

Act on Utilization of Funds from Dormant Deposits to Promote Privately-Run Public Interest Activities

(Act No. 101 of December 9, 2016)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to solve social issues that are difficult for the national government and local governments to handle, and to foster independent supporters of privately-run public interest activities through the utilization of funds from dormant deposits or other dormant funds, to promote privately-run public interest activities while protecting the interests of depositors or other claim holders of the dormant deposits or other dormant funds, thereby contributing to the stabilization and improvement of the lives of the people and an increase in social welfare.

(Definitions)

Article 2 (1) The term "financial institution" as used in this Act means the following (excluding those that have their head office outside of the enforcement area of this Act):

(i) a bank as prescribed in Article 2, paragraph (1) of the Banking Act (Act No.

- 59 of 1981) (simply referred to as a "bank" in Article 43, paragraph (2));
- (ii) a long term credit bank as prescribed in Article 2 of the Long Term Credit Bank Act (Act No. 187 of 1952) (simply referred to as "long term credit bank" in Article 43, paragraph (2));
 - (iii) a credit union;
 - (iv) a credit cooperative;
 - (v) a workers' credit union;
 - (vi) a federation of credit unions;
 - (vii) a federation of cooperatives that conducts the business stated in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949) (referred to as a "federation of credit cooperatives" in Article 43, paragraph (2));
 - (viii) a federation of labor banks;
 - (ix) the Shoko Chukin Bank, Ltd.;
 - (x) an agricultural cooperative that conducts the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Co-operatives Act (Act No. 132 of 1947);
 - (xi) a federation of agricultural cooperatives that conducts the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Co-operatives Act;
 - (xii) a fishery cooperative that conducts the business referred to in Article 11, paragraph (1), item (iv) of the Fishery Cooperative Act (Act No. 242 of 1948);
 - (xiii) a federation of fishery cooperatives that conducts the business referred to in Article 87, paragraph (1), item (iv) of the Fishery Cooperative Act;
 - (xiv) a fishery processing cooperative that conducts the business referred to in Article 93, paragraph (1), item (ii) of the Fishery Cooperative Act;
 - (xv) a federation of fishery processing cooperatives that conducts the business referred to in Article 97, paragraph (1), item (ii) of the Fishery Industry Cooperatives Act;
 - (xvi) the Norinchukin Bank.
- (2) The term "deposits or other funds" as used in this Act means the general deposits, etc. (meaning the general deposits, etc. prescribed in Article 51, paragraph (1) of the Deposit Insurance Act (Act No. 34 of 1971)), deposits for payment and settlement purposes (meaning the deposits for payment and settlement purposes prescribed in Article 51-2, paragraph (1) of that Act), general savings, etc. (meaning the general savings, etc. prescribed in Article 51, paragraph (1) of the Agricultural and Fishery Cooperatives Savings Insurance Act (Act No. 53 of 1973), or savings for settlement purposes (meaning the savings for settlement purposes prescribed in Article 51-2, paragraph (1) of that Act) (excluding those specified by Order of the competent ministry).
- (3) The term "depositor or other claim holder" as used in this Act means a

- depositor or other person that holds claims on deposits or other funds.
- (4) The term "account activity" as used in this Act means the following circumstances regarding deposits or other funds:
- (i) circumstances specified by Order of the competent ministry as circumstances in which it is found that the depositor or other claim holder of those deposits or other funds, or other person specified by Order of the competent ministry, manifests the intention to utilize those deposits or other funds;
 - (ii) circumstances specified by Order of the competent ministry as circumstances equivalent to those stated in the preceding item, for which the financial institution associated with those deposits or other funds has obtained approval from an administrative authority, as circumstances that need to be, and should be, treated in the same manner as those stated in that item, to conduct business seamlessly based on this Act, as provided for by Order of the competent ministry.
- (5) The term "the most recent account activity date or other date" as used in this Act means the most recent date, from among the following dates, regarding deposits or other funds:
- (i) the date on which the most recent account activity was made from those deposits or other funds;
 - (ii) the date specified by Order of the competent ministry as the date on which the exercise of a claim on those deposits or other funds is expected, for deposits or other funds involving any circumstances specified by Order of the competent ministry as circumstances in which future exercise of claims on those deposits or other funds is expected;
 - (iii) the date on which the financial institution, associated with those deposits or other funds, issues a notice for the matters specified by Order of the competent ministry, stated in paragraph (2) of the following Article, to the depositor or other claim holder of those deposits or other funds (limited to if that notice reaches the depositor or other claim holder of those deposits or other funds, or if it is specified by Order of the competent ministry as appropriate to consider the notice as having reached the depositor or other claim holder);
 - (iv) the date on which those deposits or other funds came to fall under the category of deposits or other funds
- (6) The term "dormant deposits or other dormant funds" as used in this Act means deposits or other funds for which ten years have elapsed since the most recent account activity date or other date of those deposits or other funds.
- (7) To apply the provisions of paragraph (5), deposits or other funds coming from original deposits or other funds by the same depositor or other claim holder that were accepted, without being instructed to do so by them, are deemed to

be the same as the original deposits or other funds.

Chapter II Transfer and Management of Funds Related to Dormant Deposits

Section 1 Transfer and Management of Funds Related to Dormant Deposits

(Public Notice, Notice Issued by Financial Institutions)

- Article 3 (1) If a financial institution (excluding a financial institution under liquidation; the same applies in the following paragraph and paragraph (1) of the following Article) has deposits or other funds for which nine years have elapsed since the most recent account activity date or other date, it must issue a public notice on the following matters regarding those deposits or other funds, as provided for by Order of the competent ministry, until the day on which ten years and six months have elapsed, from the most recent account activity date or other date of those deposits or other funds (regarding a financial institution for which the circumstances stated in the items of paragraph (3) arise, if the circumstances prescribed in those items have arisen, by the day specified by Order of the competent ministry; the same applies in Article 5, paragraph (2)):
- (i) matters concerning the most recent account activity date or other date of those deposits or other funds;
 - (ii) the time limit for payment of the money prescribed in paragraph (1) of the following Article for the transfer from dormant deposits or other dormant funds prescribed in that paragraph (simply referred to as "money transferred from dormant deposits or other dormant funds" in the following item) for those deposits or other funds;
 - (iii) if the money transferred from dormant deposits or other dormant funds is paid to the Deposit Insurance Corporation of Japan, claims on those deposits or other funds is extinguish as of the date of that payment of the money;
 - (iv) matters concerning the repayment of substitute money for dormant deposits or other dormant funds prescribed in Article 7, paragraph (2);
 - (v) other matters specified by Order of the competent ministry.
- (2) In the cases referred to in the preceding paragraph, before issuing a public notice under that paragraph, a financial institution must issue a notice to the depositor or other claim holder of the deposits or other funds stated in that paragraph to inform the depositor of the financial institution and the branch associated with those deposits or other funds, as well as the type of deposit or other funds, the account number and account balance, or other matters specified by Order of the competent ministry as matters sufficient for identifying the deposits or other funds, by the method specified by Order of the competent ministry; provided, however, that this does not apply in cases falling

under any of the following items:

- (i) if the balance of the principal for a claim on those deposits or other funds is below the amount specified by Order of the competent ministry as of the day on which nine years have elapsed since the most recent account activity date or other date;
 - (ii) if the address of the depositor or other claim holder or any other place where that person is to receive the notice is not known, as specified by Order of the competent ministry;
 - (iii) other cases specified by Order of the competent ministry.
- (3) The provisions of the preceding two paragraphs apply to financial institutions for which any circumstances stated in the following items have arisen, and do not apply to the circumstances prescribed in those items which have not arisen:
- (i) commencement of bankruptcy proceedings: closing of the bankruptcy proceedings;
 - (ii) commencement of rehabilitation proceedings: closing of the rehabilitation proceedings (if the rehabilitation proceedings are closed as a result of an order of completion of rehabilitation proceedings under Article 188, paragraphs (1) through (3) of the Civil Rehabilitation Act (Act No. 225 of 1999) and if the amount of a claim on the deposit or other funds stated in paragraph (1) after modification under a rehabilitation plan (meaning the rehabilitation plan prescribed in Article 2, item (iii) of that Act) in rehabilitation proceedings is not fixed, the fixing of that amount);
 - (iii) commencement of reorganization proceedings: closing of the reorganization proceedings (if the reorganization proceedings are closed as a result of a ruling to terminate reorganization under Article 239, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002) (including the cases applied mutatis mutandis pursuant to Article 153 of the Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996)) and if the amount of a claim on the deposit or other funds stated in paragraph (1) after modification under a reorganization plan (for a stock company, this means the reorganization plan prescribed in Article 2, paragraph (2) of the Corporate Reorganization Act, and for a cooperative financial institution (meaning the cooperative financial institution prescribed in Article 2, paragraph (2) of the Act on Special Measures for the Reorganization Proceedings of Financial Institutions), this means the reorganization plan prescribed in Article 4, paragraph (2) of that Act) in the reorganization proceedings is not fixed, the fixing of that amount);
 - (iv) other circumstances specified by Order of the competent ministry: circumstances specified by Order of the competent ministry regarding those other circumstances.
- (4) If a financial institution receives a request from a depositor or other claim

holder to provide information on the matters stated in the items of paragraph (1) or any other matters specified by Order of the competent ministry regarding the deposit or other funds stated in that paragraph made by that depositor or other claim holder, they must respond to the request.

(Payment of Money Transferred from Dormant Deposits)

Article 4 (1) If a financial institution has dormant deposits or other dormant funds for which two months have elapsed since the day on which it issued a public notice under paragraph (1) of the preceding Article, it must pay the amount of money specified by Order of the competent ministry (this money is referred to as "money transferred from dormant deposits or other dormant funds" below), and is the amount equivalent to the amount of a claim on those dormant deposits or other dormant funds that the depositor or other claim holders actually have (limited to a claim on the principal and interest, or the like; the same applies below) as of the date of payment (if any of the circumstances stated in the items of paragraph (3) of the preceding Article or any circumstances deemed by Order of the competent ministry as inappropriate for the suspension a refund of the deposit or other funds or other extinguishment of a claim for those dormant deposits or other dormant funds, by the time limit specified by Order of the competent ministry; this time limit is referred to as "time limit for payment" in this paragraph and paragraph (1) of the following Article) of that money to the Deposit Insurance Corporation of Japan by the time limit specified by Order of the competent ministry based on the day of that public notice (if the payment has not been made by the time limit for payment, the relevant time limit for payment).

(2) The term "interest or other compensation" referred to in the preceding paragraph means what is specified in the following items based on the category of deposits or other funds stated in those items:

- (i) deposits: interest on those deposits;
- (ii) savings: interest on those savings;
- (iii) installment deposits: compensation for periodic deposits (meaning the compensation for periodic deposits stated in Article 174, item (iii) of the Income Tax Act (Act No. 33 of 1965)) based on contracts for those installment deposits;
- (iv) money paid in installments prescribed in Article 2, paragraph (4) of the Banking Act: compensation for periodic deposits (meaning the compensation for periodic deposits stated in Article 174, item (iv) of the Income Tax Act) based on contracts for that money paid in installments;
- (v) money trust for which compensation of losses in principal is promised under the terms of an agreement pursuant to the provisions of Article 6 of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of

- 1943), accepted under a trust agreement related to a money trust (including loan trusts; simply referred to as "money trust" in this item and the following paragraph): distribution of proceeds from the money trust for that money;.
- (vi) money paid in through the issuance of long term credit bank bonds under Article 8 of the Long Term Credit Bank Act, a specified corporate bond under Article 8, paragraph (1) of the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968) (including the cases applied mutatis mutandis pursuant to Article 55, paragraph (4) of that Act) (including bonds issued pursuant to Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion (including the cases applied mutatis mutandis pursuant to Article 24, paragraph (1), item (vii) of that Act) before the amendment by Article 199 of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Companies Act (Act No. 87 of 2005)), commercial and industrial bonds under Article 33 of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007) (including those that are deemed pursuant to Article 37 of the supplementary provisions of that Act to be commercial and industrial bonds issued pursuant to Article 33 of that Act), national federation of Shinkin Banks bonds under Article 54-2-4, paragraph (1) of the Shinkin Bank Act (Act No. 238 of 1951), and Norin Chukin Bank bonds under Article 60 of the Norinchukin Bank Act (Act No. 93 of 2001) (referred to as "long term credit bank bonds, etc." in this item): interest on the long-term credit bank bonds, etc. (excluding those issued by discount).
- (3) Money transferred from dormant deposits or other dormant funds for the money stated in item (v) of the preceding paragraph is to be paid from the trust property of the money trust for the money stated in that item.

(Delinquency Charges)

- Article 5 (1) If a financial institution fails to pay the money transferred from dormant deposits or other dormant funds by the time limit for payment, it must pay the Deposit Insurance Corporation of Japan a delinquency fee at an amount calculated by multiplying the amount of unpaid money transferred from dormant deposits or other dormant funds, by an annual rate of 14.5 percent for the number of days, from the day following the time limit for payment, through the date of payment of the charge.
- (2) If a financial institution has money transferred from dormant deposits or other dormant funds related to dormant deposits or other dormant funds for which it has not issued a public notice under Article 3, paragraph (1) by the day on which ten years and six months have passed from the most recent account activity date or other date, it must pay the Deposit Insurance Corporation of Japan a monetary sanction at the amount calculated by multiplying the amount of that money transferred from dormant deposits or

other dormant funds, by an annual rate of 14.5 percent for the number of days, from the day following the day on which ten years and six months has passed, from the most recent account activity date or other date to the day of that public notice.

(Provision of Information Concerning Dormant Deposits)

- Article 6 (1) When paying money transferred from dormant deposits or other dormant funds under Article 4, paragraph (1), a financial institution must provide to the Deposit Insurance Corporation of Japan, as specified for by Order of the competent ministry, information such as the name of the depositor or other claim holder of the dormant deposits or other dormant funds for that money transferred from dormant deposits or other dormant funds, the type of deposits or other funds, details of the claim on the deposits or other funds, or other matters specified by Order of the competent ministry as information regarding those dormant deposits or other dormant funds by using an electronic data processing system or magnetic tape (including any other medium in which certain matters can be securely recorded by equivalent means).
- (2) A financial institution must prepare an electronic data processing system and take any other measures necessary for properly providing information under the preceding paragraph.
- (3) If the Prime Minister finds that the measures prescribed in the preceding paragraph are not taken, they may order the relevant financial institution to take the measures to the extent necessary, by specifying a time limit.
- (4) If a person that used to be the depositor or other claim holder of dormant deposits or other dormant funds prescribed in paragraph (2) of the following Article requests information from the Deposit Insurance Corporation of Japan that it had received pursuant to paragraph (1) concerning the dormant deposits or other dormant funds regarding the substitute money for dormant deposits or other dormant funds (excluding the money already repaid) prescribed in that paragraph, the Deposit Insurance Corporation of Japan must comply with that request.
- (5) If there is a financial institution that conducts the repayment and other management operations prescribed in Article 10, paragraph (1) (simply referred to as "repayment and other management operations" in paragraph (4) of the following Article) under entrustment of the Deposit Insurance Corporation of Japan, the request stated in the preceding paragraph must be made via that financial institution.

(Extinguishment of Claims on Dormant Deposits)

- Article 7 (1) If money transferred from dormant deposits or other dormant funds

is paid in full under Article 4, paragraph (1) regarding claims on dormant deposits or other dormant funds, the claims on those dormant deposits or other dormant funds actually held by the depositor or other claim holder, on the day of payment of that money, is extinguished.

- (2) If claims on dormant deposits or other dormant funds have become extinguished pursuant to the preceding paragraph, and if the person that was the depositor or other claim holder of those dormant deposits or other dormant funds, files a request with the Deposit Insurance Corporation of Japan as provided for by Order of the competent ministry, they may claim repayment of the money at the amount combining the part of those claims that is equivalent to the amount of the principal and the amount that is equivalent to the interest specified by Order of the competent ministry (for dormant deposits or other dormant funds that bear no interest or other compensation prescribed in Article 4, paragraph (2), the amount equivalent to the interest is to be zero) (referred to as "substitute money for dormant deposits or other dormant funds" below) from the Deposit Insurance Corporation of Japan.
- (3) The depositor or other claim holder may not delegate authority to a financial institution, in advance of the request stated in the preceding paragraph; provided, however, that this does not apply to delegation conditional to the occurrence of circumstances that would fall under account activity, if claims on dormant deposits or other dormant funds have not become extinguished under paragraph (1), or circumstances specified by Order of the competent ministry as circumstances under which enforcement of claims for substitute money for dormant deposits or other dormant funds is expected.
- (4) If there is a financial institution that conducts repayment and other management operations under entrustment of the Deposit Insurance Corporation of Japan, the request filed and repayment claimed in paragraph (2) must be made through that financial institution.
- (5) Repayment of substitute money for dormant deposits or other dormant funds must be made at the office of the Deposit Insurance Corporation of Japan (in the cases prescribed in the preceding paragraph, at a business office or an office of the financial institution entrusted by the Deposit Insurance Corporation of Japan under that paragraph where operations under the entrustment are conducted); provided, however, that this does not apply if the Deposit Insurance Corporation of Japan (in the cases prescribed in that paragraph, the financial institution entrusted under that paragraph) and the person that claims that repayment have agreed otherwise.

(Issuance of Grants Funded by Dormant Deposits)

Article 8 Each business year, the Deposit Insurance Corporation of Japan must grant the amount specified by Cabinet Office Order and Ministry of Finance

Order as the amount necessary for the implementation of the business plan approved by the Prime Minister under Article 26, paragraph (1), taken from the amount that remains after deducting the sum of the amount of reserves prescribed in Article 14, plus the amount of expenses necessary for the management operations of dormant deposits or other dormant funds, prescribed in the following Article, from the amount equivalent to the money transferred from dormant deposits or other dormant funds paid, pursuant to Article 4, paragraph (1), in the previous business year (when approval from the Prime Minister and the Minister of Finance has been obtained for the withdrawal of funds prescribed in this Article to be allocated for the issuance of grants funded by dormant deposits or other dormant funds prescribed in this Article, the combined total of that equivalent amount and the approved amount) (the amount specified, by Cabinet Office Order and Ministry of Finance Order, includes the amount necessary for obtaining, through its investment, the fund sources for personnel cost and other expenses necessary for the affairs specified by Cabinet Office Order for the operations promoting privately-run public interest activities prescribed in Article 20, paragraph (1) (simply referred to as "operations for promoting privately-run public interest activities" in Article 18, paragraph (2), item (iii) and Article 19, paragraph (2), item (ii)); that specified amount is referred to as "grants funded by dormant deposits or other dormant funds" below) to the designated utilization organization prescribed in Article 20, paragraph (1) (simply referred to as "designated utilization organization" in Article 18, paragraph (2), item (v) and Article 19, paragraph (2), item (iii), (b) and (c)), as provided for by Cabinet Office Order and Ministry of Finance Order, and if any amount still remains, the Deposit Insurance Corporation of Japan must reserve that remaining amount as funds to be allocated for the future provision of grants funded by dormant deposits or other dormant funds, or for expenses necessary for the management operations of dormant deposits or other dormant funds, prescribed in the following Article, or as the reserves prescribed in Article 14.

Section 2 Special Provisions on Operations of the Deposit Insurance Corporation of Japan

(Special Provisions on Operations of the Deposit Insurance Corporation of Japan)

Article 9 The Deposit Insurance Corporation of Japan (referred to as "DICJ" below) performs the following operations (referred to as "management operations of dormant deposits or other dormant funds" below), in addition to the operations prescribed in Article 34 of the Deposit Insurance Act, to achieve the purpose stated in Article 1:

- (i) collection of money transferred from dormant deposits or other dormant funds paid pursuant to the provisions of Article 4, paragraph (1);
- (ii) storage of information provided pursuant to the provisions of Article 6, paragraph (1);
- (iii) provision of the information under the provisions of Article 6, paragraph (4);
- (iv) repayment of substitute money for dormant deposits or other dormant funds claimed pursuant to the provisions of Article 7, paragraph (2);
- (v) issuance of grants funded by dormant deposits or other dormant funds under the provisions of Article 8;
- (vi) repayment of fees under the provisions of Article 11;
- (vii) operations incidental to those stated in the preceding items.

(Entrustment of Repayment Operations)

- Article 10 (1) The DICJ may entrust a financial institution that has paid money transferred from dormant deposits or other dormant funds (if there is any financial institution that has assumed the debts for the deposits or other funds from that financial institution, the financial institution that has assumed to those debts) with all or part of the operations stated in items (ii) through (iv) of the preceding Article and operations incidental to those operations (referred to as "repayment and other management operations" below) regarding that money transferred from dormant deposits or other dormant funds.
- (2) The financial institution referred to in the preceding paragraph must enter into a contract with the DICJ, if they receive a request concerning the entrustment stated in that paragraph, from the DICJ.
 - (3) The DICJ must obtain approval from the Prime Minister and the Minister of Finance, in advance, regarding the terms of a contract, concerning the entrustment referred to in the preceding paragraph. The same applies if the DICJ intends to alter contract terms.
 - (4) If the financial institution referred to in paragraph (1) has entered into a contract with the DICJ, concerning the entrustment in paragraph (2), they may perform operations based on that contract, notwithstanding the provisions of other laws.
 - (5) A financial institution agent (meaning the bank agent prescribed in Article 2, paragraph (15) of the Banking Act, the long term credit bank agent prescribed in Article 16-5, paragraph (3) of the Long Term Credit Bank Act, the credit union agent prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act, the credit cooperative agent prescribed in Article 6-3, paragraph (3) of the Act on Financial Business by Cooperatives (Act No. 183 of 1949), the workers' credit union agent prescribed in Article 89-3, paragraph (3) of the Labor Bank Act (Act No. 227 of 1953), the counterparty to a contract for the agency or

intermediary prescribed in Article 2, paragraph (4) of the Shoko Chukin Bank Limited Act, the specified credit business agent prescribed in Article 92-2, paragraph (3) of the Agricultural Cooperatives Act, the specified credit business agent prescribed in Article 121-2, paragraph (3) of the Fishery Industry Cooperatives Act, and the Norinchukin Bank agent prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act, as well as the specified agricultural cooperatives prescribed in Article 2, paragraph (1), item (i) of the Act on Enhancement and Restructuring of Credit Business Conducted by The Norinchukin Bank and Specified Agricultural and Fishery Industry Cooperatives (Act No. 118 of 1996), and the specified fishery cooperatives prescribed in item (iii) of that paragraph and the specified marine product processing industry cooperative prescribed in item (v) of that paragraph that act as an agent for the operations regarding approval stated in Article 42, paragraph (3) of that Act; the same applies in the following paragraph, Article 43, paragraphs (1) and (2), and Article 44, paragraph (1)) may perform part of the repayment and other management operations, which the financial institution is entrusted to do under paragraph (1), after being re-entrusted with that operation, notwithstanding the provisions of other laws.

- (6) The provisions of Article 23 of the Deposit Insurance Act apply mutatis mutandis to officers or employees of a financial institution entrusted with the repayment and other management operations under paragraph (1) or a financial institution agent re-entrusted with part of the repayment and other management operations under the preceding paragraph, who engage in the operation referred to in paragraph (1) or the preceding paragraph.

(Fees)

Article 11 The DICJ must repay fees, if it entrusts the repayment and other management operations under the provisions of paragraph (1) of the preceding Article, to the financial institution that is entrusted, considering the expenses ordinarily necessary to perform operations, based on the contract concerning the entrustment, at the amount specified by the Prime Minister and the Minister of Finance.

(Calculation Method Statement)

Article 12 (1) The DICJ must prepare a calculation method statement for the reserves stated in Article 14 and obtain approval from the Prime Minister and the Minister of Finance, if starting the management operations of dormant deposits or other dormant funds. The same applies if the DICJ intends to alter the statement.

- (2) The calculation method statement referred to in the preceding paragraph must state the matters specified by Cabinet Office Order and Ministry of

Finance Order.

(Separate Accounting)

Article 13 The DICJ must separate the accounting for the management operations of dormant deposits or other dormant funds from its other accounting, and arrange it under a different, special account (referred to as "account for the management of dormant deposits or other dormant funds" in the following Article).

(Accumulation of Reserves)

Article 14 The DICJ must calculate the amount of reserves to be allocated for cost of repayment of substitute money for dormant deposits or other dormant funds, at the end of each business year, regarding the account for the management of dormant deposits or other dormant funds, and ensure that this amount is accumulated, as provided for by Cabinet Office Order and Ministry of Finance Order.

(Borrowings)

Article 15 (1) If the DICJ finds it necessary for the management operations of a dormant deposits or other dormant funds, it may borrow funds (including refinancing) from financial institutions or others, after obtaining approval from the Prime Minister and the Minister of Finance.
(2) The current amount of borrowings under the preceding paragraph must not exceed the amount specified by Cabinet Order.

Chapter III Utilization of Funds Related to Grants Funded by Dormant Deposits

Section 1 General Provisions

(Basic Principles on Utilization of Funds Related to Grants Funded by Dormant Deposits)

Article 16 (1) Funds related to grants funded by dormant deposits or other dormant funds are to be utilized for activities contributing to public interest, carried out by private organizations, with the aim of solving social issues that are difficult for the national government and local governments to handle amid rapid changes expected in socioeconomic conditions, such as declining population, aging society and globalization, and whose successful outcomes will be conducive to further good for the general public (those activities are referred to as "privately-run public interest activities" below).
(2) Funds related to grants funded by dormant deposits or other dormant funds are to be utilized in a manner contributing to fostering independent supporters

of privately-run public interest activities, and also help promote the development of an environment for raising funds for privately-run public interest activities through the provision of funds to supplement financing provided by financial institutions and government-affiliated financial institutions or other institutions, grants, loans, or investment, and the like by private-sector organizations (referred to as "grants, etc." below).

- (3) When utilizing funds related to grants funded by dormant deposits or other dormant funds, consideration must be given to ensure that diverse opinions are appropriately reflected, while also ensuring the transparency of its usage, bearing in mind that the funds are raised from the deposits or other funds of depositors.
- (4) When utilizing funds related to grants funded by dormant deposits or other dormant funds, consideration must be given to ensure that funds utilization is not concentrated in major cities or other specific areas.
- (5) When utilizing funds related to grants funded by dormant deposits or other dormant funds, consideration is to be given so that private-sector organizations fully exercise their originality and ingenuity by selecting effective utilization methods, such as utilization of grants, etc. for privately-run public interest activities over multiple fiscal years, and utilization of grants, etc. focused on the achievement of goals for the promotion of the development of innovative means for solving various social issues, and other effective utilization methods.

(Definition of Activities Contributing to Public Interest)

Article 17 (1) The term "activities contributing to public interest" referred to in paragraph (1) of the preceding Article means the following activities:

- (i) activities for supporting children and young people;
 - (ii) activities for supporting people for whom having difficulties in their daily and social lives;
 - (iii) activities for supporting areas facing social difficulties, such as a decline of social vitality in the local community;
 - (iv) activities specified by Cabinet Office Order as those equivalent to those in the preceding three items.
- (2) If the Prime Minister intends to establish Cabinet Office Order in item (iv) of the preceding paragraph or to alter it, the Prime Minister must hear the opinions of the Council for Utilization of Dormant Deposits, in advance.
 - (3) It must be ensured that grants funded by dormant deposits or other dormant funds are not utilized by any of the organizations in the following items:
 - (i) an organization whose primary purpose is to spread religious doctrine, conduct ceremonies and functions, and educate and nurture believers;
 - (ii) an organization whose primary purpose is to endorse, support, or oppose any political doctrine or policy;

- (iii) an organization whose purposes are to endorse, support or oppose any candidate (including a person who intends to be a candidate) for a specific public office (meaning any of the public offices prescribed in Article 3 of the Public Offices Election Act (Act No. 100 of 1950); the same applies in this item), or any person holding public office, or any political party;
- (iv) an organized crime group (meaning the organized crime group prescribed in Article 2, item (ii) of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991); the same applies in the following item);
- (v) an organization under the control of an organized crime group or its group member (including a group member of a subsidiary organization of the organized crime group; the same applies in this item) or a person for whom five years have not passed since the day on which the person ceased to be a group member of the organized crime group.

Section 2 Basic Policy and Basic Plan

(Basic Policy)

- Article 18 (1) Based on the basic principle on the utilization of funds related to grants funded by dormant deposits or other dormant funds in Article 16, the Prime Minister must establish the basic policy on the utilization of funds related to grants funded by dormant deposits or other dormant funds (referred to as "basic policy" below).
- (2) The following matters are to be decided in the basic policy:
- (i) matters concerning the significance and goals of the utilization of funds related to grants funded by dormant deposits or other dormant funds;
 - (ii) basic matters concerning the utilization of funds related to grants funded by dormant deposits or other dormant funds;
 - (iii) matters concerning the duties for promoting privately-run public interest activities necessary for achieving the goals in item (i);
 - (iv) matters concerning the standards and procedures for the designation under Article 20, paragraph (1);
 - (v) matters concerning the standards and procedures for the approval of business plans prepared by the designated utilization organization;
 - (vi) matters concerning the implementation of an outcome evaluation of the utilization of funds related to grants funded by dormant deposits or other dormant funds;
 - (vii) other matters necessary for the utilization of funds related to grants funded by dormant deposits or other dormant funds.
- (3) When intending to establish the basic policy, the Prime Minister must hear the opinions of the Council for Utilization of Dormant Deposits, in advance.

- (4) When having established the basic policy, the Prime Minister must publicize it, without delay.
- (5) If the need for alteration arises due to changing circumstances, the Prime Minister must alter the basic policy.
- (6) The provisions of paragraphs (3) and (4) apply mutatis mutandis to alterations of the basic policy under the preceding paragraph.

(Basic Plan)

Article 19 (1) Every fiscal year, the Prime Minister must formulate the basic plan for promoting seamless and efficient utilization of funds related to grants funded by dormant deposits or other dormant funds (referred to as the "basic plan" below) based on the basic policy.

- (2) The following matters are to be decided in the basic plan:
 - (i) matters concerning the estimate of the amount of grants funded by dormant deposits or other dormant funds for the relevant fiscal year and the goals for the utilization of funds related to grants funded by dormant deposits or other dormant funds;
 - (ii) matters concerning the duties for promoting privately-run public interest activities necessary for achieving the goals in the preceding item;
 - (iii) matters concerning the standards and procedures for the selection of the following organizations:
 - (a) an organization operating privately-run public interest activities that receives grants, etc. sourced from grants funded by dormant deposits or other dormant funds, for funds necessary to operate those privately-run public interest activities (excluding the funds distribution organization in (b) and the activity support organization in (c); referred to as "implementation organizations" below);
 - (b) an organization offering grants, etc. (including advice or worker dispatch (meaning advice for operating privately-run public interest activities or the dispatch of workers who are persons with knowledge and experience concerning privately-run public interest activities; the same applies below) incidental to those grants) to implementation organizations, that receives grants, etc. from the designated utilization organization sourced from grants funded by dormant deposits or other dormant funds for funds necessary for the offering of those grants, etc. (referred to as "funds distribution organization" below);
 - (c) an organization offering advice or worker dispatch (excluding those incidental to grants, etc. sourced from grants funded by dormant deposits or other dormant funds) to an organization operating privately-run public interest activities, or organizations or individuals intending to operate privately-run public interest activities, those receives grants, etc. from the

designated utilization organization sourced from grants funded by dormant deposits or other dormant funds for funds necessary for the offering of that advice or worker dispatch (referred to as "activity supporting organization" below);

- (iv) matters concerning the standards for the outcome evaluation of the utilization of funds related to grants funded by dormant deposits or other dormant funds and publication of the evaluation results;
 - (v) other matters necessary for the utilization of funds related to grants funded by dormant deposits or other dormant funds
- (3) When the Prime Minister intends to formulate or alter the basic plan, the Prime Minister must hear the opinions of the Council for Utilization of Dormant Deposits, in advance
- (4) When the Prime Minister formulates or alters the basic plan, the Prime Minister must publicize it, without delay.

Section 3 Designated Utilization Organization

(Designated Utilization Organization)

Article 20 (1) The Prime Minister may designate only one general incorporated foundation in Japan as a designated utilization organization, whose purpose is to help promote privately-run public interest activities, and which is found to satisfy the following stated standards regarding the duties prescribed in paragraph (1) of the following Article (referred to as "duties for promoting privately-run public interest activities" below) upon its application:

- (i) the implementation plan for duties for promoting privately-run public interest activities based on the employees, the implementation methods for duties for promoting privately-run public interest activities, and other matters, is appropriate for properly performing the duties for promoting privately-run public interest activities;
- (ii) the organization has sufficient financial and technical basis for the proper implementation of its plan for the duties for promoting privately-run public interest activities stated in the preceding item;
- (iii) the composition of its officers or employees poses no risk of hindering the fairness of its duties for promoting privately-run public interest activities;
- (iv) if an organization operates any other business than duties for promoting privately-run public interest activities, other business poses no risk of hindering the fairness of its duties for promoting privately-run public interest activities;
- (v) the organization is not one whose designation was revoked pursuant to Article 33, paragraph (1), and for whom three years have not passed since the day of the revocation;

- (vi) none of the organization's officers fall under the following people:
 - (a) a person that has been sentenced to imprisonment or heavier punishment and has ceased to be subject to its enforcement, or for whom three years have not passed since the day on which they finished serving the sentence;
 - (b) a person that has been subject to a fine pursuant to the provisions of this Act and has ceased to be subject to its enforcement, or for whom three years have not passed since the day on which they finished serving the sentence.
- (2) The Prime Minister must publish the name and address of the designated utilization organization and the location of its office in the Official Gazette, if they make a designation under the preceding paragraph (simply referred to as "designation" in this Section).
- (3) If the designated utilization organization intends to change its name, address or the location of its office where it performs the duties for promoting privately-run public interest activities, it must notify the Prime Minister of this, in advance.
- (4) When the Prime Minister is notified under the provisions of the preceding paragraph, they must publish the matters concerning that notification, in the Official Gazette.

(Duties)

Article 21 (1) The designated utilization organization is to perform the following duties:

- (i) providing funds distribution organizations with grants, etc. for funds necessary to offer grants, etc. (including advice or worker dispatch incidental to those grants);
- (ii) providing activity support organizations with grants, etc. for funds necessary to offer advice or worker dispatch (excluding those incidental to grants, etc. sourced from grants funded by dormant deposits or other dormant funds);
- (iii) providing implementation organizations with loans of the funds necessary to operate privately-run public interest activities;
- (iv) providing funds distribution organizations or implementation organizations with advice or worker dispatch incidental to the duties stated in item (i) or the preceding item.
- (v) accepting grants funded by dormant deposits or other dormant funds;
- (vi) conducting surveys and studies on promoting privately-run public interest activities;
- (vii) carrying out public awareness-raising and public relations to help promote privately-run public interest activities;
- (viii) duties incidental to those stated in the preceding items.

- (2) The designated utilization organization may entrust part of the duties to financial institutions or other organizations, when performing the duty stated in item (iii) of the preceding paragraph.

(Proper Performance of Duties for Promoting Privately-Run Public Interest Activities)

Article 22 (1) The designated utilization organization must ensure that funds related to grants funded by dormant deposits or other dormant funds are fairly and efficiently utilized based on this Act, the basic policy and the basic plan, when performing the duties for promoting privately-run public interest activities.

- (2) Funds distribution organizations, activity support organizations and implementation organizations must conduct their business in good faith based on this Act, the basic policy and the basic plan, as well as the purpose of the grants, etc.
- (3) The designated utilization organization must supervise funds distribution organizations when performing the duties stated in paragraph (1), item (i) of the preceding Article, must supervise activity support organizations when performing the duties stated in item (ii) of that paragraph, and must supervise implementation organizations when performing the duties stated in item (iii) of that paragraph, respectively, to ensure that the business stated in the preceding paragraph is conducted properly.
- (4) Funds distribution organizations are to take measures for the necessary and proper supervision of implementation organizations to ensure that the implementation organizations properly and reliably operates public interest activities utilizing funds related to grants funded by dormant deposits or other dormant funds.
- (5) Funds distribution organizations, activity support organizations and implementation organizations are to be selected through public invitations for applications.

(Rules for Duties for Promoting Privately-Run Public Interest Activities)

Article 23 (1) The designated utilization organization must establish rules concerning the duties for promoting privately-run public interest activities (referred to as "rules for the duties for promoting privately-run public interest activities" below) based on the basic policy and must obtain approval from the Prime Minister before commencing the duties for promoting privately-run public interest activities. The same applies when the organization intends to alter those rules.

- (2) The following matters must be decided in the rules for the duties for promoting privately-run public interest activities:

- (i) the standards for the selection of funds distribution organizations, activity support organizations, and implementation organizations, procedures for the application and determination of grants, etc. and other methods of offering grants, etc.;
 - (ii) beyond what is stated in the preceding item, matters specified by Cabinet Office Order.
- (3) If the Prime Minister finds that the rules for the duties for promoting privately-run public interest activities approved under paragraph (1) have become inappropriate for ensuring the proper and reliable performance of duties for promoting privately-run public interest activities, the Prime Minister may order the designated utilization organization to alter those rules.

(Appointment and Dismissal of Officers)

Article 24 (1) The appointment and dismissal of officers of the designated utilization organization do not become effective unless approved by the Prime Minister.

- (2) The Prime Minister may order the designated utilization organization to dismiss an officer, if that officer of the designated utilization organization has violated this Act, any order issued based on this Act, or any disposition based on these, has committed any act in violation of the rules for the duties for promoting privately-run public interest activities approved under paragraph (1) of the preceding Article, or has committed any act extremely inappropriate to the performance of the duties for promoting privately-run public interest activities.

(Position of Officers and Employees)

Article 25 In applying the Penal Code (Act No. 45 of 1907) or other penal provisions, officers and employees of the designated utilization organization engaging in the duties for promoting privately-run public interest activities are deemed to be employees engaging in public duties pursuant to laws and regulations.

(Business Plans)

Article 26 (1) The designated utilization organization must prepare a business plan as well as an income and expenditure budget for that business year, based on the basic plan, as provided for by Cabinet Office Order, and obtain approval from the Prime Minister, before the start of each business year (for the business year of the day on which the organization was designated, without delay, after receiving the designation). The same applies if the organization intends to alter the business plan.

- (2) The Prime Minister must hear the opinions of the Council for Utilization of

Dormant Deposits, in advance, when intending to grant approval under the provisions of the preceding paragraph,

- (3) The designated utilization organization must publicize the approved business plan and income and expenditure budget, without delay, when they obtain approval under paragraph (1).
- (4) The designated utilization organization must prepare a business report, balance sheet, income and expenditure statement, and inventory of assets for that business year, submit them to the Prime Minister, and publicize them, within three months from the end of each business year.

(Usage of Grants Funded by Dormant Deposits and Separate Accounting)

- Article 27 (1) The designated utilization organization must not allocate grants funded by dormant deposits or other dormant funds for any expenses (excluding personnel cost and other expenses necessary for the affairs specified by Cabinet Office Order), other than those necessary for the duties for promoting privately-run public interest activities.
- (2) The designated utilization organization must organize the accounting for the duties for promoting privately-run public interest activities separate from its other business accounting, as specified by Cabinet Office Order,.

(Keeping of Books)

- Article 28 The designated utilization organization must keep and preserve, as provided for by Cabinet Office Order, books in which it entered the matters concerning the duties for promoting privately-run public interest activities that are specified by Cabinet Office Order.

(Investment of Operating Funds)

- Article 29 (1) The designated utilization organization is to set up operating funds for investment, to obtain, through that investment, a source of funds for personnel cost and other expenses necessary for the affairs specified by Cabinet Office Order for the duties for promoting privately-run public interest activities, for which part of the amount of grants funded by dormant deposits or other dormant funds is allocated for those operating funds, received for the purpose of investing, as is any amount incorporated pursuant to paragraph (3).
- (2) The designated utilization organization must not invest its operating funds, by any methods other than the following:
 - (i) the holding of Japanese Government Bonds, local government bonds, or government guaranteed bonds (meaning bonds for which the national government guarantees the redemption of the principal and the repayment of the interest);
 - (ii) deposit to financial institutions designated by the Prime Minister:

- (iii) other methods specified by Cabinet Office Order as methods equivalent to the preceding two items.
- (3) The designated utilization organization is to allocate the interest generated from the investment of operating funds, and any other income, towards personnel cost for the duties for promoting privately-run public interest activities, or any other expenses that arise from duties specified by Cabinet Office Order, and if there is a surplus, it is to be incorporated back into the operating funds, and with this reincorporated amount as the limit, the organization may then withdraw from the operating funds to allocate them for the expenses necessary for the duties for promoting privately-run public interest activities.
- (4) The Prime Minister may decide matters necessary for investing operating funds and other relating matters, beyond those provided for in the preceding three paragraphs,.

(Payment Order by the Prime Minister)

Article 30 The Prime Minister may order the designated utilization organization to promptly pay to the DICJ the amount equivalent to all or part of the grants funded by dormant deposits or other dormant funds that the organization had received, as provided for by Cabinet Office Order, if the Prime Minister finds that the amount of operating funds is excessive, considering the implementation status of the duties for promoting privately-run public interest activities, and considering other circumstances, and in other cases specified by Cabinet Office Order.

(Supervision Order)

Article 31 The Prime Minister may issue an order, as necessary, to the designated utilization organization to supervise the duties for promoting privately-run public interest activities to the extent necessary for enforcing this Act.

(Suspension or Discontinuation of Duties)

- Article 32 (1) The designated utilization organization cannot suspend or discontinue all or part of the duties for promoting privately-run public interest activities unless receiving permission by the Prime Minister.
- (2) When the Prime Minister permits the discontinuation of all of the duties for promoting privately-run public interest activities pursuant to the preceding paragraph, the designation related to the designated utilization organization in that paragraph ceases to be effective.
- (3) When the Prime Minister grants the permission in paragraph (1), the Prime Minister must publish that fact in the Official Gazette.

(Revocation of Designation)

Article 33 (1) The Prime Minister may revoke its designation or specify a period, and order the organization to suspend all or part of the duties for promoting privately-run public interest activities, if the designated utilization organization falls under any of the following items:

- (i) if it is found that they cannot properly and reliably perform the duties for promoting privately-run public interest activities;
 - (ii) if a wrongful act has been committed in relation to the designation;
 - (iii) if the designated utilization organization has violated this Act or any order issued under this Act or any disposition based on these, or has performed the duties for promoting privately-run public interest activities without following the rules for the duties for promoting privately-run public interest activities approved under Article 23, paragraph (1).
- (2) When the Prime Minister revokes the designation, or ordered the suspension of all or part of the duties for promoting privately-run public interest activities pursuant to the preceding paragraph, the Prime Minister must publish that fact in the Official Gazette.

(Measures When a Designation Has Been Revoked)

Article 34 (1) When the Prime Minister permits the discontinuation of all of the duties for promoting privately-run public interest activities pursuant to Article 32, paragraph (1) or has revoked the designation pursuant to paragraph (1) of the preceding Article, and then later newly designates another organization as the designated utilization organization, the assets and liabilities related to the duties for promoting privately-run public interest activities of the former designated utilization organization are assumed by the newly designated utilization organization.

- (2) When the Prime Minister grants permission for the discontinuation of all of the duties for promoting privately-run public interest activities pursuant to the provisions of Article 32, paragraph (1) or has revoked the designation pursuant to the provisions of paragraph (1) of the preceding Article, the management of the assets related to the duties for promoting privately-run public interest activities and other necessary transitional measures (including transitional measures concerning penal provisions) are to be specified by Cabinet Order, within a scope found as reasonably necessary.

Section 4 Council for Utilization of Dormant Deposits

(Establishment of the Council for Utilization of Dormant Deposits)

Article 35 (1) The Council for Utilization of Dormant Deposits (referred to as

"council" below) is to be established in the Cabinet Office.

- (2) The council takes charge of the following affairs:
- (i) dealing with the matters prescribed in Article 17, paragraph (2) regarding privately-run public interest activities;
 - (ii) dealing with the matters prescribed in Article 18, paragraph (3) (including the cases applied mutatis mutandis pursuant to paragraph (6) of that Article) regarding the basic policy;
 - (iii) dealing with the matters prescribed in Article 19, paragraph (3) regarding the basic plan;
 - (iv) dealing with the matters prescribed in Article 26, paragraph (2) regarding the business plan and income and expenditure budget of the designated utilization organization;
 - (v) studying and deliberating on the matters prescribed in the preceding items and other significant matters concerning the utilization of funds related to grants funded by dormant deposits or other dormant funds, and presenting opinions to the Prime Minister if the council finds it necessary;
 - (vi) supervising the implementation status of the duties for promoting privately-run public interest activities, and making recommendations to the Prime Minister if the council finds it necessary.
- (3) The Prime Minister must report the measures taken based on the recommendations under the provisions of item (vi) of the preceding paragraph to the council.

(Organization)

- Article 36 (1) The council is to be comprised of not more than ten members.
- (2) The council may appoint expert advisors if necessary for the studying of technical matters

(Appointment of Council Members)

- Article 37 (1) Council members are appointed by the Prime Minister from among people who have superior insight on privately-run public interest activities.
- (2) Expert advisors are to be appointed by the Prime Minister from among people who have superior insight on technical matters stated in paragraph (2) of the preceding Article.

(Term of Office of Council Members)

- Article 38 (1) The term of office of council members is two years; provided, however, that the term of office of a substitute council member is the remaining term of office of the predecessor.
- (2) Council members may be reappointed.
- (3) Expert advisors are to be dismissed upon completion of the study concerning

technical matters in Article 36, paragraph (2) for which they were appointed.
(4) Council members and expert advisors serve on a part-time basis.

(Chairperson)

Article 39 (1) The council assigns a chairperson, who is to be elected from among the council members.

(2) The chairperson presides over council affairs and is their representative.

(3) If the chairperson is unable to attend to its duties, a council member, designated in advance, is to perform the duties of the chairperson.

(Request for Submission of Materials)

Article 40 If the council finds it necessary for performing the administrative function under its jurisdiction, it may make a request to the heads of relevant administrative organs for submission of materials, presentation of opinions, explanations or other necessary cooperation.

(Delegation to Cabinet Order)

Article 41 Beyond what is provided for in this Act, other necessary matters concerning the council are to be provided for by Cabinet Order.

Chapter IV Miscellaneous Provisions

(Application of the Deposit Insurance Act)

Article 42 When the DICJ performs operations under this Act, the provisions of the Deposit Insurance Act also apply to this Act. In this case, in Article 15, item (v) of that Act, the phrase "other matters deemed particularly necessary by the board" is deemed to be replaced with, "other matters deemed particularly necessary by the board (excluding matters regarding the operations of the DICJ under the Act on Utilization of Funds from Dormant Deposits to Promote Privately-Run Public Interest Activities (referred to as "Dormant Deposits Utilization Act" below))"; in Article 35, paragraph (1) of that Act, the phrase "The DICJ may, with" is deemed to be replaced with, "The DICJ may, under the provisions of Article 10, paragraph (1) of the Dormant Deposits Utilization Act and with", the phrase "meaning the financial institution, etc. prescribed in Article 126-2, paragraph (2)" is to be deemed to be replaced with, "meaning the financial institution, etc. prescribed in Article 126-2, paragraph (2) (in the case of performing operations under the Dormant Deposits Utilization Act, including those stated in Article 2, paragraph (1), items (x) through (xvi) of the Dormant Deposits Utilization Act)", and the phrase "in this Article, Article 122, paragraph (1), Article 123, paragraphs (2) and (3), and Article 125, paragraph (1)" is deemed to be replaced with, "in this

Article"; in Article 37, paragraph (1) of that Act, the phrase "the operations stated in the following items" is deemed to be replaced with, "the operations stated in the following items (in the case of performing operations under the Dormant Deposits Utilization Act, those operations)" and the phrase "persons specified respectively in those items" is deemed to be replaced with, "persons specified respectively in those items (in the case of performing operations under the Dormant Deposits Utilization Act, the financial institutions prescribed in Article 2, paragraph (1) of the Dormant Deposits Utilization Act (including the financial institution agents prescribed in Article 10, paragraph (5) of the Dormant Deposits Utilization Act; the same applies in the following paragraph))"; in paragraph (2) of that Article, the phrase "a specified holding company, etc." is deemed to be replaced with, "specified holding company, etc. (in the case of performing operations under the Dormant Deposits Utilization Act, the financial institutions prescribed in Article 2, paragraph (1) of the Dormant Deposits Utilization Act)"; in Article 44, Article 45, paragraph (2), and Article 46, paragraph (1) of that Act, the phrase "this Act" is deemed to be replaced with, "this Act or the Dormant Deposits Utilization Act"; in Article 51, paragraph (2) of that Act, the phrase "the operations of the DICJ (except those listed in Article 40-2, item (ii))" is deemed to be replaced with, "operations of the DICJ (except those listed in Article 40-2, item (ii) and the management operations of dormant deposits or other dormant funds prescribed in Article 9 of the Dormant Deposits Utilization Act)"; in Article 151, paragraph (1) of that Act, the phrase "a financial institution, etc." is deemed to be replaced with, "a financial institution, etc. (in the case of performing operations under the Dormant Deposits Utilization Act, including those stated in Article 2, paragraph (1), items (x) through (xvi) of the Dormant Deposits Utilization Act)"; in item (i) of that paragraph, the phrase "in this Act" is deemed to be replaced with, "in this Act or the Dormant Deposits Utilization Act"; in item (ii) of that paragraph, the phrase "or Article 137-4" is deemed to be replaced with, "or Article 137-4, or Article 6, paragraph (3) of the Dormant Deposits Utilization Act"; in Article 152, item (i) of that Act, the phrase "under this Act" is deemed to be replaced with, "under this Act or the Dormant Deposits Utilization Act"; in item (iii) of that Article, the phrase "in Article 34" is deemed to be replaced with, "in Article 34 and those under the Dormant Deposits Utilization Act"; and in item (v) of that Article, the phrase "a policy reserve" is deemed to be replaced with, "liability reserves, funds or reserves", and the phrase "Article 41" is deemed to be replaced with, "Article 41 or the provisions of Article 8 or 14 of the Dormant Deposits Utilization Act".

(Submission of Reports or Materials)

Article 43 (1) If an administrative authority finds it necessary for ensuring

seamless enforcement of this Act, it may request a financial institution (including financial institution agents), a bank holding company, etc. (meaning the bank holding company prescribed in Article 2, paragraph (13) of the Banking Act or the long term credit bank holding company prescribed in Article 16-4, paragraph (1) of the Long Term Credit Bank Act; the same applies in the following paragraph), or a designated utilization organization to submit reports or materials concerning the status of their business or assets.

- (2) If an administrative authority finds it especially necessary for ensuring seamless enforcement of this Act, depending on the extent necessary, it may request for a subsidiary company (a subsidiary means the subsidiary (including companies deemed to be a subsidiary) respectively prescribed in Article 2, paragraph (8) of the Banking Act, if that financial institution, etc. falls under a bank, or the bank holding company prescribed in paragraph (13) of that Article; prescribed in Article 13-2, paragraph (2) of the Long Term Credit Bank Act, if that financial institution, etc. falls under a long term credit bank, or the long term credit bank holding company prescribed in Article 16-4, paragraph (1) of that Act; prescribed in Article 32, paragraph (6) of the Shinkin Bank Act, if that financial institution, etc. falls under a credit union or a federation of credit unions; prescribed in Article 4, paragraph (1) of the Act on Financial Business by Cooperatives, if that financial institution, etc. falls under a credit cooperative or a federation of credit cooperatives; prescribed in Article 32, paragraph (5) of the Labor Bank Act, if that financial institution, etc. falls under a worker's credit union or a federation of worker's credit unions; prescribed in Article 23, paragraph (2) of the Shoko Chukin Bank, Ltd. Act, if that financial institution, etc. falls under the Shoko Chukin Bank, Ltd.; prescribed in Article 11-2, paragraph (2) of the Agricultural Cooperatives Act, if that financial institution, etc. falls under an agricultural cooperative or a federation of agricultural cooperatives; prescribed in Article 11-6, paragraph (2) of the Fishery Industry Cooperatives Act, if that financial institution, etc. falls under a fishery cooperative or a federation of fishery cooperatives, or a fishery industry processing cooperative or a federation of fishery industry processing cooperatives; or prescribed in Article 24, paragraph (4) of the Norinchukin Bank Act, if that financial institution, etc. falls under a Norinchukin bank; the same applies in the following paragraph and the following Article) of a financial institution or a bank holding company, etc. (referred to as "financial institution, etc." in this Article and the following Article) or a person entrusted with operations by that financial institution, etc. (excluding financial institution agents; the same applies in the following paragraph and paragraphs (2) and (5) of the following Article), the submission of reports or materials that may serve as a reference regarding the state of that financial institution, etc.'s business or assets.

- (3) A subsidiary of a financial institution, etc. or a person entrusted with operations by a financial institution, etc. may refuse to submit the reports or materials under the preceding paragraph if there are reasonable grounds.

(On-site Inspection)

Article 44 (1) If an administrative authority finds it necessary for ensuring the seamless enforcement of this Act, it may have its employee enter a financial institution, etc. (including financial institution agents; the same applies in paragraph (6)) or designated utilization organization's place of business, office, or other facilities and ask questions on the state of their business or assets, or inspect books, documents, and other items.

- (2) If an administrative authority finds it especially necessary upon the entry, questioning, or inspection under the preceding paragraph, depending on the extent necessary, it may have its employee enter facilities of a subsidiary of a financial institution, etc. or a person entrusted with operations by a financial institution, etc., under the preceding paragraph, and ask questions concerning matters necessary for the questioning or inspection of that financial institution, etc., or inspect books, documents, and other items.

- (3) In the cases referred to in the preceding two paragraphs, the employee stated in these paragraphs must carry a certificate of identification and produce it, if requested by a relevant person.

- (4) The authority under paragraphs (1) and (2) must not be construed as being granted for criminal investigation purposes.

- (5) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the questioning and inspection under the provisions of paragraph (2) of a subsidiary of the financial institution, etc. or a person entrusted with operations by the financial institution, etc.

- (6) If an administrative authority finds it necessary, it may have the DICJ conduct the entry, questioning, or inspection under the provisions of paragraph (1) (limited to the part related to the financial institution, etc.) or paragraph (2) (limited to inspecting whether the procedures and entrustment or re-entrustment of the repayment and other management operations under Chapter II, Section 1 are properly carried out). In this case, the DICJ is to have its employee conduct the entry, questioning, or inspection.

- (7) The provisions of paragraphs (3) through (5) apply mutatis mutandis to the entry, questioning, or inspection under the provisions of the preceding paragraph.

(Taxation)

Article 45 (1) To apply the provisions of the Income Tax Act and other laws and regulations concerning income tax for substitute money for dormant deposits or

other dormant funds the part of the substitute money for dormant deposits or other dormant funds related to the part of the claim that is equivalent to the amount of the principal on the claim on the relevant dormant deposits or other dormant funds actually held by the depositor or other claim holder on the day of payment of the money transferred from dormant deposits or other dormant funds related to that dormant deposits or other dormant funds is deemed to be the amount of principal to be refunded out of those claims; the part of the substitute money for dormant deposits or other dormant funds that is equivalent to the interest in Article 7, paragraph (2) is deemed to be the amount specified in the items of Article 4, paragraph (2) based on the category stated in those items out of the claim on the relevant dormant deposits or other dormant funds; and if there is a financial institution that handles the repayment of substitute money for dormant deposits or other dormant funds under entrustment the DICJ for repayment and other management operations, that financial institution is deemed to be the one to repay the substitute money for dormant deposits or other dormant funds.

- (2) If the provisions of the preceding paragraph apply, matters necessary for the application of the special provisions specified in Articles 4-2 and 4-3 of the Act on Special Measures Concerning Taxation (Act No. 26 of 1957) and other provisions of that paragraph are to be provided for by Cabinet Order.

(Special Provisions of the Act on Damage Recovery Benefit Distributed from Fund in Bank Accounts Used for Crimes)

Article 46 The provisions of the Act on Damage Recovery Benefit Distributed from Fund in Bank Accounts Used for Crimes (Act No. 133 of 2007) (excluding Articles 35 and 36) apply to substitute money for dormant deposits or other dormant funds by deeming it to be the deposit or other funds prescribed in Article 2, paragraph (5) of that Act, and to the DICJ by deeming it to be the financial institution that repays the damage recovery benefits prescribed in Article 2, paragraph (5) of that Act by receiving a notification of exercise of rights in Article 5, paragraph (1), item (v) of that Act, or pursuant to the provisions of Chapter IV of that Act. In this case, necessary technical replacement of terms is to be specified by Cabinet Order.

(Special Provisions of the Civil Enforcement Act and the Civil Provisional Remedies Act)

Article 47 (1) If there is a financial institution that performs the repayment and other management operations under entrustment of the DICJ, with claims for the purpose of repayment of substitute money for dormant deposits or other dormant funds that the financial institution handles in that operation, regarding judicial enforcement, provisional seizure, disposition to collect

national tax arrears (including dispositions under those rules), or other dispositions specified by Order of the competent ministry as equivalent to these (referred to as "judicial enforcement or other dispositions" in paragraph (3)) the financial institution is to be the designated service recipient where the place in which the DICJ is to be served is a place of business or an office of that financial institution.

- (2) The provisions of the preceding paragraph do not preclude the application of the provisions of Article 16 of the Civil Enforcement Act (Act No. 4 of 1979) (including the cases applied mutatis mutandis pursuant to Article 46 of the Civil Provisional Remedies Act (Act No. 91 of 1989)).
- (3) Beyond what is prescribed in paragraph (1), the financial institution stated in that paragraph represents the DICJ regarding the matters concerning judicial enforcement or other dispositions (excluding procedures on an action or an appeal against an enforcement decision).

(Announcement by the National Government)

Article 48 (1) The national government is to endeavor to raise public awareness and gain acceptance through public relations and the like regarding the purpose of this Act to utilize funds related to dormant deposits or other dormant funds in duties for promoting privately-run public interest activities, and matters concerning procedures for the repayment of substitute money for dormant deposits or other dormant funds, and other details of this Act, while protecting the interests of depositors or other claim holders of dormant deposits or other dormant funds.

- (2) The DICJ is to publish matters concerning those entrusted of the repayment and other management operations, and at least once every year, publish details concerning the status of the repayment of money transferred from dormant deposits or other dormant funds, the repayment status of substitute money for dormant deposits or other dormant funds, and other matters concerning the status of enforcement of this Act, pursuant to the provisions of Cabinet Office Order and Ministry of Finance Order.

(Delegation to Competent Ministerial Order)

Article 49 Beyond what is provided for in this Act, other matters necessary for the enforcement of this Act are to be specified by Order of the competent ministry.

(Administrative Authority)

Article 50 Administrative authority under this Act are those specified in the following items based on the category stated in those items:

- (i) financial institutions stated in Article 2, paragraph (1), items (i) through

- (iv) and items (vi) and (vii), and the designated utilization organization: the Prime Minister;
- (ii) financial institutions stated in Article 2, paragraph (1), items (v) and (viii): the Prime Minister and the Minister of Health, Labour and Welfare;
- (iii) financial institutions stated in Article 2, paragraph (1), item (ix): the competent minister prescribed in Article 56, paragraph (2) of the Shoko Chukin Bank Limited Act;
- (iv) financial institutions stated in Article 2, paragraph (1), items (x) and (xi): the administrative authority prescribed in Article 98, paragraph (1) of the Agricultural Co-operatives Act;
- (v) financial institutions stated in Article 2, paragraph (1), items (xii) through (xv): the administrative authority prescribed in Article 127, paragraph (1) of the Fishery Cooperative Act;
- (vi) financial institutions stated in Article 2, paragraph (1), item (xvi): the Minister of Agriculture, Forestry and Fisheries and the Prime Minister.

(Orders of the Competent Ministry)

Article 51 Orders of the competent ministry under this Act are Cabinet Office Order, Ministry of Finance Order, Order of the Ministry of Health, Labour and Welfare, Order of the Ministry of Agriculture, Forestry and Fisheries, and Order of the Ministry of Economy, Trade and Industry.

(Delegation of Power)

Article 52 (1) The Prime Minister delegates the authority under this Act to the Commissioner of the Financial Services Agency, except those specified below:

- (i) the authority under Chapter III;
 - (ii) the part of the authority under Articles 43 and 44 that is related to the designated utilization organization;
 - (iii) other authority specified by Cabinet Order.
- (2) Prefectural governors may carry out part of the affairs under the authority of administrative authorities prescribed in this Act (excluding affairs that are under the authority of prefectural governors pursuant to this Act), as provided for by Cabinet Order.
- (3) Beyond what is prescribed in the preceding two paragraphs, necessary matters concerning the authority of administrative authorities under this Act are to be provided for by Cabinet Order.

(Classification of Affairs)

Article 53 Affairs to be handled by prefectures pursuant to this Act are to be the item 1 statutory entrusted functions prescribed in Article 2, paragraph (9) item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(Transitional Measures)

Article 54 In the case of enacting, amending, or repealing an order based on the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by that order, to the extent considered reasonably necessary for its enactment, amendment, or repeal.

Chapter V Penal Provisions

Article 55 (1) Any person who fails to submit reports or materials under the provisions of Article 43, paragraph (1) (excluding the part on the designated utilization organization) or paragraph (2), or submits false reports or materials is punished by imprisonment for not more than one year, or a fine of not more than 3,000,000 yen.

(2) The provisions of the preceding paragraph apply to any person that refuses to answer or gives false answers to questions by the employees under the provisions of Article 44, paragraph (1) (excluding the part on the designated utilization organization), paragraph (2), or paragraph (6), under the provisions of these paragraphs, or refuses, obstructs or evades inspection under these provisions.

Article 56 (1) Any person that transfers and receives that issuance, or accepts the offer of a deposit passbook or a card for withdrawal of dormant deposits or other dormant funds, concerning substitute money for dormant deposits or other dormant funds, or other articles specified by Cabinet Order as those necessary for receiving the repayment of the substitute money for dormant deposits or other dormant funds (referred to as "deposit passbook, etc." in the following paragraph) to receive the repayment of the substitute money for dormant deposits or other dormant funds by pretending to be another person, or with the intent of having a third party do the same is to be punished by imprisonment for not more than one year or a fine of not more than 1,000,000 yen, or both.

(2) The provisions of the preceding paragraph apply to any person that transfers, issues, or offers a deposit passbook and the like to the other party with the knowledge that the relevant party has any of the purposes stated in that paragraph.

(3) Any person that commits an act falling under the crimes stated in the preceding two paragraphs in the course of trade is to be punished by imprisonment for not more than three years or a fine of not more than 5,000,000 yen, or both.

- (4) The provisions of paragraph (1) apply to any person that has solicited another person, or induced another person by advertising or using other similar means into committing an act falling under the crimes stated in paragraph (1) or (2).

Article 57 Any person that violates the provisions of Article 27, paragraph (1) is to be punished by imprisonment for not more than one year, or a fine of not more than 1,000,000 yen.

Article 58 Any person that violates an order of suspension of duties under the provisions of Article 33, paragraph (1) is to be punished by imprisonment for not more than one year, or a fine of not more than 500,000 yen.

Article 59 Any person falling under any of the following items is to be punished by a fine of not more than 300,000 yen:

- (i) a person that fails to keep books or enter prescribed matters in books or enters false matters, or fails to preserve books in violation of Article 28;
- (ii) a person that discontinues all of their duties without obtaining permission under Article 32, paragraph (1);
- (iii) a person that fails to submit reports or materials under Article 43, paragraph (1) (limited to the part on the designated utilization organization), or submits false reports or materials;
- (iv) a person that refuses to answer or has given false answers to questions by the employees stated in Article 44, paragraph (1) (limited to the part on the designated utilization organization) under the provisions of that paragraph, or refuses, obstructs or evades inspection under these provisions.

Article 60 (1) If any representative or administrator of a corporation (including an organization not falling under a corporation for which a representative or an administrator has been designated; the same applies in this paragraph), or an agent, employee, or other worker of a corporation or an individual commits any violation of the provisions stated in either of the following items regarding the operations or duties of the corporation or the individual, not only is the offender to be punished, but the corporation is to be punished by the fine stated in the following items and that individual is to be punished by the fine in the respective Articles:

- (i) Article 55: a fine of not more than 200,000,000 yen;
 - (ii) the preceding three Articles: the fine stated respectively in these Articles.
- (2) If the provisions of the preceding paragraph apply to an organization that is not a corporation, its representative or administrator is to represents that organization not falling under a corporation regarding any procedural act, and the provisions of laws concerning criminal procedures, if a corporation acts as

the accused or the suspect, apply *mutatis mutandis* to that case.

Article 61 If any of the following violations has been committed, the officer or employee of the designated utilization organization that has committed the act is to be punished by a civil fine of not more than 500,000 yen:

- (i) if the designated utilization organization fails to obtain approval from the Prime Minister when the acquisition of the approval is required pursuant to this Act;
- (ii) if the designated utilization organization fails to submit a business report, balance sheet, income and expenditure statement, and inventory of assets in violation of the provisions of Article 26, paragraph (4), or submits these documents containing false statements;
- (iii) if the designated utilization organization violates the provisions of Article 27, paragraph (2);
- (iv) if the designated utilization organization violates the provisions of Article 29, paragraph (2);
- (v) if the designated utilization organization violates an order of the Prime Minister issued under the provisions of Article 31.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year and six months from the date of promulgation (referred to as "effective date" below); provided, however, that the provisions stated in the following items come into effect on the date specified respectively in those items:

- (i) the provisions of paragraphs (4) through (6) of the following Article and Article 8 of the supplementary provisions: the date of promulgation;
- (ii) the provisions of Chapter II, Section 2, and Articles 42, 49, and 54: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation;
- (iii) the provisions of Chapter III (excluding Section 3) and Article 6 of the supplementary provisions: the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

(Transitional Measures)

Article 2 (1) The provisions of this Act apply to deposits or other funds (excluding deposits or other funds which have ceased to be recorded in the liabilities section of the balance sheets for business years before the business year that contains the day on which one year passed from the effective date,

based on business accounting standards generally accepted as fair and appropriate) for which nine years have passed since the most recent account activity date or other date on or after the effective date.

- (2) If there is any deposits or other funds actually existing on the effective date for which it is difficult for the financial institution associated with those deposits or other funds to ascertain the most recent account activity date or other date for those deposits or other funds, on the effective date, the financial institution may handle the deposit or other funds selected as provided for by Order of the competent ministry as deposits or other funds for which nine years have passed since the most recent account activity date on the effective date or other date.
- (3) The provisions of Article 8 apply from the DICJ's business year of the day specified by Cabinet Order within a period not exceeding two years from the effective date. In this case, to apply the provisions of that Article in the relevant business year, the phrase "in the previous business year" in that Article is to be replaced with, "in the previous business year and until the day specified by Cabinet Office Order and Ministry of Finance Order within the business year of the day specified by Cabinet Order prescribed in Article 2, paragraph (3) of the supplementary provisions".
- (4) A financial institution may apply for approval stated in Article 2, paragraph (4), item (ii) or conduct other acts necessary for performing operations under this Act pursuant to the provisions of that item even before the effective date.
- (5) If the approval stated in Article 2, paragraph (4), item (ii) has been filed pursuant to the preceding paragraph, an administrative authority may grant the approval even before the effective date pursuant to the provisions of that item. In this case, the approval becomes effective on the effective date.
- (6) The DICJ may conduct preparatory acts necessary for performing the management operations of dormant deposits or other dormant funds even before the day specified by Cabinet Order prescribed in item (ii) of the preceding Article.

(Special Provisions Concerning Personnel Cost and Other Expenses Necessary for the Affairs Specified by Cabinet Office Order for the Duties for Promoting Privately-Run Public Interest Activities)

Article 3 For the period from the day on which the designation was made under Article 20, paragraph (1) through the designated utilization organization's final day of the business year of the day on which five have years passed from that date of designation, from the provisions of Article 27, paragraph (1), the phrase "expenses (excluding personnel cost and other expenses necessary for the affairs specified by Cabinet Office Order)" is to be replaced with, "expenses".

(Delegation to Cabinet Order)

Article 8 Beyond what is provided in the Supplementary Provisions, transitional measures necessary for the enforcement of this Act are to be provided for by Cabinet Order.

(Review)

Article 9 Regarding the provisions of this Act, in approximately five years after its enforcement, a review is to be conducted by taking into consideration the status of the enforcement of this Act and necessary measures are to be taken as needed, based on the results of the review.

**Supplementary Provisions [Act No. 95 of December 14, 2018 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

Supplementary Provisions [Act No. 48 of May 25, 2022 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding four years from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the date specified respectively in those items:

- (i) the provisions of Article 3; in Article 60 of the Supplementary Provisions, the provisions revising Article 52, paragraph (2) of the Commercial Registration Act (Act No. 125 of 1963); and the provisions of Article 125 of the Supplementary Provisions: the date of promulgation.

(Delegation to Cabinet Order)

Article 125 Beyond what is provided for in these supplementary provisions, transitional measures necessary for the enforcement of this Act are to be provided by Cabinet Order.

Supplementary Provisions [Act No. 61 of June 10, 2022 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 68 of June 17, 2022 Extract] [Extract]

(Effective Date)

- (1) This Act comes into effect on the day of enforcement of the Act Partially Amending the Penal Code; provided, however, that the provisions stated in the following items come into effect on the date specified respectively in those items:
- (i) the provisions of Article 509: the date of promulgation.

Supplementary Provisions [Act No. 53 of June 14, 2023 Extract] [Extract]

This Act comes into effect on the day specified by Cabinet Order within a period not exceeding five years from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the date specified respectively in those items:

- (i) the provisions of Chapter XXXII and the provisions of Article 388: the date of promulgation;
- (ii) in Article 1, the provisions revising Article 22, item (v) of the Civil Enforcement Act, the provisions revising Article 25 of that Act, the provisions revising Article 26 of that Act, the provisions revising Article 29 of that Act (excluding the part adding the phrase "or an electronic or magnetic record by recording all matters recorded in the electronic or magnetic record produced by the obligee" after the phrase "transcript of the document produced by the obligee pursuant to the provisions of that Article"), the provisions revising Article 91, paragraph (1), item (iii) of that Act, the provisions revising Article 141, paragraph (1), item (iii) of that Act, the provisions revising Article 181, paragraph (1) of that Act, the provisions revising paragraph (4) of that Article, the provisions revising Article 183 of that Act, the provisions revising Article 189 of that Act, and the provisions revising Article 193, paragraph (1) of that Act; the provisions of Articles 12, 33, 34, 36, and 37; in Article 42, the provisions revising Article 39, paragraph (2) of the Act on Punishment of Organized Crimes and Control of Proceeds of Crime; the provisions of Article 45 (excluding the provisions revising Article 98, paragraph (2) and Article 151, paragraph (4) of the Civil Code); in Article 47, the provisions revising Article 41 of the Railway Mortgage Act and the provisions revising Article 43, paragraph (3) of that Act; the provisions of Article 48 and Chapter IV; in Article 88, the provisions revising Article 2 of the Act on the Cost of Civil Proceedings; the provisions of Article 91; in Article 185, the provisions revising Article 12, paragraph (3) of the Act on the Prevention of Spousal Violence and the Protection of Victims; the provisions

of Article 198 and the provisions of Article 387: the date specified by Cabinet Order within a period not exceeding two years and six months from the date of promulgation.

Supplementary Provisions [Act No. 72 of June 30, 2023]

(Effective Date)

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions revising Article 16, paragraph (1), the provisions revising Article 3 of the Supplementary Provisions, and the provisions of the following Article to Article 5 of the Supplementary Provisions, and Article 7 of the Supplementary Provisions come into effect on the date of promulgation.

(Transitional Measures Concerning Alternation of Basic Policy)

Article 2 (1) The Prime Minister may alter the basic policy (meaning the basic policy prescribed in Article 18, paragraph (1) of the Act on Utilization of Funds Related to Dormant Deposits to Promote Privately-Run Public Interest Activities revised by this Act (referred to as the "new Act" below); the same applies in the following paragraph.) pursuant to the provisions of that Article, even before the date of enforcement of this Act (referred to as "effective date" below).

(2) The basic policy that has been altered pursuant to the provisions of the preceding paragraph is deemed to have been changed pursuant to the provisions of Article 18 of the new Act, on the effective date.

Article 3 (1) The Prime Minister may alter the basic plan (meaning the basic plan as prescribed in Article 19, paragraph (1) of the New Act; the same applies in the following paragraph) pursuant to the provisions of Article 19 of the new Act, even before the effective date.

(2) The basic plan that has been altered pursuant to the provisions of the preceding paragraph is deemed to have been altered pursuant to the provisions of Article 19 of the new Act on the effective date.

Article 4 (1) The designated utilization organization (meaning the designated utilization organization as prescribed in Article 20, paragraph (1) of the new Act; the same applies in paragraph (1) of the following Article) may alter the rules for the duties for promoting privately-run public interest activities (meaning the rules for the duties for promoting privately-run public interest activities as stated in paragraph (1) of that Article; the same applies in the following paragraph) and obtain approval from the Prime Minister pursuant to

the provisions of Article 23 of the new Act, even before the effective date.

- (2) The rules for the duties for promoting privately-run public interest activities approved under the preceding paragraph are deemed to have been approved under Article 23, paragraph (1) of the new Act on the effective date.

Article 5 (1) The designated utilization organization may alter the business plan and the income and expenditure budget and obtain approval from the Prime Minister pursuant to the provisions of Article 26, paragraphs (1) through (3) of the new Act, even before the effective date.

- (2) The business plan and the income and expenditure budget approved under the preceding paragraph are deemed to have been approved under Article 26, paragraph (1) of the new Act on the effective date.

(Transitional Measures Concerning Penal Provisions)

Article 6 To apply penal provisions to acts committed before this Act taking effect, prior laws continue to govern.

(Delegation to Cabinet Order)

Article 7 Beyond what is provided for in Article 2 to the preceding Article of these supplementary provisions, transitional measures necessary for the enforcement of this Act are to be provided by Cabinet Order.