当該支払又は支払等について、許可を受ける義務を課することができる。

(3) Beyond as prescribed in the preceding two paragraphs, if the competent minister finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of this Act or an Order based on this Act, the competent minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to make a payment from

Japan to a foreign state to get permission to make that payment, and may make it obligatory for residents seeking to make or receive a payment to or from non-residents to get permission to make or receive that payment, unless the payment in question is made or received in connection with a transaction or action for which it has been made obligatory pursuant to the following Chapter through Chapter IV for persons to get permission or file a notification, or is made or received in connection with a transaction or action that, pursuant to those Chapters, the competent minister is permitted to make it obligatory for persons to get permission or approval for.

4 前三項の規定により許可を受ける義務を課することができることとされる支払等についてこれらの規定の二以上の規定により許可を受ける義務が課された場合には、当該支払等をしようとする者は、政令で定めるところにより、当該二以上の規定による許可の申請を併せて行うことができる。この場合において、主務大臣は、当該申請に係る支払等について許可を受ける義務を課することとなつた事情を併せ考慮して、許可をするかどうかを判断するものとする。

(4) If, pursuant to the provisions of two or more of the preceding three paragraphs, it has been made obligatory for persons to get permission to make or receive a payment that, pursuant to each of those three paragraphs, the competent minister is permitted to make it obligatory for persons to get permission for, a person seeking to make or receive such a payment may file a combined application for the permissions under those two or more paragraphs, pursuant to Cabinet Order. In such a case, the competent minister must decide whether to give permission while taking into consideration the circumstances that have led the minister to make it obligatory for persons to get permission to make or receive the payment under the application.

5 この法律又はこの法律に基づく命令の規定により、取引又は行為を行うことにつき許可若しくは承認を受け、又は届出をする義務が課されているときは、政令で定める場合を除き、当該許可若しくは承認を受けないで、又は当該届出をしないで当該取引又は行為に係る支払等をしてはならない。

(5) Except in the cases that Cabinet Order prescribes, if it has been made obligatory for persons to get permission or approval for a transaction or action or to file notification of a transaction or action pursuant to this Act or an Order based on this Act, a person must not make or receive a payment in connection with that transaction or action without getting the permission or approval or without filing the notification.

(支払等の制限)

(Restrictions on Making and Receiving Payments)

第十六条の二 主務大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された支払等を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された支払等を当該許可を受けないで行

うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、本邦から外国へ向けた支払（銀行（銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行をいう。第二十一条第三項において同じ。）その他の政令で定める金融機関（以下「銀行等」という。）又は資金移動業者（資金決済に関する法律（平成二十一年法律第五十九号）第二条第三項に規定する資金移動業者をいい、同法第三十七条の二第二項の規定により資金移動業者とみなされる者を含む。以下同じ。）がその顧客の支払に係る為替取引を行う場合における当該為替取引によつてされるもの及び電子決済手段等取引業者等（次の表の上欄に掲げる者をいう。以下同じ。）がその顧客の支払に係る電子決済手段等の移転等（同表の上欄に掲げる者の区分に応じそれぞれ同表の下欄に定める行為をいう。以下同じ。）を行う場合における当該電子決済手段等の移転等によつてされるものを除く。）及び居住者と非居住者との間でする支払等（銀行等又は資金移動業者が行う為替取引によつてされるもの及び電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を行う場合における当該電子決済手段等の移転等によつてされるものその他政令で定めるものを除く。）について、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 16-2 If the competent minister has made it obligatory to get permission pursuant to the provisions of paragraph (1) of the preceding Article, and the minister finds that a person that has made or received a payment for which it has been made obligatory to get permission, without getting that permission, is likely to once again make or receive a payment for which it has been made obligatory to get permission pursuant to the provisions of that paragraph without getting that permission, the competent minister may prohibit the person from fully or partially making payments from Japan to a foreign country (excluding a payment that is made through an exchange transaction if the exchange transaction involving a payment that is made by its customer is conducted by a bank (meaning a bank as prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981); the same applies in Article 21, paragraph (3)) or any other financial institution prescribed by Cabinet Order (hereinafter referred to as a "bank or other prescribed financial institution") or by a funds transfer service provider (meaning a funds transfer service provider as prescribed in Article 2, paragraph (3) of the Payment Services Act (Act No. 59 of 2009) and including a company that is deemed to be a funds transfer service provider in Article 37-2, paragraph (2) of that Act: the same applies hereinafter) and a payment that is made through a transfer of electronic payment instruments or any other prescribed action (meaning the action stated in the right column of the following table in accordance with the category of the person set forth respectively in the left column of that table; the same applies hereinafter) if the transfer of electronic payment instruments or any other prescribed action involving a payment that is made by its customer is conducted by an electronic payment instruments service provider, etc.

(meaning persons prescribed in the left column of the following table; the same applies hereinafter)); and from fully or partially making and receiving payments that take place between a resident and a non-resident (excluding the making and receiving of a payment through an exchange transaction conducted by a bank or other prescribed financial institution or by a funds transfer service provider, the making and receiving of a payment through a transfer of electronic payment instruments or any other prescribed action if the transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer is conducted by an electronic payment instruments service provider, etc., and the making and receiving of a payments prescribed by Cabinet Order), but only during a period of up to one year, or, pursuant to the provisions of Cabinet Order, may make it obligatory for that person to get permission to make payments from Japan to a foreign country and to make and receive payments that take place between a resident and a non-resident, but only during a period of up to one year.

<p>一 電子決済手段等取引業者（資金決済に関する法律第二条第十二項に規定する電子決済手段等取引業者をいい、同法第六十二条の八第二項の規定により電子決済手段等取引業者とみなされる者を含む。以下この条、第五十五条の三第二項及び第五十五条の九の二第一項第一号において同じ。）</p> <p>(i) an electronic payment instruments service provider (meaning an electronic payment instruments service provider as prescribed in Article 2, paragraph (12) of the Payment Services Act, and including a company that is deemed to be an electronic payment instruments service provider in Article 62-8, paragraph (2) of that Act; hereinafter the same applies in this Article and in Article 55-3, paragraphs (2) and Article 55-9-2, paragraphs (1), item (i))</p>	<p>電子決済手段の移転（当該電子決済手段の移転が次に掲げる支払等のいずれかに係るものである場合その他政令で定める場合に限る。）又は資金決済に関する法律第二条第十項第四号に掲げる行為</p> <p>transfer of electronic payment instrument (limited to cases in which transfer of electronic payment instruments relates to the any of the following making or receiving of a payment or other cases prescribed by Cabinet Order) or an action as prescribed in Article 2, paragraph (10), item (iv) of the Payment Services Act</p> <hr/> <p>一 当該電子決済手段等取引業者の顧客が次に掲げる者のいずれかとの間で行う支払等（本邦から外国へ向けた支払を除く。）</p> <p>(i) making or receiving of a payment between a customer of the electronic payment instruments service provider (excluding making a payment from Japan to a foreign country)</p> <hr/> <p>イ 当該電子決済手段等取引業者に電子決済手段の管理を委託している当該電子決済手段等取引業者の他の顧客</p> <p>(a) another customer who entrusts management of electronic payment instruments to the electronic payment instruments service provider; or</p>
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	<p>ロ 他の電子決済手段等取引業者に電子決済手段の管理を委託している当該他の電子決済手段等取引業者の顧客 (b)a customer who entrusts management of electronic payment instruments to an other electronic payment instruments service provider;</p>
	<p>二 当該電子決済手段等取引業者の顧客が資金決済に関する法律第二条第十三項に規定する外国電子決済手段等取引業者に電子決済手段の管理を委託している当該外国電子決済手段等取引業者の顧客との間で行う支払等 (ii) making or receiving of a payment between a customer of the electronic payment instruments service provider and a customer who entrusts management of electronic payment instruments to a foreign electronic payment instruments service provider prescribed in Article 2, paragraph (13) of the Payment Services Act.</p>
<p>二 電子決済等取扱業者（銀行法第二条第十八項に規定する電子決済等取扱業者をいう。第五十五条の九の二第一項第二号において同じ。） (ii) an electronic payment handling service provider (meaning an electronic payment handling service provider prescribed in Article 2, paragraph (18) of the Banking Act; hereinafter the same applies in Article 55-9-2, paragraph (1), item (ii))</p>	<p>銀行法第二条第十七項第一号に掲げる行為 an action prescribed in Article 2, paragraph (17), item (i) of the Banking Act</p>

<p>三 信用金庫電子決済等取扱業者（信用金庫法（昭和二十六年法律第二百三十八号）第八十五条の三の二第一項に規定する信用金庫電子決済等取扱業者をいう。第五十五条の九の二第一項第三号において同じ。）</p> <p>(iii) an electronic payment handling service provider (meaning an electronic payment handling service provider prescribed in Article 85-3-2, paragraph (1) of the Shinkin Bank Act (Act No. 238 of 1951); hereinafter the same applies in Article 55-9-2, paragraph (1), item (iii))</p>	<p>信用金庫法第八十五条の三第二項第一号に掲げる行為</p> <p>an action prescribed in Article 85-3, paragraph (2), item (i) of the Shinkin Bank Act.</p>
<p>四 信用協同組合電子決済等取扱業者（協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）第六条の四の四第一項に規定する信用協同組合電子決済等取扱業者をいう。第五十五条の九の二第一項第四号において同じ。）</p> <p>(iv) an electronic payment handling service provider for credit cooperatives (meaning an electronic payment handling service provider for credit cooperatives prescribed in Article 6-4-4, paragraph (1) of the Act on Financial Business by Cooperatives (Act No.183 of 1949); hereinafter the same applies in Article 55-9-2, paragraph (1), item (iv))</p>	<p>協同組合による金融事業に関する法律第六条の四の三第二項第一号に掲げる行為</p> <p>an action prescribed in Article 6-4-3, paragraph (2), item (i) of the Act on Financial Business by Cooperatives.</p>
<p>五 暗号資産交換業者（資金決済に関する法律第二条第十六項に規定する暗号資産交換業者をいう。以下この条及び第五十五条の三第二項において同じ。）</p> <p>(v) a cryptoasset exchange service provider (meaning a</p>	<p>暗号資産の移転（当該暗号資産の移転が次に掲げる支払等のいずれかに係るものである場合その他政令で定める場合に限る。）</p> <p>a transfer of cryptoasset (limited to cases in which the transfer of the cryptoasset relates to any of the following making or receiving of a payment or other cases prescribed by Cabinet Order)</p>

cryptoasset exchange service provider prescribed in Article 2, paragraph (16) of the Payment Services Act; hereinafter the same applies in this Article and Article 55-3, paragraphs (2))

一 当該暗号資産交換業者の顧客が次に掲げる者のいずれかとの間で行う支払等（本邦から外国へ向けた支払を除く。）
 (i) making or receiving of a payment between a customer of the cryptoasset exchange service provide and any of the following persons (excluding making a payment from Japan to a foreign country).

イ 当該暗号資産交換業者に暗号資産の管理を委託している当該暗号資産交換業者の他の顧客
 (a) another customer who entrusts management of cryptoassets to the cryptoasset exchange service provider ;or

ロ 他の暗号資産交換業者に暗号資産の管理を委託している当該他の暗号資産交換業者の顧客
 (b) a customer who entrusts management of cryptoassets to an other cryptoasset exchange service provider;

二 当該暗号資産交換業者の顧客が資金決済に関する法律第二条第十七項に規定する外国暗号資産交換業者に暗号資産の管理を委託している当該外国暗号資産交換業者の顧客との間で行う支払等
 (ii) making or receiving of a payments between a customer of the cryptoasset exchange service provider and a customer who entrusts management of cryptoassets to a foreign cryptoasset exchange service provider prescribed in Article 2, paragraph (17) of the Payment Services Act.

(銀行等の確認義務)

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

第十七条 銀行等は、その顧客の支払等が、次の各号に掲げる支払等のいずれにも該当しないこと、又は次の各号に掲げる支払等に該当すると認められる場合には当該各号に定める要件を備えていることを確認した後でなければ、当該顧客と当該支払等に係る為替取引を行ってはならない。

Article 17 It is prohibited for a bank or other prescribed financial institution to conduct an exchange transaction with a customer that involves a payment being made or received by that customer until after it has confirmed that the customer's making or receiving of the payment does not constitute the making or receiving of a payment stated in one of the following items, or, if the customer's making or receiving of the payment is found to constitute the

making or receiving of a payment stated in one of the following items, until after it has confirmed that the requirement prescribed in that item has been met:

一 第十六条第一項から第三項までの規定により許可を受ける義務が課された支払等 当該許可を受けていること。

(i) the making or receiving of a payment that it has been made obligatory for persons to get permission for pursuant to the provisions of Article 16, paragraphs (1) through (3): the customer has gotten that permission; and

二 第二十一条第一項又は第二項の規定により許可を受ける義務が課された第二十条に規定する資本取引に係る支払等 当該許可を受けていること。

(ii) the making or receiving of a payment in connection with a capital transaction prescribed in Article 20 that it has been made obligatory for persons to get permission for pursuant to the provisions of Article 21, paragraph (1) or (2): the customer has gotten that permission;

三 その他この法律又はこの法律に基づく命令の規定により許可若しくは承認を受け、又は届出をする義務が課された取引又は行為のうち政令で定めるものに係る支払等 当該許可若しくは承認を受け、又は当該届出後の所要の手続を完了していること。

(iii) the making or receiving of any other payment in connection with a transaction or action prescribed by Cabinet Order that it has been made obligatory for persons to get permission for or for persons to file a notification for pursuant to the provisions of this Act or an Order based on this Act: the customer has gotten that permission or approval, or has completed the necessary procedures after filing the notification.

(確認のための是正措置等)

(Measures to Rectify Confirmation)

第十七条の二 財務大臣は、銀行等が前条の規定に違反してその顧客の支払等に係る為替取引を行い、又は当該為替取引（第五十五条の九の二第二項第三号に掲げるものを除く。）を行うおそれがあると認めるときは、当該銀行等に対し、前条の確認が適切に行われるための措置をとることを命ずることができる。

Article 17-2 (1) If the Minister of Finance finds that a bank or other prescribed financial institution is conducting or is likely to conduct an exchange transaction (excluding those stated in Article 55-9-2 paragraphs (2) item (iii)), in violation of the provisions of the preceding Article, involving a payment be made or received by its customer, the minister may order it to take measures to ensure that it properly implements the confirmations referred to in proceeding Article.

2 財務大臣は、前項の規定による命令を銀行等に対してする場合において必要があると認めるときは、同項の措置がとられるまでの間、当該銀行等に対し外国為替取引に係る業務の全部若しくは一部の停止を命じ、又は当該銀行等の当該業務の内容を制限することができる。

(2) If the Minister of Finance finds it to be necessary to do so when issuing an order to a bank or other prescribed financial institution pursuant to the provisions of the preceding paragraph, the minister may order the bank or other prescribed financial institution to fully or partially suspend its business involving a foreign exchange transaction or restrict the content of its business, until the measures referred to in that paragraph are taken.

(資金移動業者への準用)

(Application, Mutatis Mutandis, of the Relevant Provisions to Funds Transfer Service Providers)

第十七条の三 前二条の規定は、資金移動業者がその顧客の支払等に係る為替取引を行う場合について準用する。

Article 17-3 The provisions of the preceding two Articles apply mutatis mutandis if a funds transfer service provider carries out an exchange transaction involving a payment that is made or received by its customer.

(電子決済手段等取引業者等への準用)

(Application, Mutatis Mutandis, of the Relevant Provisions to an Electronic Payment Instruments Service Provider, etc.)

第十七条の四 第十七条及び第十七条の二の規定は、電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を行う場合について準用する。この場合において、第十七条中「顧客と」とあるのは「顧客の」と、「為替取引」とあるのは「電子決済手段等の移転等」と、第十七条の二第一項中「為替取引」とあるのは「電子決済手段等の移転等」と、同条第二項中「外国為替取引」とあるのは「電子決済手段等の移転等」と読み替えるものとする。

Article 17-4 (1) The provisions of Article 17 and Article 17-2 apply mutatis mutandis if an electronic payment instruments service provider, etc. conducts a transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer. In such a case, the term "an exchange transaction" in Article 17, is deemed to be replaced with "a transfer of electronic payment instruments or any other prescribed action.", the term "an exchange transaction" in Article 17-2, paragraphs (1), is deemed to be replaced with "a transfer of electronic payment instruments or any other prescribed action.", and the term "foreign exchange transactions" in Article 17-2, paragraphs (2), is deemed to be replaced with "transfers of electronic payment instruments or any other prescribed actions."

2 電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を行う場合において、銀行等又は資金移動業者が発行する電子決済手段を移転するとき及び銀行等又は資金移動業者の委託を受けてその顧客の支払等に係る第十六条の二の表の一の項から四の項までの下欄に定める行為（電子決済手段の移転を除く。第十八条の六第二項において同じ。）を行うときは、当該銀行等又は資金移動業者に対しては、

前三条の規定は、適用しない。

(2) In the case an electronic payment instruments service provider, etc. conducts a transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer, the provisions of the preceding three Articles do not apply to a bank or other prescribed financial institution or a funds transfer service provider, if the electronic payment instruments service provider, etc. transfers electronic payment instrument issued by the bank or other prescribed financial institution or by the funds transfer service provider, or if the electronic payment instruments service provider, etc. conducts one of the actions stated in the right columns of row1 through 4 of the table in Article 16-2 involving making or receiving of a payment of its customer(excluding transfer of electronic payment instrument; hereinafter the same applies in Article 18-6 paragraphs (2)) upon being entrusted by the bank or any other prescribed financial institution or by the funds transfer service provider.

(銀行等の本人確認義務等)

(Banks' and Other Prescribed Financial Institutions' Obligation to Verify the Identities of Their Customers)

第十八条 銀行等は、次の各号に掲げる顧客と本邦から外国へ向けた支払又は非居住者との間でする支払等（当該顧客が非居住者である場合を除く。）に係る為替取引（政令で定める小規模の支払又は支払等に係るものを除く。以下「特定為替取引」という。）を行うに際しては、当該顧客について、運転免許証の提示を受ける方法その他の財務省令で定める方法による当該各号に定める事項（以下「本人特定事項」という。）の確認（以下「本人確認」という。）を行わなければならない。

Article 18 (1) When carrying out an exchange transaction involving a payment that a customer as stated in one of the following items makes from Japan to a foreign state or an exchange transaction involving such a customer making or receiving a payment to or from a non-resident (unless that customer is a non-resident) (excluding an exchange transaction that involves the person in question making a small payment or making or receiving a payment that Cabinet Order prescribes; hereinafter referred to as a "specified exchange transaction"), a bank or other prescribed financial institution must verify the information stated in that item (hereinafter referred to as "identifying information") for that customer by having the customer present a driver's license or by any other means that Ministry of Finance Order prescribes (hereinafter referred to as "verifying a person's identity"):

一 自然人 氏名、住所又は居所（本邦内に住所又は居所を有しない外国人で政令で定めるものにあつては、財務省令で定める事項）及び生年月日

(i) a natural person: the person's name, domicile or residence (or the information prescribed by Ministry of Finance Order, if the person is a

foreign national prescribed by Cabinet Order who has neither a domicile nor residence in Japan), and date of birth; and

二 法人 名称及び主たる事務所の所在地

(ii) a corporation: the corporation's name and the location of its principal office.

2 銀行等は、顧客の本人確認を行う場合において、会社の代表者が当該会社のために特定為替取引を行うときその他の当該銀行等との間で現に特定為替取引の任に当たっている自然人が当該顧客と異なるとき（次項に規定する場合を除く。）は、当該顧客の本人確認に加え、当該特定為替取引の任に当たっている自然人（以下この条及び次条において「代表者等」という。）についても、本人確認を行わなければならない。

(2) When a bank or other prescribed financial institution verifies the identity of a customer, if a company's representative is carrying out a specified exchange transaction on behalf of that company or in any other such a case in which the natural person actually responsible for the specified exchange transaction with the bank or other prescribed financial institution is not the customer itself (excluding the cases prescribed in the following paragraph), the bank or other prescribed financial institution must verify the identity of the natural person responsible for the specified exchange transaction (meaning the "representative or other responsible party" in this Article and the following Article), in addition to verifying the identity of the customer.

3 顧客が国、地方公共団体、人格のない社団又は財団その他の政令で定めるものである場合には、当該国、地方公共団体、人格のない社団又は財団その他の政令で定めるものために当該銀行等との間で現に特定為替取引の任に当たっている自然人を顧客とみなして、第一項の規定を適用する。

(3) If a customer is the national government, a local government, an association or foundation without legal personality, or any other person prescribed by Cabinet Order, the natural person who is actually responsible for conducting a specified exchange transaction with the bank or other prescribed financial institution on its behalf is deemed to be the customer, and the provisions of paragraph (1) apply.

4 顧客（前項の規定により顧客とみなされる自然人を含む。以下この項から第二十二條の三までにおいて同じ。）及び代表者等は、銀行等が本人確認を行う場合において、当該銀行等に対して、顧客又は代表者等の本人特定事項を偽つてはならない。

(4) It is prohibited for a customer (including a natural person deemed to be a customer pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this paragraph through Article 22-3) or a representative or other responsible party to disguise their identifying information from the bank or other prescribed financial institute when that bank or other prescribed financial institution is confirming their identity.

（銀行等の免責）

(Exemption of Banks and Other Prescribed Financial Institutions from

Performance of Obligations)

第十八条の二 銀行等は、顧客又は代表者等が特定為替取引を行う際に本人確認に応じないときは、当該顧客又は代表者等がこれに応ずるまでの間、当該特定為替取引に係る義務の履行を拒むことができる。

Article 18-2 If a customer or a representative or other responsible party does not comply with an identity verification when conducting a specified exchange transaction, a bank or other prescribed financial institution may refuse to perform its obligation in the specified exchange transaction until the customer or the representative or other responsible party complies with this.

(本人確認記録の作成義務等)

(Obligation to Create Identity Verification Records)

第十八条の三 銀行等は、本人確認を行った場合には、直ちに、財務省令で定める方法により、本人特定事項その他の本人確認に関する事項として財務省令で定める事項に関する記録（次項において「本人確認記録」という。）を作成しなければならない。

Article 18-3 (1) Once a bank or other prescribed financial institution has verified a person's identity, it must immediately prepare a record of the identifying information and other information that Ministry of Finance Order prescribes as information related to the verification of a person's identity (referred to as an "identity verification record" in the following paragraph) by the means prescribed by Ministry of Finance Order.

2 銀行等は、本人確認記録を、特定為替取引が終了した日その他の財務省令で定める日から、七年間保存しなければならない。

(2) A bank or other prescribed financial institution must preserve an identity verification record for seven years after the day on which the specified exchange transaction is completed or any other such date prescribed by Ministry of Finance Order.

(本人確認及び本人確認記録の作成のための是正措置)

(Measures to Rectify Identity Verifications and Preparation of Identity Verification Records)

第十八条の四 財務大臣は、銀行等が特定為替取引に関して第十八条第一項から第三項まで又は前条第一項若しくは第二項の規定に違反していると認めるときは、当該銀行等に対し、当該違反を是正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 18-4 If the Minister of Finance finds that a bank or other prescribed financial institution has violated the provisions of Article 18, paragraphs (1) through (3) or the provisions of paragraph (1) or (2) of the preceding Article in connection with a specified exchange transaction, the Minister may order it to take the necessary measures to rectify the violation.

(資金移動業者への準用)

(Application, Mutatis Mutandis, of the Relevant Provisions to Funds Transfer Service Providers)

第十八条の五 第十八条から前条までの規定は、資金移動業者が特定為替取引を行う場合について準用する。

Article 18-5 The provisions of Article 18 through the preceding Article apply mutatis mutandis if a funds transfer service provider conducts a specified exchange transaction.

(電子決済手段等取引業者等への準用)

(Application, Mutatis Mutandis, of the Relevant Provisions to Electronic Payment Instruments Service Provider, etc.)

第十八条の六 第十八条から第十八条の四までの規定は、電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を行う場合について準用する。この場合において、第十八条第一項中「顧客と」とあるのは「顧客の」と、「係る為替取引」とあるのは「係る電子決済手段等の移転等」と、「特定為替取引」とあるのは「電子決済手段等移転等取引」と、同条第二項及び第三項、第十八条の二、第十八条の三第二項並びに第十八条の四中「特定為替取引」とあるのは「電子決済手段等移転等取引」と読み替えるものとする。

Article 18-6 (1) The provisions of Article 18 through Article 18-4 apply mutatis mutandis if an electronic payment instruments service provider, etc. conducts a transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer. In such a case, the term "an exchange transaction involving" in Article 18, paragraph(1), is deemed to be replaced with "a transfer of electronic payment instruments or any other prescribed action involving", and the term "specified exchange transaction" in Article 18, paragraphs (2) and (3), Article 18-2, Article 18-3, paragraph (2), and Article 18-4, is deemed to be replaced with "transaction for a transfer of electronic payment instruments or any other prescribed action".

2 電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を行う場合において、銀行等又は資金移動業者が発行する電子決済手段を移転するとき及び銀行等又は資金移動業者の委託を受けてその顧客の支払等に係る第十六条の二の表の一の項から四の項までの下欄に定める行為を行うときは、当該銀行等又は資金移動業者に対しては、第十八条から前条までの規定は、適用しない。

(2) In the case an electronic payment instruments service provider, etc. conducts a transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer, the provisions of Article 18 through the preceding Article do not apply to a bank or other prescribed financial institution or a funds transfer service provider, if the electronic payment instruments service provider, etc. transfers electronic payment instrument issued by the bank or other prescribed financial

institution or by the funds transfer service provider, or if the electronic payment instruments service provider, etc. conducts one of the actions stated in the right columns of row 1 through 4 of the table in Article 16-2 pertaining to making or receiving of a payment of its customers upon being entrusted by the bank or other prescribed financial institution or by the funds transfer service provider.

(支払手段等の輸出入)

(Importing and Exporting Means of Payment)

第十九条 財務大臣は、この法律又はこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるときは、支払手段（第六条第一項第七号ハに掲げる支払手段が入力されている証票等を含む。）又は証券を輸出し、又は輸入しようとする居住者又は非居住者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

Article 19 (1) If the Minister of Finance finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of this Act or of an Order based on this Act, the minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to import or export a means of payment (including a voucher or other such object in which a means of payment is entered as stated in Article 6, paragraph (1), item (vii), (c)) or securities, to get permission to do so.

2 財務大臣は、この法律若しくはこの法律に基づく命令の規定の確実な実施を図るため必要があると認めるとき、又は国際収支の均衡若しくは通貨の安定を維持するため特に必要があると認めるときは、貴金属を輸出し、又は輸入しようとする居住者又は非居住者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

(2) If the Minister of Finance finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of this Act or of an O based on this Act or finds it to be particularly necessary to do so in order to maintain a balance of payments equilibrium or currency stability, the minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to import or export precious metals to get permission to do so.

3 居住者又は非居住者は、第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入しようとするときは、当該支払手段又は当該証券若しくは貴金属の輸出又は輸入が前二項の規定に基づく命令の規定により財務大臣の許可を受けたものである場合その他政令で定める場合を除き、政令で定めるところにより、あらかじめ、当該輸出又は輸入の内容、実行の時期その他の政令で定める事項を財務大臣に届け出なければならない。

(3) If a resident or non-resident seeks to import or export a means of payment prescribed in paragraph (1) or a security or precious metal, the resident or non-resident, pursuant to the provisions of Cabinet Order, must file a notification

of the substance of the import or export, its timing, and other information that Cabinet Order prescribes with the Minister of Finance, unless that resident or non-resident has gotten the permission of the Minister of Finance to import or export that means of payment, security, or precious metal pursuant to the provisions of an Order based on one of the preceding two paragraphs or in any other case prescribed by Cabinet Order.

第四章 資本取引等

Chapter IV Capital Transactions; Related Matters

(資本取引の定義)

(Definition of Capital Transaction)

第二十条 資本取引とは、次に掲げる取引又は行為（第二十六条第一項各号に掲げるものが行う同条第二項に規定する対内直接投資等に該当する行為を除く。）をいう。

Article 20 The term "capital transaction" means any of the following transactions or actions (excluding an act which falls within the category of inward direct investment or an equivalent action prescribed in Article 26, paragraph (2) and which is conducted by any of the persons stated in the items of paragraph (1) of that Article):

一 居住者と非居住者との間の預金契約（定期積金契約、掛金契約、預け金契約その他これらに類するものとして政令で定めるものを含む。以下同じ。）又は信託契約に基づく債権の発生、変更又は消滅に係る取引（以下「債権の発生等に係る取引」という。）

(i) a transaction involving the accrual, alteration, or extinguishment of a claim (hereinafter referred to as a "transaction involving the accrual, alteration, or extinguishment of a claim") based on a deposit contract (including an installment savings contract, installment deposit contract, money deposit contract, or any other contract prescribed by Cabinet Order as being similar to them; the same applies hereinafter) or trust contract between a resident and a non-resident;

二 居住者と非居住者との間の金銭の貸借契約又は債務の保証契約に基づく債権の発生等に係る取引

(ii) a transaction involving the accrual, alteration, or extinguishment of a claim based on a money loan contract or obligation guarantee contract between a resident and a non-resident;

三 居住者と非居住者との間の対外支払手段又は債権の売買契約に基づく債権の発生等に係る取引

(iii) a transaction involving the accrual, alteration, or extinguishment of a claim based on a sales contract for a foreign means of payment or for a claim between a resident and a non-resident;

四 居住者と他の居住者との間の預金契約、信託契約、金銭の貸借契約、債務の保証

契約又は対外支払手段若しくは債権その他の売買契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引

(iv) a transaction involving the accrual, alteration, or extinguishment of a claim for which payment can be received in a foreign currency, based on a deposit contract, trust contract, money loan contract, obligation guarantee contract, or sales contract for a foreign means of payment or for a claim between a resident and another resident;

五 居住者による非居住者からの証券の取得（これらの者の一方の意思表示により、居住者による非居住者からの証券の取得が行われる権利の当該一方の者による取得を含む。）又は居住者による非居住者に対する証券の譲渡（これらの者の一方の意思表示により、居住者による非居住者に対する証券の譲渡が行われる権利の当該一方の者による取得を含む。）

(v) a resident's acquisition of securities from a non-resident (including a resident's or a non-resident's acquisition of a right based on which the resident will acquire securities from the non-resident upon the acquirer's unilateral manifestation of the intention for this to occur), or a resident's transfer of securities to a non-resident (including a resident's or a non-resident's acquisition of a right based on which the resident will transfer securities to the non-resident upon the acquirer's unilateral manifestation of the intention for this to occur);

六 居住者による外国における証券の発行若しくは募集若しくは本邦における外貨証券の発行若しくは募集又は非居住者による本邦における証券の発行若しくは募集

(vi) a resident's issuance or public offering of securities in a foreign country, a resident's issuance or public offering of foreign securities in Japan, or a non-resident's issuance or public offering of securities in Japan;

七 非居住者による本邦通貨をもつて表示され、又は支払われる証券の外国における発行又は募集

(vii) a non-resident's issuance or public offering of securities that are denominated or payable in Japanese currency, in a foreign country;

八 居住者と非居住者との間の金融指標等先物契約に基づく債権の発生等に係る取引

(viii) a transaction involving the accrual, alteration, or extinguishment of a claim based on a futures contract on a financial indicator or similar metric between a resident and a non-resident;

九 居住者と他の居住者との間の金融指標等先物契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引又は金融指標等先物契約（外国通貨の金融指標（金融商品取引法第二条第二十五項に規定する金融指標をいう。）に係るものに限る。）に基づく本邦通貨をもつて支払を受けることができる債権の発生等に係る取引

(ix) a transaction involving the accrual, alteration, or extinguishment of a claim that is payable in a foreign currency based on a futures contract on a financial indicator or similar metric between a resident and another resident,

or a transaction involving the accrual, alteration, or extinguishment of a claim that is payable in Japanese currency based on a futures contract on a financial indicator or similar metric (limited to such a contract involving a financial indicator (meaning the financial indicator prescribed in Article 2, paragraph (25) of the Financial Instruments and Exchange Act) of a foreign currency) between a resident and another resident;

十 居住者による外国にある不動産若しくはこれに関する権利の取得又は非居住者による本邦にある不動産若しくはこれに関する権利の取得

(x) a resident's acquisition of real property or rights to real property that is located in a foreign country, or a non-resident's acquisition of real property or rights to real property that is located in Japan;

十一 第一号及び第二号に掲げるもののほか、法人の本邦にある事務所と当該法人の外国にある事務所との間の資金の授受（当該事務所の運営に必要な経常的経費及び経常的な取引に係る資金の授受として政令で定めるものを除く。）

(xi) the delivery and receipt of funds between a corporation's office in Japan and the corporation's office in a foreign country (excluding the delivery and receipt of funds prescribed by Cabinet Order as the delivery and receipt of the ordinary expenses necessary for operating the office and funds involved in an ordinary transaction), beyond as stated in items (i) and (ii); and

十二 前各号に掲げる取引又は行為に準ずるものとして政令で定めるもの

(xii) a transaction or action prescribed by Cabinet Order as being equivalent to any of the transactions or actions stated in the preceding items.

(資本取引とみなす取引)

(Transactions Deemed as Capital Transactions)

第二十条の二 次の各号に掲げる取引は、当該各号に定める資本取引とみなして、この法律（これに基づく命令を含む。）の規定を適用する。

Article 20-2 The transactions stated in the following items are deemed to be capital transactions prescribed in those items, and the provisions of this Act (including Orders based on this Act) apply to the transactions.

一 居住者と非居住者との間の電子決済手段等の管理に関する契約に基づく当該電子決済手段等の移転を求める権利の発生、変更又は消滅に係る取引（以下この条において「電子決済手段等の移転を求める権利の発生等に係る取引」という。） 前条第一号に掲げる資本取引

(i) a transaction involving the accrual, alteration, or extinguishment of a right to request the transfer of electronic payment instruments based on a contract for management of electronic payment instruments (referred to as a "transaction involving the accrual, alteration, or extinguishment of a right to request the transfer of electronic payment instruments" in this Article) between a resident and a non-resident; capital transactions stated in item (i) of the preceding Article;

二 居住者と非居住者との間の電子決済手段等の貸借契約又は電子決済手段等に移転する義務の保証契約に基づく電子決済手段等の移転を求める権利の発生等に係る取引 前条第二号に掲げる資本取引

(ii) a transaction involving the accrual, alteration, or extinguishment of a right to request the transfer of electronic payment instruments based on a loan contract or obligation guarantee contract involving the transfer of electronic payment instruments between a resident and a non-resident; capital transactions stated in item (ii) of the preceding Article; and

三 居住者と非居住者との間の電子決済手段等の売買又は他の電子決済手段等との交換に関する契約に基づく電子決済手段等の移転を求める権利の発生等に係る取引 前条第三号に掲げる資本取引

(iii) a transaction involving the accrual, alteration, or extinguishment of a right to request the transfer of electronic payment instruments based on a contract for buying and selling electronic payment instruments or a contract for exchanging electronic payment instruments with another electronic payment instruments between a resident and a non-resident; capital transactions as stated in item (iii) of the preceding Article

(財務大臣の許可を受ける義務を課する資本取引等)

(Capital Transactions For Which It Is Made Obligatory to Get the Permission of the Minister of Finance)

第二十一条 財務大臣は、居住者又は非居住者による資本取引（第二十条に規定する資本取引をいい、第二十四条第一項に規定する特定資本取引に該当するものを除く。次条第一項、第五十五条の三及び第七十条第一項において同じ。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき、又は第十条第一項の閣議決定が行われたときは、政令で定めるところにより、当該資本取引を行おうとする居住者又は非居住者に対し、当該資本取引を行うことについて、許可を受ける義務を課することができる。

Article 21 (1) On finding that, if residents or non-residents were to unrestrictedly conduct capital transactions (meaning capital transactions as prescribed in Article 20 , and excluding those falling under the category of specified capital transactions as prescribed in Article 24, paragraph (1); the same applies in paragraph (1) of the following Article, Article 55-3, and Article 70, paragraph(1)), it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has concluded or would cause a situation that would prevent Japan from contributing to international efforts towards international peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the Minister of Finance, pursuant to

Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct such a capital transaction to get permission to conduct it.

2 前項に定める場合のほか、財務大臣は、居住者又は非居住者による同項に規定する資本取引（特別国際金融取引勘定で経理されるものを除く。）が何らの制限なしに行われた場合には、次に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認めるときは、政令で定めるところにより、当該資本取引を行おうとする居住者又は非居住者に対し、当該資本取引を行うことについて、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, on finding that, if residents or non-residents were to unrestrictedly conduct capital transactions as prescribed in that paragraph (excluding those for which accounting is handled in the special international financial transactions account), it would cause one of the following situations to arise, thereby making it difficult to achieve the purpose of this Act, the Minister of Finance, pursuant to Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct such a capital transaction, to get permission to conduct it:

一 我が国の国際収支の均衡を維持することが困難になること。

(i) it would become difficult to maintain Japan's balance of payments equilibrium;

二 本邦通貨の外国為替相場に急激な変動をもたらすことになること。

(ii) it would bring about rapid fluctuations in Japanese currency exchange rates; or

三 本邦と外国との間の大量の資金の移動により我が国の金融市場又は資本市場に悪影響を及ぼすことになること。

(iii) the Japanese financial market or capital market would be adversely affected by a massive transfer of funds between Japan and a foreign country.

3 前項の「特別国際金融取引勘定」とは、銀行その他の政令で定める金融機関が、非居住者（外国法令に基づいて設立された法人その他政令で定める者に限る。以下この項及び次項において同じ。）から受け入れた預金その他の非居住者から調達した資金を非居住者に対する金銭の貸付け、非居住者からの証券の取得その他の非居住者との間での運用に充てるために行う次に掲げる取引又は行為（前条の規定により資本取引とみなされるものを除く。）に係る資金の運用又は調達に関する経理をその他の取引又は行為に係る資金の運用又は調達に関する経理と区分して整理するため財務大臣の承認を受けて設ける勘定をいう。

(3) The term "special international financial transactions account" referred to in the preceding paragraph means an account that a bank or other prescribed financial institution that Cabinet Order specifies establishes with the approval of the Minister of Finance in order to manage its accounting for its investment or procurement of funds in connection with the following transactions and actions (excluding transactions deemed capital transactions as prescribed in the preceding Article), it undertakes in order to allocate deposits that it

receives from non-residents (but only corporations established under foreign laws and regulations and any other persons that Cabinet Order prescribes; hereinafter the same applies in this and the following paragraph) and other funds that it procures from non-residents, for use in lending money to non-residents, for use in acquiring securities from non-residents, and for use in other investment in non-residents, separately from its accounting for its investment and procurement of funds in connection with other transactions and actions:

一 第二十条第一号に掲げる資本取引のうち、非居住者との間の預金契約で政令で定めるものに基づく債権の発生等に係る取引

(i) capital transactions as stated in item (i) of Article 20 that constitute transactions involving the accrual, alteration, or extinguishment of a claim based on a deposit contract with a non-resident which is prescribed by Cabinet Order;

二 第二十条第二号に掲げる資本取引のうち、非居住者との間の金銭の貸借契約に基づく債権の発生等に係る取引

(ii) capital transactions as stated in item (ii) of Article 20 that constitute transactions involving the accrual, alteration, or extinguishment of a claim based on a money loan agreement with a non-resident;

三 第二十条第五号に掲げる資本取引のうち、非居住者が発行する証券（政令で定めるものに限る。）の非居住者からの取得又は非居住者に対する譲渡

(iii) capital transactions as stated in item (v) of Article 20 that constitute the acquisition from a non-resident or transfer to a non-resident of securities (limited to those that Cabinet Order prescribes) issued by a non-resident; and

四 その他政令で定める取引又は行為

(iv) other transactions or actions prescribed by Cabinet Order.

4 前項に規定する特別国際金融取引勘定（以下この項及び次条第二項において「特別国際金融取引勘定」という。）とその他の勘定との間における資金の振替その他の特別国際金融取引勘定の経理に関する事項及び特別国際金融取引勘定において経理される取引又は行為に関し当該取引又は行為の相手方が非居住者であることの確認その他必要な事項については、政令で定める。

(4) Cabinet Order provides for transfers of funds between a special international financial transactions account as prescribed in the preceding paragraph (hereinafter referred to as a "special international financial transactions account" in this paragraph and paragraph (2) of the following Article) and other accounts and for other particulars of the accounting in a special international financial transactions account, and also provides for confirmation that the other party to a transaction or action for which the accounting is conducted in a special international financial transactions account is a non-resident and for any other necessary particulars.

5 第二項に規定する資本取引について第一項及び第二項の規定により許可を受ける義務が課された場合には、当該資本取引を行おうとする者は、政令で定めるところにより、これらの規定による許可の申請を併せて行うことができる。この場合において、財務大臣は、当該申請に係る資本取引について許可を受ける義務を課することとなつた事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(5) If it has been made obligatory for persons to get permission for a capital transaction as prescribed in paragraph (2) pursuant to the provisions of both paragraphs (1) and (2), a person seeking to conduct such a transaction may file a combined application for the permissions under those paragraphs, pursuant to Cabinet Order. In such a case, the Minister of Finance is to decide whether to give permission while also taking into consideration whether the capital transaction under the application would actually cause one of the situations that forms the basis for obliging persons to get permission for that transaction.

6 財務大臣は、第二十三条第一項の規定により届け出なければならないとされる同条第二項に規定する対外直接投資を行うことについて第一項又は第二項の規定により許可を受ける義務を課したときは、当該許可の申請に係る対外直接投資については、当該許可を受ける義務を課することとなつた第一項に規定する事態又は第二項各号に掲げる事態のほか、同条第四項各号に掲げる事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(6) If the Minister of Finance, pursuant to paragraph (1) or (2), has made it obligatory to get permission for outward direct investment as prescribed in Article 23, paragraph (2) in connection with which Article 23, paragraph (1) requires a notification to be filed, the minister is to decide whether to give that permission while also taking into consideration whether the outward direct investment under the application for permission would actually give rise to one of the situations stated in the items of paragraph (4) of that Article, in addition to whether it would actually give rise to one of the situations prescribed in paragraph (1) or in one of the items of paragraph (2) that forms the basis for obliging persons to get permission.

(資本取引等の制限)

(Restrictions on Capital Transactions)

第二十二條 財務大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された資本取引を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された資本取引を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、資本取引を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 22 (1) If the Minister of Finance has made it obligatory to get permission pursuant to the provisions of paragraph (1) of the preceding Article, and the

minister finds that a person that has conducted a capital transaction which it has been made obligatory to get permission for, without getting that permission, is likely to once again conduct a capital transaction that it has been made obligatory to get permission for pursuant to the provisions of that paragraph without getting that permission, the minister may prohibit the person from fully or partially conducting capital transactions, or, pursuant to the provisions of Cabinet Order, make it obligatory for that person to get permission to conduct capital transactions, but only during a period of up to one year.

2 財務大臣は、前条第三項各号に掲げる取引若しくは行為以外の取引若しくは行為（以下この項において「対象外取引等」という。）を特別国際金融取引勘定において経理し、又は同条第四項の規定に基づく命令の規定に違反した者が、再び対象外取引等を特別国際金融取引勘定において経理し、又は当該命令の規定に違反するおそれがあると認めるときは、その者に対し、一年以内の期間を限り、同条第三項各号に掲げる取引又は行為の全部又は一部について特別国際金融取引勘定において経理することを禁止することができる。

(2) If the Minister of Finance finds that a person that has accounted for a transaction or action other than one that is stated in the items of paragraph (3) of the preceding Article (hereinafter referred to as an "ineligible transaction or action" in this paragraph) by placing it in the special international financial transactions account or a person that has violated the provisions of an Order that is based on paragraph (4) of that Article is likely to once again account for an ineligible transaction or action by placing it in the special international financial transactions account or is likely to once again violate the provisions of that order, the minister may prohibit the person from fully or partially accounting for transactions and actions as stated in the items of paragraph (3) of that Article by placing them in the special international financial transactions account, but only during a period of up to one year.

（銀行等その他の金融機関等の本人確認義務等）

(Obligation of Banks and Any Other Forms of Financial Enterprise to Verify the Identities of their Customers and Equivalent Persons)

第二十二條の二 銀行等、信託会社（信託業法（平成十六年法律第百五十四号）第二條第二項に規定する信託会社及び同條第六項に規定する外国信託会社をいう。）、金融商品取引業者（金融商品取引法第二條第九項に規定する金融商品取引業者であつて、同法第二十八條第一項に規定する第一種金融商品取引業を行う者及び同條第二項に規定する第二種金融商品取引業を行う者をいう。第五十五條の三において同じ。）及び電子決済手段等取引業者等（次項及び第五十五條の九の二第一項において「銀行等その他の金融機関等」という。）は、顧客又はこれに準ずる者として政令で定める者（以下この項において「顧客等」という。）との間で第二十条に規定する資本取引に係る契約の締結その他の政令で定める行為（次項において「資本取引に係る契約締結

等行為」という。)を行うに際しては、当該顧客等について、本人確認を行わなければならない。

Article 22-2 (1) When a bank or other prescribed financial institution, a trust company (meaning a trust company as prescribed in Article 2, paragraph (2) of the Trust Business Act (Act No. 154 of 2004) or the foreign trust company as prescribed in paragraph (6) of that Article), a financial instruments business operator (meaning a financial instruments business operator as prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act which is engaged in the Type-I financial instruments business prescribed in Article 28, paragraph (1) of that Act or the Type-II financial instruments business prescribed in paragraph (2) of that Article; the same applies in Article 55-3) or an electronic payment instruments service provider, etc. (referred to as a "bank or and any other form of financial enterprise. " in the following paragraph and Article 55-9-2 paragraph (1)) enters into a contract or takes any other action prescribed by Cabinet Order that is connected with a capital transaction as prescribed in Article 20 (referred to as "entering into a contract or taking any other prescribed action in connection with a capital transaction" in the following paragraph) with a customer or a person prescribed by Cabinet Order as being equivalent to them (referred to as a "customer or equivalent person" in this paragraph), it must conduct identity verification with regard to the customer or equivalent person.

2 第十八条第二項から第四項まで及び第十八条の二から第十八条の四までの規定は、銀行等その他の金融機関等が資本取引に係る契約締結等行為を行う場合について準用する。この場合において、第十八条の三第二項中「特定為替取引」とあるのは、「第二十二条の二第一項に規定する資本取引に係る契約」と読み替えるものとする。

(2) The provisions of Article 18, paragraphs (2) through (4) and Articles 18-2 through 18-4 apply mutatis mutandis if banks and any other forms of financial enterprise. enters into a contract or takes any other prescribed action in connection with a capital transaction. In such a case, the term "specified exchange transaction" in Article 18-3, paragraph (2) is deemed to be replaced with "a contract for a capital transaction prescribed in Article 22-2, paragraph (1)".

(両替業務を行う者への準用)

(Application, Mutatis Mutandis, to Persons Engaging in Currency Exchange Business)

第二十二条の三 第十八条第二項から第四項まで、第十八条の二から第十八条の四まで及び前条第一項の規定は、本邦において両替業務（業として外国通貨又は旅行小切手の売買を行うことをいう。）を行う者（第五十五条の九の二第一項において「両替業者」という。）が顧客と両替（政令で定める小規模のものを除く。）を行う場合について準用する。

Article 22-3 The provisions of Article 18, paragraphs (2) through (4), Articles 18-2 through 18-4, and paragraph (1) of the preceding Article apply mutatis mutandis if a person engaging in the currency exchange business (meaning buying and selling foreign currencies or traveler's checks in the course of trade) in Japan (this person is referred to as a "currency exchange operator" in Article 55-9-2, paragraph(1)) exchanges currencies (excluding a small currency exchange prescribed by Cabinet Order) with a customer.

(対外直接投資)

(Outward Direct Investment)

第二十三条 居住者は、対外直接投資のうち第四項各号に掲げるいずれかの事態を生じることがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対外直接投資の内容、実行の時期その他の政令で定める事項を財務大臣に届け出なければならない。

Article 23 (1) Before a resident conducts an outward direct investment prescribed by Cabinet Order as being likely to cause one of the situations stated in the items of paragraph (4), the resident, pursuant to the provisions of Cabinet Order, must first file a notification of the substance of the outward direct investment, its timing, and other information that Cabinet Order prescribes with the Minister of Finance.

2 この条において「対外直接投資」とは、居住者による外国法令に基づいて設立された法人の発行に係る証券の取得若しくは当該法人に対する金銭の貸付けであつて当該法人との間に永続的な経済関係を樹立するために行われるものとして政令で定めるもの又は外国における支店、工場その他の事業所（以下「支店等」という。）の設置若しくは拡張に係る資金の支払をいう。

(2) The term "outward direct investment" as used in this Article means a resident's acquisition of securities issued by a corporation that has been incorporated under foreign laws and regulations or lending of money to such a corporation that is prescribed by Cabinet Order as being done for the purpose of establishing a permanent economic relationship with the corporation, or a resident's payment of funds for the establishment or expansion of a branch office, factory, or other such place of business (hereinafter referred to as a "branch office or other such place of business") in a foreign country.

3 第一項の規定による届出をした居住者は、財務大臣により当該届出が受理された日から起算して二十日を経過する日までは、当該届出に係る対外直接投資を行つてはならない。ただし、財務大臣は、当該届出に係る対外直接投資の内容その他からみて特に支障がないと認めるときは、当該期間を短縮することができる。

(3) A resident that has filed a notification under paragraph (1) must not conduct the outward direct investment stated in the notification until the final day in the 20-day period that starts on the day that the Minister of Finance receives the notification; provided, however, that the Minister of Finance may shorten

the 20-day period on finding there to be no special problems in light of the substance of the outward direct investment stated in the notification or any other circumstances.

4 財務大臣は、前項の届出に係る対外直接投資が行われた場合には、次に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認められるとき、又は第十条第一項の閣議決定が行われたときに限り、当該対外直接投資の届出をした者に対し、政令で定めるところにより、当該対外直接投資の内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して二十日以内とする。

(4) Once the outward direct investment under a notification referred to in the preceding paragraph is undertaken, the Minister of Finance, pursuant to Cabinet Order, may issue a recommendation to the person filing the notification of the outward direct investment to modify the substance of the investment or discontinue it, but only if the minister finds that the outward direct investment would cause one of the following situations and make it difficult to achieve the purpose of this Act or if a cabinet decision referred to in Article 10, paragraph (1) has been issued; provided, however, that the period during which the minister may issue a recommendation to modify or discontinue this is within 20 days from the day on which the minister receives the notification:

一 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(i) it would have a significant adverse effect on the smooth operation of the Japanese economy; or

二 国際的な平和及び安全を損ない、又は公の秩序の維持を妨げることになること。

(ii) it would compromise international peace and security or interfere with the maintenance of public order.

5 前項の規定による勧告を受けた者は、第三項の規定にかかわらず、当該勧告を受けた日から起算して二十日を経過する日までは、同項の届出に係る対外直接投資を行ってはならない。

(5) Notwithstanding the provisions of paragraph (3), a person that is issued a recommendation under the preceding paragraph must not undertake the outward direct investment under the notification referred to in paragraph (3) until the final day in the 20-day period that starts on the date on which the person is issued that recommendation.

6 第四項の規定による勧告を受けた者は、当該勧告を受けた日から起算して十日以内に、財務大臣に対し、当該勧告を応諾するかしないかを通知しなければならない。

(6) A person that is issued the recommendation under paragraph (4) must notify the Minister of Finance, within 10 days from the day on which the person is issued the recommendation, of whether or not the person will comply with the recommendation.

7 前項の規定により勧告を応諾する旨の通知をした者は、当該勧告をされたところに

従い、当該勧告に係る対外直接投資を行わなければならない。

(7) A person that has notified the Minister of Finance of compliance with the recommendation pursuant to the provisions of the preceding paragraph must conduct the outward direct investment that is subject to the recommendation in accordance with the recommendation.

8 第六項の規定により勧告を応諾する旨の通知をした者は、第三項又は第五項の規定にかかわらず、当該勧告を受けた日から起算して二十日を経過しなくても、当該勧告に係る対外直接投資を行うことができる。

(8) Notwithstanding the provisions of paragraph (3) or (5), once a person notifies the Minister of Finance, pursuant to the provisions of paragraph (6), of compliance with a recommendation, the person may undertake the outward direct investment subject to the recommendation even if 20 days have not yet passed since the person was issued the recommendation.

9 第四項の規定による勧告を受けた者が、第六項の規定による通知をしなかつた場合又は当該勧告を応諾しない旨の通知をした場合には、財務大臣は、当該勧告を受けた者に対し、当該対外直接投資の内容の変更又は中止を命ずることができる。ただし、当該変更又は中止を命ずることができる期間は、第四項の規定による勧告を行つた日から起算して二十日以内とする。

(9) If a person that has been issued a recommendation under paragraph (4) fails to notify the minister as under paragraph (6) or notifies the minister of non-compliance with the recommendation, the Minister of Finance may order the person issued the recommendation to modify the substance of the outward direct investment or discontinue it; provided, however, that the period during which the minister may issue an order to modify or discontinue this is within 20 days, starting from the day on which the minister issues the recommendation under paragraph (4).

10 前各項に定めるもののほか、対外直接投資の内容の変更又は中止の勧告の手続その他これらの勧告に関し必要な事項は、政令で定める。

(10) Beyond as prescribed in each of the preceding paragraphs, Cabinet Order prescribes the procedures for recommending modifications to the substance of outward direct investment and for recommending the discontinuance of outward direct investment, and also provides for other necessary particulars of these recommendations.

11 第一項の規定により届け出なければならないとされる対外直接投資について第二十一条第一項又は第二項の規定により財務大臣の許可を受ける義務が課された場合には、当該対外直接投資を行う居住者は、第一項の規定にかかわらず、その届出をすることを要しない。この場合において、当該対外直接投資について既に同項の規定による届出がされているときは、当該届出（同条第一項又は第二項の規定により許可を受ける義務が課された際現に行っていない対外直接投資（第六項の規定により中止の勧告を応諾する旨の通知がされたもの及び第九項の規定により中止を命ぜられたものを除く。）に係るものに限る。）については、これを当該届出のあつた日にされた同条

第一項又は第二項の規定により受ける義務を課された許可に係る申請とみなし、当該届出に係る対外直接投資について第四項の規定による勧告、第六項の規定による通知（内容の変更を応諾する旨のものに限る。）又は第九項の規定による命令（内容の変更に係るものに限る。）があつたときは、当該勧告、通知又は命令については、これをなかつたものとみなす。

(11) Notwithstanding paragraph (1), if, pursuant to Article 21, paragraph (1) or (2), persons have been placed under the obligation to get the permission of the Minister of Finance for outward direct investment for which a notification must be filed pursuant to paragraph (1), a resident undertaking such an investment is not required to file such a notification. In such a case, if a resident has already filed a notification under that paragraph for that outward direct investment, the notification (but only a notification about outward direct investment (excluding investment in connection with which the person has notified the minister of compliance with a recommendation to discontinue investment which the person has been issued pursuant to paragraph (6) or investment that the person has been ordered to discontinue pursuant to paragraph (9)) that has not yet actually been undertaken at the time the person is placed under the obligation to get permission pursuant to paragraph (1) or (2) of that Article) is deemed to be an application for permission that the resident has been placed under the obligation to get pursuant to paragraph (1) or (2) of that Article, which was filed on the day of the notification; and if a recommendation under paragraph (4), notice under paragraph (6) (but only notice through which the person indicates compliance in modifying the substance of an investment), or an order under paragraph (9) (but only an order for the person to modify the substance of the investment) has been issued with regard to the outward direct investment that is subject to that notification, the recommendation, notice, or order is deemed not to have been issued.

（経済産業大臣の許可を受ける義務を課する特定資本取引）

(Specified Capital Transactions Subject to an Obligation to Obtain the Permission of the Minister of Economy, Trade and Industry)

第二十四条 経済産業大臣は、居住者による特定資本取引（第二十条第二号に掲げる資本取引（同条第十二号の規定により同条第二号に準ずる取引として政令で定めるものを含む。）のうち、貨物を輸出し、又は輸入する者が貨物の輸出又は輸入に直接伴つてする取引又は行為として政令で定めるもの及び鉱業権、工業所有権その他これらに類する権利の移転又はこれらの権利の使用権の設定に係る取引又は行為として政令で定めるもの（短期の国際商業取引の決済のための取引として政令で定めるものを除く。）をいう。以下同じ。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき、又は第十条第一項の閣議決定が行わ

れたときは、政令で定めるところにより、当該特定資本取引を行おうとする居住者に対し、当該特定資本取引を行うことについて、許可を受ける義務を課することができる。

Article 24 (1) On finding that, if residents were to unrestrictedly conduct specified capital transactions (meaning any capital transaction as stated in Article 20, item (ii) (including anything that, pursuant to item (xii) of that Article, Cabinet Order prescribes as a transaction equivalent to what is referred to in item (ii) of that Article) prescribed by Cabinet Order as a transaction or action that a person that imports or exports goods conducts in direct association with the importing or exporting of goods, or prescribed by Cabinet Order as a transaction or action associated with the transfer of a mining right, industrial property right, or other right equivalent thereto, or associated with the establishment of the right to use these rights (excluding anything prescribed by Cabinet Order as a transaction whose purpose is the settlement of a short-term international commercial transaction)), it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has concluded or would cause a situation that would prevent Japan from contributing to international efforts towards international peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for residents seeking to conduct such a specified capital transaction to get permission to conduct it.

2 前項に定める場合のほか、経済産業大臣は、居住者による特定資本取引が何らの制限なしに行われた場合には、第二十一条第二項各号に掲げるいずれかの事態を生じ、この法律の目的を達成することが困難になると認めるときは、政令で定めるところにより、当該特定資本取引を行おうとする居住者に対し、当該特定資本取引を行うことについて、許可を受ける義務を課することができる。

(2) Beyond as prescribed in the preceding paragraph, on finding that, if residents were to unrestrictedly conduct specified capital transactions, it would cause one of the situations stated in the items of Article 21, paragraph (2) to arise, thereby making it difficult to achieve the purpose of this Act, the Minister of Economy, Trade and Industry, pursuant to Cabinet Order, may make it obligatory for residents seeking to conduct such a specified capital transaction to get permission to conduct it.

3 特定資本取引について第一項及び前項の規定により許可を受ける義務が課された場合には、当該特定資本取引を行おうとする者は、政令で定めるところにより、これらの規定による許可の申請を併せて行うことができる。この場合において、経済産業大臣は、当該申請に係る特定資本取引について許可を受ける義務を課することとなつた事態のいずれをも生じさせないかを併せ考慮して、許可をするかどうかを判断するものとする。

(3) If it has been made obligatory for persons to get permission for a specified capital transaction pursuant to both paragraph (1) and the preceding paragraph, a person seeking to conduct such a transaction may file a combined application for the permissions under those paragraphs, pursuant to Cabinet Order. In such a case, the Minister of Economy, Trade and Industry is to decide whether to give permission while also taking into consideration whether the specified capital transaction under the application would actually cause one of the situations that forms the basis for the minister's having made it obligatory for persons to get permission for such a transaction.

(特定資本取引の制限)

(Restrictions of Specified Capital Transactions)

第二十四条の二 経済産業大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された特定資本取引を当該許可を受けないで行った者が再び同項の規定により許可を受ける義務が課された特定資本取引を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、特定資本取引を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 24-2 If the Minister of Economy, Trade and Industry has made it obligatory to get permission pursuant to the provisions of paragraph (1) of the preceding Article, and the minister finds that a person that has conducted a specified capital transaction which it has been made obligatory to get permission for, without getting that permission, is likely to once again conduct a specified capital transaction that it has been made obligatory to get permission for pursuant to the provisions of that paragraph without getting that permission, the minister may prohibit the person from fully or partially conducting specified capital transactions, or, pursuant to the provisions of Cabinet Order, make it obligatory for that person to get permission to conduct specified capital transactions, but only during a period of up to one year.

(役務取引等)

(Service Transaction)

第二十五条 国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める特定の種類の貨物の設計、製造若しくは使用に係る技術（以下「特定技術」という。）を特定の外国（以下「特定国」という。）において提供することを目的とする取引を行おうとする居住者若しくは非居住者又は特定技術を特定国の非居住者に提供することを目的とする取引を行おうとする居住者は、政令で定めるところにより、当該取引について、経済産業大臣の許可を受けなければならない。

Article 25 (1) Pursuant to the provisions of Cabinet Order, if a resident or non-resident seeks to conduct a transaction that is meant to provide a technology for designing, manufacturing, or using a specified type of goods (hereinafter

referred to as "specified technology") in a specified foreign country (hereinafter referred to as a "specified country"), and that is prescribed by Cabinet Order as a transaction that it is found will interfere with the maintenance of international peace and security, or if a resident seeks to conduct a transaction that is meant to provide specified technology to a non-resident affiliated with a specified country and that is prescribed by Cabinet Order as a transaction that it is found will interfere with the maintenance of international peace and security, the resident or non-resident, in the first case, or the resident, in the second case, must obtain the permission of the Minister of Economy, Trade and Industry for that transaction.

2 経済産業大臣は、前項の規定の確実な実施を図るため必要があると認めるときは、特定技術を特定国以外の外国において提供することを目的とする取引を行おうとする居住者若しくは非居住者又は特定技術を特定国以外の外国の非居住者に提供することを目的とする取引を行おうとする居住者に対し、政令で定めるところにより、当該取引について、許可を受ける義務を課することができる。

(2) If the Minister of Economy, Trade and Industry finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of the preceding paragraph, the Minister, pursuant to the provisions of Cabinet Order, may make it obligatory for residents or non-residents seeking to conduct a transaction that is meant to provide specified technology in a foreign country other than a specified country, or residents seeking to conduct a transaction that is meant to provide specified technology to a non-resident from a foreign country other than a specified country with to get permission for the transaction.

3 経済産業大臣は、次の各号に掲げる場合には、当該各号に定める行為をしようとする者に対し、政令で定めるところにより、当該行為について、許可を受ける義務を課することができる。

(3) In the cases stated in the following items, the Minister of Economy, Trade and Industry, pursuant to the provisions of Cabinet Order, may make it obligatory for persons seeking to take the action prescribed in that item to get permission for that action:

一 第一項の規定の確実な実施を図るため必要があると認めるとき 同項の取引に関する次に掲げる行為

(i) if the Minister finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of paragraph (1): any of the following acts in connection with the transaction referred to in that paragraph:

イ 特定国を仕向地とする特定技術を内容とする情報が記載され、又は記録された文書、図画又は記録媒体（以下「特定記録媒体等」という。）の輸出

(a) exporting a document, picture, or data storage medium containing information on the specified technology (hereinafter referred to as a

"document, picture, or storage medium containing specified information")
to a specified country; or

ロ 特定国において受信されることを目的として行う電気通信（電気通信事業法（昭和五十九年法律第八十六号）第二条第一号に規定する電気通信をいう。以下同じ。）による特定技術を内容とする情報の送信（本邦内にある電気通信設備（同条第二号に規定する電気通信設備をいう。）からの送信に限る。以下同じ。）

(b) transmitting information concerning the specified technology by means of telecommunications (meaning the telecommunications prescribed in Article 2, item (i) of the Telecommunications Business Act (Act No. 86 of 1984); the same applies hereinafter) that are intended to be received in the specified country (limited to the transmission from telecommunications facilities (meaning the telecommunications facilities prescribed in item (ii) of that Article) that are located in Japan; the same applies hereinafter); and

二 前項の規定の確実な実施を図るため必要があると認めるとき 同項の取引に関する次に掲げる行為

(ii) if the minister finds it to be necessary to do so in order to ensure the reliable implementation of the provisions of the preceding paragraph: any of the following acts in connection with the transaction referred to in that paragraph;

イ 特定国以外の外国を仕向地とする特定記録媒体等の輸出

(a) exporting the document, picture, or storage medium containing specified information, with a foreign country other than the specified country; or

ロ 特定国以外の外国において受信されることを目的として行う電気通信による特定技術を内容とする情報の送信

(b) transmitting information concerning the specified technology by means of telecommunications that are intended to be received in a foreign country other than the specified country.

4 居住者は、非居住者との間で、国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める外国相互間の貨物の移動を伴う貨物の売買、貸借又は贈与に関する取引を行おうとするときは、政令で定めるところにより、当該取引について、経済産業大臣の許可を受けなければならない。

(4) If a resident seeks to conduct a transaction with a non-resident that is connected with the buying and selling, leasing, or donation of goods; that involves the transfer of goods between foreign countries; and that Cabinet Order prescribes as being found to interfere with the maintenance of international peace and security, the resident must get the permission of the Minister of Economy, Trade and Industry for that transaction, pursuant to the provisions of Cabinet Order.

5 居住者は、非居住者との間で、役務取引（労務又は便益の提供を目的とする取引をいう。以下同じ。）であつて、鉱産物の加工その他これに類するものとして政令で定

めるもの（第三十条第一項に規定する技術導入契約の締結等に該当するものを除く。）を行おうとするときは、政令で定めるところにより、当該役務取引について、主務大臣の許可を受けなければならない。ただし、次項の規定により主務大臣の許可を受ける義務が課された役務取引に該当するものについては、この限りでない。

(5) If a resident seeks to conduct a service transaction (meaning a transaction that is meant to provide labor or a benefit; the same applies hereinafter) that constitutes the processing of minerals or anything Cabinet Order prescribes as similar to them (excluding anything that falls under the category of the entry into, renewal, or modification of a technology introduction contract as prescribed in Article 30, paragraph (1)), the resident must get the permission of the competent minister for that transaction, pursuant to Cabinet Order; provided, however, that this does not apply to a service transaction which falls within the category of service transaction for which it has been made obligatory to get the permission of the competent minister, pursuant to the provisions of the following paragraph.

6 主務大臣は、居住者が非居住者との間で行う役務取引（特定技術に係るもの及び第三十条第一項に規定する技術導入契約の締結等に該当するものを除く。）又は外国相互間の貨物の移動を伴う貨物の売買、貸借若しくは贈与に関する取引（第四項に規定するものを除く。）（以下「役務取引等」という。）が何らの制限なしに行われた場合には、我が国が締結した条約その他の国際約束を誠実に履行することを妨げ、若しくは国際平和のための国際的な努力に我が国として寄与することを妨げることとなる事態を生じ、この法律の目的を達成することが困難になると認めるとき、又は第十条第一項の閣議決定が行われたときは、政令で定めるところにより、当該役務取引等を行おうとする居住者に対し、当該役務取引等を行うことについて、許可を受ける義務を課することができる。

(6) On finding that, if residents were to unrestrictedly conduct service transactions (excluding service transactions linked to specified technology and those falling under the category of the entry into, renewal, or modification of a technology introduction contract as prescribed in Article 30, paragraph (1)) or transactions that are connected with the buying and selling, leasing, or donation of goods and that involve the transfer of goods between foreign countries (excluding those as prescribed in paragraph (4)) (hereinafter referred to as a "service transaction or transaction involving the transfer of goods between foreign countries") with non-residents, it would prevent Japan from faithfully performing its obligations under a treaty or other international agreement it has concluded or would cause a situation that would prevent Japan from contributing to international efforts towards international peace, thereby making it difficult to achieve the purpose of this Act, or if a cabinet decision as referred to in Article 10, paragraph (1) has been reached, the competent minister, pursuant to Cabinet Order, may make it obligatory for a resident seeking to conduct a service transaction or transaction involving the

transfer of goods between foreign countries to get permission to conduct it.

(制裁等)

(Sanctions)

第二十五条の二 経済産業大臣は、前条第一項の規定による許可を受けないで同項に規定する取引を行つた者に対し、三年以内の期間を限り、貨物の設計、製造若しくは使用に係る技術（以下この項及び次項において「貨物設計等技術」という。）を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する貨物設計等技術を内容とする情報が記載され、若しくは記録された文書、図画若しくは記録媒体の輸出（同項及び第七十条第一項第十九号において「技術記録媒体等輸出」という。）若しくは外国において受信されることを目的として行う電気通信による貨物設計等技術を内容とする情報の送信（次項及び同号において「国外技術送信」という。）を行い、又は特定技術に係る特定の種類の貨物の輸出を行うことを禁止することができる。

Article 25-2 (1) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction prescribed in paragraph (1) of the preceding Article without getting the permission under that paragraph, from conducting transactions that are meant to provide technology for designing, manufacturing, or using goods (hereinafter referred to as "technology for designing, manufacturing, or using goods" in this paragraph and the following paragraph) in a foreign country or to a non-resident; from exporting a document, picture, or data storage medium containing information about technology for designing, manufacturing, or using goods (referred to as "exporting a document, picture, or storage medium containing technological information" in the following paragraph and Article 70, paragraph (1), item (xix)) in connection with such a transaction; from using telecommunications that are meant to be received in a foreign country to transmit information concerning technology for designing, manufacturing, or using goods (referred to as "transmission of technological information outside Japan" in the following paragraph and that item); or from exporting a specified type of goods involving specified technology, but only during a period of up to three years.

2 経済産業大臣は、前条第二項又は第三項の規定により経済産業大臣の許可を受ける義務が課された場合において当該許可を受けないでこれらの項に規定する取引又は行為を行つた者に対し、一年以内の期間を限り、貨物設計等技術を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する技術記録媒体等輸出若しくは国外技術送信を行い、又は特定技術に係る特定の種類の貨物の輸出を行うことを禁止することができる。

(2) If persons have been placed under the obligation to get the permission of the Minister of Economy, Trade and Industry pursuant to the provisions of paragraph (2) or (3) of the preceding Article, the Minister of Economy, Trade and Industry may prohibit a person that has undertaken a transaction or

action provided for in one of those paragraphs without getting that permission, from conducting a transaction that is meant to provide technology for designing, manufacturing, or using goods in a foreign country or to a non-resident; from exporting a document, picture, or storage medium containing technological information in connection with such a transaction; from transmitting technological information outside Japan in connection with such a transaction; or from exporting a specified type of goods involving specified technology, but only during a period of up to one year.

3 経済産業大臣は、前条第四項の規定による許可を受けないで同項に規定する取引を行つた者に対し、三年以内の期間を限り、非居住者との間で外国相互間の貨物の移動を伴う貨物の売買、貸借若しくは贈与に関する取引を行い、又は貨物の輸出を行うことを禁止することができる。

(3) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction prescribed in paragraph (4) of the preceding Article without getting the permission referred to in that paragraph, from conducting a transaction that is connected with the buying and selling, leasing, or donation of goods and that involves the transfer of goods between foreign countries with a non-resident, or from exporting goods to a non-resident, but only during a period of up to three years.

4 主務大臣は、前条第六項の規定により役務取引等を行うことについて許可を受ける義務を課した場合において、当該許可を受ける義務が課された役務取引等を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された役務取引等を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、役務取引等を行うことについて、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

(4) If the competent minister has made it obligatory to get permission to conduct a service transaction or transaction involving the transfer of goods between foreign countries pursuant to the provisions of paragraph (6) of the preceding Article, and the minister finds that a person that has conducted a service transaction or transaction involving the transfer of goods between foreign countries which it has been made obligatory to get permission for, without getting that permission, is likely to once again conduct a service transaction or transaction involving the transfer of goods between foreign countries that it has been made obligatory to get permission for pursuant to the provisions of that paragraph without getting that permission, the minister may prohibit the person from fully or partially conducting service transaction or transaction involving the transfer of goods between foreign countries, or, pursuant to the provisions of Cabinet Order, make it obligatory for that person to get permission to conduct service transaction or transaction involving the transfer of goods between foreign countries, but only during a period of up to one year.

第五章 対内直接投資等

Chapter V Inward Direct Investment and Equivalent Actions

(定義)

(Definitions)

第二十六条 外国投資家とは、次に掲げるもので、次項各号に掲げる対内直接投資等又は第三項に規定する特定取得を行うものをいう。

Article 26 (1) The term "foreign investor" means any of the following persons that conducts inward direct investment or an equivalent action stated in the items of the following paragraph or specified acquisition prescribed in paragraph (3):

一 非居住者である個人

(i) an individual who is a non-resident;

二 外国法令に基づいて設立された法人その他の団体又は外国に主たる事務所を有する法人その他の団体（第四号に規定する特定組合等を除く。）

(ii) a corporation or other such organization established under foreign laws and regulations, or a corporation or other such organization that has its principal office in a foreign country (excluding the specified partnership or similar organization prescribed in item (iv));

三 会社で、前二号に掲げるものにより直接に保有されるその議決権（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式についての議決権を除き、会社法（平成十七年法律第八十六号）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式についての議決権を含む。以下この号及び次項第四号において同じ。）の数と他の会社を通じて間接に保有されるものとして政令で定めるその議決権の数とを合計した議決権の数の当該会社の総株主又は総社員の議決権の数（同項において「総議決権」という。）に占める割合が百分の五十以上に相当するもの

(iii) a company in which the sum total of the number of voting rights held directly by persons as stated in item (i) and (ii) (excluding voting rights associated with shares that do not allow the holder to vote on all of the matters regarding which a resolution may be passed at a shareholders' meeting, but including voting rights associated with shares whose holders are deemed to hold voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); hereinafter the same applies in this item and item (iv) of the following paragraph) and the number of voting rights that is prescribed by Cabinet Order as being held indirectly through another company make up at least 50 percent of the number of voting rights of all shareholders or all members;

四 組合等（民法（明治二十九年法律第八十九号）第六百六十七条第一項に規定する組合契約で会社に対する投資事業を営むことを約するものによつて成立する組合（一人又は数人の組合員にその業務の執行を委任しているものに限る。以下この号

及び次項第七号において「任意組合」という。)若しくは投資事業有限責任組合契約に関する法律(平成十年法律第九十号)第二条第二項に規定する投資事業有限責任組合(以下この号及び次項第七号において「投資事業有限責任組合」という。)又は外国の法令に基づいて設立された団体であつてこれらの組合に類似するもの(以下この号及び次条第十三項において「特定組合類似団体」という。)をいう。以下この号において同じ。)であつて、第一号に掲げるものその他政令で定めるものによる出資の金額の合計の当該組合等の総組合員(特定組合類似団体にあつては全ての構成員)による出資の金額の総額に占める割合が百分の五十以上に相当するもの又は同号に掲げるものその他政令で定めるものが当該組合等の業務執行組合員(任意組合の業務の執行の委任を受けた組合員若しくは投資事業有限責任組合の無限責任組合員又は特定組合類似団体のこれらに類似するものをいう。)の過半数を占めるもの(以下「特定組合等」という。)

(iv) a partnership or similar organization (meaning a partnership formed based on a partnership contract prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896) under which the parties agree to engage in the business of investment in companies (limited to a partnership in which one or multiple partners are entrusted with the execution of the business; hereinafter referred to as a "voluntary partnership" in this item and item (vii) of the following paragraph), an investment limited partnership (LPS) as prescribed in Article 2, item (ii) of the Limited Partnership Act for Investment (Act No. 90 of 1998) (hereinafter referred to as an "investment limited partnership" in this item and item (vii) of the following paragraph), or an organization established based on the laws and regulations of a foreign country which is similar to either such partnership (hereinafter referred to as an "organization similar to a specified partnership" in this item and paragraph (13) of the following Article); hereinafter the same applies in this item), in which the ratio of the total of the amounts of capital contributions made by the persons stated in item (i) and other persons prescribed by Cabinet Order, to the total amount of capital contributions made by all partners of the partnership or similar organization (or all members of an organization similar to a specified partnership) is 50 percent or more; or in which the persons stated in that item and other persons prescribed by Cabinet Order account for the majority of executive partners of the partnership or similar organization (meaning partners entrusted with business execution for a voluntary partnership or general partners of an investment limited partnership, or similar persons affiliated with an organization similar to a specified partnership) (hereinafter referred to as a "specified partnership or similar organization"); or

五 前三号に掲げるもののほか、法人その他の団体で、第一号に掲げる者がその役員(業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人その他

の団体に対し業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者と同様以上の支配力を有するものと認められる者を含む。以下この号において同じ。) 又は役員で代表する権限を有するもののいずれかの過半数を占めるもの

(v) a corporation or other such organization in which the persons stated in item (i) account for the majority of the officers (meaning members in charge of executive business management, directors, executive officers, representatives, administrators, and any other person equivalent to them; and including persons who are found to have at least the same amount of control over the corporation or other such organization as a member in charge of executive business management, director, executive officer, representative, administrator, or other person equivalent to them, irrespective of whether they are referred to as advisor or consultant or by any other title; hereinafter the same applies in this item) or the majority of its officers having the authority to represent it, other than as stated in the preceding three items.

2 対内直接投資等とは、次のいずれかに該当する行為をいう。

(2) The term "inward direct investment or an equivalent action" means one of the following acts:

一 会社の株式又は持分の取得（前項各号に掲げるものからの譲受けによるもの及び金融商品取引法第二条第十六項に規定する金融商品取引所に上場されている株式又はこれに準ずるものとして政令で定める株式を発行している会社（以下この条において「上場会社等」という。）の株式の取得を除く。）

(i) the acquisition of shares or equity in a company (excluding the acquisition through the transfer from any of the persons stated in the items of the preceding paragraph, and the acquisition of shares in a company that has issued shares listed on a financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act or shares prescribed by Cabinet Order as being equivalent to them (hereinafter referred to as a "listed or equivalent company" in this Article));

二 非居住者となる以前から引き続き所有する上場会社等以外の会社の株式又は持分の譲渡（非居住者である個人から前項各号に掲げるものに対して行われる譲渡に限る。）

(ii) the transfer of shares or equity in a company other than a listed or equivalent company that a person has continued to own since before becoming a non-resident (limited to the transfer from an individual who is a non-resident to any of the persons stated in the items of the preceding paragraph);

三 上場会社等の株式の取得（当該取得をしたもの（以下この号及び第四項において「株式取得者」という。）が、当該取得の後において所有することとなる当該上場会社等の株式の数、当該株式取得者の密接関係者が所有する当該上場会社等の株式の数並びに当該株式取得者及び当該株式取得者の密接関係者が投資一任契約その他

の契約に基づき他のものから委任を受けて株式の運用（その指図をすることを含み、政令で定める要件を満たすものに限る。）をする場合におけるその対象となる当該上場会社等の株式の数を合計した株式の数（これらの株式に重複するものがある場合には、当該重複する数を控除した純計によるもの）の当該上場会社等の発行済株式の総数に占める割合が百分の一を下らない率で政令で定める率以上となる場合に行う取得に限る。）

(iii) the acquisition of shares in a listed or equivalent company (but only an acquisition that results in the sum total that is arrived at when the number of shares in the listed or equivalent company that the person acquiring them (hereinafter referred to as "the acquirer of the shares" in this item and paragraph (4)) owns after the acquisition; the number of shares in the listed or equivalent company owned by persons closely affiliated with the acquirer of the shares; and the number of shares in the listed or equivalent company that will be subject to investment in the event that the acquirer of the shares and persons closely affiliated with the acquirer of the shares invest in shares (or give instructions to do so; this is limited to investment in shares that satisfies the requirements prescribed by Cabinet Order) after having been entrusted to do so by another person based on a discretionary investment contract or any other such contract (on the basis of the net total calculated by deducting the number of duplicate shares among these shares, if any) are added together, accounting for a proportion of the total number of issued shares in the listed or equivalent company that does not fall below 1 percent and that is at least the percentage prescribed by Cabinet Order);

四 上場会社等の議決権の取得（当該取得をしたもの（以下この号及び第四項において「議決権取得者」という。）が、当該取得の後において保有することとなる当該上場会社等の保有等議決権（自己又は他人の名義をもつて保有する議決権及び投資一任契約その他の契約に基づき行使することができる議決権として政令で定めるものをいう。以下この号及び次号において同じ。）の数及び当該議決権取得者の密接関係者が保有する当該上場会社等の保有等議決権の数を合計した純議決権数（議決権のうち重複するものがある場合には、当該重複する数を控除した純計によるもの。同号において同じ。）の当該上場会社等の総議決権に占める割合が百分の一を下らない率で政令で定める率以上となる場合に行う取得に限り、前号に掲げる行為を伴うものを除く。）

(iv) the acquisition of voting rights in a listed or equivalent company (but only an acquisition that results in the net number of voting rights arrived at when the number of voting rights held or otherwise exercisable under contract (meaning voting rights that a person holds in their own name or in another person's name, and voting rights prescribed by Cabinet Order as those that are exercisable based on a discretionary investment contract or any other such contract; hereinafter the same applies in this item and the following item) in the listed or equivalent company that the person acquiring

voting rights (hereinafter referred to as the "acquirer of the voting rights" in this item and paragraph (4)) will come to hold after the acquisition, and the number of voting rights held or otherwise exercisable under contract in the listed or equivalent company by persons closely affiliated with the acquirer of the voting rights are added together (if there are any duplicate voting rights among these, this is based on the net total arrived at when they are deducted; the same applies in the following item), accounting for a proportion of the total voting rights in the listed or equivalent company that does not fall below 1 percent and that is at least the percentage prescribed by Cabinet Order, and excluding acquisition involving the action stated in the preceding item);

五 会社の事業目的の実質的な変更その他会社の経営に重要な影響を与える事項として政令で定めるものに関し行う同意（上場会社等にあつては、当該同意をするもの（以下この号及び第四項において「同意者」という。）が保有する当該上場会社等の保有等議決権の数及び当該同意者の密接関係者が保有する当該上場会社等の保有等議決権の数を合計した純議決権数の当該上場会社等の総議決権に占める割合が百分の一を下らない率で政令で定める率以上となる場合に行う同意に限る。）

(v) the giving of consent for a substantial change in the business purpose of a company or anything else prescribed by Cabinet Order as having a material influence on the management of a company (in the case of a listed or equivalent company, this is limited to consent that is given by a person (hereinafter referred to as the "consenter" in this item and paragraph (4)) in a case in which the net number of voting rights arrived at when the number of voting rights held or otherwise exercisable under contract in the listed or equivalent company by the consenter and the number of voting rights held or otherwise exercisable under contract in the listed or equivalent company by a person closely affiliated with the consenter are added together, accounts for a proportion of the total voting rights in the listed or equivalent company that does not fall below 1 percent and that is at least the percentage prescribed by Cabinet Order);

六 本邦における支店等の設置又は本邦にある支店等の種類若しくは事業目的の実質的な変更（前項第一号又は第二号に掲げるものを行う政令で定める設置又は変更に限る。）

(vi) the establishment of a branch office or other such place of business in Japan, or substantial modification of the type or business purpose of a branch office or other such place of business in Japan (but only its establishment or modification as prescribed by Cabinet Order, carried out by the person stated in item (i) or (ii) of the preceding paragraph);

七 本邦に主たる事務所を有する法人に対する政令で定める金額を超える金銭の貸付け（銀行業を営む者その他政令で定める金融機関がその業務として行う貸付け及び前項第三号、第四号（任意組合又は投資事業有限責任組合に該当するものに限

る。)又は第五号に掲げるものが行う本邦通貨による貸付けを除く。)でその期間が一年を超えるもの

(vii) the making of a loan in an amount exceeding the amount prescribed by Cabinet Order to a corporation that has its principal office in Japan (excluding the making of a loan by a person engaging in banking or any other financial institution prescribed by Cabinet Order as its business, and the making of a loan in Japanese currency conducted by the person stated in item (iii), item (iv) (limited to a person that falls within the category of voluntary partnership or investment limited partnership), or item (v) of the preceding paragraph), for a period exceeding one year;

八 居住者(法人に限る。)からの事業の譲受け、吸収分割及び合併による事業の承継(第一号から第三号までに掲げる行為を伴うものを除く。)

(viii) succession to a business from a resident (but only a corporation) as a result of the acquisition of a business, an absorption-type company split, or a merger (excluding succession to a business involving any of the actions stated in items (i) through (iii)); or

九 前各号に掲げる行為に準ずるものとして政令で定めるもの

(ix) an action prescribed by Cabinet Order as being equivalent to any of the actions stated in the preceding items.

3 特定取得とは、上場会社等以外の会社の株式又は持分の第一項各号に掲げるものからの譲受けによる取得をいう。

(3) The term "specified acquisition" means the acquisition of shares or equity in a company other than a listed or equivalent company from any of the persons stated in the items of paragraph (1).

4 第二項第三号から第五号までに規定する密接関係者とは、第一項各号に掲げるものであつて、株式取得者、議決権取得者又は同意者と株式の所有関係等に基づく永続的な経済関係、親族関係その他これらに準ずる特別の関係にあるものとして政令で定めるものをいう。

(4) The "person closely affiliated" that is provided for in paragraph (2), items (iii) through (v) means a person as stated in one of the items of paragraph (1) and prescribed by Cabinet Order as a person that has an enduring financial connection with the acquirer of shares, acquirer of voting rights, or consentor which is based on ownership of shares, that has a familial relationship to that person, or that has any other special affiliation equivalent to either of these with that person.

(対内直接投資等の届出及び変更勧告等)

(Notification and Recommendation of Modification Regarding Inward Direct Investment and Equivalent Actions)

第二十七条 外国投資家(前条第一項に規定する外国投資家をいう。以下この条、第二十八条、第二十九条第一項から第四項まで及び第五十五条の五において同じ。)は、

対内直接投資等（前条第二項に規定する対内直接投資等をいい、相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下この条、第二十九条第一項から第四項まで、第五十五条の五、第六十九条の二第二項及び第七十条第一項において同じ。）のうち第三項の規定による審査が必要となる対内直接投資等に該当するおそれがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対内直接投資等について、事業目的、金額、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 27 (1) Before a foreign investor (meaning a foreign investor as provided in paragraph (1) of the preceding Article; hereinafter the same applies in this Article, Article 28, Article 29, paragraphs (1) through (4) and Article 55-5) conducts an inward direct investment or equivalent action (meaning an inward direct investment or equivalent action provided for in paragraph (2) of the preceding Article, and excluding an inward direct investment or equivalent action prescribed by Cabinet Order in consideration of inheritance, bequest, merger of a corporation, or any other circumstances; hereinafter the same applies in this Article, Article 29, paragraphs (1) through (4), Article 55-5, Article 69-2, paragraph (2), and Article 70, paragraph (1)) prescribed by Cabinet Order as being likely to constitute one that necessitates an examination under paragraph (3), the foreign investor, pursuant to the provisions of Cabinet Order, must first file a notification of the business purpose of the inward direct investment or equivalent action, its amount, its timing, and any other information that Cabinet Order prescribes with the Minister of Finance and the competent minister for the business.

2 対内直接投資等について前項の規定による届出をした外国投資家は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る対内直接投資等を行ってはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る対内直接投資等がその事業目的その他からみて次項の規定による審査が必要となる対内直接投資等に該当しないと認めるときは、当該期間を短縮することができる。

(2) A foreign investor that has filed a notification under the preceding paragraph with regard to inward direct investment or an equivalent action must not undertake the inward direct investment or equivalent action that is subject to that notification until the final day in the 30-day period that starts on the date that the Minister of Finance and the competent minister for the business receive the notification; provided, however, that on finding, before the end of this period, that, in light of its business purpose or any other consideration, the inward direct investment or equivalent action that is subject to that notification does not constitute one necessitating an examination under the following paragraph, the Minister of Finance and the competent minister for the business may shorten this period.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当

該届出に係る対内直接投資等が次に掲げるいずれかの対内直接投資等（以下「国の安全等に係る対内直接投資等」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る対内直接投資等を行つてはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) When a notification under paragraph (1) has been filed, on finding it necessary to examine whether the inward direct investment or equivalent action that is subject to that notification falls under one of the following categories of inward direct investment or equivalent action (referred to as "inward direct investment or an equivalent action that is a matter of national security or a similar concern" in paragraphs (4), (5), and (11)), the Minister of Finance and the competent minister for the business may extend the period during which the inward direct investment or equivalent action that is subject to that notification must not be undertaken, but only to a period of four months starting on the day on which the notification is received:

一 イ又はロに掲げるいずれかの事態を生ずるおそれがある対内直接投資等（我が国が加盟する対内直接投資等に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この号において「条約等」という。）の加盟国の外国投資家が行う対内直接投資等で対内直接投資等に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の外国投資家が行う対内直接投資等でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。）

(i) inward direct investment or an equivalent action that is likely to cause one of the situations stated in (a) or (b) (but only inward direct investment or an equivalent action that is undertaken by a foreign investor from a member state of a multilateral treaty or other international agreement on inward direct investment and equivalent actions that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this item), if there is no obligation to remove restrictions on that inward direct investment or equivalent action based on the treaty or other agreement; as well as inward direct investment or an equivalent action that is undertaken by a foreign investor from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the inward direct investment or equivalent action if the state in question were a member state of the treaty or other agreement):

イ 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになること。

(a) it would compromise national security, interfere with the maintenance of public order, or create an obstacle to the preservation of public safety; or

ロ 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(b) it would have a significant adverse effect on the smooth operation of the Japanese economy;

二 当該対内直接投資等が我が国との間に対内直接投資等に関し条約その他の国際約束がない国の外国投資家により行われるものであることにより、これに対する取扱いを我が国の投資家が当該国において行う直接投資等（前条第二項各号に掲げる対内直接投資等に相当するものをいう。）に対する取扱いと実質的に同等なものとするため、その内容の変更又は中止をさせる必要があると認められる対内直接投資等

(ii) inward direct investment or an equivalent action that, because it is undertaken by a foreign investor from a state with which Japan has not concluded any treaty or other international agreement on inward direct investment and equivalent actions, it is found necessary to modify the substance of or to discontinue, in order to harmonize its treatment, in real terms, with the treatment of direct investment and equivalent actions that Japanese investors undertake in that state (meaning direct investment and equivalent actions that are equivalent to inward direct investment and equivalent actions as stated in the items of paragraph (2) of the preceding Article); or

三 資金の用途その他からみて、当該対内直接投資等の全部又は一部が第二十一条第一項又は第二項の規定により許可を受ける義務を課されている資本取引に当たるものとしてその内容の変更又は中止をさせる必要があると認められる対内直接投資等

(iii) inward direct investment or an equivalent action which it is found necessary to modify the substance of or discontinue because all or a part of the inward direct investment or an equivalent action constitutes a capital transaction for which it has been made obligatory to get permission pursuant to the provisions of Article 21, paragraph (1) or (2) in light of the use of funds and other circumstances.

4 財務大臣及び事業所管大臣は、前項の規定により対内直接投資等を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) If the Minister of Finance and the competent minister for the business have extended the period during which an inward direct investment or equivalent action must not be undertaken pursuant to the provisions of the preceding paragraph, but they find, as a result of the examination under that paragraph and before the expiration of the extended period, that the inward direct investment or equivalent action stated in the notification under paragraph (1) does not fall within the scope of an inward direct investment or equivalent action that is a matter of national security or a similar concern, they may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により対内直接投資等を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当すると認

めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等の届出をしたものに対し、政令で定めるところにより、当該対内直接投資等に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) If the Minister of Finance and the competent minister for the business have extended the period during which an inward direct investment or equivalent action must not be undertaken pursuant to the provisions of paragraph (3), but they find, as a result of the examination under that paragraph, that the inward direct investment or equivalent action stated in the notification under paragraph (1) falls within the scope of an inward direct investment or equivalent action that is a matter of national security or a similar concern, the ministers, pursuant to Cabinet Order, may recommend the person that filed the notification of the inward direct investment or equivalent action to modify the substance of the investment or action or to discontinue it, after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions; provided, however, that the period during which the ministers may recommend the modification or discontinuance starts on the day on which they receive the notification in question, and ends on the final day of the period extended pursuant to the provisions of paragraph (3) or the following paragraph.

6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が当該事案の性質に鑑み、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する対内直接投資等を行つてはならない期間は、同項の規定にかかわらず、五月とする。

(6) Notwithstanding the provisions of paragraph (3), if the Minister of Finance and the competent minister for the business hear the opinions of the Council on Customs, Tariff, Foreign Exchange and Other Transactions pursuant to the provisions of the preceding paragraph, but the Council informs them that, in light of the nature of the case, it will be difficult for the Council to state its opinions within the four-month period prescribed in paragraph (3), the period during which the inward direct investment or equivalent action must not be conducted as prescribed in that paragraph is five months.

7 第五項の規定による勧告を受けたものは、当該勧告を受けた日から起算して十日以内に、財務大臣及び事業所管大臣に対し、当該勧告を応諾するかしないかを通知しなければならない。

(7) A person that is issued a recommendation under paragraph (5) must notify the Minister of Finance and the competent minister for the business of whether the person will comply with the recommendation, within 10 days from the day on which the person is issued it.

8 前項の規定により勧告を応諾する旨の通知をしたものは、当該勧告をされたところ

に従い、当該勧告に係る対内直接投資等を行わなければならない。

(8) A person that has notified the Minister of Finance and the competent minister for the business of compliance with the recommendation pursuant to the provisions of the preceding paragraph must undertake the inward direct investment or equivalent action that is subject to the recommendation in accordance with the recommendation.

9 第七項の規定により勧告を応諾する旨の通知をしたものは、第三項又は第六項の規定にかかわらず、当該対内直接投資等に係る届出を行った日から起算して四月（同項の規定により延長された場合にあつては、五月）を経過しなくても、当該勧告に係る対内直接投資等を行うことができる。

(9) Notwithstanding the provisions of paragraph (3) or (6), a person that has notified the Minister of Finance and the competent minister for the business of compliance with the recommendation pursuant to the provisions of paragraph (7) may undertake the inward direct investment or equivalent action that is subject to the recommendation even if four months (or five months, if the period has been extended pursuant to the provisions of paragraph (6)) have not yet passed since the day on which the person filed the notification concerning that inward direct investment or equivalent action.

10 第五項の規定による勧告を受けたものが、第七項の規定による通知をしなかつた場合又は当該勧告を応諾しない旨の通知をした場合には、財務大臣及び事業所管大臣は、当該勧告を受けたものに対し、当該対内直接投資等に係る内容の変更又は中止を命ずることができる。ただし、当該変更又は中止を命ずることができる期間は、当該届出を受理した日から起算して第三項又は第六項の規定により延長された期間の満了する日までとする。

(10) If a person that has been issued a recommendation under paragraph (5) fails to notify the Minister of Finance and the competent minister for the business as under paragraph (7) or notifies them of non-compliance with the recommendation, the Minister of Finance and the competent minister for the business may order the person to modify the substance of the inward direct investment or equivalent action or discontinue it; provided, however, that the period during which the ministers may issue an order to modify or discontinue this starts on the day on which they receive the notification in question, and ends on the final day in the period as extended pursuant to paragraph (3) or (6).

11 財務大臣及び事業所管大臣は、経済事情の変化その他の事由により、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当しなくなつたと認めるときは、第七項の規定による対内直接投資等に係る内容の変更の勧告を応諾する旨の通知をしたもの又は前項の規定により対内直接投資等に係る内容の変更を命じられたものに対し、当該勧告又は命令の全部又は一部を取り消すことができる。

(11) If the Minister of Finance and the competent minister for the business find that, because of a change in economic conditions or for any other reasons, the

inward direct investment or equivalent action stated in a notification under paragraph (1) has ceased to fall within the scope of an inward direct investment or equivalent action that is a matter of national security or a similar concern, they may rescind all or a part of the recommendation issued to a person that has notified them of compliance with the recommendation to modify the substance of the inward direct investment or equivalent action under paragraph (7), or may rescind all of a part of the order issued to a person that that has been ordered to modify the substance of the inward direct investment or equivalent action pursuant to the provisions of the preceding paragraph.

1 2 第五項から前項までに定めるもののほか、対内直接投資等に係る内容の変更又は中止の勧告の手續その他これらの勧告に関し必要な事項は、政令で定める。

(12) Beyond as provided in paragraphs (5) through (11), Cabinet Order prescribes the procedures for recommending modifications to the content of inward direct investment and equivalent actions and the discontinuance of the same, and provides for other necessary particulars in connection with these recommendations.

1 3 特定組合等が行う対内直接投資等に相当するものにより当該特定組合等の組合員（特定組合類似団体にあつてはその構成員。以下同じ。）が取得する財産又は権利については、当該特定組合等が取得し、又は所有し、若しくは保有するものとみなして、前各項及び第二十九条第一項から第四項までの規定を適用する。

(13) Assets and rights that a partner of a specified partnership or similar organization (or a member of an organization similar to a specified partnership; the same applies hereinafter) acquires through an action that is comparable to the inward direct investments and equivalent actions that the specified partnership or similar organization undertakes are deemed to be acquired, owned, or held by the specified partnership or similar organization, and the provisions of the preceding paragraphs and Article 29, paragraphs (1) through (4) apply.

1 4 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う対内直接投資等に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、第一項から第十二項まで及び第二十九条第一項から第四項までの規定を適用する。

(14) A person (including a corporation or any other organization) not constituting a foreign investor is deemed to be a foreign investor in connection with any action comparable to an inward direct investment or equivalent action which that person conducts on behalf of a foreign investor but not in the name of that foreign investor, and the provisions of paragraphs (1) through (12) and Article 29, paragraphs (1) through (4) apply.

（対内直接投資等の届出の特例）

(Special Provisions for Notification of Inward Direct Investment and Equivalent Actions)

第二十七条の二 外国投資家（第二十六条第一項に規定する外国投資家をいい、この法律、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もののその他の前条第三項の規定による審査を行う必要性が高いものとして政令で定めるものを除く。以下この条において同じ。）は、対内直接投資等（第二十六条第二項に規定する対内直接投資等をいい、同項第一号から第四号まで及び第九号（第一号から第四号までに掲げる行為に準ずるものに限る。）に掲げる行為に限る。以下この条及び第二十九条第五項において同じ。）のうち、国の安全等に係る対内直接投資等に該当するおそれが大きいものとして政令で定めるもの以外のものを行おうとする場合には、前条第一項の規定にかかわらず、同項の規定による届出をすることを要しない。この場合において、当該外国投資家は、財務大臣及び事業所管大臣が定める対内直接投資等が国の安全等に係る対内直接投資等に該当しないための基準を遵守しなければならない。

Article 27-2 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, if a foreign investor (meaning a foreign investor as provided in Article 26, paragraph (1); excluding a foreign investor that has violated this Act, an Order based on this Act, or an administrative disposition based on either of these, or any other foreign investor prescribed by Cabinet Order as one for which there is a high need to carry out an examination under paragraph (3) of the preceding Article; hereinafter the same applies in this Article) seeks to conduct an inward direct investment or equivalent action (meaning an inward direct investment or equivalent action as provided in Article 26, paragraph (2); limited to an action as stated in items (i) through (iv) of that paragraph or item (ix) of that paragraph (limited to those equivalent to the actions stated in items (i) through (iv)); hereinafter the same applies in this Article and Article 29, paragraph (5)) other than one prescribed by Cabinet Order as being highly likely to constitute inward direct investment or an equivalent action that is a matter of national security or a similar concern, the foreign investor is not required to file the notification under paragraph (1) of the preceding Article. In such a case, the foreign investor must comply with the criteria that must be met in order for an inward direct investment or equivalent action not to constitute inward direct investment or an equivalent action that is a matter of national security or a similar concern, which the Minister of Finance and the competent minister for the business establish.

2 財務大臣及び事業所管大臣は、前項に規定する基準の制定又は改廃の立案をしようとするときは、関税・外国為替等審議会の意見を聴かななければならない。

(2) Before the Minister of Finance and the competent minister for the business propose establish, revise, or repeal the criteria provided for in the preceding paragraph, they must hear the opinions of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions.

3 財務大臣及び事業所管大臣は、第一項の規定により前条第一項の規定による届出を

せずに対内直接投資等を行った外国投資家が、第一項に規定する基準に違反していると認めるときは、当該外国投資家に対し、当該基準を遵守するために必要な措置をとるべきことを勧告することができる。

(3) If the Minister of Finance and the competent minister for the business find that a foreign investor that, pursuant to the provisions of paragraph (1), has conducted an inward direct investment or equivalent action without filing a notification under paragraph (1) of the preceding Article, has violated the criteria provided for in paragraph (1), they may issue a recommendation for the foreign investor to take the necessary measures to comply with those criteria.

4 財務大臣及び事業所管大臣は、前項の規定による勧告を受けた外国投資家はその勧告に従わなかったときは、当該勧告を受けた外国投資家に対し、その勧告に係る措置をとるべきことを命ずることができる。

(4) If a foreign investor that has been issued a recommendation under the preceding paragraph fails to follow this, the Minister of Finance and the competent minister for the business may order the foreign investor that has been issued the recommendation to take the recommended measures.

5 前二項に定めるもののほか、第三項の規定による勧告の手続その他当該勧告に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding two paragraphs, Cabinet Order prescribes the procedures for issuing recommendations under paragraph (3), and provides for other necessary particulars in connection with these recommendations.

6 特定組合等が行う対内直接投資等に相当するものにより当該特定組合等の組合員が取得する財産又は権利については、当該特定組合等が取得し、又は所有し、若しくは保有するものとみなして、前各項及び第二十九条第五項の規定を適用する。

(6) Assets and rights that a partner of a specified partnership or similar organization acquires through an action that is comparable to the inward direct investments and equivalent actions that the specified partnership or similar organization undertakes are deemed to be acquired, owned, or held by the specified partnership or similar organization, and the provisions of the preceding paragraphs and Article 29, paragraph (5) apply.

7 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う対内直接投資等に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、第一項から第五項まで及び第二十九条第五項の規定を適用する。

(7) A person (including a corporation or any other organization) not constituting a foreign investor is deemed to be a foreign investor in connection with any action comparable to an inward direct investment or equivalent action which that person conducts on behalf of a foreign investor but not in the name of that foreign investor, and the provisions of paragraphs (1) through (5) and Article 29, paragraph (5) apply.

(特定取得の届出及び変更勧告等)

(Filing a Specified Acquisition Notification; Recommendations to Modify its Substance; Related Matters)

第二十八条 外国投資家は、特定取得（第二十六条第三項に規定する特定取得をいい、相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下同じ。）のうち第三項の規定による審査が必要となる特定取得に該当するおそれがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該特定取得について、事業目的、金額、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 28 (1) Before a foreign investor conducts a specified acquisition (meaning a specified acquisition as provided in Article 26, paragraph (3), and excluding a specified acquisition as prescribed by Cabinet Order in consideration of inheritance, bequest, merger of a corporation, or any other circumstances; the same applies hereinafter) prescribed by Cabinet Order as being likely to constitute a specified acquisition that requires the examination under paragraph (3), the foreign investor must first file a notification of the business purpose of the specified acquisition, its amount, its timing, and any other information that Cabinet Order prescribes with the Minister of Finance and the competent minister for the business, pursuant to the provisions of Cabinet Order.

2 特定取得について前項の規定による届出をした外国投資家は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る特定取得を行ってはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る特定取得がその事業目的その他からみて次項の規定による審査が必要となる特定取得に該当しないと認めるときは、当該期間を短縮することができる。

(2) A foreign investor that has filed a notification under the preceding paragraph with regard to a specified acquisition must not undertake the specified acquisition that is subject to that notification until the final day in the 30-day period that starts on the date that the Minister of Finance and the competent minister for the business receive the notification; provided, however, that on finding, before the end of this period, that, based on the business purpose or any other consideration, the specified acquisition that is subject to that notification does not constitute one necessitating an examination under the following paragraph, the Minister of Finance and the competent minister for the business may shorten this period.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る特定取得が国の安全を損なう事態を生ずるおそれ大きい特定取得（我が国が加盟する特定取得に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この項において「条約等」という。）の加盟国の外国投資家が行う特定取得

で特定取得に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の外国投資家が行う特定取得でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。以下「国の安全に係る特定取得」という。)に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る特定取得を行ってはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) When a notification under paragraph (1) has been filed, on finding it necessary to examine whether the specified acquisition that is subject to the notification constitutes a specified acquisition that is highly likely to cause a situation that would compromise national security (but only a specified acquisition that is undertaken by a foreign investor from a member state of a multilateral treaty or other international agreement on specified acquisition that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this paragraph), if there is no obligation to remove restrictions on that specified acquisition based on the treaty or other agreement; as well as a specified acquisition that is undertaken by a foreign investor from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the specified acquisition if the state in question were a member state of the treaty or other agreement; hereinafter referred to as a "specified acquisition that is a matter of national security"), the Minister of Finance and the competent minister for the business may extend the period during which the specified acquisition that is subject to the notification must not be undertaken, but only to a period of four months starting on the day on which the notification is received.

4 財務大臣及び事業所管大臣は、前項の規定により特定取得を行ってはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る特定取得が国の安全に係る特定取得に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) If the Minister of Finance and the competent minister for the business have extended the period during which a specified acquisition must not be undertaken pursuant to the provisions of the preceding paragraph, but they find, as a result of an examination under that paragraph and before the expiration of the extended period, that the specified acquisition that is subject to the notification under paragraph (1) does not constitute a specified acquisition that is a matter of national security, the ministers may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により特定取得を行ってはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る特定取得が国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該特定取得の届出をしたものに対し、政令で定め

るところにより、当該特定取得に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) If the Minister of Finance and the competent minister for the business have extended the period during which a specified acquisition must not be undertaken pursuant to the provisions of paragraph (3), but they find, as a result of the examination under that paragraph, that the specified acquisition that is subject to the notification under paragraph (1) constitutes a specified acquisition that is a matter of national security, the ministers, pursuant to the provisions of Cabinet Order, may recommend the person that filed the notification of the specified acquisition to modify the substance of the acquisition or discontinue it, after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange and Other Transactions; provided, however, that the period during which the ministers may recommend the modification or discontinuance starts from the day on which they receive the notification up until the final day in the period as extended pursuant to the provisions of paragraph (3) or the following paragraph.

6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が当該事案の性質に鑑み、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する特定取得を行つてはならない期間は、同項の規定にかかわらず、五月とする。

(6) Notwithstanding the provisions of paragraph (3), if the Minister of Finance and the competent minister for the business hear the opinion of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions pursuant to the preceding paragraph, but the Council makes a filing indicating that, considering the character of the matter in question, it will be difficult for it to state its opinion within the period of four months prescribed in paragraph (3), the period during which a specified acquisition must not be undertaken as prescribed in that paragraph is five months.

7 第二十七条第七項から第十二項までの規定は、第五項の規定による勧告があつた場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 27, paragraphs (7) through (12) apply mutatis mutandis if the recommendation under paragraph (5) is issued. In this case, Cabinet Order prescribes any necessary technical replacement of terms.

8 特定組合等が行う特定取得に相当するものにより当該特定組合等の組合員が取得する財産又は権利については、当該特定組合等が取得し、又は所有し、若しくは保有するものとみなして、前各項及び第二十九条第一項から第四項までの規定を適用する。

(8) Assets and rights that a partner of a specified partnership or similar organization acquires through an action that is comparable to the specified acquisitions that the specified partnership or similar organization undertakes are deemed to be acquired, owned, or held by the specified partnership or

similar organization, and the provisions of the preceding paragraphs and Article 29, paragraphs (1) through (4) apply.

9 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う特定取得に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、第一項から第七項まで及び第二十九条第一項から第四項までの規定を適用する。

(9) A person (including a corporation or any other organization) not constituting a foreign investor is deemed to be a foreign investor in connection with any action comparable to a specified acquisition which that person conducts on behalf of a foreign investor but not in the name of that foreign investor, and the provisions of paragraphs (1) through (7) and Article 29, paragraphs (1) through (4) apply thereto.

（特定取得の届出の特例）

(Special Provisions on the Filing of Notifications for Specified Acquisition)

第二十八条の二 外国投資家（第二十六条第一項に規定する外国投資家をいい、この法律、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もののその他の前条第三項の規定による審査を行う必要性が高いものとして政令で定めるものを除く。以下この条において同じ。）は、特定取得のうち、国の安全に係る特定取得に該当するおそれ大きいものとして政令で定めるもの以外のもを行おうとする場合には、前条第一項の規定にかかわらず、同項の規定による届出をすることを要しない。この場合において、当該外国投資家は、財務大臣及び事業所管大臣が定める特定取得が国の安全に係る特定取得に該当しないための基準を遵守しなければならない。

Article 28-2 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, if a foreign investor (meaning a foreign investor as provided in Article 26, paragraph (1); excluding a foreign investor that has violated this Act, an Order based on this Act, or an administrative disposition based on either of these, or any other foreign investor prescribed by Cabinet Order as one for which there is a high need to carry out an examination under paragraph (3) of the preceding Article; hereinafter the same applies in this Article) seeks to conduct a specified acquisition other than one prescribed by Cabinet Order as being highly likely to constitute a specified acquisition that is a matter of national security, the foreign investor is not required to file the notification under paragraph (1) of the preceding Article. In such a case, the foreign investor must comply with the criteria that must be met in order for a specified acquisition not to constitute a specified acquisition that is a matter of national security, which the Minister of Finance and the competent minister for the business establish.

2 財務大臣及び事業所管大臣は、前項に規定する基準の制定又は改廃の立案をしようとするときは、関税・外国為替等審議会の意見を聴かななければならない。

(2) Before the Minister of Finance and the competent minister for the business

propose the establishment, revision, or repeal of the criteria provided for in the preceding paragraph, they must hear the opinions of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions.

3 財務大臣及び事業所管大臣は、第一項の規定により前条第一項の規定による届出をせず特定取得を行つた外国投資家が、第一項に規定する基準に違反していると認めるときは、当該外国投資家に対し、当該基準を遵守するために必要な措置をとるべきことを勧告することができる。

(3) If the Minister of Finance and the competent minister for the business find that a foreign investor that, pursuant to the provisions of paragraph (1), has conducted a specified acquisition without filing a notification under paragraph (1) of the preceding Article, has violated the criteria provided for in paragraph (1), they may issue a recommendation for the foreign investor to take the necessary measures to comply with those criteria.

4 財務大臣及び事業所管大臣は、前項の規定による勧告を受けた外国投資家はその勧告に従わなかつたときは、当該勧告を受けた外国投資家に対し、その勧告に係る措置をとるべきことを命ずることができる。

(4) If a foreign investor that has been issued a recommendation under the preceding paragraph fails to follow this, the Minister of Finance and the competent minister for the business may order the foreign investor that has been issued the recommendation to take the recommended measures.

5 前二項に定めるもののほか、第三項の規定による勧告の手續その他当該勧告に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding two paragraphs, Cabinet Order prescribes the procedures for issuing recommendations under paragraph (3), and provides for other necessary particulars in connection with these recommendations.

6 特定組合等が行う特定取得に相当するものにより当該特定組合等の組合員が取得する財産又は権利については、当該特定組合等が取得し、又は所有し、若しくは保有するものとみなして、前各項及び次条第五項の規定を適用する。

(6) Assets and rights that a partner of a specified partnership or similar organization acquires through an action that is comparable to the specified acquisitions that the specified partnership or similar organization undertakes are deemed to be acquired, owned, or held by the specified partnership or similar organization, and the provisions of the preceding paragraphs and paragraph (5) of the following Article apply.

7 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う特定取得に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、第一項から第五項まで及び次条第五項の規定を適用する。

(7) A person (including a corporation or any other organization) not constituting a foreign investor is deemed to be a foreign investor in connection with any

action comparable to a specified acquisition which that person undertakes on behalf of a foreign investor but not in the name of that foreign investor, and the provisions of paragraphs (1) through (5) and paragraph (5) of the following Article apply.

(措置命令)

(Order for Measures)

第二十九条 財務大臣及び事業所管大臣は、次に掲げる場合において、対内直接投資等又は特定取得が国の安全等に係る対内直接投資等又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

Article 29 (1) In the following cases, if the Minister of Finance and the competent minister for the business find that an inward direct investment or equivalent action or a specified acquisition constitutes an inward direct investment or an equivalent action that is a matter of national security or a similar concern or if they find that it constitutes a specified acquisition that is a matter of national security, the ministers, pursuant to the provisions of Cabinet Order, may order the foreign investor that has undertaken the inward direct investment or equivalent action to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or take other necessary measures, after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange and Other Transactions:

一 第二十七条第一項又は第二十八条第一項の規定による届出をしなければならない外国投資家が、当該届出をせずに対内直接投資等又は特定取得を行つた場合

(i) if a foreign investor that is required to file a notification under Article 27, paragraph (1) or Article 28, paragraph (1) conducts an inward direct investment or equivalent action or a specified acquisition without filing that notification; or

二 第二十七条第一項又は第二十八条第一項の規定による届出をした外国投資家が、禁止期間の満了前に、当該届出に係る対内直接投資等又は特定取得を行つた場合

(ii) if a foreign investor that has filed a notification under Article 27, paragraph (1) or Article 28, paragraph (1) conducts the inward direct investment or equivalent action or the specified acquisition stated in the notification before the expiration of the prohibition period.

2 財務大臣及び事業所管大臣は、第二十七条第一項又は第二十八条第一項の規定による届出をした外国投資家が、当該届出に関し虚偽の届出をした場合において、当該届出に係る対内直接投資等又は特定取得が国の安全等に係る対内直接投資等又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるとこ

ろにより、必要な措置を命ずることができる。

(2) If a foreign investor that has filed a notification under Article 27, paragraph (1) or Article 28, paragraph (1) has used a false information in it and the Minister of Finance and the competent minister for the business find that the inward direct investment or equivalent action or specified acquisition that is subject to that notification constitutes inward direct investment or an equivalent action that is a matter of national security or a similar concern or constitutes a specified acquisition that is a matter of national security, they may order the foreign investor that has conducted the inward direct investment or equivalent action or the specified acquisition to take the necessary measures, pursuant to Cabinet Order and after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange, and Other Transactions.

3 財務大臣及び事業所管大臣は、第二十七条第一項又は第二十八条第一項の規定による届出をした外国投資家が、第二十七条第七項（第二十八条第七項において準用する場合を含む。）の規定により応諾する旨の通知をした対内直接投資等若しくは特定取得に係る内容の変更の勧告に従わず、又は第二十七条第十項（第二十八条第七項において準用する場合を含む。）の規定による対内直接投資等若しくは特定取得に係る内容の変更の命令に違反した場合には、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分（第二十七条第五項若しくは第二十八条第五項の規定により当該対内直接投資等若しくは特定取得に係る株式の数若しくは金額若しくは持分の口数若しくは金額の変更を勧告した場合における当該変更に係る部分又は第二十七条第十項（第二十八条第七項において準用する場合を含む。）の規定により当該対内直接投資等若しくは特定取得に係る株式の数若しくは金額若しくは持分の口数若しくは金額の変更を命じた場合における当該変更に係る部分に限る。）の全部又は一部の処分その他必要な措置を命ずることができる。

(3) If a foreign investor that has filed a notification under Article 27, paragraph (1) or Article 28, paragraph (1) fails to follow a recommendation to modify the substance of the inward direct investment or equivalent action or the specified acquisition that is subject to that notification after having filed a notification with the Minister of Finance and the competent minister for the business of compliance with that recommendation pursuant to Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), or if such a foreign investor violates an order under Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) to modify the substance of the inward direct investment or equivalent action or the substance of the specified acquisition, the Minister of Finance and the competent minister for the business may order the foreign investor that has carried out the inward direct investment or equivalent action or the specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or through the specified

acquisition (if the ministers have recommended modifying the number or amount of shares or the number or amount of units of equity involved in the inward direct investment or equivalent action or in the specified acquisition pursuant to Article 27, paragraph (5) or Article 28, paragraph (5), or if they have ordered a modification to the number or amount of shares or the number or amount of units of equity involved in the inward direct investment or equivalent action or in the specified acquisition pursuant to Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), they may only order the investor to dispose of the part subject to the modification), or to take other necessary measures), pursuant to Cabinet Order.

4 財務大臣及び事業所管大臣は、第二十七条第一項又は第二十八条第一項の規定による届出をした外国投資家が、第二十七条第七項（第二十八条第七項において準用する場合を含む。）の規定により応諾する旨の通知をした対内直接投資等若しくは特定取得の中止の勧告に従わず、又は第二十七条第十項（第二十八条第七項において準用する場合を含む。）の規定による対内直接投資等若しくは特定取得の中止の命令に違反した場合には、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

(4) If a foreign investor that has filed a notification under Article 27, paragraph (1) or Article 28, paragraph (1) fails to follow a recommendation to discontinue the inward direct investment or equivalent action or the specified acquisition that is the subject of that notification after having filed a notification with the Minister of Finance and the competent minister for the business of compliance with that recommendation pursuant to Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), or if such a foreign investor violates an order under Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) to discontinue the inward direct investment or equivalent action or the specified acquisition, the Minister of Finance and the competent minister for the business may order the foreign investor that has undertaken the inward direct investment or equivalent action or the specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or through the specified acquisition, or to take other necessary measures, pursuant to Cabinet Order.

5 財務大臣及び事業所管大臣は、第二十七条の二第一項又は前条第一項の規定により第二十七条第一項又は第二十八条第一項の規定による届出をせずに対内直接投資等又は特定取得を行つた第二十七条の二第一項又は前条第一項に規定する外国投資家が、第二十七条の二第四項又は前条第四項の規定による命令に違反した場合であつて、当該対内直接投資等又は特定取得が国の安全等に係る対内直接投資等又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当

該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

(5) If, pursuant to the provisions of Article 27-2, paragraph (1) or paragraph (1) of the preceding Article, a foreign investor as provided in Article 27-2, paragraph (1) or paragraph (1) of the preceding Article has carried out an inward direct investment or equivalent action or a specified acquisition without filing a notification under Article 27, paragraph (1) or Article 28, paragraph (1), and has violated an order under Article 27-2, paragraph (4) or paragraph (4) of the preceding Article, and if the Minister of Finance and the competent minister for the business find that the inward direct investment or equivalent action constitutes an inward direct investment or equivalent action that is a matter of national security or a similar concern or that the specified acquisition constitutes a specified acquisition that is a matter of national security, the ministers, pursuant to the provisions of Cabinet Order and after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange and Other Transactions, may order the foreign investor that has carried out the inward direct investment or equivalent action or the specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment or equivalent action or through the specified acquisition, or to take any other necessary measures.

6 第一項第二号の「禁止期間」とは、第二十七条第二項本文に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第二項ただし書若しくは第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）又は第二十八条第二項本文に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第二項ただし書若しくは第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）をいう。

(6) The term "prohibition period" referred to in paragraph (1), item (ii) means the period prescribed in the main clause of Article 27, paragraph (2) (or, if the period is extended pursuant to the provisions of paragraph (3) or (6) of that Article or shortened pursuant to the provisions of the proviso to paragraph (2) of that Article or paragraph (4) of that Article, the period so extended or shortened), or the period prescribed in the main clause of Article 28, paragraph (2) (or, if the period is extended pursuant to the provisions of paragraph (3) or (6) of that Article or shortened pursuant to the provisions of the proviso to paragraph (2) of that Article or paragraph (4) of that Article, the period so extended or shortened).

(技術導入契約の締結等の届出及び変更勧告等)

(Filing a Notification of the Entry Into, Renewal, or Modification of a Technology Introduction Contract; Issuing a Recommendation to Modify the

Substance Thereof; Related Matters)

第三十条 居住者は、非居住者（非居住者の本邦にある支店等を含む。以下この条において同じ。）との間で当該非居住者の行う工業所有権その他の技術に関する権利の譲渡、これらに関する使用権の設定又は事業の経営に関する技術の指導に係る契約の締結又は更新その他当該契約の条項の変更（以下「技術導入契約の締結等」という。）のうち第三項の規定による審査が必要となる技術導入契約の締結等に該当するおそれがあるものとして政令で定めるものをしようとするときは、政令で定めるところにより、あらかじめ、当該技術導入契約の締結等について、その契約の条項その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 30 (1) If a resident intends to conduct the conclusion or renewal of, or modification of the terms of, a contract with a non-resident (including a non-resident's branch office or other such place of business in Japan; hereinafter the same applies in this Article) with regard to the transfer of industrial property rights or any other rights related to technology, the establishment of rights to use these rights, or the guidance on technology for business management conducted by the non-resident (hereinafter referred to as the "entry into, renewal, or modification of a technology introduction contract"), which is prescribed by Cabinet Order as being likely to constitute the entry into, renewal, or modification of a technology introduction contract that requires the examination under paragraph (3), the resident, pursuant to the provisions of Cabinet Order, must first file a notification with the Minister of Finance and the competent minister for the business, for the clauses of the contract and other information that Cabinet Order prescribes with regard to the entry into, renewal, or modification of a technology introduction contract.

2 技術導入契約の締結等について前項の規定による届出をした居住者は、財務大臣及び事業所管大臣が当該届出を受理した日から起算して三十日を経過する日までは、当該届出に係る技術導入契約の締結等をしてはならない。ただし、財務大臣及び事業所管大臣は、その期間の満了前に当該届出に係る技術導入契約の締結等がその技術の種類その他からみて次項の規定による審査が必要となる技術導入契約の締結等に該当しないと認めるときは、当該期間を短縮することができる。

(2) A resident that has filed a notification under the preceding paragraph with regard to the entry into, renewal, or modification of a technology introduction contract must not conduct the entry into, renewal, or modification of a technology introduction contract stated in the notification until 30 days have passed from the day on which the Minister of Finance and the competent minister for the business receive the notification; provided, however, that the Minister of Finance and the competent minister for the business may shorten the 30-day period when they find, before the expiration of the period, that the entry into, renewal, or modification of a technology introduction contract stated in the notification does not constitute entry into, renewal, or modification of a technology introduction contract that requires the examination under the

following paragraph, in light of the type of the technology and other circumstances.

- 3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る技術導入契約の締結等が次に掲げるいずれかの事態を生ずるおそれがある技術導入契約の締結等（我が国が加盟する技術導入契約の締結等に関する多数国間の条約その他の国際約束で政令で定めるもの（以下この項において「条約等」という。）の加盟国の非居住者との間でされる技術導入契約の締結等で技術導入契約の締結等に関する制限の除去について当該条約等に基づく義務がないもの及び当該条約等の加盟国以外の国の非居住者との間でされる技術導入契約の締結等でその国が当該条約等の加盟国であるものとした場合に当該義務がないこととなるものに限る。次項及び第五項において「国の安全等に係る技術導入契約の締結等」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る技術導入契約の締結等をしてはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

- (3) Once a notification under paragraph (1) has been filed, if the Minister of Finance and the competent minister for the business find that it is necessary to examine whether the entry into, renewal, or modification of a technology introduction contract that is the subject of that notification constitutes the entry into, renewal, or modification of a technology introduction contract that is likely to cause one of the following situations (but only the entry into, renewal, or modification of a technology introduction contract with a non-resident from a member state of a multilateral treaty or other international agreement on the entry into, renewal, or modification of a technology introduction contract that Cabinet Order prescribes and to which Japan has acceded (hereinafter referred to as a "treaty or other agreement" in this paragraph), if there is no obligation to remove restrictions on the entry into, renewal, or modification of that technology introduction contract based on the treaty or other agreement; as well as the entry into, renewal, or modification of a technology introduction contract with a non-resident from a state other than the member state of such a treaty or other agreement, if there would be no obligation to remove restrictions on the entry into, renewal, or modification of that technology introduction contract if the state were a member state of the treaty or other agreement (referred to as the "entry into, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern" in paragraphs (4) and (5))), the Minister of Finance and the competent minister for the business may extend the period in which the entry into, renewal, or modification of a technology introduction contract that is subject to that notification must not be conducted, but only to a period of four months starting on the day on which the notification is received:
- 一 国の安全を損ない、公の秩序の維持を妨げ、又は公衆の安全の保護に支障を来すことになること。

(i) it would compromise national security, interfere with the maintenance of public order, or create an obstacle to the preservation of public safety; or

二 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

(ii) it would have a significant adverse effect on the smooth operation of the Japanese economy.

4 財務大臣及び事業所管大臣は、前項の規定により技術導入契約の締結等をしてはならない期間を延長した場合において、同項の規定による審査をした結果、当該延長された期間の満了前に第一項の規定による届出に係る技術導入契約の締結等が国の安全等に係る技術導入契約の締結等に該当しないと認めるときは、当該延長された期間を短縮することができる。

(4) If the Minister of Finance and the competent minister for the business have extended the period during which the entry into, renewal, or modification of a technology introduction contract must not be conducted pursuant to the provisions of the preceding paragraph, and they find, as a result of the examination under that paragraph and before the expiration of the extended period, that the entry into, renewal, or modification of a technology introduction contract stated in the notification made under paragraph (1) does not constitute the entry into, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern, the ministers may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により技術導入契約の締結等をしてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る技術導入契約の締結等が国の安全等に係る技術導入契約の締結等に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該技術導入契約の締結等の届出をした者に対し、政令で定めるところにより、当該技術導入契約の締結等に係る条項の全部若しくは一部の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) If the Minister of Finance and the competent minister for the business have extended the period during which the entry into, renewal, or modification of a technology introduction contract must not be conducted pursuant to the provisions of paragraph (3), and they find, as a result of the examination under that paragraph, that the entry into, renewal, or modification of a technology introduction contract stated in the notification made under paragraph (1) falls within the category of the entry into, renewal, or modification of a technology introduction contract that is a matter of national security or a similar concern, the ministers, pursuant to the provisions of Cabinet Order and after hearing the opinions of the Council on Customs, Tariffs, Foreign Exchange and Other Transactions, may recommend the person that filed the notification of the entry into, renewal, or modification of the technology introduction contract to fully or partially modify the clauses of the contract or to discontinue it;

provided, however, that the period during which the ministers may recommend the modification or discontinuance starts from the day on which they receive the notification, and ends on the day on which the period extended under paragraph (3) or the following paragraph expires.

6 前項の規定により関税・外国為替等審議会の意見を聴く場合において、関税・外国為替等審議会が、当該事案の性質に鑑み、第三項に規定する四月の期間内に意見を述べるのが困難である旨を申し出た場合には、同項に規定する技術導入契約の締結等をしてはならない期間は、同項の規定にかかわらず、五月とする。

(6) Notwithstanding the provisions of paragraph (3), if the Minister of Finance and the competent minister for the business the opinions of the Council on Customs, Tariff, Foreign Exchange and Other Transactions, but the Council informs them that, in light of the nature of the case, it would be difficult for the Council to state its opinions within the four-month period prescribed in paragraph (3), the period during which the entry into, renewal, or modification of a technology introduction contract must not be conducted as prescribed in that paragraph is five months.

7 第二十七条第七項から第十二項までの規定は、第五項の規定による勧告があつた場合について準用する。この場合において必要な技術的読替えは、政令で定める。

(7) The provisions of Article 27, paragraphs (7) through (12) apply mutatis mutandis if the recommendation under paragraph (5) is issued. In this case, Cabinet Order prescribes any necessary technical replacement of terms.

8 前各項の規定は、非居住者の本邦にある支店等が独自に開発した技術に係る技術導入契約の締結等その他政令で定める技術導入契約の締結等については、適用しない。

(8) The provisions of the preceding paragraphs do not apply to the entry into, renewal, or modification of a technology introduction contract involving technology developed independently by a non-resident's branch office or other such place of business in Japan or any other case of the entry into, renewal, or modification of a technology introduction contract prescribed by Cabinet Order.

第三十一条 削除

Article 31 Deleted

第三十二条 削除

Article 32 Deleted

第三十三条 削除

Article 33 Deleted

第三十四条 削除

Article 34 Deleted

第三十五条 削除
Article 35 Deleted

第三十六条 削除
Article 36 Deleted

第三十七条 削除
Article 37 Deleted

第三十八条 削除
Article 38 Deleted

第三十九条 削除
Article 39 Deleted

第四十条 削除
Article 40 Deleted

第四十一条 削除
Article 41 Deleted

第四十二条 削除
Article 42 Deleted

第四十三条 削除
Article 43 Deleted

第四十四条 削除
Article 44 Deleted

第四十五条 削除
Article 45 Deleted

第四十六条 削除
Article 46 Deleted

第六章 外国貿易 Chapter VI Foreign Trade

(輸出の原則)
(Principle of Export)

第四十七条 貨物の輸出は、この法律の目的に合致する限り、最少限度の制限の下に、許容されるものとする。

Article 47 Export of goods is permitted under the minimum restrictions as long as it conforms to the purpose of this Act.

(輸出の許可等)

(Permission for Export)

第四十八条 国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める特定の地域を仕向地とする特定の種類の貨物の輸出をしようとする者は、政令で定めるところにより、経済産業大臣の許可を受けなければならない。

Article 48 (1) A person seeking to make an export involving a specified type of goods, which has a specified region as the destination and which is prescribed by Cabinet Order as being found to interfere with the maintenance of international peace and security, must get the permission of the Minister of Economy, Trade and Industry, pursuant to the provisions of Cabinet Order.

2 経済産業大臣は、前項の規定の確実な実施を図るため必要があると認めるときは、同項の特定の種類の貨物を同項の特定の地域以外の地域を仕向地として輸出しようとする者に対し、政令で定めるところにより、許可を受ける義務を課することができる。

(2) If the Minister of Economy, Trade and Industry finds it to be necessary to do so in order to ensure the implementation of the provisions of the preceding paragraph, the Minister, pursuant to the provisions of Cabinet Order, may make it obligatory for persons seeking to export the specific kind of goods referred to in that paragraph to a region other than a specified region as referred to in that paragraph to get permission to do so.

3 経済産業大臣は、前二項に定める場合のほか、特定の種類の若しくは特定の地域を仕向地とする貨物を輸出しようとする者又は特定の取引により貨物を輸出しようとする者に対し、国際収支の均衡の維持のため、外国貿易及び国民経済の健全な発展のため、我が国が締結した条約その他の国際約束を誠実に履行するため、国際平和のための国際的な努力に我が国として寄与するため、又は第十条第一項の閣議決定を実施するために必要な範囲内で、政令で定めるところにより、承認を受ける義務を課することができる。

(3) Beyond as prescribed in the preceding two paragraphs, the Minister of Economy, Trade and Industry, pursuant to the provisions of Cabinet Order, may make it obligatory for persons seeking to export a specific kind of goods or to export goods to a specified region or for persons seeking to export goods through specified transactions to get approval to do so, to the extent necessary in order to maintain a balance of payments equilibrium, enable the sound development of foreign trade and the national economy, allow Japan to faithfully perform its obligations under a treaty or other international agreement that it has concluded, allow Japan to contribute to international efforts towards international peace, or make it possible to implement the

cabinet decision referred to in Article 10, paragraph (1).

第四十九条 削除

Article 49 Deleted

第五十条 削除

Article 50 Deleted

(船積の非常差止)

(Suspension of Shipments in Case of Emergency)

第五十一条 経済産業大臣は、特に緊急の必要があると認めるときは、経済産業省令で定めるところにより、一月以内の期限を限り、品目又は仕向地を指定し、貨物の船積を差し止めることができる。

Article 51 If the Minister of Economy, Trade and Industry finds there to be a particularly urgent need to do so, the Minister may designate items or destinations and suspend shipments of goods for a period of not more than one month, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry.

(輸入の承認)

(Approval of Import)

第五十二条 外国貿易及び国民経済の健全な発展を図るため、我が国が締結した条約その他の国際約束を誠実に履行するため、国際平和のための国際的な努力に我が国として寄与するため、又は第十条第一項の閣議決定を実施するため、貨物を輸入しようとする者は、政令で定めるところにより、輸入の承認を受ける義務を課せられることがある。

Article 52 In order to enable the sound development of foreign trade and the national economy, allow Japan to faithfully perform its obligations under a treaty or other international agreement that it has concluded, allow Japan to contribute to international efforts for international peace, or make it possible to implement the cabinet decision referred to in Article 10, paragraph (1), persons seeking to import goods are sometimes placed under the obligation to get import approval, pursuant to the provisions of Cabinet Order.

(制裁)

(Sanctions)

第五十三条 経済産業大臣は、第四十八条第一項の規定による許可を受けないで同項に規定する貨物の輸出をした者に対し、三年以内の期間を限り、輸出を行い、又は特定技術を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する特定記録媒体等の輸出若しくは外国において受信されることを目的として行う電気通信による特定技術を内容とする情報の送信を行うことを禁止す

ることができる。

Article 53 (1) The Minister of Economy, Trade and Industry may prohibit a person that has exported goods prescribed in Article 48, paragraph (1) without getting the permission under that paragraph from exporting goods; from conducting transactions that are meant to provide specified technology in a foreign country or to a non-resident; from exporting documents, pictures, or storage mediums containing specified information in connection with such transactions; or from using telecommunications to transmit information about specified technology with the objective of having it received in a foreign country in connection with such a transaction, but only during a period of up to three years.

2 経済産業大臣は、貨物の輸出又は輸入に関し、この法律、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者（前項に規定する者を除く。）に対し、一年（第十条第一項に規定する対応措置（第四十八条第三項又は前条に係るものに限る。）に違反した者にあつては、三年）以内の期間を限り、輸出又は輸入を行うことを禁止することができる。

(2) The Minister of Economy, Trade and Industry may prohibit a person that has violated this Act, an Order based on this Act, or an administrative disposition based on either of these with regard to the import or export of goods (excluding a person as prescribed in the preceding paragraph) from importing or exporting goods, but only during a period of up to one year (or three years, if the person has violated responsive measures as prescribed in Article 10, paragraph (1) (limited to those involving Article 48, paragraph (3) or the preceding Article)).

3 第一項又は前項の規定による禁止をする場合において、経済産業大臣は、違反者（第一項に規定する第四十八条第一項の規定による許可を受けないで同項に規定する貨物の輸出をした者又は前項に規定する貨物の輸出若しくは輸入に関し、この法律、この法律に基づく命令若しくはこれらに基づく処分に違反した者をいう。次項において同じ。）が個人である場合にあつては、その者に対して、当該禁止に係る期間と同一の期間を定めて、当該禁止に係る範囲の業務を営む法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含む。以下この項及び次項において同じ。）の当該業務を担当する役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。次項において同じ。）となることを禁止することができる。

(3) If the Minister of Economy, Trade and Industry imposes a prohibition under paragraph (1) or the preceding paragraph, and the violator (meaning the person that has exported goods as prescribed in Article 48, paragraph (1) without getting the permission under paragraph (1) of that Article as prescribed in paragraph (1), or the person that has violated this Act, an Order based this Act, or an administrative disposition based on either of these with

regard to the import or export of goods prescribed in the preceding paragraph; the same applies in the following paragraph) is an individual, the Minister may prohibit the violator from becoming the officer (meaning the member in charge of executive business management, the director, executive officer, representative, administrator or any equivalent person, and including any person that is found to have at least the same level of control in a corporation as that of a member in charge of executive business management, director, executive officer, representative, administrator, or any equivalent person, irrespective of whether they are referred to as advisor or consultant or by any other title; the same applies in the following paragraph) in charge of operations that are within the scope of the prohibition at a corporation (including an association or foundation without legal personality for which a representative or administrator has been designated; hereinafter the same applies in this paragraph and the following paragraph) that engages in such operations, for the same period as that of the prohibition.

4 第一項又は第二項の規定による禁止をする場合において、経済産業大臣は、違反者に係る次の各号に掲げる場合の区分に応じ、当該各号に定める者が当該禁止の理由となつた事実及び当該事実に関してその者が有していた責任の程度を考慮して当該禁止の実効性を確保するためにその者による当該禁止に係る業務を制限することが相当と認められる者として経済産業省令で定める者に該当するときは、その者に対して、当該禁止に係る期間と同一の期間を定めて、当該禁止に係る範囲の業務を新たに開始すること（当該業務を営む法人の当該業務を担当する役員となることを含む。）を禁止することができる。

(4) If the Minister of Economy, Trade and Industry imposes a prohibition under paragraph (1) or (2), and the person specified in the relevant of the following items for the category of violator referred to in that item constitutes a person provided for by Order of Ministry of Economy, Trade and Industry as one whose engagement in the operations that are subject to the prohibition it is found to be appropriate to restrict in order to ensure the effectiveness of the prohibition, in consideration of the factual circumstances serving as the reason for the prohibition and the degree to which the person was responsible for those circumstances, the Minister may prohibit the person from commencing new operations within the scope subject to the prohibition (this includes prohibiting the person from becoming the officer in charge of such new operations at a corporation engaging in those operations), for the same period as that of the prohibition:

一 当該違反者が法人である場合 その役員及び当該禁止に係る処分の日前六十日以内においてその役員であつた者並びにその営業所の業務を統括する者その他の政令で定める使用人（以下この号及び次号において単に「使用人」という。）及び当該禁止に係る処分の日前六十日以内においてその使用人であつた者

(i) if the violator is a corporation: its officer; any person that has been its

officer within the 60 days prior to the day of the disposition imposing the prohibition; a person managing the operations at its business office or any other employee prescribed by Cabinet Order (hereinafter simply referred to as an "employee" in this item and the following item); or a person that has been its employee within the 60 days prior to the day of the disposition imposing the prohibition; or

二 当該違反者が個人である場合 その使用人及び当該禁止に係る処分の日前六十日以内においてその使用人であつた者

(ii) if the violator is an individual: the individual's employee or any person that has been the individual's employee within the 60 days prior to the day of the disposition imposing the prohibition.

(税関長に対する指揮監督等)

(Direction and Supervision over Directors-General of Customs)

第五十四条 経済産業大臣は、政令で定めるところにより、その所掌に属する貨物の輸出又は輸入に関し、税関長を指揮監督する。

Article 54 (1) The Minister of Economy, Trade and Industry directs and supervises the Directors-General of Customs with regard to the importing and exporting of goods under the minister's jurisdiction, pursuant to the provisions of Cabinet Order.

2 経済産業大臣は、政令で定めるところにより、この法律に基く権限の一部を税関長に委任することができる。

(2) The Minister of Economy, Trade and Industry may delegate part of the minister's authority based on this Act to the Directors-General of Customs, pursuant to the provisions of Cabinet Order.

第六章の二 報告等

Chapter VI-2 Reports; Other Matters

(支払等の報告)

(Reporting the Making and Receipt of Payments)

第五十五条 居住者若しくは非居住者が本邦から外国へ向けた支払若しくは外国から本邦へ向けた支払の受領をしたとき、又は本邦若しくは外国において居住者が非居住者との間で支払等をしたときは、政令で定める場合を除き、当該居住者若しくは非居住者又は当該居住者は、政令で定めるところにより、これらの支払等の内容、実行の時期その他の政令で定める事項を主務大臣に報告しなければならない。

Article 55 (1) Except in a case prescribed by Cabinet Order, when a resident or non-resident has made a payment from Japan to a foreign country, or has received a payment that was made from a foreign country to Japan, that resident or non-resident must report the substance of the payment being made and received, its timing, and any other information that Cabinet Order

prescribes to the competent minister, pursuant to the provisions of Cabinet Order; and when a resident has made a payment to or received a payment from a non-resident in Japan or a foreign country, the resident must report the substance of the payment being made and received, its timing, and any other information that Cabinet Order prescribes to the competent minister, pursuant to the provisions of Cabinet Order.

2 前項の規定による報告は、当該報告に係る同項の支払等が銀行等又は資金移動業者が行う為替取引によつてされるものである場合には、政令で定めるところにより、当該銀行等又は資金移動業者を経由してするものとする。ただし、情報通信技術を活用した行政の推進等に関する法律（平成十四年法律第百五十一号）第六条第一項の規定により同項に規定する電子情報処理組織を使用して前項の報告をする場合には、当該銀行等又は資金移動業者を経由しないで報告することができる。

(2) If a payment as referred to in the preceding paragraph that is the subject of a report under that paragraph is made or received through an exchange transaction conducted by a bank or other prescribed financial institution or a funds transfer service provider, the report is to be made, pursuant to Cabinet Order, through the bank or other prescribed financial institution or the funds transfer service provider; provided, however, that if an electronic data processing system as prescribed in Article 6, paragraph (1) of the Act on the Promotion of Utilizing Information and Communications Technology in Administrative Procedures (Act No. 151 of 2002) is used to make a report pursuant to the provisions of that paragraph, it may be made without going through the bank or other prescribed financial institution or the funds transfer service provider.

第五十五条の二 削除

Article 55-2 Deleted

（資本取引の報告）

（Reporting Capital Transactions）

第五十五条の三 居住者又は非居住者が次の各号に掲げる資本取引の当事者となつたときは、政令で定める場合を除き、当該各号に定める区分に応じ、当該居住者又は非居住者は、その都度、政令で定めるところにより、当該資本取引の内容、実行の時期その他の政令で定める事項を財務大臣に報告しなければならない。ただし、第六号に掲げる資本取引のうち第二十三条第一項の規定により届け出なければならないとされるものについては、この限りでない。

Article 55-3 (1) Except in cases prescribed by Cabinet Order, on each occasion on which a resident or non-resident becomes a party to a capital transaction as stated in one of the following items, either the resident or non-resident, as per the classification prescribed in the relevant item, must report the substance of the capital transaction, its timing, and any other information that Cabinet

Order prescribes to the Minister of Finance, pursuant to Cabinet Order; provided, however, that this does not apply to a capital transaction as stated in item (vi) for which the provisions of Article 23, paragraph (1) require a notification to be filed:

一 第二十条第一号に掲げる資本取引 居住者

(i) a capital transaction stated in Article 20, item (i): the resident;

二 第二十条第二号に掲げる資本取引（第六号に掲げる資本取引に該当するものを除く。） 居住者

(ii) a capital transaction stated in Article 20, item (ii) (excluding one that falls within the category of capital transaction stated in item (vi)): the resident;

三 第二十条第三号に掲げる資本取引 居住者

(iii) a capital transaction stated in Article 20, item (iii): the resident;

四 第二十条第四号に掲げる資本取引のうち、居住者と他の居住者との間の預金契約、信託契約、金銭の貸借契約、債務の保証契約又は対外支払手段若しくは債権の売買契約に基づく外国通貨をもつて支払を受けることができる債権の発生等に係る取引 居住者

(iv) a capital transaction stated in Article 20, item (iv) that constitutes a transaction involving the accrual, alteration, or extinguishment of a claim for which a payment can be received in a foreign currency, based on a deposit contract, trust contract, money loan contract, obligation guarantee contract, or sales contract for a foreign means of payment or a claim, between a resident and another resident: the resident;

五 第二十条第五号に掲げる資本取引（次号に掲げる資本取引に該当するものを除く。） 居住者

(v) a capital transaction stated in Article 20, item (v) (excluding one that falls within the category of capital transaction stated in the following item): the resident;

六 第二十条第二号、第五号及び第十一号に掲げる資本取引のうち、居住者による対外直接投資（第二十三条第二項に規定する対外直接投資をいう。第七十条第一項において同じ。）に係るもの 居住者

(vi) any of the capital transactions stated in Article 20, items (ii), (v), and (xi) which involves outward direct investment (meaning the outward direct investment prescribed in Article 23, paragraph (2): the same applies in Article 70, paragraph (1)) by a resident: the resident;

七 第二十条第六号に掲げる資本取引のうち、居住者による外国における証券の発行若しくは募集又は本邦における外貨証券の発行若しくは募集 居住者

(vii) a capital transaction stated in Article 20, item (vi) that constitutes a resident's issuance or public offering of securities in a foreign country or a resident's issuance or public offering of foreign currency securities in Japan: the resident;

八 第二十条第六号に掲げる資本取引のうち、非居住者による本邦における証券の発

- 行又は募集 非居住者
- (viii) a capital transaction stated in Article 20, item (vi) that constitutes a non-resident's issuance or public offering of securities in Japan: the non-resident;
- 九 第二十条第七号に掲げる資本取引 非居住者
- (ix) a capital transaction stated in Article 20, item (vii): the non-resident;
- 十 第二十条第八号に掲げる資本取引 居住者
- (x) a capital transaction stated in Article 20, item (viii): the resident;
- 十一 第二十条第九号に掲げる資本取引 居住者
- (xi) a capital transaction stated in Article 20, item (ix): the resident;
- 十二 第二十条第十号に掲げる資本取引のうち、非居住者による本邦にある不動産又はこれに関する権利の取得 非居住者
- (xii) a capital transaction stated in Article 20, item (x) that constitutes a non-resident's acquisition of real property located in Japan or any rights on it: the non-resident; or
- 十三 第二十条第十二号に掲げる資本取引のうち、政令で定めるもの 政令で定める居住者又は非居住者
- (xiii) a capital transaction stated in Article 20, item (xii) which is prescribed by Cabinet Order: the resident or non-resident prescribed by Cabinet Order.
- 2 銀行等、金融商品取引業者及び電子決済手段等取引業者等（電子決済手段等取引業者及び暗号資産交換業者に限る。以下この条において同じ。）は、前項第三号（第二十条の二の規定により資本取引とみなされる場合に限る。第四項において同じ。）、第五号、第十号又は第十一号に掲げる資本取引の媒介、取次ぎ又は代理をしたときは、その都度、政令で定めるところにより、当該資本取引の内容、実行の時期その他の政令で定める事項を財務大臣に報告しなければならない。
- (2) On each occasion that a bank or other prescribed financial institution or a financial instruments business operator or an electronic payment instruments service provider, etc. (limited to an electronic payment instruments service provider and a cryptoasset exchange service provider; the same applies in this Article) has acted as an intermediary, commission agent, or other agent for a capital transaction stated in item (iii)(limited to a transaction deemed as a capital transaction as prescribed in Article 20-2; the same applies in the paragraph (4)), (v), (x), or (xi) of the preceding paragraph, it must report the substance of the capital transaction, its timing, and any other information to the Minister of Finance, pursuant to the provisions of Cabinet Order.
- 3 銀行等、金融商品取引業者及び届出者（第一項第四号又は第十一号に掲げる資本取引の当事者となる居住者であつて、財務省令で定めるところにより自己のこれらの資本取引の相手方となる者の同項の規定による報告を要しないこととしたい旨並びにその氏名又は名称及び住所その他の財務省令で定める事項を財務大臣に届け出たものをいう。以下この条において同じ。）以外の居住者が同項第四号又は第十一号に掲げる資本取引の当事者となつた場合において、当該資本取引の相手方が銀行等、金融商品取引業者又は届出者であるときは、当該居住者は、同項の規定にかかわらず、当該資

本取引に係る同項の規定による報告をすることを要しない。

(3) Notwithstanding the provisions of paragraph (1), if a resident that is not a bank or other prescribed financial institution, that is not a financial instruments business operator, and that is not the filer of a notification (meaning a resident that is party to a capital transaction as stated in item (iv) or (xi) of that paragraph and that has filed a notification with the Minister of Finance indicating, pursuant to the provisions of Ministry of Finance Order, the wish to arrange things so that a report under that paragraph is not required from any person that becomes the other party to such capital transactions with the resident, and giving the resident's name, address, and other information that Ministry of Finance Order prescribes; hereinafter the same applies in this Article) becomes a party to a capital transaction stated in item (iv) or (xi) of that paragraph, and the other party to the capital transaction is a bank or other prescribed financial institution, a financial instruments business operator, or the filer of a notification, the resident is not required to make a report under that paragraph with regard to that capital transaction.

4 前項で定める場合のほか、居住者が第一項第三号、第一項第五号、第十号又は第十一号に掲げる資本取引の当事者となった場合において、当該資本取引の媒介、取次ぎ又は代理をする者が銀行等、金融商品取引業者又は電子決済手段等取引業者等であるときは、当該居住者は、同項の規定にかかわらず、当該資本取引に係る同項の規定による報告をすることを要しない。

(4) Notwithstanding the provisions of paragraph (1), beyond as prescribed in the preceding paragraph, if a resident has become a party to a capital transaction stated in paragraph (1), item (iii), (v), (x), or (xi), and the person acting as the intermediary, commission agent, or other agent for the capital transaction is a bank or other prescribed financial institution or a financial instruments business operator or an electronic payment instruments service provider, etc., the resident is not required to make a report under paragraph (1) with regard to that capital transaction.

5 銀行等、金融商品取引業者、電子決済手段等取引業者等及び届出者は、それぞれ、銀行等及び金融商品取引業者及び電子決済手段等取引業者等については第一項又は第二項の規定、届出者については第一項の規定にかかわらず、政令で定めるところにより、一定の期間内に当事者となり、又は媒介、取次ぎ若しくは代理をした資本取引について財務省令で定める事項を一括して報告することができる。この場合において、その報告をした者は、政令で定めるところにより、当該報告に係る資本取引に関して財務省令で定める事項を記載した帳簿書類を作成し、これを保存しなければならない。

(5) Notwithstanding paragraph (1) or (2) as regards a bank or other prescribed financial institution or a financial instruments business operator or an electronic payment instruments service provider, etc., and notwithstanding paragraph (1) as regards the filer of a notification, these persons may report in

block, pursuant to Cabinet Order, the information that Ministry of Finance Order prescribes with regard to capital transactions to which they have been a party or for which they have acted as intermediary, commission agent, or other agent within a certain period of time. In such a case, pursuant to Cabinet Order, a person that has so reported must prepare and preserve books and documents in which the person has included the information that Ministry of Finance Order prescribes with regard to the capital transactions that are subject to the report.

6 届出者は、第三項に規定する届出事項について変更があつたときは、遅滞なく、その旨及び当該変更があつた事項を財務大臣に届け出なければならない。

(6) If information in a notification as prescribed in paragraph (3) changes, the filer of the notification must file a notification with the Minister of Finance indicating this and detailing the information subject to the change without delay.

7 第三項の届出に関する公告、届出者の名簿の閲覧その他同項の届出に関し必要な事項は、財務省令で定める。

(7) Ministry of Finance Order provides for the issuance of public notices in connection with notifications as referred to in paragraph (3), the inspection of the filers list, and other necessary particulars concerning the notifications referred to in that paragraph.

第五十五条の四 居住者が次に掲げる特定資本取引の当事者となつたときは、政令で定める場合を除き、当該居住者は、政令で定めるところにより、当該特定資本取引の内容、実行の時期その他の政令で定める事項を経済産業大臣に報告しなければならない。

Article 55-4 Except in cases prescribed by Cabinet Order, if a resident has become a party to one of the following specified capital transactions, the resident must report the substance of the specified capital transaction, its timing, and any other information that Cabinet Order prescribes to the Minister of Economy, Trade and Industry, pursuant to the provisions of Cabinet Order:

一 第二十条第二号に掲げる資本取引に係る特定資本取引

(i) a specified capital transaction connected with a capital transaction stated in Article 20, item (ii); or

二 第二十条第十二号に掲げる資本取引に係る特定資本取引のうち、政令で定めるもの

(ii) a specified capital transaction connected with a capital transaction stated in Article 20, item (xii), which is prescribed by Cabinet Order.

(対内直接投資等及び特定取得の報告)

(Report of Inward Direct Investment and Equivalent Actions and Specified Acquisition)

第五十五条の五 外国投資家は、対内直接投資等又は特定取得（第二十八条第一項の規定により届け出なければならないとされるものに限る。以下この条において同じ。）を行つたときは、政令で定めるところにより、当該対内直接投資等又は特定取得の内容、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に報告しなければならない。ただし、第二十七条第一項又は第二十八条第一項の規定により届け出た対内直接投資等又は特定取得については、この限りでない。

Article 55-5 (1) When a foreign investor has conducted an inward direct investment or equivalent action or a specified acquisition (limited to specified acquisition for which the provisions of Article 28, paragraph (1) require a notification to be filed; hereinafter the same applies in this Article), the foreign investor must report the substance of the inward direct investment or equivalent action or the specified acquisition, its timing, and any other information prescribed by Cabinet Order to the Minister of Finance and the competent minister for the business, pursuant to the provisions of Cabinet Order; provided, however, that this does not apply to an inward direct investment or equivalent action or a specified acquisition for which a notification has been made pursuant to the provisions of Article 27, paragraph (1) or Article 28, paragraph (1).

2 特定組合等が行う対内直接投資等又は特定取得に相当するものにより当該特定組合等の組合員が取得する財産又は権利については、当該特定組合等が取得し、又は所有し、若しくは保有するものとみなして、前項の規定を適用する。

(2) Assets and rights that a partner of a specified partnership or similar organization acquires through an action that is comparable to the inward direct investments and equivalent actions or specified acquisitions that the specified partnership or similar organization conducts are deemed to be acquired, owned, or held by the specified partnership or similar organization, and the provisions of the preceding paragraph apply.

3 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う対内直接投資等又は特定取得に相当するものについては、当該外国投資家以外の者を外国投資家とみなして、第一項の規定を適用する。

(3) A person (including a corporation or any other organization) not constituting a foreign investor is deemed to be a foreign investor in connection with any action comparable to an inward direct investment or equivalent action or a specified acquisition which that person conducts on behalf of a foreign investor but not in the name of that foreign investor, and the provisions of paragraph (1) apply.

（技術導入契約の締結等の報告）

(Reporting Entry Into, Renewal, or Modification of a Technology Introduction Contract)

第五十五条の六 居住者は、非居住者（非居住者の本邦にある支店等を含む。）との間

で技術導入契約の締結等をしたときは、政令で定めるところにより、当該技術導入契約の締結等について、財務大臣及び事業所管大臣に報告しなければならない。ただし、第三十条第一項の規定により届け出なければならないとされる技術導入契約の締結等については、この限りでない。

Article 55-6 (1) If a resident has entered into, renewed, or modified a technology introduction contract with a non-resident (inclusive of a non-resident's branch office or other such place of business in Japan), the resident must report the entry into, renewal, or modification of the technology introduction contract to the Minister of Finance and the competent minister for the business, pursuant to the provisions of Cabinet Order; provided, however, that this does not apply to the entry into, renewal, or modification of a technology introduction contract for which the provisions of Article 30, paragraph (1) require a notification to be filed.

2 前項の規定は、非居住者の本邦にある支店等が独自に開発した技術に係る技術導入契約の締結等その他政令で定める技術導入契約の締結等については、適用しない。

(2) The provisions of the preceding paragraph do not apply to the entry into, renewal, or modification of a technology introduction contract involving technology developed independently by a non-resident's branch office or other such place of business in Japan or any other case of the entry into, renewal, or modification of a technology introduction contract prescribed by Cabinet Order.

(外国為替業務に関する事項の報告)

(Reporting of Particulars Related to Foreign Exchange Services)

第五十五条の七 財務大臣は、この法律の目的を達成するため必要な限度において、政令で定めるところにより、外国為替業務（外国為替取引その他の取引又は行為であつて我が国の国際収支又は対外の貸借の動向と密接に関連するものとして政令で定めるもののいずれかを業として行うことをいう。）を行う者のうち相当規模のものを行う者として政令で定めるものに対し、当該外国為替業務に関する事項（第五十五条の三の規定による報告の対象となる事項を除く。）についての報告を求めることができる。

Article 55-7 To the extent necessary for achieving the purpose of this Act, the Minister of Finance, pursuant to the provisions of Cabinet Order, may ask a person engaged in foreign exchange services (meaning engagement, in the course of trade, in foreign exchange transactions or any other transactions or actions prescribed by Cabinet Order as being closely related to Japan's balance of payments or the trends in Japan's foreign borrowing and lending) that is prescribed by Cabinet Order as a person engaged in those services on a considerable scale to report on the particulars of its foreign exchange services (excluding the particulars subject to reporting under Article 55-3).

(その他の報告)

(Other Reporting)

第五十五条の八 この法律で別に規定するもののほか、主務大臣は、この法律の目的を達成するため必要な限度において、政令で定めるところにより、この法律の適用を受ける取引、行為若しくは支払等を行い、若しくは行つた者又は関係人に対し、当該取引、行為又は支払等の内容その他当該取引、行為又は支払等に関連する事項についての報告を求めることができる。

Article 55-8 Beyond as otherwise provided for in this Act, the competent minister, pursuant to the provisions of Cabinet Order and to the extent necessary for achieving the purpose of this Act, may ask a person that is undertaking or has undertaken a transaction, action, or the making or receipt of a payment to which this Act applies, or any related person, to report the substance of the transaction, the action, or the making or receipt of the payment as well as any other information related to the transaction, action, or making or receipt of the payment.

(対外の貸借及び国際収支に関する統計)

(Statistics on Foreign Borrowing and Lending and Balance of Payments)

第五十五条の九 財務大臣は、政令で定めるところにより、対外の貸借及び国際収支に関する統計を作成し、定期的に、内閣に報告しなければならない。

Article 55-9 (1) Pursuant to the provisions of Cabinet Order, the Minister of Finance must prepare statistics on foreign borrowing and lending and balance of payments and report them to the Cabinet periodically.

2 財務大臣は、前項に規定する統計を作成するため必要があると認めるときは、政令で定めるところにより、関係行政機関その他の者に対し、資料の提出を求めることができる。

(2) If the Minister of Finance finds it to be necessary to do so in order to prepare the statistics prescribed in the preceding paragraph, the minister may ask the relevant administrative organs and other such persons to submit materials, pursuant to the provisions of Cabinet Order.

第六章の二の二 外国為替取引等取扱業者遵守基準

Chapter VI-2-2 Compliance Standards for Foreign Exchange Transactions Service Providers

(外国為替取引等取扱業者遵守基準の策定等)

(Establishment of Compliance Standards for Foreign Exchange Transactions Service Providers)

第五十五条の九の二 主務大臣は、主務省令で、銀行等その他の金融機関等、資金移動業者及び両替業者のうち、次項各号に掲げる取引又は行為に該当するかどうかを確認するための態勢を整備することが特に必要と認められる者として政令で定める者（以下「外国為替取引等取扱業者」という。）が支払等、その顧客の支払等に係る為替取引（電子決済手段等取引業者等がその顧客の支払等に係る電子決済手段等の移転等を

行う場合を含む。次項第三号及び次条において同じ。）、資本取引（第二十一条第一項に規定する資本取引をいい、次の各号に掲げる者が当該各号に定める行為を行う場合を含む。）又は特定資本取引（第三項及び次条において「外国為替取引等」という。）を行うに当たって遵守すべき基準（以下「外国為替取引等取扱業者遵守基準」という。）を定めなければならない。

Article 55-9-2 (1) The competent minister, pursuant to the provisions of Order of Competent Ministry, must establish standards which are to be followed by banks or any other forms of financial enterprise, funds transfer service providers or currency exchange operators prescribed by Cabinet Order as being particularly necessary to establish a framework to confirm whether or not transactions or acts constitute those listed in the items of the following paragraph (the persons mentioned above is referred to as "foreign exchange transactions service provider"), when they make or receive a payment, conduct an exchange transaction involving a payment that is made or received by its customer(including a transfer of electronic payment instruments or any other action if the transfer of electronic payment instruments or any other prescribed action involving a payment that is made or received by its customer is conducted by a transfer of electronic payment instruments or any other prescribed action; the same applies in the following paragraph, item(iii) and the following Article), conduct a capital transaction (meaning a capital transaction as prescribed in Article 21 paragraph(1),and a transaction if a person prescribed in the following items takes the action prescribed in that item) or conduct a specified capital transaction(the actions mentioned above are collectively referred to as " foreign exchange transactions or similar transactions" in paragraph(3) and the following Article) (the standards established above are referred to as "compliance standards for foreign transactions service providers"):

一 電子決済手段等取引業者 資金決済に関する法律第二条第十項第四号に掲げる行為

(i) an electronic payment instruments service provider; an action as prescribed in Article 2, paragraph (10), item (iv) of the Payment Services Act;

二 電子決済等取扱業者 銀行法第二条第十七項各号に掲げる行為

(ii) an electronic payment handling service provider; an action prescribed in the items of paragraph (17) of Article 2 of the Banking Act;

三 信用金庫電子決済等取扱業者 信用金庫法第八十五条の三第二項各号に掲げる行為

(iii) an electronic payment handling service provider for Shinkin Bank; an action prescribed in the items of paragraph (2) of Article 85-3 of the Shinkin Bank Act; or

四 信用協同組合電子決済等取扱業者 協同組合による金融事業に関する法律第六条の四の三第二項各号に掲げる行為

- (iv) an electronic payment handling service provider for credit cooperatives; an action as prescribed in the items of paragraph (2) of Article 6-4-3 of the Act on Financial Business by Cooperatives.
- 2 外国為替取引等取扱業者遵守基準は、次に掲げる取引又は行為に該当するかどうかを確認するために必要な事項について定めるものとする。
- (2) The compliance standards for foreign exchange transaction service providers are to provide for necessary matters to confirm whether or not the transactions or actions in question fall under any of the following items.
- 一 第十六条第一項及び第三項の規定に基づき主務大臣の許可を受ける義務が課された支払等
- (i) making or receiving of a payment for which it has been made obligatory for persons to get permission of the competent minister pursuant to the provisions of Article 16, paragraphs (1) through (3);
- 二 第十六条第五項に規定する支払等（政令で定める取引又は行為に係る支払等に限る。）
- (ii) making or receiving of a payment as prescribed in Article 16, paragraph (5) (limited to making or receiving of a payment in connection with transactions or actions prescribed by Cabinet Order);
- 三 顧客の支払等（前二号に掲げるものに限る。）に係る為替取引
- (iii) an exchange transaction involving a payment that is made or received by its customer (limited as stated in item (i) and (ii));
- 四 第二十一条第一項の規定に基づき財務大臣の許可を受ける義務が課された資本取引
- (iv) a capital transaction for which it has been made obligatory for persons to get permission of the Minister of Finance pursuant to the provisions of Article 21 paragraph (1);and
- 五 第二十四条第一項の規定に基づき経済産業大臣の許可を受ける義務が課された特定資本取引
- (v) a specified capital transaction for which it has been made obligatory for persons to get permission of the Minister of Economy, Trade and Industry pursuant to the provisions of Article 24, paragraph (1)
- 3 外国為替取引等取扱業者は、外国為替取引等取扱業者遵守基準に従い、外国為替取引等を行わなければならない。
- (3) foreign exchange transactions service provider must conduct foreign exchange transactions or similar transactions in accordance with compliance standards for foreign exchange transactions service provider.

(指導及び助言)

(Instruction and advice)

第五十五条の九の三 主務大臣は、外国為替取引等が適正に行われることを確保するため必要があると認めるとき（外国為替取引等取扱業者が第十七条（第十七条の三及び

第十七条の四第一項において準用する場合を含む。)の規定に違反してその顧客の支払等に係る為替取引を行つたと認める場合を除く。)は、外国為替取引等取扱業者に対し、外国為替取引等取扱業者遵守基準に従つた外国為替取引等が行われるよう必要な指導及び助言をすることができる。

Article 55-9-3 If the competent minister finds it necessary to ensure that foreign exchange transactions or similar transactions are properly conducted (excluding when the competent minister finds that the foreign exchange transactions service providers have conducted an exchange transaction involving a payment that is made or received by its customer in violation of the provisions of Article 17 (including as applied mutatis mutandis pursuant to Article 17-3 and 17-4, paragraph (1)), the competent minister may provide the necessary instruction or advice to the foreign exchange transactions service providers so that they will conduct foreign exchange transactions or similar transactions based on the compliance standards for foreign exchange transactions service providers.

(勧告及び命令)

(Recommendations and Orders)

第五十五条の九の四 主務大臣は、前条の規定による指導又は助言をした場合において、外国為替取引等取扱業者がなお外国為替取引等取扱業者遵守基準に違反していると認めるときは、当該外国為替取引等取扱業者に対し、外国為替取引等取扱業者遵守基準を遵守すべき旨の勧告をすることができる。

Article 55-9-4 (1) If the competent minister, have issued instruction or advice under the preceding Article, and subsequently finds that the foreign exchange transactions service providers continue to be in violation of the compliance standards for foreign exchange transactions service providers, the competent minister may issue a recommendation for the foreign exchange transactions service providers to comply with the compliance standards for foreign exchange transactions service providers.

2 主務大臣は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、当該勧告を受けた者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(2) If a person that is issued a recommendation under the preceding paragraph fails to follow the recommendation, the competent minister may order that person to take the recommended measures.

3 第十七条の二第二項の規定は、前項の規定による命令(第五十五条の九の二第二項第三号に掲げるものに係るものに限る。)を銀行等、資金移動業者又は電子決済手段等取引業者等に対してする場合について準用する。この場合において、第十七条の二第二項中「前項」とあるのは「第五十五条の九の四第二項」と、「外国為替取引」とあるのは「外国為替取引又は電子決済手段等の移転等」と読み替えるものとする。

(3) The provisions of the Article 17-2 paragraph (2) apply mutatis mutandis if the

competent minister issues an order under the provisions of the preceding paragraph (limited to an order in connection with those stated in Article 55-9-2, paragraph (2), item(iii)) to a bank or other prescribed financial institution or a funds transfer service provider or electronic payment instruments service providers. In this case, the term "the preceding paragraph" in Article 17-2, paragraph (2), is deemed to be replaced with "Article 55-9-4, paragraph (2)" and the term "a foreign exchange transaction" is deemed to be replaced with "a foreign exchange transaction or a transfer of electronic payment instruments or any other prescribed action."

第六章の三 輸出者等遵守基準

Chapter VI-3 Compliance Standards for Exporters and Persons Conducting Similar Transactions

(輸出者等遵守基準)

(Compliance Standards for Exporters and Persons Conducting Similar Transactions)

第五十五条の十 経済産業大臣は、経済産業省令で、第二十五条第一項に規定する取引又は第四十八条第一項に規定する輸出（以下「輸出等」という。）を業として行う者（以下「輸出者等」という。）が輸出等を行うに当たって遵守すべき基準（以下「輸出者等遵守基準」という。）を定めなければならない。

Article 55-10 (1) In the form of an Order of the Ministry of Economy, Trade and Industry, Minister of Economy, Trade and Industry must establish standards with which a person conducting the transaction prescribed in Article 25, paragraph (1) or the export prescribed in Article 48, paragraph (1) (hereinafter referred to as the "exporting goods or conducting similar transactions") in the course of trade (such a person is hereinafter referred to as an "exporter or person conducting similar transactions") is to comply when exporting goods or conducting similar transactions (hereinafter referred to as the "compliance standards for exporters and persons conducting similar transactions").

2 輸出者等遵守基準は、第二十五条第一項に規定する取引によつて提供しようとする特定技術又は第四十八条第一項の特定の地域を仕向地として輸出をしようとする同項の特定の種類の貨物が特定重要貨物等に該当するかどうかの確認に関する事項その他当該取引又は輸出を行うに当たって遵守すべき事項について定めるものとする。

(2) The compliance standards for exporters and persons conducting similar transactions must set forth the particulars for confirming whether specified technology that a person seeks to provide through a transaction as prescribed in Article 25, paragraph (1) or a specific kind of goods as prescribed in Article 48, paragraph (1) that a person seeks to export to a specified region as prescribed in that paragraph constitutes specified important goods or technology, and anything else with which a person must comply in conducting

such a transaction or in undertaking such an export.

3 前項の「特定重要貨物等」とは、特定技術又は第四十八条第一項の特定の種類の貨物であつて、その特定国における提供若しくは特定国の非居住者への提供又はその同項の特定の地域を仕向地とする輸出が国際的な平和及び安全の維持を特に妨げることとなると認められるものとして経済産業省令で定めるものをいう。

(3) The term "specified important goods or technology" referred to in the preceding paragraph means a specified technology or a specified type of goods referred to in Article 48, paragraph (1), which is prescribed by Order of the Ministry of Economy, Trade and Industry as one whose provision in a specified country or to the non-resident of a specified country or whose export to a specified region as prescribed in that paragraph it is found would compromise international peace and international security.

4 輸出者等は、輸出者等遵守基準に従い、輸出等を行わなければならない。

(4) An exporter or person conducting similar transactions must export goods or conduct similar transactions in accordance with the compliance standards for exporters and persons conducting similar transactions.

(指導及び助言)

(Issuing Guidance and Advice)

第五十五条の十一 経済産業大臣は、輸出等が適正に行われることを確保するため必要があると認めるときは、輸出者等に対し、輸出者等遵守基準に従つた輸出等が行われるよう必要な指導及び助言をすることができる。

Article 55-11 If the Minister of Economy, Trade and Industry finds it to be necessary to do so in order to ensure that a person is properly exporting goods or conducting similar transactions, the minister may provide the necessary guidance or advice to an exporter or person conducting similar transactions so that the exporter or person conducting similar transactions will export goods or conduct similar transactions in accordance with the compliance standards for exporters and persons conducting similar transactions.

(勧告及び命令)

(Issuing Recommendations and Orders)

第五十五条の十二 経済産業大臣は、前条の規定による指導又は助言をした場合において、輸出者等がなお輸出者等遵守基準に違反していると認めるときは、当該輸出者等に対し、輸出者等遵守基準を遵守すべき旨の勧告をすることができる。

Article 55-12 (1) If the Minister of Economy, Trade and Industry, having issued guidance or advice under the preceding Article, finds the exporter or person conducting similar transactions to be violating the compliance standards for exporters and persons conducting similar transactions, the Minister may issue a recommendation for them to comply with those compliance standards .

2 経済産業大臣は、前項の規定による勧告を受けた者がその勧告に従わなかつたとき

は、当該勧告を受けた者に対し、その勧告に係る措置をとるべきことを命ずることができる。

- (2) If a person that is issued a recommendation under the preceding paragraph fails to follow the recommendation, the Minister of Economy, Trade and Industry may order that person to take the recommended measures.

第七章 行政手続法との関係

Chapter VII This Act's Relationship with the Administrative Procedure Act

(行政手続法の適用除外)

(Non-Applicability of the Administrative Procedure Act)

第五十五条の十三 第二十五条第一項、同条第二項若しくは第三項の規定に基づく命令若しくは同条第四項又は第四十八条第一項若しくは同条第二項の規定に基づく命令の規定による許可又はその取消しについては、行政手続法（平成五年法律第八十八号）第二章及び第三章の規定は、適用しない。

Article 55-13 The provisions of Chapters II and III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to the permission under Article 25, paragraph (1); under an Order that is based on paragraph (2) or (3) of that Article; under paragraph (4) of that Article; under Article 48, paragraph (1); or under an Order that is based on Article 48, paragraph (2); nor do those Chapters apply to the rescission of that permission.

第七章の二 審査請求

Chapter VII-2 Requests for Administrative Review

第五十六条 この法律又はこの法律に基づく命令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、審査請求人に対して、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公開による意見の聴取をした後にしなければならない。

Article 56 (1) Unless an administrative agency, pursuant to Article 24 of the Administrative Complaint Review Act (Act No. 68 of 2014), dismisses a request for the review of an administrative disposition or inaction under this Act or an Order based on this Act, it must reach a determination in response to the request for review after giving the person requesting the review a reasonable amount of advance notice and after a review officer as prescribed in Article 11, paragraph (2) of that Act has heard opinions in a public forum.

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て、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) When hearing opinions as referred to in the preceding paragraph, the agency must give the person requesting the review and any interested persons an

opportunity to present evidence and state their opinions on the matter at issue.

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 Article 31 of the Administrative Complaint Review Act do not apply to a request for review as prescribed in paragraph (1), and the provisions of paragraphs (2) through (5) of that Article apply *mutatis mutandis* to a hearing of opinions as referred to in paragraph (1).

4 前三項に定めるもののほか、第一項の意見の聴取の手續について必要な事項は、政令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, Cabinet Order prescribes the necessary particulars related to proceedings for the hearing of opinions referred to in paragraph (1).

第五十七条 削除

Article 57 Deleted

第五十八条 削除

Article 58 Deleted

第五十九条 削除

Article 59 Deleted

第六十条 削除

Article 60 Deleted

第六十一条 削除

Article 61 Deleted

第六十二条 削除

Article 62 Deleted

第六十三条 削除

Article 63 Deleted

第六十四条 削除

Article 64 Deleted

第八章 雑則

Chapter VIII Miscellaneous Provisions

(公正取引委員会の権限)

(Authority of the Fair Trade Commission)

第六十五条 この法律のいかなる条項も、私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）の適用又は同法に基づき公正取引委員会がいかなる立場において行使する権限をも排除し、変更し、又はこれらに影響を及ぼすものと解釈してはならない。

Article 65 It is prohibited to construe any provisions of this Act as eliminating, changing, or affecting the application of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947) or the authority exercised by the Fair Trade Commission based on that Act in any position whatsoever.

(政府機関の行為)

(Acts of Governmental Organizations)

第六十六条 この法律又はこの法律に基づく命令の規定中主務大臣の許可、承認その他の処分を要する旨を定めるものは、政府機関が当該許可、承認その他の処分を要する行為をする場合については、政令で定めるところにより、これを適用しない。

Article 66 The provisions of this Act or any order based on this Act under which the permission, approval or any other disposition of the competent minister is required do not apply pursuant to the provisions of Cabinet Order if a governmental organization performs an act that requires the permission, approval, or any other disposition.

(許可等の条件)

(Conditions for Permission)

第六十七条 主務大臣は、この法律又はこの法律の規定に基づく命令の規定による許可又は承認に条件を付し、及びこれを変更することができる。

Article 67 (1) The competent minister may attach conditions to the permission or approval under this Act or an Order that is based on this Act or change these conditions.

2 前項の条件は、同項の許可又は承認に係る事項の確実な実施を図るため必要最小限のものでなければならない。

(2) The conditions referred to in the preceding paragraph must be the minimum conditions necessary for ensuring the implementation of the matters concerning the permission or approval referred to in that paragraph.

(立入検査)

(On-site Inspections)

第六十八条 主務大臣は、この法律の施行に必要な限度において、当該職員をして、この法律の適用を受ける取引、行為若しくは支払等を行つた者又はその関係者の営業所、事務所、工場その他の施設に立ち入り、帳簿書類その他の物件を検査させ、又は関係人に質問させることができる。

Article 68 (1) To the extent necessary for bringing this Act into effect, the competent minister may have their ministry officials enter the business office, office, factory, or other facility of a person that has carried out a transaction or other action or made or received a payment governed by this Act or of any relevant person to inspect books and documents or other objects or to question any relevant person.

2 前項の規定により当該職員が立ち入るときは、その身分を示す証票を携帯し、関係人に提示しなければならない。

(2) When a ministry official enters a facility pursuant to the provisions of the preceding paragraph, they must carry identification and present it to the relevant persons.

3 第一項の規定による立入検査及び質問の権限は、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。

(3) The authority to conduct an on-site inspection or questioning under paragraph (1) must not be construed as having been granted for the purpose of a criminal investigation.

(権限の委任)

(Delegation of Authority)

第六十八条の二 主務大臣は、政令で定めるところにより、この法律に基づく権限の一部を地方支分部局の長に委任することができる。

Article 68-2 The competent minister may delegate part of their authority under this Act to the heads of local branch offices pursuant to the provisions of Cabinet Order.

(事務の一部委任)

(Partial Delegation of Functions)

第六十九条 主務大臣は、政令で定めるところにより、この法律の施行に関する事務の一部を日本銀行に取り扱わせることができる。

Article 69 (1) The competent minister may have the Bank of Japan handle some of the administrative functions connected with this Act's entry into force, pursuant to the provisions of Cabinet Order.

2 前項の規定により事務の一部を日本銀行に取り扱わせる場合における当該事務の一部については、日本銀行法（平成九年法律第八十九号）第四十三条第一項の規定は、適用しない。

(2) If the competent minister has the Bank of Japan handle some administrative functions pursuant to the provisions of the preceding paragraph, the provisions of Article 43, paragraph (1) of the Bank of Japan Act (Act No. 89 of 1997) do not apply to those administrative functions.

3 第一項の規定により事務の一部を日本銀行に取り扱わせる場合においては、その事務の取扱いに要する経費は、日本銀行の負担とすることができる。

(3) If the competent minister has the Bank of Japan handle some administrative functions pursuant to the provisions of paragraph (1), it may be decided that the Bank of Japan will bear the expenses required to handle those functions.

(主務大臣等)

(Competent Minister)

第六十九条の二 この法律における主務大臣は、政令で定める。

Article 69-2 (1) Cabinet Order prescribes which minister is the competent minister provided for in this Act.

2 この法律における事業所管大臣は、別段の定めがある場合を除き、対内直接投資等、特定取得又は技術導入契約の締結等に係る事業の所管大臣として、政令で定める。

(2) Unless otherwise provided for, Cabinet Order prescribes which minister is the competent minister for the business that is provided for in this Act, in terms of the competent minister for business involving inward direct investment and equivalent actions; for business involving specified acquisitions; and for business involving the entry into, renewal, and modification of technology introduction contracts.

第六十九条の三 次の各号に掲げる大臣は、当該各号に定める規定の運用に関し、特に必要があると認めるときは、外務大臣その他の関係行政機関の長に資料又は情報の提供、意見の表明その他必要な協力を求めることができる。

Article 69-3 (1) The minister stated in the relevant of the following items may request the Minister for Foreign Affairs or the head of any other relevant administrative organ to provide materials or information, state opinions, or provide other necessary cooperation with regard to the operation of the provisions specified in that item, on finding it to be particularly necessary to do so:

一 主務大臣 第十六条第一項又は第二十五条第六項

(i) the competent minister: Article 16, paragraph (1) or Article 25, paragraph (6);

二 財務大臣 第二十一条第一項

(ii) the Minister of Finance: Article 21, paragraph (1);

三 経済産業大臣 第二十四条第一項、第二十五条第一項から第四項まで、第四十八条又は第五十二条

(iii) the Minister of Economy, Trade and Industry: Article 24, paragraph (1), Article 25, paragraphs (1) through (4), Article 48, or Article 52; and

四 財務大臣及び事業所管大臣 第二十七条第三項、第二十七条の二第三項、第二十八条第三項又は第二十八条の二第三項

(iv) the Minister of Finance and the competent minister for the business:

Article 27, paragraph (3), Article 27-2, paragraph (3), Article 28, paragraph (3), or Article 28-2, paragraph (3).

2 外務大臣その他の関係行政機関の長は、我が国が締結した条約その他の国際約束を誠実に履行するため又は国際平和のための国際的な努力に我が国として寄与するため特に必要があると認めるときは第一号から第三号までに掲げる規定の運用に関しそれぞれ第一号から第三号までに定める大臣に、国際的な平和及び安全の維持のため特に必要があると認めるときは第四号に掲げる規定の運用に関し同号に定める大臣に、国の安全を損ない、公の秩序の維持を妨げ、若しくは公衆の安全の保護に支障を来すことになる事態を生ずるおそれ又は我が国経済の円滑な運営に著しい悪影響を及ぼすことになる事態を生ずるおそれがあるため特に必要があると認めるときは第五号に掲げる規定の運用に関し同号に定める大臣に、国の安全を損なう事態を生ずるおそれが大きいと認めるときは第六号に掲げる規定の運用に関し同号に定める大臣に、意見を述べることができる。

(2) On finding that it is particularly necessary to do so in order for Japan to faithfully perform its obligations under a treaty or other international agreement that it has concluded or to allow Japan to contribute to international efforts toward international peace, the Minister for Foreign Affairs or the head of any other relevant administrative organ may state their opinion to any of the ministers stated in items (i) through (iii) with regard to the operation of the provisions stated in each of those items; on finding it to be particularly necessary to do so in order to maintain international peace and security, the Minister for Foreign Affairs or the head of any other relevant administrative organ may state their opinion to the minister specified in item (iv) with regard to the operation of the provisions stated in that item; on finding it to be particularly necessary to do so due to the likelihood of a situation that would compromise national security, interfere with the maintenance of public order, or create an obstacle to the preservation of public safety, or due to the likelihood of a situation that would have a significant adverse effect on the smooth operation of the Japanese economy, the Minister for Foreign Affairs or the head of any other relevant administrative organ may state their opinion to the minister specified in item (v) with regard to the operation of the provisions stated in that item; and on finding it to be particularly necessary to do so due to the high likelihood of a situation that would undermine national security, the Minister for Foreign Affairs or the head of any other relevant administrative organ may state their opinion to the minister specified in item (vi) with regard to the operation of the provisions stated in that item:

一 第十六条第一項又は第二十五条第六項 主務大臣

(i) Article 16, paragraph (1) or Article 25, paragraph (6): the competent minister;

二 第二十一条第一項 財務大臣

(ii) Article 21, paragraph (1): the Minister of Finance;

三 第二十四条第一項、第四十八条第三項又は第五十二条 経済産業大臣

(iii) Article 24, paragraph (1), Article 48, paragraph (3), or Article 52: the Minister of Economy, Trade and Industry;

四 第二十五条第一項から第四項まで又は第四十八条第一項若しくは第二項 経済産業大臣

(iv) Article 25, paragraphs (1) through (4), or Article 48, paragraph (1) or (2): the Minister of Economy, Trade and Industry;

五 第二十七条第三項又は第二十七条の二第三項 財務大臣及び事業所管大臣

(v) Article 27, paragraph (3) or Article 27-2, paragraph (3): the Minister of Finance and the competent minister for the business; and

六 第二十八条第三項又は第二十八条の二第三項 財務大臣及び事業所管大臣

(vi) Article 28, paragraph (3) or Article 28-2, paragraph (3): the Minister of Finance and the competent minister for the business.

(外国執行当局への情報提供)

(Provision of Information to Foreign Authorities)

第六十九条の四 財務大臣及び事業所管大臣は、この法律（第二十七条及び第二十八条に係る部分に限る。）に相当する外国の法令を執行する外国の当局（以下この条において「外国執行当局」という。）に対し、その職務（この法律の第二十七条及び第二十八条に規定する職務に相当するものに限る。次項において同じ。）の遂行に資すると認める情報の提供を行うことができる。ただし、当該情報の提供を行うことが、この法律の適正な執行に支障を及ぼし、その他我が国の利益を侵害するおそれがあると認められる場合は、この限りでない。

Article 69-4 (1) The Minister of Finance and the competent minister for the business may provide the authorities of a foreign country that enforce a foreign law or regulation which is equivalent to this Act (limited to the parts concerning Articles 27 and 28) (hereinafter referred to as "foreign authorities" in this Article), with information that the ministers find will contribute to the performance of their duties (limited to duties equivalent to those provided for in Articles 27 and 28 of this Act; the same applies in the following paragraph); provided, however, that this does not apply if it is found that providing them with that information is likely to interfere with the proper enforcement of this Act or otherwise prejudice Japan's interests.

2 財務大臣及び事業所管大臣は、外国執行当局に対し前項に規定する情報の提供を行うに際し、次に掲げる事項を確認しなければならない。

(2) The Minister of Finance and the competent minister for the business must confirm the following particulars on the occasion of providing the foreign authorities with the information prescribed in the preceding paragraph:

一 当該外国執行当局が、財務大臣及び事業所管大臣に対し、前項に規定する情報の提供に相当する情報の提供を行うことができること。

(i) that the foreign authorities are able to provide the Minister of Finance and the competent minister for the business with information equivalent to that

which is prescribed in the preceding paragraph;

二 当該外国において、前項の規定により提供する情報のうち秘密として提供するものについて、当該外国の法令により、我が国と同じ程度の秘密の保持が担保されていること。

(ii) that, in that foreign country, the laws and regulations guarantee the same level of confidentiality as in Japan will be maintained with regard to any information that the ministers provide pursuant to the provisions of the preceding paragraph which they provide as confidential information; and

三 当該外国執行当局において、前項の規定により提供する情報が、その職務の遂行に資する目的以外の目的で使用されないこと。

(iii) that the foreign authorities will not use the information that the ministers provide pursuant to the provisions of the preceding paragraph for any purpose other than one that contributes to the performance of their duties.

3 第一項の規定により提供される情報については、次項の規定による同意がなければ外国における裁判所又は裁判官の行う刑事手続（同項において単に「刑事手続」という。）に使用されないよう適切な措置がとられなければならない。

(3) Appropriate measures must be taken so that information that is provided pursuant to the provisions of paragraph (1) is not used in criminal proceedings conducted by a court or judge in a foreign country (simply referred to as "criminal proceedings" in the following paragraph) without the consent under of the following paragraph.

4 財務大臣及び事業所管大臣は、外国執行当局からの要請があつたときは、次の各号のいずれかに該当する場合を除き、第一項の規定により提供した情報を当該要請に係る刑事手続に使用することについて同意をすることができる。

(4) Except in a situation that falls under one of the following items, at the request of the foreign authorities, the Minister of Finance and the competent minister for the business may consent to the use of the information they have provided pursuant to the provisions of paragraph (1) in the criminal proceedings to which the request pertains:

一 当該要請に係る刑事手続の対象とされている犯罪が政治犯罪であるとき、又は当該要請が政治犯罪について刑事手続を行う目的で行われたものと認められるとき。

(i) if the offense subject to the criminal proceedings to which the request pertains is a political offense, or if the request is found to have been made for the purpose of conducting criminal proceedings in connection with a political offense;

二 当該要請に係る刑事手続の対象とされている犯罪に係る行為が日本国内において行われたとした場合において、その行為が日本国の法令によれば罪に当たるものでないとき。

(ii) if the act involved in the offense subject to the criminal proceedings to which the request pertains would not constitute an offense under the laws and regulations of Japan if it had been performed in Japan; or

三 日本国が行う同種の要請に応ずる旨の要請国の保証がないとき。

(iii) if the requesting country does not guarantee that it will meet requests of the same kind that Japan makes.

5 財務大臣及び事業所管大臣は、前項の同意をする場合においては、あらかじめ、同項第一号及び第二号に該当しないことについて法務大臣の確認を、同項第三号に該当しないことについて外務大臣の確認を、それぞれ受けなければならない。

(5) Before the Minister of Finance and the competent minister for the business give the consent referred to in the preceding paragraph, they must receive confirmation from the Minister of Justice that the situation does not fall under item (i) or (ii) of that paragraph and confirmation from the Minister for Foreign Affairs that the situation does not fall under item (iii) of that paragraph.

(経過措置)

(Transitional Measures)

第六十九条の五 この法律の規定に基づき命令を制定し、又は改廃する場合には、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 69-5 If an Order is enacted, amended, or repealed based on this Act, the necessary transitional measures (including transitional measures for penal provisions) may be stated in that Order, to the extent considered reasonably necessary for the enactment, amendment, or repeal of that Order.

第九章 罰則

Chapter IX Penal Provisions

第六十九条の六 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者は、七年以下の懲役若しくは二千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が二千万円を超えるときは、罰金は、当該価格の五倍以下とする。

Article 69-6 (1) If a person falls under any of the following items, the person that has committed the violation is subject to imprisonment for not more than seven years, a fine of not more than 20 million yen, or both; provided, however, that if five times the value of the subject matter of the violation exceeds 20 million yen, the fine to which the person is subject is not more than five times that value:

一 第二十五条第一項又は第四項の規定による許可を受けないでこれらの項の規定に基づく命令の規定で定める取引をしたとき

(i) If a person that has conducted a transaction provided for by an Order that is based on Article 25, paragraph (1) or (4) without getting the permission under the relevant paragraph; or

二 第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定

で定める貨物の輸出をしたとき

(ii) If a person that has exported goods as provided for by an Order that is based on Article 48, paragraph (1) without getting the permission under that paragraph.

2 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者は、十年以下の懲役若しくは三千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が三千万円を超えるときは、罰金は、当該価格の五倍以下とする。

(2) If a person falls under any of the following items, the person that has committed the violation is subject to imprisonment for not more than 10 years, a fine of not more than 30 million yen, or both; provided, however, that if five times the value of the subject matter of the violation exceeds 30 million yen, the fine to which the person is subject is not more than five times that value:

一 特定技術であつて、核兵器、軍用の化学製剤若しくは細菌製剤若しくはこれらの散布のための装置若しくはこれらを運搬することができるロケット若しくは無人航空機のうち政令で定めるもの（以下この項において「核兵器等」という。）の設計、製造若しくは使用に係る技術又は核兵器等の開発、製造、使用若しくは貯蔵（次号において「開発等」という。）のために用いられるおそれが特に大きいと認められる貨物の設計、製造若しくは使用に係る技術として政令で定める技術について、第二十五条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める取引をしたとき

(i) If a person that has conducted a transaction provided for by an Order that is based on Article 25, paragraph (1) without getting the permission under that paragraph, in connection with specified technology that is associated with the design, manufacture, or use of a nuclear weapon; of a military chemical warfare agent, a military bacterial agent, or a device for spraying one of these agents; or of a rocket or unmanned aerial vehicle capable of transporting one of these, as prescribed by Cabinet Order (hereinafter referred to as an "NBC or associated device" in this paragraph); or in connection with specified technology that is prescribed by Cabinet Order as technology that is associated with the design, manufacture, or use of goods that are found to be highly likely to be used to develop, manufacture, use, or store an NBC or associated device (referred to as "development, manufacture, use, or storage" in the following item); or

二 第四十八条第一項の特定の種類の貨物であつて、核兵器等又はその開発等のために用いられるおそれが特に大きいと認められる貨物として政令で定める貨物について、第二十五条第四項の規定による許可を受けないで同項の規定に基づく命令の規定で定める取引をした者又は第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める輸出をしたとき

(ii) If a person that has conducted a transaction provided for by an Order that is based on Article 25, paragraph (4) without getting the permission under that paragraph or that has made an export prescribed by an Order that is

based on Article 48, paragraph (1) without getting the permission under that paragraph, in connection with a specified type of goods referred to in Article 48, paragraph (1), which are prescribed by Cabinet Order as goods that are found to be highly likely to be used in connection with an NBC or associated device or its development, manufacture, use, or storage.

3 第一項第二号及び前項第二号（貨物の輸出に係る部分に限る。）の未遂罪は、罰する。

(3) Attempts to commit the offenses referred to in paragraph (1), item (ii) and item (ii) of the preceding paragraph (limited to the part concerning the export of goods) are also punishable.

第六十九条の七 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者は、五年以下の懲役若しくは千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五倍が千万円を超えるときは、罰金は、当該価格の五倍以下とする。

Article 69-7 (1) If a person falls under any of the following items, the person that has committed the violation is subject to imprisonment for not more than five years, a fine of not more than 10 million yen, or both: provided, however, that if five times the value of the subject matter of the violation exceeds 10 million yen, the fine to which the person is subject is not more than five times that value:

一 第二十五条第二項の規定に基づく命令の規定による許可を受けないで特定技術の提供を目的とする取引をしたとき

(i) If a person that has conducted a transaction meant to provide specified technology, without getting the permission under an Order that is based on Article 25, paragraph (2);

二 第二十五条第三項の規定に基づく命令の規定による許可を受けないで同項第一号に定める行為をしたとき

(ii) If a person that has done an act specified in Article 25, paragraph (3), item (i), without getting the permission under an Order that is based on that paragraph;

三 第四十八条第二項の規定に基づく命令の規定による許可を受けないで貨物の輸出をしたとき

(iii) If a person that has exported goods without getting the permission under an Order that is based on Article 48, paragraph (2);

四 第四十八条第三項の規定に基づく命令の規定による承認を受けないで貨物の輸出をしたとき

(iv) If a person that has exported goods without getting approval under an Order that is based on Article 48, paragraph (3); or

五 第五十二条の規定に基づく命令の規定による承認を受けないで貨物の輸入をしたとき

(v) If a person that has imported goods without getting approval under an Order that is based on Article 52.

2 前項第二号（第二十五条第三項第一号イに係る部分に限る。）の未遂罪は、罰する。

(2) An attempt to commit the offense referred to in item (ii) of the preceding paragraph (limited to the part concerning Article 25, paragraph (3), item (i), (a)) is also punishable.

第七十条 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者は、三年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の三倍が百万円を超えるときは、罰金は、当該価格の三倍以下とする。

Article 70 (1) If a person falls under any of the following items, the person that has committed the violation is subject to imprisonment for not more than three years, a fine of not more than one million yen, or both: provided, however, that if three times the value of the subject matter of the violation exceeds one million yen, the fine is not more than three times that value:

一 第八条の規定に違反して支払等をしたとき

(i) If a person that has made or received a payment in violation of the provisions of Article 8;

二 第九条第一項の規定に基づく命令の規定に違反して取引、行為又は支払等をしたとき

(ii) If a person that has carried out a transaction or action or made or received a payment in violation of the provisions of an Order that is based on Article 9, paragraph (1);

三 第十六条第一項から第三項までの規定に基づく命令の規定による許可を受けないで、又は同条第五項の規定に違反して支払等をしたとき

(iii) If a person that has made or received a payment without getting the permission under an Order that is based on Article 16, paragraphs (1) through (3), or in violation of the provisions of paragraph (5) of that Article;

四 第十六条の二の規定による支払等の禁止に違反して、又は同条の規定に基づく命令の規定による許可を受けないで支払等をしたとき

(iv) If a person that has made or received a payment in violation of the prohibition under Article 16-2 on the making or receiving of payment, or without getting the permission under an Order that is based on that Article;

五 第十七条の二第二項（第十七条の三、第十七条の四第一項及び第五十五条の九の四第三項において準用する場合を含む。）の規定による停止又は制限に違反して、外国為替取引又は電子決済手段等の移転等に係る業務を行つたとき

(v) If a person that has engaged in business involving a foreign exchange transaction or a transfer of electronic payment instruments or any other prescribed action, in violation of the suspension or restrictions under Article 17-2, paragraph (2) (including as applied mutatis mutandis pursuant to

- Article 17-3, Article 17-4 paragraph (1) and Article 55-9-4 paragraph (3));
- 六 第十九条第一項又は第二項の規定に基づく命令の規定による許可を受けないで、同条第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入したとき
- (vi) If a person that has imported or exported a means of payment prescribed in Article 19, paragraph (1), securities, or precious metals without getting the permission under an Order that is based on paragraph (1) or (2) of that Article;
- 七 第二十一条第一項又は第二項の規定に基づく命令の規定による許可を受けないで資本取引をしたとき
- (vii) If a person that has conducted a capital transaction without getting the permission under an Order that is based on Article 21, paragraph (1) or (2);
- 八 第二十二条第一項の規定による資本取引の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けないで資本取引をしたとき
- (viii) If a person that has conducted a capital transaction in violation of the prohibition under Article 22, paragraph (1) on capital transactions, or without getting the permission under an Order that is based on that paragraph;
- 九 第二十二条第二項の規定に違反して経理したとき
- (ix) If a person that has handled accounting in violation of the provisions of Article 22, paragraph (2);
- 十 第二十三条第一項の規定による届出をせず、又は虚偽の届出をして、対外直接投資を行ったとき
- (x) If a person that has made an outward direct investment without having filed a notification under Article 23, paragraph (1) or after filing a false notification;
- 十一 第二十三条第三項又は第五項の規定に違反してこれらの規定に規定する期間中に対外直接投資を行ったとき
- (xi) If a person that has made an outward direct investment during the period prescribed in Article 23, paragraph (3) or (5) in violation of the provisions of those paragraphs;
- 十二 第二十三条第七項の規定に違反して対外直接投資を行ったとき
- (xii) If a person that has made an outward direct investment in violation of the provisions of Article 23, paragraph (7);
- 十三 第二十三条第九項の規定による変更又は中止の命令に違反して対外直接投資を行ったとき
- (xiii) If a person that has made an outward direct investment in violation of an order of modification or discontinuance under Article 23, paragraph (9);
- 十四 第二十四条第一項又は第二項の規定に基づく命令の規定による許可を受けないで特定資本取引をしたとき
- (xiv) If a person that has conducted a specified capital transaction without

- getting the permission under an Order that is based on Article 24, paragraph (1) or (2);
- 十五 第二十四条の二の規定による特定資本取引の禁止に違反して、又は同条の規定に基づく命令の規定による許可を受けないで特定資本取引をしたとき
- (xv) If a person that has conducted a specified capital transaction in violation of the prohibition under Article 24-2 on specified capital transactions, or without getting the permission under an Order that is based on that Article;
- 十六 第二十五条第三項の規定に基づく命令の規定による許可を受けないで同項第二号に定める行為をしたとき
- (xvi) If a person that has taken an action provided for in Article 25, paragraph (3), item (ii) without getting the permission under an Order that is based on that paragraph;
- 十七 第二十五条第五項の規定による許可を受けないで同項の規定に基づく命令の規定で定める役務取引をしたとき
- (xvii) If a person that has conducted a service transaction provided for by an Order that is based on Article 25, paragraph (5) without getting the permission under that paragraph;
- 十八 第二十五条第六項の規定に基づく命令の規定による許可を受けないで役務取引等を行ったとき
- (xviii) If a person that has conducted a service transaction or transaction involving the transfer of goods between foreign countries without getting the permission under an Order that is based on Article 25, paragraph (6);
- 十九 第二十五条の二第一項又は第二項の規定による技術の提供を目的とする取引若しくは技術記録媒体等輸出若しくは国外技術送信又は貨物の輸出の禁止に違反して取引若しくは技術記録媒体等輸出若しくは国外技術送信又は輸出をしたとき
- (xix) If a person conducting a transaction; exporting a document, picture, or storage medium containing technological information; transmitting technological information outside Japan; or exporting goods, in violation of the prohibition under Article 25-2, paragraph (1) or (2) on transactions that are meant to provide technology; on the exporting of a document, picture, or storage medium containing technological information; on the transmission of technological information outside Japan; or on the export of goods;
- 二十 第二十五条の二第三項の規定による貨物の売買、貸借若しくは贈与に関する取引又は貨物の輸出の禁止に違反して取引又は輸出をしたとき
- (xx) If a person that has conducted a transaction or exported goods in violation of the prohibition under Article 25-2, paragraph (3) on transactions connected with the buying and selling, leasing, or donation of goods, or on the export of goods;
- 二十一 第二十五条の二第四項の規定による役務取引等の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けないで役務取引等をしたとき
- (xxi) If a person that has conducted a service transaction or transaction

involving the transfer of goods between foreign countries in violation of the prohibition under Article 25-2, paragraph (4) on service transactions and transactions involving the transfer of goods between foreign countries, or without getting the permission under an Order that is based on that paragraph;

二十二 第二十七条第一項（同条第十三項又は第十四項の規定によりみなして適用する場合を含む。）又は第二十八条第一項（同条第八項又は第九項の規定によりみなして適用する場合を含む。）の規定による届出をせず、又は虚偽の届出をして、対内直接投資等若しくは特定取得又はこれらに相当するものをしたとき。

(xxii) If a person that has carried out an inward direct investment or equivalent action or a specified acquisition or anything that is equivalent to these actions without filing a notification under Article 27, paragraph (1) including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (13) or (14) of the same Article) or Article 28, paragraph (1) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (8) or (9) of the same Article),, or after filing a false notification;

二十三 第二十七条第二項（同条第十三項又は第十四項の規定によりみなして適用する場合を含む。）又は第二十八条第二項（同条第八項又は第九項の規定によりみなして適用する場合を含む。）の規定に違反して、第二十九条第六項に規定する禁止期間中に対内直接投資等若しくは特定取得又はこれらに相当するものをしたとき

(xxiii) If a person that has carried out an inward direct investment or equivalent action or specified acquisition or anything that is equivalent to these actions during the prohibition period prescribed in Article 29, paragraph (6) in violation of the provisions of Article 27, paragraph (2) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (13) or (14) of the same Article) or Article 28, paragraph (2) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (8) or (9) of the same Article);

二十四 第二十七条第八項（同条第十三項又は第十四項の規定によりみなして適用する場合及び第二十八条第七項（同条第八項又は第九項の規定によりみなして適用する場合を含む。次号において同じ。）において準用する場合を含む。）の規定に違反して対内直接投資等若しくは特定取得又はこれらに相当するものをしたとき

(xxiv) If a person that has carried out an inward direct investment or equivalent action or specified acquisition or anything that is equivalent to these actions in violation of the provisions of Article 27, paragraph (8) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (13) or (14) of the same Article and as applied mutatis mutandis pursuant to Article 28, paragraph (7) (including the cases where these are applied by deeming the amounts as prescribed in

the paragraph (8) or (9) of the same Article);

二十五 第二十七条第十項（同条第十三項又は第十四項の規定によりみなして適用する場合及び第二十八条第七項において準用する場合を含む。）の規定による変更又は中止の命令に違反して対内直接投資等若しくは特定取得又はこれらに相当するものをしたとき

(xxv) If a person that has carried out an inward direct investment or equivalent action or a specified acquisition or anything that is equivalent to these actions in violation of an order of modification or discontinuance under Article 27, paragraph (10) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (13) or paragraph (14) of the same Article and as applied mutatis mutandis pursuant to Article 28, paragraph (7));

二十六 第二十九条第一項から第四項まで（第二十七条第十三項若しくは第十四項又は第二十八条第八項若しくは第九項の規定によりみなして適用する場合を含む。）の規定による命令に違反したとき又は第二十九条第五項（第二十七条の二第六項若しくは第七項又は第二十八条の二第六項若しくは第七項の規定によりみなして適用する場合を含む。）の規定による命令に違反したとき

(xxvi) If a person that has violated an order under Article 29, paragraphs (1) through (4) (including the cases where these provisions are applied by deeming the amounts as prescribed in Article 27 paragraph (13) or (14), or in Article 28 paragraph (8) or (9)), or if a person that has violated an order under Article 29, paragraph (5) (including the cases where these provisions are applied by deeming the amounts as prescribed in Article 27-2 paragraph (6) or (7), or in Article 28-2 paragraph (6) or (7));

二十七 第三十条第一項の規定による届出をせず、又は虚偽の届出をして、技術導入契約の締結等をしたとき

(xxvii) If a person that has conducted the entry into, renewal, or modification of a technology introduction contract while failing to make a notification under Article 30, paragraph (1) or making a false notification;

二十八 第三十条第二項の規定に違反して、同項に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）中に技術導入契約の締結等をしたとき

(xxviii) If a person that has conducted the entry into, renewal, or modification of a technology introduction contract during the period prescribed in Article 30, paragraph (2) (or, if the period is extended pursuant to the provisions of paragraph (3) or (6) of that Article or shortened pursuant to the provisions of paragraph (4) of that Article, during the period so extended or shortened) in violation of the provisions of paragraph (2) of that Article;

二十九 第三十条第七項において準用する第二十七条第八項の規定に違反して技術導入契約の締結等をしたとき

(xxix) If a person that has conducted the entry into, renewal, or modification of

a technology introduction contract in violation of the provisions of Article 27, paragraph (8) as applied mutatis mutandis pursuant to Article 30, paragraph (7);

三十 第三十条第七項において準用する第二十七条第十項の規定による変更又は中止の命令に違反して技術導入契約の締結等をしたとき

(xxx) If a person that has conducted the entry into, renewal, or modification of a technology introduction contract in violation of an order of modification or discontinuance under Article 27, paragraph (10) as applied mutatis mutandis pursuant to Article 30, paragraph (7);

三十一 第五十一条の規定に基づく命令の規定に違反して貨物の船積をしたとき

(xxxix) If a person that has conducted the shipment of goods in violation of the provisions of an Order that is based on Article 51;

三十二 第五十三条第一項の規定による貨物の輸出又は特定技術の提供を目的とする取引若しくは特定記録媒体等の輸出若しくは特定技術を内容とする情報の送信の禁止に違反して輸出又は取引若しくは特定記録媒体等の輸出若しくは情報の送信をしたとき

(xxxixii) If a person that has exported goods, conducted a transaction, exported a document, picture, or storage medium containing specified information, or transmitted information, in violation of the prohibition under Article 53, paragraph (1) on the export of goods, on transactions that are meant to provide specified technology, on the export of document, picture, or storage medium containing specified information, or on the transmission of information concerning the specified technology;

三十三 第五十三条第二項の規定による貨物の輸出又は輸入の禁止に違反して輸出又は輸入をしたとき

(xxxixiii) If a person that has imported or exported goods in violation of the prohibition under Article 53, paragraph (2) on the import or export of goods;

三十四 第五十三条第三項又は第四項の規定による命令に違反したとき

(xxxixiv) If a person that has violated an order under Article 53, paragraph (3) or (4);

三十五 第六十七条第一項の規定により付した第二十五条第一項若しくは第四項又は第四十八条第一項の許可の条件に違反したとき

(xxxixv) If a person that has violated the conditions attached under Article 67, paragraph (1) to the permission under Article 25, paragraph (1) or (4) or Article 48, paragraph (1); or

三十六 偽りその他不正の手段により第二十五条第一項、同条第二項若しくは第三項の規定に基づく命令若しくは同条第四項、第四十八条第一項若しくは同条第二項若しくは第三項の規定に基づく命令又は第五十二条の規定に基づく命令の規定による許可又は承認を受けたとき

(xxxixvi) If a person that has obtained, by deception or other wrongful means, the permission or approval under Article 25, paragraph (1); under an Order

that is based on paragraph (2) or (3) of that Article; under paragraph (4) of that Article; under Article 48, paragraph (1); under an Order that is based on Article 48, paragraph (2) or (3); or under an Order that is based on Article 52.

2 前項第十六号（第二十五条第三項第二号イに係る部分に限る。）の未遂罪は、罰する。

(2) An attempt to commit the offense referred to in item (xvi) of the preceding paragraph (limited to the part concerning Article 25, paragraph (3), item (ii), (a)) is punishable.

第七十条の二 第十八条の四（第十八条の五、第十八条の六第一項、第二十二条の二第二項及び第二十二条の三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は、その違反行為をした者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 70-2 If a person that has violated an order under Article 18-4 (including as applied mutatis mutandis pursuant to Article 18-5, Article 18-6 paragraph (1), Article 22-2, paragraph (2), and Article 22-3) the person that has committed the violation is subject to imprisonment for not more than two years, a fine of not more than three million yen, or both.

第七十一条 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 71 If a person falls under any of the following items, the person that has committed the violation is subject to imprisonment for not more than six months or a fine of not more than 500,000 yen:

一 第十九条第三項の規定による届出をせず、又は虚偽の届出をして、同条第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入したとき

(i) If a person that has imported or exported a means of payment prescribed in Article 19, paragraph (1), securities, or precious metals while failing to make a notification under paragraph (3) of that Article or making a false notification;

二 第五十五条第一項の規定による報告をせず、又は虚偽の報告をしたとき

(ii) If a person that has failed to make a report under Article 55, paragraph (1) or made a false report;

三 第五十五条の三第一項又は第二項の規定による報告をせず、又は虚偽の報告をしたとき

(iii) If a person that has failed to make a report under Article 55-3, paragraph (1) or (2) or made a false report;

四 第五十五条の三第五項の規定による帳簿書類を作成せず、これに同項に規定する事項を記載せず、若しくは虚偽の記載をし、又はこれを保存しなかつたとき

(iv) If a person that has failed to prepare books and documents under Article 55-3, paragraph (5), failed to enter the matters prescribed in that paragraph

- in them, made false entries in them, or failed to preserve them;
- 五 第五十五条の四の規定による報告をせず、又は虚偽の報告をしたとき
(v) If a person that has failed to make a report under Article 55-4 or made a false report;
- 六 第五十五条の五第一項（同条第二項又は第三項の規定によりみなして適用する場合を含む。）の規定による報告をせず、又は虚偽の報告をしたとき
(vi) If a person that has failed to make a report under Article 55-5, paragraph (1) (including the cases where these provisions are applied by deeming the amounts as prescribed in the paragraph (2) or (3) of the same Article), or made a false report;
- 七 第五十五条の六第一項の規定による報告をせず、又は虚偽の報告をしたとき
(vii) If a person that has failed to make a report under Article 55-6, paragraph (1) or made a false report;
- 八 第五十五条の七の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をしたとき
(viii) If a person that has failed to make a report or made a false report in violation of the provisions of an Order that is based on Article 55-7;
- 九 第五十五条の八の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をしたとき
(ix) If a person that has failed to make a report or made a false report in violation of the provisions of an Order that is based on Article 55-8;
- 十 第五十五条の九の四第二項の規定による命令に違反したとき
(x) If a person has violated an order under Article 55-9-4, paragraph (2);
- 十一 第五十五条の十二第二項の規定による命令に違反したとき
(xi) If a person that has violated an order under Article 55-12, paragraph (2);
- 十二 第六十八条第一項の規定による検査を拒み、妨げ、又は忌避したとき
(xii) If a person that has refused, obstructed, or evaded the inspection under Article 68, paragraph (1); or
- 十三 第六十八条第一項の規定による質問に対して答弁をせず、又は虚偽の答弁をしたとき
(xiii) If a person that has failed to answer questions under Article 68, paragraph (1), or gave false answers.

第七十一条の二 本人特定事項を隠蔽する目的で、第十八条第四項（第十八条の五、第十八条の六第一項、第二十二條の二第二項及び第二十二條の三において準用する場合を含む。）の規定に違反したときは、その違反行為をした者は、五十万円以下の罰金に処する。

Article 71-2 If a person that has violated the provisions of Article 18, paragraph (4) (including as applied mutatis mutandis pursuant to Article 18-5, Article 18-6 paragraph (1), Article 22-2, paragraph (2), and Article 22-3) in order to conceal identification information the person that has committed the violation

is subject to a fine of not more than 500,000 yen.

第七十二条 法人（第二十六条第一項第二号、第四号及び第五号、第二十七条第十四項、第二十七条の二第七項、第二十八条第九項、第二十八条の二第七項並びに第五十五条の五第三項に規定する団体に該当するものを含む。以下この項において同じ。）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又は財産に関し、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 72 (1) If the representative of a corporation (including an organization that falls under any of the categories of organizations prescribed in Article 26, paragraph (1), items (ii), (iv), and (v), Article 27, paragraph (14), Article 27-2, paragraph (7), Article 28, paragraph (9), Article 28-2, paragraph (7), and Article 55-5, paragraph (3); hereinafter the same applies in this paragraph), or an agent, employee or any other worker of a corporation or individual commits a violation referred to in any of the provisions stated in the following items with regard to the business or property of the corporation or individual, in addition to the offender being punished, the corporation is subject to the fine specified in the relevant item and the individual is subject to the fine referred to in the relevant Article:

一 第六十九条の六第二項 十億円以下（当該違反行為の目的物の価格の五倍が十億円を超えるときは、当該価格の五倍以下）の罰金刑

(i) Article 69-6, paragraph (2): a fine of not more than one billion yen (or if five times the value of the subject matter of the violation exceeds one billion yen, a fine of not more than five times that value);

二 第六十九条の六第一項 七億円以下（当該違反行為の目的物の価格の五倍が七億円を超えるときは、当該価格の五倍以下）の罰金刑

(ii) Article 69-6, paragraph (1): a fine of not more than 700 million yen (or if five times the value of the subject matter of the violation exceeds 700 million yen, a fine of not more than five times that value);

三 第六十九条の七 五億円以下（当該違反行為の目的物の価格の五倍が五億円を超えるときは、当該価格の五倍以下）の罰金刑

(iii) Article 69-7: a fine of not more than 500 million yen (or if five times the value of the subject matter of the violation exceeds 500 million yen, a fine of not more than five times that value);

四 第七十条の二 三億円以下の罰金刑

(iv) Article 70-2: a fine of not more than 300 million yen; or

五 第七十条又は前二条 各本条の罰金刑

(v) Article 70 or the preceding two Articles: the fine referred to in the relevant Article.

2 前項の規定により第六十九条の六又は第六十九条の七の違反行為につき法人又は人

に罰金刑を科する場合における時効の期間は、各本条の罪についての時効の期間による。

(2) The period of statute of limitations for imposing a fine on a corporation or individual due to the violation referred to in Article 69-6 or Article 69-7 pursuant to the provisions of the preceding paragraph is the period of statute of limitations for the offense referred to in the relevant Article.

3 第二十六条第一項第二号、第四号及び第五号、第二十七条第十四項、第二十七条の二第七項、第二十八条第九項、第二十八条の二第七項並びに第五十五条の五第三項に規定する団体に該当するものを処罰する場合においては、その代表者又は管理人がその訴訟行為につきその団体を代表するほか、法人を被告人とする場合の刑事訴訟に関する法律の規定を準用する。

(3) If an organization that falls within any of the categories of organizations prescribed in Article 26, paragraph (1), items (ii), (iv), and (v); Article 27, paragraph (14); Article 27-2, paragraph (7); Article 28, paragraph (9); Article 28-2, paragraph (7); and Article 55-5, paragraph (3) is to be punished, the representative or administrator of the organization represents the organization with regard to procedural acts, and the provisions of laws on criminal proceedings applicable if a corporation is the accused apply mutatis mutandis to them.

第七十三条 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。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 73 A person that falls under either of the following items is subject to a civil fine of not more than 100,000 yen; provided, however, that this does not apply if the person's act should be subject to criminal punishment:

一 第五十五条の三第六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 filed to make a notification under Article 55-3, paragraph (6) or made a false notification; or

二 第六十七条第一項の規定により付した条件に違反した者

(ii) a person that has violated the conditions attached to the permission or approval pursuant to the provisions of Article 67, paragraph (1).