

Cabinet Office Order on the Commitment Procedures Under the Provisions of the Act Against Unjustifiable Premiums and Misleading Representations

(Cabinet Office Order No. 55 of April 18, 2024)

Pursuant to the provisions of Article 27, paragraph (1), paragraph (2), item (iii), and paragraph (8), Article 31, paragraph (1), paragraph (2), item (iii), and paragraph (7), Article 39, paragraph (1) and Article 42 of the Act against Unjustifiable Premiums and Misleading Representations (Act No. 134 of 1962), the Cabinet Office Order on the Commitment Procedures Under the Provisions of the Act Against Unjustifiable Premiums and Misleading Representations is established as follows.

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Chapter I General Provisions

(Purpose)

Article 1 The commitment procedures based on the provisions of the Act Against Unjustifiable Premiums and Misleading Representations (referred to as "the Act") (meaning the procedures provided for in Section 6, Chapter II of the Act; the same applies below) are governed by the provisions of this Cabinet Office Order, in addition to what is provided for in the Act.

(Terms)

Article 2 The terms used in this Cabinet Office Order are governed by the terms used in the Act.

Chapter II Notice Under the Provisions of Article 26 of the Act

Article 3 The notice under the provisions of Article 26 of the Act is given by

serving a document stating the matters stated in the items of that Article to the person specified in that Article.

Chapter III Corrective Measures Plans

(Method of Applying for the Approval of Corrective Measures Plans)

- Article 4 (1) A person who seeks to make an application under the provisions of Article 27, paragraph (1) of the Act must submit a written application (including electronic or magnetic records (records made in electronic, magnetic, or other forms that cannot be perceived by human senses, which are used for information processing by computers; the same applies below) stating the matters required to be entered in the written application) prepared using Form No. 1 to the Commissioner of the Consumer Affairs Agency.
- (2) The materials stated in the following items are to be attached to the written application referred to in the preceding paragraph:
- (i) materials indicating that the corrective measures are sufficient to correct the act that was the reason for the suspicion and its impact;
 - (ii) materials indicating that the corrective measures are expected to be surely implemented; and
 - (iii) other materials that should serve as reference.

Article 5 A person who has made an application under the provisions of Article 27, paragraph (1) of the Act (referred to as the "applicant" in Article 7) may submit a report stating the content of the changes to the Commissioner of the Consumer Affairs Agency, until the day on which the period referred to in Article 27, paragraph (1) of the Act has elapsed, if there are any changes to the matters stated in the written application referred to in paragraph (1) of the preceding Article and the materials referred to in paragraph (2) of that Article; provided, however, that this does not apply if a disposition on the application has already been made.

Article 6 When documents are to be submitted pursuant to the provisions of the preceding two Articles, the documents must be submitted to the Commissioner of the Consumer Affairs Agency using any of the methods stated in the following items, or by combining those methods:

- (i) the method of bringing them in person;
- (ii) the method of using registered mail, or correspondence delivery services defined in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) which a general correspondence delivery operator defined in paragraph (6) of that Article or a specified correspondence delivery operator defined in paragraph (9) of that

Article provides, and for which the general correspondence delivery operator or the specified correspondence delivery operator records the acceptance and delivery of mail, or by a method equivalent to them; or

(iii) the method of transmission using an electronic data processing system prescribed in Article 6, paragraph (1) of the Act on the Promotion of Utilizing Information and Communications Technology in Administrative Procedures (Act No. 151 of 2002).

Article 7 An applicant may additionally submit materials prescribed in Article 4, paragraph (2), item (iii), at any time from the date of making an application until the disposition on the application under the provisions of Article 27, paragraph (1) of the Act is made.

(Matters to Be Stated in Non-Approval Certificate Concerning Approval of Corrective Measures Plans)

Article 8 The following matters are to be entered in the non-approval certificate prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 27, paragraph (7) of the Act following the deemed replacement of terms:

- (i) the fact that the application for approval of the corrective measures plan has been denied; and
- (ii) the reasons for the denial.

(Method of Applying for Approval of Changes to Approved Corrective Measures Plans)

Article 9 (1) A person who has been granted an approval referred to in Article 27, paragraph (3) of the Act and seeks to change the corrective measures plan related to the approval pursuant to the provisions of paragraph (8) of that Article (referred to as the "approved corrective measures plan" in Article 11, paragraph (1)) must submit a written application prepared using Form No. 2 (including electronic or magnetic records that have the matters required to be entered in the written application recorded) to the Commissioner of the Consumer Affairs Agency.

(2) A copy of the written approval prescribed in Article 27, paragraph (5) of the Act and other materials that should serve as reference for the approval referred to in paragraph (8) of that Article are to be attached to the written application referred to in the preceding paragraph.

Article 10 The provisions of Article 6 and Article 7 apply mutatis mutandis to the submission of the written application under the provisions of paragraph (1) of the preceding Article and the attachment of materials under the provisions

of paragraph (2) of that Article.

(Matters to Be Stated in Non-Approval Certificates Concerning Approval of Changes to Approved Corrective Measures Plans)

Article 11 The following matters are to be entered in the non-approval certificate prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis paragraph (7) of that Article following the deemed replacement of terms, as applied mutatis mutandis pursuant to paragraph (9) of that Article:

- (i) the fact that the application for approval of changes to the approved corrective measures plan has been denied; and
- (ii) the reasons for the denial.

(Matters to Be Stated in Written Revocations for Revocation of Approval of Corrective Measures Plan)

Article 12 The following matters are to be entered in the written revocation prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 29, paragraph (2) of the Act following the deemed replacement of terms:

- (i) the fact that the approval of the corrective measures plan has been revoked; and
- (ii) the reasons for the revocation.

Chapter IV Notice Under the Provisions of Article 30 of the Act

Article 13 The notice under the provisions of Article 30 of the Act is to be made by serving a document stating the matters stated in item (ii) of that Article to the person stated in item (i) of that Article.

Chapter V Impact Corrective Measures Plans

(Method of Applying for Approval of Impact Corrective Measures Plans)

Article 14 (1) A person who seeks to make an application under the provisions of Article 31, paragraph (1) of the Act must submit a written application prepared using Form No. 3 (including electronic or magnetic records that have the matters required to be entered in the written application recorded) to the Commissioner of the Consumer Affairs Agency.

(2) The materials referred to in the following items are to be attached to the written application referred to in the preceding paragraph:

- (i) materials indicating that the impact corrective measures are sufficient to correct the impact of the act that has caused the suspicion;
- (ii) materials indicating that the impact corrective measures are to be surely

implemented; and
(iii) other materials that should serve as reference.

Article 15 The provisions of Article 5 through Article 7 apply mutatis mutandis to the submission of written applications under the provisions of paragraph (1) of the preceding Article, and the attachment of materials under the provisions of paragraph (2) of that Article.

(Matters to Be Stated in Non-Approval Certificates Concerning Approval of Impact Corrective Measures Plans)

Article 16 The following matters are to be stated in non-approval certificates prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 31, paragraph (6) of the Act following the deemed replacement of terms:

- (i) that an application for approval of the impact corrective measures plan has been denied; and
- (ii) the reasons for the denial.

(Application Method for Approval of Changes to Approved Impact Corrective Measures Plans)

Article 17 (1) A person who has obtained the approval referred to in Article 31, paragraph (3) of the Act and seeks to change the impact corrective measures plan related to the approval pursuant to paragraph (7) of that Article (referred to as the "approved impact corrective measures plan" in Article 19, paragraph (1)) must submit a written application prepared using Form No. 4 (including electronic or magnetic records that has the matters required to be entered in the written application recorded) to the Commissioner of the Consumer Affairs Agency.

(2) A copy of the written approval prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis of Article 31, paragraph (4) of the Act and other materials that should serve as reference for granting the approval referred to in Article 31, paragraph (7) of the Act are to be attached to the written application referred to in the preceding paragraph.

Article 18 The provisions of Article 6 and Article 7 apply mutatis mutandis to the submission of the written application under the provisions of paragraph (1) of the preceding Article and the attachment of materials under the provisions of paragraph (2) of that Article.

(Matters to Be Stated in Non-Approval Certificates Concerning Approval of Changes to Approved Impact Corrective Measures Plans)

Article 19 The following matters are to be entered in the non-approval certificates prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 31, paragraph (6) of the Act following the deemed replacement of terms, as applied mutatis mutandis pursuant to Article 31, paragraph (8):

- (i) the fact that the application for approval of changes to the approved impact corrective measures plan has been denied; and
- (ii) the reasons for the denial.

(Matters to Be Stated in Written Revocations for Revocation of Impact Corrective Measures Plans)

Article 20 The following matters are to be entered in the written revocation prescribed in Article 27, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 33, paragraph (2) of the Act following the deemed replacement of terms:

- (i) the fact that the approval of the impact corrective measures plan has been revoked; and
- (ii) the reasons for the revocation.

Chapter VI Auxiliary Provisions

(Withdrawal of Applications)

Article 21 (1) An application for commitment procedures may be withdrawn at any time until the disposition on the application is made.

(2) The withdrawal of the application under the provisions of the preceding paragraph must be made by submitting a written document to the Commissioner the Consumer Affairs Agency (including an electronic or magnetic record) indicating the withdrawal of the application.

(3) The provisions of Article 6 apply mutatis mutandis to the submission of documents under the provisions of the preceding paragraph.

(Preparation of Materials to Be Submitted to the Commissioner of the Consumer Affairs Agency)

Article 22 Materials to be submitted to the Commissioner of the Consumer Affairs Agency in commitment procedures are to be prepared in Japanese.

Supplementary Provisions

This Cabinet Office Order comes into effect on the date of enforcement of the Act Partially Amending the Act Against Unjustifiable Premiums and Misleading Representations (Act No. 29 of 2023).

Form No.1 Omitted

Form No.2 Omitted

Form No.3 Omitted

Form No.4 Omitted