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外国為替及び外国貿易法(昭和二十四年法律第二百二十八号)

## Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

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

Article 1 The purpose of this Act is to, based on freedom of foreign transactions, such as foreign exchanges and foreign trade, ensure the normal development of foreign transactions and the maintenance of peace and security in Japan or international society by conducting the minimum necessary control or coordination of foreign transactions, thereby bringing about a balance of payments equilibrium and stability of currencies and contributing to the sound development of the Japanese economy.

第二条 削除

Article 2 Deleted

第三条 削除

Article 3 Deleted

第四条 削除

Article 4 Deleted

(適用範囲)

(Scope of Application)

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

Article 5 This Act also applies to acts that the representative, an agent, an employee or any other worker of a corporation having its principal office in Japan performs in

a foreign country with regard to the corporation's property or business. The same applies to acts that a person having a domicile in Japan or an agent, an employee or any other worker of that person performs in a foreign country with regard to that person's property or business.

(定義)

(Definitions)

第六条 この法律又はこの法律に基づく命令において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 6 In this Act or orders based on this Act, the meanings of the terms set forth in the following items are as prescribed respectively in these items:

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

(i) the term "Japan" means Honshu, Hokkaido, Shikoku, Kyushu, and other associated islands thereof specified by Ministry of Finance Order and Order of the Ministry of Economy, Trade and Industry;

二 「外国」とは、本邦以外の地域をいう。

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

三 「本邦通貨」とは、日本円を単位とする通貨をいう。

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

四 「外国通貨」とは、本邦通貨以外の通貨をいう。

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

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

(v) the term "resident" means a natural person having a domicile or residence in Japan and a corporation having its principal office in Japan; a non-resident's office in Japan, such as a branch office and local office, is deemed to be a resident even if the non-resident's principal office is located in a foreign country, regardless of whether the office in Japan has the legal authority to represent the non-resident;

六 「非居住者」とは、居住者以外の自然人及び法人をいう。

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

七 「支払手段」とは、次に掲げるものをいう。

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

イ 銀行券、政府紙幣及び硬貨

(a) banknotes, government money bills, and coins;

ロ 小切手（旅行小切手を含む。）、為替手形、郵便為替及び信用状

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

ハ 証票、電子機器その他の物（第十九条第一項において「証票等」という。）に電磁的方法（電子的方法、磁気的方法その他の人の知覚によつて認識することができない方法をいう。）により入力されている財産的価値であつて、不特定又は多数の者相互間での支払のために使用することができるもの（その使用の状況が通貨のそれと近似しているものとして政令で定めるものに限る。）

(c) the property value entered in a voucher, electronic device, or any other object (referred to as a "voucher, etc." in Article 19, paragraph (1)) using electronic or magnetic means (meaning that cannot be perceived by human senses, such as electronic means and magnetic means), which can be used for payment made between unspecified or a large number of persons (limited to such property value specified by Cabinet Order as one for which the status of use is approximate to that of a currency); and

ニ イ又はロに掲げるものに準ずるものとして政令で定めるもの

(d) what is specified by Cabinet Order as being equivalent to what is set forth in (a) or (b);

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

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

九 削除

(ix) deleted;

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

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

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

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

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

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

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

(xiii) the term "claim" means a time deposit, current deposit, special current deposit, deposit at notice, insurance policy, and current account balance, as well as a monetary claim arising from a loan, bid, or the like, which is not set forth in any of the preceding items;

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

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

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

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

十六 「財産」とは、第七号、第十号、第十一号、第十三号及び前号に規定するものを含む財産をいう。

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

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

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

(外国為替相場)

(Foreign Exchange Rates)

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

Article 7 (1) The Minister of Finance is to determine a reference foreign exchange rate of Japanese currency and arbitrated foreign exchange rates of foreign

currencies with Japanese currency, and give public notice of these rates.

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

(2) When the Minister of Finance intends to determine a reference foreign exchange rate of Japanese currency pursuant to the provisions of the preceding paragraph, the minister must obtain the approval of the Cabinet.

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

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

(通貨の指定)

(Designation of Currency)

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

Article 8 Payment to be made or received in a currency with regard to a transaction or act to which this Act applies must be made or received in a currency designated by the Minister of Finance.

(取引等の非常停止)

(Suspension of Transactions in Case of Emergency)

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

Article 9 (1) If there has been a rapid change in international economic conditions, the competent minister may order the suspension of transactions, acts, or payment or receipt of payment to which this Act applies, for a period specified by Cabinet Order, pursuant to the provisions of Cabinet Order, when the minister finds urgent necessity.

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

(2) The suspension ordered pursuant to the provisions of the preceding paragraph does not make it impossible to make a payment authorized by this Act until the time of the suspension, and a delay in payment due to the suspension is to be limited within the period specified by Cabinet Order.

第二章 我が国の平和及び安全の維持のための措置

Chapter II Measures to Maintain Peace and Security in Japan

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

できる。

Article 10 (1) If it is particularly necessary in order to maintain peace and security in Japan, the Cabinet may make a decision to implement countermeasures (meaning measures under the provisions of Article 16, paragraph (1), Article 21, paragraph (1), Article 23, paragraph (4), Article 24, paragraph (1), Article 25, paragraph (6), Article 48, paragraph (3), and Article 52, which are to be implemented by the competent minister based on a cabinet decision made under the provisions of this paragraph).

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

(2) If the government has implemented countermeasures referred to in the preceding paragraph based on the cabinet decision referred to in that paragraph, it must refer the matter to the Diet within 20 days from the day on which it implemented these countermeasures and seek Diet approval for the implementation of these countermeasures; provided, however, that if the Diet is closed or the House of Representatives has been dissolved, the government must seek the approval promptly at the first Diet session convoked thereafter.

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

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

第十一条 削除

Article 11 Deleted

第十二条 削除

Article 12 Deleted

第十三条 削除

Article 13 Deleted

第十四条 削除

Article 14 Deleted

第十五条 削除

Article 15 Deleted

第三章 支払等

Chapter III Making or Receiving Payments

(支払等)

(Making or Receiving Payments)

第十六条 主務大臣は、我が国が締結した条約その他の国際約束を誠実に履行するため必要があると認めるとき、国際平和のための国際的な努力に我が国として寄与するため特に必要があると認めるとき、又は第十条第一項の閣議決定が行われたときは、支払等が、これらと同一の見地から許可又は承認を受ける義務を課した取引又は行為に係る支

払等である場合を除き、政令で定めるところにより、本邦から外国へ向けた支払をしようとする居住者若しくは非居住者又は非居住者との間で支払等をしようとする居住者に対し、当該支払又は支払等について、許可を受ける義務を課することができる。

Article 16 (1) When the competent minister finds it to be necessary in order for Japan to sincerely implement a treaty or any other international agreement that it has signed, when the competent minister finds it to be particularly necessary in order for Japan to contribute to international efforts for international peace, or when the cabinet decision referred to in Article 10, paragraph (1) is made, the competent minister may, pursuant to the provisions of the Cabinet Order, impose on a resident or non-resident that intends to make a payment from Japan to a foreign country or a resident that intends to make a payment to or receive a payment from a non-resident an obligation to obtain permission for making the payment or for making or receiving the payment, except when the payment to be made or received arises from a transaction or act on which an obligation to obtain permission or approval is imposed from the same perspective as mentioned above.

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

(2) Beyond the cases prescribed in the preceding paragraph, when the competent minister finds it to be particularly necessary in order to maintain Japan's balance of payments equilibrium, the competent minister may, pursuant to the provisions of Cabinet Order, impose on a resident or non-resident that intends to make a payment from Japan to a foreign country or a resident that intends to make a payment to a non-resident an obligation to obtain permission for making the payment, except when the payment to be made arises from a transaction or act for which an obligation to obtain permission or make a notification is imposed or an obligation to obtain permission or approval may be imposed pursuant to the provisions of the following Chapter through Chapter VI.

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

(3) Beyond the cases prescribed in the preceding two paragraphs, when the competent minister finds it to be necessary in order to ensure the implementation of



the provisions of this Act or orders based on this Act, the competent minister may, pursuant to the provisions of Cabinet Order, impose on a resident or non-resident that intends to make a payment from Japan to a foreign country or a resident that intends to make a payment to or receive a payment from a non-resident an obligation to obtain permission for making the payment or for making or receiving the payment, except when the payment to be made or received arises from a transaction or act for which an obligation to obtain permission or make a notification is imposed or an obligation to obtain permission or approval may be imposed pursuant to the provisions of the following Chapter through Chapter VI.

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

(4) If an obligation to obtain permission is imposed pursuant to the provisions of two or more of the preceding three paragraphs with regard to a payment to be made or received regarding which an obligation to obtain permission may be imposed pursuant to the provisions of these paragraphs, a person that intends to make or receive the payment may, pursuant to the provisions of Cabinet Order, file a combined application for permission under the provisions of the relevant paragraphs. In this case, the competent minister is to determine whether or not to grant permission, while taking into consideration the circumstances under which the obligation to obtain permission for making or receiving the payment stated in the application has been imposed.

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

(5) Except in cases prescribed by Cabinet Order, if an obligation to obtain permission or approval or to make a notification for conducting a transaction or act is imposed pursuant to the provisions of this Act or orders based on this Act, it is prohibited to make or receive a payment arising from the transaction or act without obtaining the permission or approval or without making the notification.

(支払等の制限)

**(Restrictions on Making or Receiving Payments)**

第十六条の二 主務大臣は、前条第一項の規定により許可を受ける義務を課した場合において、当該許可を受ける義務が課された支払等を当該許可を受けないで行つた者が再び同項の規定により許可を受ける義務が課された支払等を当該許可を受けないで行うおそれがあると認めるときは、その者に対し、一年以内の期間を限り、本邦から外国へ向けた支払（銀行（銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行

をいう。第二十一条第三項において同じ。)その他の政令で定める金融機関(以下「銀行等」という。)又は資金移動業者(資金決済に関する法律(平成二十一年法律第五十九号)第二条第三項に規定する資金移動業者をいう。以下同じ。)が行う為替取引によつてされるものを除く。)及び居住者と非居住者との間でする支払等(銀行等又は資金移動業者が行う為替取引によつてされるものその他政令で定めるものを除く。)について、その全部若しくは一部を禁止し、又は政令で定めるところにより許可を受ける義務を課することができる。

Article 16-2 If the competent minister has imposed an obligation to obtain permission pursuant to the provisions of paragraph (1) of the preceding Article, and the minister finds that a person that made or received a payment that is subject to the obligation to obtain permission without obtaining the permission is likely to once again make or receive a payment that is subject to the obligation to obtain permission under the provisions of that paragraph without obtaining the permission, the minister may fully or partially prohibit the person from making a payment from Japan to a foreign country (excluding a payment to be made through an exchange transaction conducted by a financial institution specified by Cabinet Order, such as a bank (meaning the bank prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981); the same applies in Article 21, paragraph (3)) (hereinafter referred to as a "bank, etc.") or by a funds transfer service provider (meaning the funds transfer service provider prescribed in Article 2, paragraph (3) of the Payment Services Act (Act No. 59 of 2009): the same applies hereinafter)) and from engaging in making or receiving a payment between a resident and a non-resident (excluding making or receiving a payment through an exchange transaction conducted by a bank, etc. or funds transfer service provider or any such act specified by Cabinet Order), or impose on the person an obligation to obtain permission pursuant to the provisions of Cabinet Order, only for a period of not more than one year.

(銀行等の確認義務)

(Obligation of Banks, etc. to Confirm)

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

Article 17 A bank, etc. must not conduct an exchange transaction with a customer which involves a payment to be made or received by the customer until after it confirms that the payment to be made or received by the customer does not fall under any of the categories of payment or receipt of payment set forth in the following items, or if the payment to be made or received by the customer is found to fall under any of the categories of payment or receipt of payment set forth in the following items, until after it confirms that the payment to be made or received satisfies the requirement specified in the relevant item:

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

当該許可を受けていること。

(i) payment or receipt of payment for which an obligation to obtain permission is imposed pursuant to the provisions of Article 16, paragraphs (1) through (3): the customer has obtained the permission; and

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

(ii) payment or receipt of payment for a capital transaction prescribed in Article 20 for which an obligation to obtain permission is imposed pursuant to the provisions of Article 21, paragraph (1) or (2): the customer has obtained the permission;

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

(iii) any other payment or receipt of payment arising from a transaction or act for which an obligation to obtain permission or approval or an obligation to make a notification is imposed pursuant to the provisions of this Act or orders based on this Act, and which is specified by Cabinet Order: the customer has obtained the permission or approval or has completed the necessary procedure after making the notification.

(確認のための是正措置等)

(Rectification Measures for Confirmation)

第十七条の二 財務大臣は、銀行等が前条の規定に違反してその顧客の支払等に係る為替取引を行い、又は行うおそれがあると認めるときは、当該銀行等に対し、同条の確認が適切に行われるための措置をとることを命ずることができる。

Article 17-2 (1) When the Minister of Finance finds that a bank, etc. conducts or is likely to conduct, in violation of the provisions of the preceding Article, an exchange transaction involving a payment to be made or received by its customer, the minister may order the bank, etc. to take measures to ensure that it will properly confirm the relevant matters as referred to in that Article.

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

(2) When the Minister of Finance finds it to be necessary in issuing an order to a bank, etc. pursuant to the provisions of the preceding paragraph, the minister may order the bank, etc. to fully or partially suspend its business involving foreign exchange transactions or restrict the content of the business of the bank, etc. until the measures referred to in that paragraph are taken.

(資金移動業者への準用)

(Mutatis Mutandis Application to Funds Transfer Service Providers)

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

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

(銀行等の本人確認義務等)

(Obligation of Banks, etc. to Conduct Identity Verification)

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

Article 18 (1) When a bank, etc. conducts an exchange transaction with any of the customers set forth in the following items involving a payment to be made from Japan to a foreign country or a payment to be made to or received from a non-resident (excluding the case where the customer is a non-resident) (excluding an exchange transaction involving a small payment to be made from Japan to a foreign country or a small payment to be made to or received from a non-resident, which is specified by Cabinet Order; hereinafter referred to as a "specified exchange transaction"), the bank, etc. must verify the information specified in the relevant item with regard to the customer (hereinafter referred to as "identification information") by a method specified by Ministry of Finance Order, such as having the customer present their driver's license (hereinafter referred to as "identity verification"):

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

(i) a natural person: the person's name, domicile or residence (or the matter specified by Ministry of Finance Order if the person is a foreign national who has neither a domicile nor residence in Japan and is specified by Cabinet Order), and date of birth; and

二 法人 名称及び主たる事務所の所在地

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

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

(2) If a bank, etc. conducts identity verification of its customer, when the natural person who is actually in charge of conducting a specified exchange transaction with the bank, etc. is different from the customer, such as when the representative of a company conducts a specified exchange transaction on behalf of the company (excluding the cases prescribed in the following paragraph), the bank, etc. must

conduct identity verification with regard to the natural person who is in charge of the specified exchange transaction (referred to as the "representative, etc." in this Article and the following Article), in addition to identity verification of the customer.

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

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

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

(4) If a bank, etc. conducts identity verification, a customer (including the natural person who is deemed to be a customer pursuant to the provisions of the preceding paragraph; the same applies hereinafter) and a representative, etc. must not disguise the identification information of the customer or the representative, etc. to the bank, etc.

（銀行等の免責）

(Exemption of Banks, etc. from Obligation)

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

Article 18-2 If a customer or a representative, etc. does not comply with identity verification when conducting a specified exchange transaction, a bank, etc. may refuse to perform its obligation in the specified exchange transaction until the customer or the representative, etc. complies with identity verification.

（本人確認記録の作成義務等）

(Obligation to Create Identity Verification Records)

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

Article 18-3 (1) If a bank, etc. has conducted identity verification, it must immediately create a record concerning information specified by Ministry of Finance Order as identification information and any other information concerning identity verification (hereinafter referred to as an "identity verification record" in the following paragraph) by a method specified by Ministry of Finance Order.

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

(2) A bank, etc. must preserve an identity verification record for seven years from the day specified by Ministry of Finance Order, such as the day on which the specified exchange transaction is completed.

(本人確認及び本人確認記録の作成のための是正措置)

(Rectification Measures for Identity Verification and Creation of Identity Verification Records)

第十八条の四 財務大臣は、銀行等が特定為替取引に関して第十八条第一項から第三項まで又は前条第一項若しくは第二項の規定に違反していると認めるときは、当該銀行等に対し、当該違反を是正するために必要な措置をとるべきことを命ずることができる。

Article 18-4 When the Minister of Finance finds that a bank, etc. violates the provisions of Article 18, paragraphs (1) through (3) or paragraph (1) or (2) of the preceding Article in connection with a specified exchange transaction, the minister may order the bank, etc. to take necessary measures to rectify the violation.

(資金移動業者への準用)

(Mutatis Mutandis Application to Funds Transfer Service Providers)

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

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

(支払手段等の輸出入)

(Import and Export of Means of Payment)

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

Article 19 (1) When the Minister of Finance finds it to be necessary in order to ensure the implementation of the provisions of this Act or orders based on this Act, the minister may, pursuant to the provisions of Cabinet Order, impose an obligation to obtain permission on a resident or non-resident that intends to import or export a means of payment (including a voucher, etc. in which a means of payment is entered as set forth in Article 6, paragraph (1), item (vii), (c)) or securities.

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

(2) When the Minister of Finance finds it to be necessary in order to ensure the implementation of the provisions of this Act or orders based on this Act or finds it to be particularly necessary in order to maintain a balance of payments equilibrium or

stability of a currency, the minister may, pursuant to the provisions of Cabinet Order, impose an obligation to obtain permission on a resident or non-resident that intends to import or export a precious metal.

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

(3) If a resident or non-resident intends to import or export a means of payment or securities prescribed in paragraph (1) or a precious metal, they must, pursuant to the provisions of Cabinet Order, notify the Minister of Finance, in advance, of matters specified by Cabinet Order, such as the details of the import or export and the time of execution, except when they have obtained the permission of the Minister of Finance for the import or export of the means of payment, securities, or precious metal pursuant to the provisions of the order based on the provisions of the preceding two paragraphs or in any other case specified by Cabinet Order.

#### 第四章 資本取引等

#### Chapter IV Capital Transactions

(資本取引の定義)

#### (Definition of Capital Transaction)

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

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

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

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

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

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

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

に係る取引

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

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

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

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

(v) the acquisition of securities by a resident from a non-resident (including the acquisition by either of these parties of a right to execute the acquisition of securities by a resident from a non-resident based on the manifestation of intention by that party), or the transfer of securities by a resident to a non-resident (including the acquisition by either of these parties of a right to execute the transfer of securities by a resident to a non-resident based on the manifestation of intention by that party);

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

(vi) the issue or offering of securities by a resident in a foreign country, the issue or offering of foreign securities by a resident in Japan, or the issue or offering of securities by a non-resident in Japan;

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

(vii) the issue or offering by a non-resident in a foreign country of securities that are denominated or payable in Japanese currency;

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

(viii) a transaction involving the accrual, etc. of a claim based on a futures contract on a financial index, etc. between a resident and a non-resident;

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

(ix) a transaction involving the accrual, etc. of a claim that is payable in a foreign currency based on a futures contract on a financial index, etc. between a resident and another resident, or a transaction involving the accrual, etc. of a claim that is payable in Japanese currency based on a futures contract on a financial index, etc.



(limited to such contract involving a financial index (meaning the financial index prescribed in Article 2, paragraph (25) of the Financial Instruments and Exchange Act) of a foreign currency) between a resident and another resident;

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

(x) the acquisition by a resident of real property located in a foreign country or rights thereon, or the acquisition by a non-resident of real property located in Japan or rights thereon;

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

(xi) beyond what is set forth in items (i) and (ii), the delivery and receipt of funds between a corporation's office in Japan and the corporation's office in a foreign country (excluding the delivery and receipt of funds specified by Cabinet Order as the delivery and receipt of current expenses necessary for operating the office and funds involved in a current transaction); and

十二 前各号に掲げる取引又は行為に準ずるものとして政令で定めるもの

(xii) a transaction or act specified by Cabinet Order as being equivalent to any of the transactions or acts set forth in the preceding items.

（財務大臣の許可を受ける義務を課する資本取引等）

(Capital Transaction for Which an Obligation to Obtain the Permission of the Minister of Finance Is Imposed)

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

Article 21 (1) When the Minister of Finance finds that, if a capital transaction (meaning the capital transaction prescribed in the preceding Article, and excluding one which falls within the category of specified capital transaction prescribed in Article 24, paragraph (1); the same applies in paragraph (1) of the following Article, Article 55-3, and Article 70, paragraph (1)) were conducted by a resident or a non-resident subject to no restrictions, it would cause a situation in which Japan would be hindered from sincerely implementing a treaty or any other international agreement that it has signed or from contributing to international efforts for international peace, thereby making it difficult to achieve the purpose of this Act, or when the cabinet decision referred to in Article 10, paragraph (1) has been made, the

minister may, pursuant to the provisions of Cabinet Order, impose on a resident or non-resident that intends to conduct the capital transaction an obligation to obtain permission for conducting the capital transaction.

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

(2) Beyond the cases prescribed in the preceding paragraph, when the Minister of Finance finds that, if a capital transaction prescribed in that paragraph (excluding one booked on the special international financial transactions account) were conducted by a resident or non-resident subject to no restrictions, it would cause any of the following situations, thereby making it difficult to achieve the purpose of this Act, the minister may, pursuant to the provisions of Cabinet Order, impose on a resident or non-resident that intends to conduct the capital transaction an obligation to obtain permission for conducting the capital transaction:

一 我が国の国際収支の均衡を維持することが困難になること。

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

二 本邦通貨の外国為替相場に急激な変動をもたらすことになること。

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

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

(iii) it would cause a massive transfer of funds between Japan and a foreign country and have an adverse effect on the Japanese financial market or capital market.

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

(3) The term "special international financial transactions account" referred to in the preceding paragraph means an account established with the approval of the Minister of Finance by a financial institution specified by Cabinet Order, such as a bank, in order to conduct the accounting for the management or procurement of funds involved in the following transactions or acts to be conducted in order to allocate funds procured from non-residents (limited to corporations established based on foreign laws and regulations and other persons specified by Cabinet Order; hereinafter the same applies in this paragraph and the following paragraph), such

as deposits received from non-residents, for the management of funds with non-residents, such as the making of loans to non-residents and acquisition of securities from non-residents, separately from the accounting for the management or procurement of funds involved in other transactions or acts:

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

(i) a capital transaction set forth in item (i) of the preceding Article, which is a transaction involving the accrual, etc. of a claim based on a deposit contract with a non-resident which is specified by Cabinet Order;

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

(ii) a capital transaction set forth in item (ii) of the preceding Article, which is a transaction involving the accrual, etc. of a claim based on a money loan contract with a non-resident;

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

(iii) a capital transaction set forth in item (v) of the preceding Article, which is the acquisition from a non-resident or the transfer to a non-resident of securities (limited to those specified by Cabinet Order) issued by a non-resident; and

四 その他政令で定める取引又は行為

(iv) other transactions or acts specified by Cabinet Order.

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

(4) Cabinet Order prescribes matters concerning the accounting handled on the special international financial transactions account prescribed in the preceding paragraph (hereinafter referred to as the "special international financial transactions account" in this paragraph and paragraph (2) of the following Article), such as book-entry transfers of funds between the special international financial transactions account and other accounts, and also prescribes the confirmation of the fact that the other party to a transaction or act booked on the special international financial transactions account is a non-resident, and other necessary matters.

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

(5) If an obligation to obtain permission is imposed pursuant to the provisions of paragraphs (1) and (2) with regard to a capital transaction prescribed in paragraph

(2), a person that intends to conduct the capital transaction may, pursuant to the provisions of Cabinet Order, file a combined application for permission under the provisions of the relevant paragraph. In this case, the Minister of Finance is to determine whether or not to grant permission, while taking into consideration whether the capital transaction stated in the application would cause any of the situations due to which the obligation to obtain permission has been imposed.

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

(6) If the Minister of Finance has imposed an obligation to obtain permission pursuant to the provisions of paragraph (1) or (2) for conducting an outward direct investment prescribed in Article 23, paragraph (2) for which a notification is required pursuant to the provisions of paragraph (1) of that Article, the minister is to determine whether or not to grant permission, while taking into consideration whether the outward direct investment stated in the application would cause any of the situations set forth in the items of paragraph (4) of that Article in addition to whether it would cause any of the situations prescribed in paragraph (1) or set forth in the items of paragraph (2) due to which the obligation to obtain permission has been imposed.

(資本取引等の制限)

#### (Restrictions on Capital Transaction)

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

Article 22 (1) If the Minister of Finance has imposed an obligation to obtain permission pursuant to the provisions of paragraph (1) of the preceding Article, and the minister finds that a person that conducted a capital transaction that is subject to the obligation to obtain permission without obtaining the permission is likely to once again conduct a capital transaction that is subject to the obligation to obtain permission under the provisions of that paragraph without obtaining the permission, the minister may fully or partially prohibit the person from conducting a capital transaction, or impose on the person an obligation to obtain permission pursuant to the provisions of Cabinet Order, only for a period of not more than one year.

2 財務大臣は、前条第三項各号に掲げる取引若しくは行為以外の取引若しくは行為(以下この項において「対象外取引等」という。)を特別国際金融取引勘定において経理し、

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

(2) When the Minister of Finance finds that a person that booked any transaction or act other than the transactions or acts set forth in the items of paragraph (3) of the preceding Article (hereinafter referred to as an "ineligible transaction, etc." in this paragraph) on the special international financial transactions account or violated any provisions of an order based on the provisions of paragraph (4) of that Article is likely to once again book an ineligible transaction, etc. on the special international financial transactions account or violate any provisions of the order, the minister may prohibit the person from booking all or part of the transactions or acts set forth in the items of paragraph (3) of that Article on the special international financial transactions account, only for a period of not more than one year.

(銀行等その他の金融機関の本人確認義務等)

(Obligation of Banks, etc. and Other Financial Institutions to Conduct Identity Verification)

第二十二條の二 銀行等、信託会社（信託業法（平成十六年法律第百五十四号）第二条第二項に規定する信託会社及び同条第六項に規定する外国信託会社をいう。）及び金融商品取引業者（金融商品取引法第二条第九項に規定する金融商品取引業者であつて、同法第二十八条第一項に規定する第一種金融商品取引業を行う者及び同条第二項に規定する第二種金融商品取引業を行う者をいう。第五十五条の三において同じ。）（次項において「銀行等その他の金融機関」という。）は、顧客又はこれに準ずる者として政令で定める者（以下この項において「顧客等」という。）との間で第二十条に規定する資本取引に係る契約の締結その他の政令で定める行為（次項において「資本取引に係る契約締結等行為」という。）を行うに際しては、当該顧客等について、本人確認を行わなければならない。

Article 22-2 (1) If a bank, etc., a trust company (meaning the trust company prescribed in Article 2, paragraph (2) of the Trust Business Act (Act No. 154 of 2004) or the foreign trust company prescribed in paragraph (6) of that Article), and a financial instruments business operator (meaning the financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act, which engages in the Type-I financial instruments business prescribed in Article 28, paragraph (1) of that Act or the Type-II financial instruments business prescribed in paragraph (2) of that Article; the same applies in Article 55-3) (referred to as a "bank, etc. or any other financial institution" in the following paragraph) concludes a contract or conducts any other act specified by Cabinet Order for the capital transaction prescribed in Article 20 (referred to as the "conclusion of a contract or any other act for a capital transaction" in the following paragraph) with a customer or a person specified by Cabinet Order as being

equivalent thereto (hereinafter referred to as a "customer, etc." in this paragraph), they must conduct identity verification with regard to the customer, etc.

2 第十八条第二項から第四項まで及び第十八条の二から第十八条の四までの規定は、銀行等その他の金融機関が資本取引に係る契約締結等行為を行う場合について準用する。この場合において、第十八条の三第二項中「特定為替取引」とあるのは、「第二十二條の二第一項に規定する資本取引に係る契約」と読み替えるものとする。

(2) The provisions of Article 18, paragraphs (2) through (4) and Articles 18-2 through 18-4 apply mutatis mutandis if a bank, etc. or any other financial institution conducts the conclusion of a contract or any other act for a capital transaction. In this case, the term "specified exchange transaction" in Article 18-3, paragraph (2) is deemed to be replaced with "a contract for a capital transaction prescribed in Article 22-2, paragraph (1)."

(両替業務を行う者への準用)

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

第二十二條の三 第十八条第二項から第四項まで、第十八条の二から第十八条の四まで及び前条第一項の規定は、本邦において両替業務（業として外国通貨又は旅行小切手の売買を行うことをいう。）を行う者が顧客と両替（政令で定める小規模のものを除く。）を行う場合について準用する。

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

(対外直接投資)

(Outward Direct Investment)

第二十三條 居住者は、対外直接投資のうち第四項各号に掲げるいずれかの事態を生じることがあるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対外直接投資の内容、実行の時期その他の政令で定める事項を財務大臣に届け出なければならない。

Article 23 (1) If a resident intends to conduct an outward direct investment specified by Cabinet Order as being likely to cause any of the situations set forth in the items of paragraph (4), the resident must, pursuant to the provisions of Cabinet Order, notify the Minister of Finance, in advance, of matters specified by Cabinet Order, such as the details of the outward direct investment and the time of execution.

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

(2) The term "outward direct investment" referred to in this Article means the acquisition by a resident of securities issued by a corporation established based on foreign laws and regulations or the making of a loan by a resident to such corporation, which is specified by Cabinet Order as one conducted for the purpose of establishing a permanent economic relationship with the corporation, or the payment of funds by a resident for the establishment or expansion of a branch office, factory, or any other place of business (hereinafter referred to as a "branch office, etc.") in a foreign country.

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

(3) A resident that has made a notification under the provisions of paragraph (1) must not conduct the outward direct investment stated in the notification until 20 days have passed from the day on which the Minister of Finance receives the notification; provided, however, that the Minister of Finance may shorten the 20-day period when the minister finds no special problems in light of the details of the outward direct investment stated in the notification or any other circumstances.

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

(4) Only when it is found that, if the outward direct investment stated in the notification referred to in the preceding paragraph were conducted, it would cause any of the following situations, thereby making it difficult to achieve the purpose of this Act, or only when the cabinet decision referred to in Article 10, paragraph (1) has been made, the Minister of Finance may, pursuant to the provisions of Cabinet Order, issue a recommendation that the person that has made the notification of the outward direct investment should modify the substance of or discontinue the outward direct investment; provided, however, that the period during which the minister may recommend the modification or discontinuance is limited to 20 days from the day on which the minister receives the notification:

一 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

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

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

(ii) it would undermine international peace and security or hinder the maintenance of public order.

5 前項の規定による勧告を受けた者は、第三項の規定にかかわらず、当該勧告を受け

た日から起算して二十日を経過する日までは、同項の届出に係る対外直接投資を行ってはならない。

(5) Notwithstanding the provisions of paragraph (3), a person that is issued the recommendation under the provisions of the preceding paragraph must not conduct the outward direct investment stated in the notification referred to in that paragraph until 20 days have passed from the day on which the person is issued the recommendation.

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

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

7 前項の規定により勧告を応諾する旨の通知をした者は、当該勧告をされたところに従い、当該勧告に係る対外直接投資を行わなければならない。

(7) A person that has given notice of the acceptance of the recommendation pursuant to the provisions of the preceding paragraph must conduct the outward direct investment addressed in the recommendation in compliance with the recommendation.

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

(8) Notwithstanding the provisions of paragraph (3) or (5), a person that has given notice of the acceptance of the recommendation pursuant to the provisions of paragraph (6) may conduct the outward direct investment addressed in the recommendation before 20 days have passed from the day on which the person is issued the recommendation.

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

(9) If a person that is issued the recommendation under the provisions of paragraph (4) fails to give notice under the provisions of paragraph (6) or gives notice of the refusal of the recommendation, the Minister of Finance may order the person that is issued the recommendation to modify the substance of or discontinue the outward direct investment; provided, however, that the period during which the ministry may order the modification or discontinuance is limited to 20 days from the day on which the minister issues the recommendation under the provisions of paragraph (4).

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



(10) Beyond what is provided for in the preceding paragraphs, Cabinet Order prescribes the procedure for issuing a recommendation of the modification of the substance of or discontinuance of outward direct investment, and other necessary matters concerning the recommendation.

11 第一項の規定により届け出なければならないとされる対外直接投資について第二十一条第一項又は第二項の規定により財務大臣の許可を受ける義務が課された場合には、当該対外直接投資を行う居住者は、第一項の規定にかかわらず、その届出をすることを要しない。この場合において、当該対外直接投資について既に同項の規定による届出がされているときは、当該届出（同条第一項又は第二項の規定により許可を受ける義務が課された際現に行っていない対外直接投資（第六項の規定により中止の勧告を応諾する旨の通知がされたもの及び第九項の規定により中止を命ぜられたものを除く。）に係るものに限る。）については、これを当該届出のあつた日にされた同条第一項又は第二項の規定により受ける義務を課された許可に係る申請とみなし、当該届出に係る対外直接投資について第四項の規定による勧告、第六項の規定による通知（内容の変更を応諾する旨のものに限る。）又は第九項の規定による命令（内容の変更に係るものに限る。）があつたときは、当該勧告、通知又は命令については、これをなかつたものとみなす。

(11) Notwithstanding the provisions of paragraph (1), if an obligation to obtain the permission of the Minister of Finance is imposed pursuant to the provisions of Article 21, paragraph (1) or (2) with regard to outward direct investment for which a notification is required pursuant to the provisions of paragraph (1), a resident that conducts the outward direct investment is not required to make the notification. In this case: if the notification under the provisions of paragraph (1) has already been made with regard to the outward direct investment, the notification (limited to a notification regarding an outward direct investment that the resident has not yet conducted at the time the obligation to obtain permission is imposed pursuant to the provisions of paragraph (1) or (2) of that Article (excluding outward direct investment for which the resident has given notice of the acceptance of the recommendation of discontinuance under the provisions of paragraph (6) or which the resident has been ordered to discontinue pursuant to the provisions of paragraph (9))) is deemed to be an application filed on the day of the notification for obtaining the permission that is subject to the obligation to obtain permission imposed under the provisions of paragraph (1) or (2) of that Article; and if the recommendation under the provisions of paragraph (4) is issued, the notice under the provisions of paragraph (6) (limited to the notice of the acceptance of the modification of the substance) is given, or the order under the provisions of paragraph (9) (limited to an order of the modification of the substance) is issued, the recommendation, notice, or order is deemed not to have been issued or given.

（経済産業大臣の許可を受ける義務を課する特定資本取引）

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

第二十四条 経済産業大臣は、居住者による特定資本取引（第二十条第二号に掲げる資

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

Article 24 (1) When the Minister of Economy, Trade and Industry finds that, if a specified capital transaction (meaning, among the capital transactions set forth in Article 20, item (ii) (including transactions specified by Cabinet Order as transactions equivalent to those referred to in item (ii) of that Article pursuant to the provisions of item (xii) of that Article), a transaction or act specified by Cabinet Order as one conducted by a person importing or exporting goods directly in association with the import or export of goods, and a transaction or act specified by Cabinet Order as one involving the transfer of a mining right, industrial property right or any other similar right or the establishment of the right to use these rights (excluding a capital transaction specified by Cabinet Order as a transaction for the settlement of a short-term international commercial transaction); the same applies hereinafter) were conducted by a resident subject to no restrictions, it would cause a situation in which Japan would be hindered from sincerely implementing a treaty or any other international agreement that it has signed or from contributing to international efforts for international peace, thereby making it difficult to achieve the purpose of this Act, or when the cabinet decision referred to in Article 10, paragraph (1) has been made, the minister may, pursuant to the provisions of Cabinet Order, impose on a resident that intends to conduct the specified capital transaction an obligation to obtain permission for conducting the specified capital transaction.

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

(2) Beyond the cases prescribed in the preceding paragraph, when the Minister of Economy, Trade and Industry finds that, if a specified capital transaction was conducted by a resident subject to no restrictions, it would cause any of the situations set forth in the items of Article 21, paragraph (2), thereby making it difficult to achieve the purpose of this Act, the minister may, pursuant to the

provisions of Cabinet Order, impose on a resident that intends to conduct the specified capital transaction an obligation to obtain permission for conducting the specified capital transaction.

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

(3) If an obligation to obtain permission is imposed pursuant to the provisions of paragraph (1) and the preceding paragraph with regard to a specified capital transaction, a person that intends to conduct the specified capital transaction may, pursuant to the provisions of Cabinet Order, file a combined application for permission under the provisions of the relevant paragraph. In this case, the Minister of Economy, Trade and Industry is to determine whether or not to grant permission, while taking into consideration whether the specified capital transaction stated in the application would cause any of the situations due to which the obligation to obtain permission has been imposed.

(特定資本取引の制限)

(Restrictions of Specified Capital Transactions)

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

Article 24-2 If the Minister of Economy, Trade and Industry has imposed an obligation to obtain permission pursuant to the provisions of paragraph (1) of the preceding Article, and the minister finds that a person that conducted a specified capital transaction that is subject to the obligation to obtain permission without obtaining the permission is likely to once again conduct a specified capital transaction that is subject to the obligation to obtain permission under the provisions of that paragraph without obtaining the permission, the minister may fully or partially prohibit the person from conducting a specified capital transaction, or impose on the person an obligation to obtain permission pursuant to the provisions of Cabinet Order, only for a period of not more than one year.

(役務取引等)

(Service Transaction)

第二十五条 国際的な平和及び安全の維持を妨げることとなると認められるものとして政令で定める特定の種類の貨物の設計、製造若しくは使用に係る技術（以下「特定技術」という。）を特定の外国（以下「特定国」という。）において提供することを目的とする取引を行おうとする居住者若しくは非居住者又は特定技術を特定国の非居住者に提供す

ることを目的とする取引を行おうとする居住者は、政令で定めるところにより、当該取引について、経済産業大臣の許可を受けなければならない。

Article 25 (1) A resident or non-resident that intends to conduct a transaction the purpose of which is to provide a specified type of technology for designing, manufacturing, or using goods (hereinafter referred to as "specified technology") in a specified foreign country (hereinafter referred to as a "specified country"), which is specified by Cabinet Order as a transaction that is found to result in hindering the maintenance of international peace and security, or a resident that intends to conduct a transaction the purpose of which is to provide specified technology to a non-resident belonging to a specified country, must, pursuant to the provisions of Cabinet Order, obtain the permission of the Minister of Economy, Trade and Industry for conducting the transaction.

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

(2) When the Minister of Economy, Trade and Industry finds it to be necessary in order to ensure the implementation of the provisions of the preceding paragraph, the minister may, pursuant to the provisions of Cabinet Order, impose on a resident or non-resident that intends to conduct a transaction the purpose of which is to provide specified technology in a foreign country other than a specified country or a resident that intends to conduct a transaction the purpose of which is to provide specified technology to a non-resident belonging to a foreign country other than a specified country an obligation to obtain permission for conducting the transaction.

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

(3) In the cases set forth in the following items, the Minister of Economy, Trade and Industry may, pursuant to the provisions of Cabinet Order, impose on a person that intends to conduct the act specified in the relevant item an obligation to obtain permission for conducting the act:

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

(i) when the minister finds it to be necessary in order to ensure the implementation of the provisions of paragraph (1): any of the following acts in connection with the transaction referred to in that paragraph;

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

(a) exporting a document, drawing, or recording medium in which information concerning the specified technology is recorded (hereinafter referred to as a

"specified recording medium, etc."), with the specified country being the destination;  
or

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

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

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

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

イ 特定国以外の外国を仕向地とする特定記録媒体等の輸出

(a) exporting the specified recording medium, etc., with a foreign country other than the specified country being the destination; or

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

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

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

(4) If a resident intends to conduct with a non-resident a transaction for the purchase and sale, lease, or gift involving the transfer of goods between foreign countries, which is specified by Cabinet Order as a transaction that is found to result in hindering the maintenance of international peace and security, the resident must, pursuant to the provisions of Cabinet Order, obtain the permission of the Minister of Economy, Trade and Industry for conducting the transaction.

5 居住者は、非居住者との間で、役務取引（労務又は便益の提供を目的とする取引をいう。以下同じ。）であつて、鉱産物の加工その他これに類するものとして政令で定めるもの（第三十条第一項に規定する技術導入契約の締結等に該当するものを除く。）を行おうとするときは、政令で定めるところにより、当該役務取引について、主務大臣の許可を受けなければならない。ただし、次項の規定により主務大臣の許可を受ける義務が課

された役務取引に該当するものについては、この限りでない。

(5) If a resident intends to conduct with a non-resident a service transaction (meaning a transaction the purpose of which is to provide labor or benefit; the same applies hereinafter) which is the processing of minerals or anything specified by Cabinet Order as being similar thereto (excluding a transaction which falls within the category of the conclusion, etc. of a technology introduction contract prescribed in Article 30, paragraph (1)), the resident must, pursuant to the provisions of Cabinet Order, obtain the permission of the competent minister for conducting the service transaction; provided, however, that this does not apply to a service transaction which falls within the category of service transaction for which an obligation to obtain the permission of the competent minister is imposed pursuant to the provisions of the following paragraph.

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

(6) When the competent minister finds that, if a service transaction (excluding those involving specified technology or falling within the category of the conclusion, etc. of a technology introduction contract prescribed in Article 30, paragraph (1)) or a transaction for the purchase and sale, lease, or gift involving the transfer of goods between foreign countries (excluding those prescribed in paragraph (4)) (hereinafter referred to as a "service transaction, etc.") were conducted by a resident with a non-resident subject to no restrictions, it would cause a situation in which Japan would be hindered from sincerely implementing a treaty or any other international agreement that it has signed or from contributing to international efforts for international peace, thereby making it difficult to achieve the purpose of this Act, or when the cabinet decision referred to in Article 10, paragraph (1) has been made, the minister may, pursuant to the provisions of Cabinet Order, impose on the resident that intends to conduct the service transaction, etc. an obligation to obtain permission for conducting the service transaction, etc.

（制裁等）

(Sanction)

第二十五条の二 経済産業大臣は、前条第一項の規定による許可を受けないで同項に規定する取引を行つた者に対し、三年以内の期間を限り、貨物の設計、製造若しくは使用に係る技術（以下この項及び次項において「貨物設計等技術」という。）を外国において提供し、若しくは非居住者に提供することを目的とする取引若しくは当該取引に関する

貨物設計等技術を内容とする情報が記載され、若しくは記録された文書、図画若しくは記録媒体の輸出（同項及び第七十条第一項第十九号において「技術記録媒体等輸出」という。）若しくは外国において受信されることを目的として行う電気通信による貨物設計等技術を内容とする情報の送信（次項及び同号において「国外技術送信」という。）を行い、又は特定技術に係る特定の種類の貨物の輸出を行うことを禁止することができる。

Article 25-2 (1) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction prescribed in paragraph (1) of the preceding Article without obtaining the permission under the provisions of that paragraph, from engaging in the following, only for a period of not more than three years: conducting a transaction the purpose of which is to provide technology for designing, manufacturing, or using goods (hereinafter referred to as "technology for designing, etc. of goods" in this paragraph and the following paragraph) in a foreign country or to a non-resident; in connection with that transaction, exporting a document, drawing, or recording medium in which information concerning technology for designing, etc. of goods is recorded (hereinafter referred to as "export of recording medium containing technological information" in the following paragraph and Article 70, paragraph (1), item (xix)) or transmitting information concerning technology for designing, etc. of goods by means of telecommunications that are intended to be received in a foreign country (hereinafter referred to as "international transmission of technological information" in the following paragraph and that item); or exporting a specified type of goods involving specified technology.

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

(2) If an obligation to obtain the permission of the Minister of Economy, Trade and Industry is imposed pursuant to the provisions of paragraph (2) or (3) of the preceding Article, the Minister of Economy, Trade and Industry may prohibit a person that has conducted any of the transactions or acts prescribed in these paragraphs without obtaining the permission, from conducting a transaction the purpose of which is to provide technology for designing, etc. of goods in a foreign country or to a non-resident, engaging in export of recording medium containing technological information or international transmission of technological information in connection with that transaction, or exporting a specified type of goods involving specified technology, only for a period of not more than one year.

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

(3) The Minister of Economy, Trade and Industry may prohibit a person that has conducted a transaction prescribed in paragraph (4) of the preceding Article without obtaining the permission referred to in that paragraph, from conducting a transaction for the purchase and sale, lease, or gift involving the transfer of goods between foreign countries with a non-resident, or exporting good, only for a period of not more than three years.

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

(4) If the competent minister has imposed an obligation to obtain permission for conducting a service transaction, etc. pursuant to the provisions of paragraph (6) of the preceding Article, and the minister finds that a person that conducted a service transaction, etc. that is subject to the obligation to obtain permission without obtaining the permission is likely to once again conduct a service transaction, etc. that is subject to the obligation to obtain permission under the provisions of that paragraph without obtaining the permission, the minister may fully or partially prohibit the person from conducting a service transaction, etc., or impose on the person an obligation to obtain permission pursuant to the provisions of Cabinet Order, only for a period of not more than one year.

## 第五章 対内直接投資等

### Chapter V Inward Direct Investment, etc.

(定義)

#### (Definitions)

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

Article 26 (1) The term "foreign investor" means any of the following persons that conducts inward direct investment, etc. set forth in the items of the following paragraph or specified acquisition prescribed in paragraph (3):

一 非居住者である個人

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

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

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

三 会社で、前二号に掲げるものにより直接に保有されるその議決権（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項の規



定により議決権を有するものとみなされる株式についての議決権を含む。以下この号及び次項第四号において同じ。)の数と他の会社を通じて間接に保有されるものとして政令で定めるその議決権の数とを合計した議決権の数の当該会社の総株主又は総社員の議決権の数(同項において「総議決権」という。)に占める割合が百分の五十以上に相当するもの

(iii) a company in which the ratio of the number of voting rights obtained by aggregating the number of voting rights directly held by the persons set forth in the preceding two items (excluding voting rights attached to shares that do not allow voting rights to be exercised with regard to any matters that may be resolved at a shareholders meeting, and including voting rights attached to the shares whose shareholders are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); hereinafter the same applies in this item and item (iv) of the following paragraph) and the number of voting rights specified by Cabinet Order as those indirectly held by them via another company, to the number of voting rights held by all shareholders or all members of the company (referred to as the "total voting rights" in the following paragraph), is 50 percent or more;

四 組合等(民法(明治二十九年法律第八十九号)第六百六十七条第一項に規定する組合契約で会社に対する投資事業を営むことを約するものによつて成立する組合(一人又は数人の組合員にその業務の執行を委任しているものに限る。以下この号及び次項第七号において「任意組合」という。)若しくは投資事業有限責任組合契約に関する法律(平成十年法律第九十号)第二条第二項に規定する投資事業有限責任組合(以下この号及び次項第七号において「投資事業有限責任組合」という。)又は外国の法令に基づいて設立された団体であつてこれらの組合に類似するもの(以下この号及び次条第十三項において「特定組合類似団体」という。)をいう。以下この号において同じ。)であつて、第一号に掲げるものその他政令で定めるものによる出資の金額の合計の当該組合等の総組合員(特定組合類似団体にあつては全ての構成員)による出資の金額の総額に占める割合が百分の五十以上に相当するもの又は同号に掲げるものその他政令で定めるものが当該組合等の業務執行組合員(任意組合の業務の執行の委任を受けた組合員若しくは投資事業有限責任組合の無限責任組合員又は特定組合類似団体のこれらに類似するものをいう。第七十条第一項及び第七十一条第六号において同じ。)の過半数を占めるもの(以下「特定組合等」という。)

(iv) a partnership, etc. (meaning a partnership formed based on a partnership contract prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896) under which the parties agree to engage in the business of investment in companies (limited to such partnership in which one or several partners are entrusted with the execution of the business; hereinafter referred to as a "voluntary partnership" in this item and item (vii) of the following paragraph), an investment limited partnership (LPS) prescribed in Article 2, item (ii) of the Limited Partnership Act for Investment (Act No. 90 of 1998) (hereinafter referred to as an "investment limited partnership" in this item and item (vii) of the following

paragraph), or an organization established based on the laws and regulations of a foreign country which is similar to any of these partnerships (hereinafter referred to as an "organization similar to a specified partnership" in this item and paragraph (13) of the following Article); hereinafter the same applies in this item), in which the ratio of the total of the amounts of capital contributions by the persons set forth in item (i) and other persons specified by Cabinet Order, to the total amount of capital contributions by all partners of the partnership, etc. (or all members of an organization similar to a specified partnership) is 50 percent or more, or the persons set forth in that item and other persons specified by Cabinet Order account for the majority of executive partners of the partnership, etc. (meaning partners entrusted with the execution of the business of a voluntary partnership or general partners of an investment limited partnership, or similar persons affiliated to an organization similar to a specified partnership; the same applies in Article 70, paragraph (1) and Article 71, item (vi)) (hereinafter referred to as a "specified partnership, etc."); or

五 前三号に掲げるもののほか、法人その他の団体で、第一号に掲げる者がその役員（業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人その他の団体に対し業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。以下この号において同じ。）又は役員で代表する権限を有するもののいずれかの過半数を占めるもの

(v) beyond what is set forth in the preceding three items, a corporation or any other organization in which the persons set forth in item (i) account for the majority of its officers (meaning a member who executes the business, a director, an executive officer, a representative, an administrator, or any other person equivalent thereto, and including a person, irrespective of their title such as advisor or consultant, who is found to have control over a corporation or any other organization that is equal to or greater than that of a member who executes the business, a director, an executive officer, a representative, an administrator, or any other person equivalent thereto; hereinafter the same applies in this item) or the majority of its officers having the authority to represent.

2 対内直接投資等とは、次のいずれかに該当する行為をいう。

(2) The term "inward direct investment, etc." means any of the following acts:

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

(i) the acquisition of shares or equity in a company (excluding the acquisition through the transfer from any of the persons set forth in the items of the preceding paragraph, and the acquisition of shares of a company that has issued shares listed on a financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act or shares specified by Cabinet Order as

those equivalent thereto (hereinafter referred to as a "listed company, etc." in this Article));

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

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

三 上場会社等の株式の取得（当該取得をしたもの（以下この号及び第四項において「株式取得者」という。）が、当該取得の後において所有することとなる当該上場会社等の株式の数、当該株式取得者の密接関係者が所有する当該上場会社等の株式の数並びに当該株式取得者及び当該株式取得者の密接関係者が投資一任契約その他の契約に基づき他のものから委任を受けて株式の運用（その指図をすることを含み、政令で定める要件を満たすものに限る。）をする場合におけるその対象となる当該上場会社等の株式の数を合計した株式の数（これらの株式に重複するものがある場合には、当該重複する数を控除した純計によるもの）の当該上場会社等の発行済株式の総数に占める割合が百分の一を下らない率で政令で定める率以上となる場合に行う取得に限る。）

(iii) the acquisition of shares of a listed company, etc. (limited to the acquisition as a result of which the ratio of the number of shares obtained by aggregating the number of shares of the listed company, etc. that the person that has acquired the shares (hereinafter referred to as the "acquirer of shares" in this item and paragraph (4)) is to own after the acquisition, the number of shares of the listed company, etc. owned by a person closely related to the acquirer of shares, and the number of shares of the listed company, etc. that are subject to the investment in shares if the acquirer of shares and the person closely related to the acquirer of shares make investment in shares (including giving instructions to do so, and limited to investment in shares that satisfies the requirements specified by Cabinet Order) as entrusted by another person based on a discretionary investment contract or any other contract (on the basis of the net total calculated by deducting the number of duplicate shares among these shares, if any), to the total number of issued shares of the listed company, etc., is not less than the ratio specified by Cabinet Order which does not fall below 1 percent);

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

(iv) the acquisition of voting rights in a listed company, etc. (limited to the acquisition as a result of which the ratio of the net number of voting rights obtained by aggregating the number of voting rights held or otherwise exercisable under contract (meaning voting rights held in one's own name or in another person's name and voting rights specified by Cabinet Order as those exercisable based on a discretionary investment contract or any other contract; hereinafter the same applies in this item and the following item) in the listed company, etc. that the person that has acquired the voting rights (hereinafter referred to as the "acquirer of voting rights" in this item and paragraph (4)) is to hold after the acquisition, and the number of voting rights held or otherwise exercisable under contract in the listed company, etc. by a person closely related to the acquirer of voting rights (on the basis of the net total calculated by deducting the number of duplicate voting rights among these voting rights, if any; the same applies in the following item), to the total voting rights in the listed company, etc., is not less than the ratio specified by Cabinet Order which does not fall below 1 percent, and excluding the acquisition involving the act set forth in the preceding item);

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

(v) consent given with regard to a substantial change of the business purpose of a company or any other matters specified by Cabinet Order as those having a material influence on the management of a company (in the case of a listed company, etc., limited to consent given in the case where the ratio of the net number of voting rights obtained by aggregating the number of voting rights held or otherwise exercisable under contract in the listed company, etc. by the person that gives the consent (hereinafter referred to as the "consenter" in this item and paragraph (4)) and the number of voting rights held or otherwise exercisable under contract in the listed company, etc. by a person closely related to the consenter, to the total voting rights in the listed company, etc., is not less than the ratio specified by Cabinet Order which does not fall below 1 percent);

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

(vi) the establishment of a branch office, etc. in Japan, or a substantial change of the type or business purpose of a branch office, etc. in Japan (limited to the establishment or change specified by Cabinet Order that is conducted by the person set forth in item (i) or (ii) of the preceding paragraph);

七 本邦に主たる事務所を有する法人に対する政令で定める金額を超える金銭の貸付け（銀行業を営む者その他政令で定める金融機関がその業務として行う貸付け及び前項第

三号、第四号（任意組合又は投資事業有限責任組合に該当するものに限る。）又は第五号に掲げるものが行う本邦通貨による貸付けを除く。）でその期間が一年を超えるもの

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

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

(viii) the business succession from a resident (limited to a corporation) as a result of the acquisition of a business, an absorption-type company split, and a merger (excluding the business succession involving any of the acts set forth in items (i) through (iii)); or

九 前各号に掲げる行為に準ずるものとして政令で定めるもの

(ix) an act specified by Cabinet Order as being equivalent to any of the acts set forth in the preceding items.

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

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

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

(4) The term "person closely related" prescribed in paragraph (2), items (iii) through (v) means any of the persons set forth in the items of paragraph (1) and specified by Cabinet Order as a person having a permanent economic relationship based on ownership of shares, a family relationship, or any other special relationship with the acquirer of shares, acquirer of voting rights, or consenter.

（対内直接投資等の届出及び変更勧告等）

(Notification and Recommendation of Modification Regarding Inward Direct Investment, etc.)

第二十七条 外国投資家（前条第一項に規定する外国投資家をいう。以下この条、第二十八条、第二十九条第一項から第四項まで、第五十五条の五及び第九章において同じ。）は、対内直接投資等（前条第二項に規定する対内直接投資等をいい、相続、遺贈、法人の合併その他の事情を勘案して政令で定めるものを除く。以下この条、第二十九条第一項から第四項まで、第五十五条の五、第六十九条の二第二項及び第七十条第一項において同じ。）のうち第三項の規定による審査が必要となる対内直接投資等に該当するおそれ

があるものとして政令で定めるものを行おうとするときは、政令で定めるところにより、あらかじめ、当該対内直接投資等について、事業目的、金額、実行の時期その他の政令で定める事項を財務大臣及び事業所管大臣に届け出なければならない。

Article 27 (1) If a foreign investor (meaning the foreign investor prescribed in paragraph (1) of the preceding Article; hereinafter the same applies in this Article, Article 28, Article 29, paragraphs (1) through (4), Article 55-5, and Chapter IX) intends to conduct inward direct investment, etc. (meaning the inward direct investment, etc. prescribed in paragraph (2) of the preceding Article, and excluding inward direct investment, etc. specified by Cabinet Order in consideration of inheritance, bequest, merger of a corporation, or any other circumstances; hereinafter the same applies in this Article, Article 29, paragraphs (1) through (4), Article 55-5, Article 69-2, paragraph (2), and Article 70, paragraph (1)) specified by Cabinet Order as being likely to constitute inward direct investment, etc. that requires the examination under the provisions of paragraph (3), the foreign investor must, pursuant to the provisions of Cabinet Order, notify the Minister of Finance and the competent minister for the business, in advance, of matters specified by Cabinet Order, such as the business purpose, the amount, and the time of execution regarding the inward direct investment, etc.

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

(2) A foreign investor that has made a notification under the provisions of the preceding paragraph regarding inward direct investment, etc. must not conduct the inward direct investment, etc. stated in the notification until 30 days have passed from the day on which the Minister of Finance and the competent minister for the business receive the notification; provided, however, that the Minister of Finance and the competent minister for the business may shorten the 30-day period when they find, before the expiration of the period, that the inward direct investment, etc. stated in the notification does not fall within the category of inward direct investment, etc. that requires the examination under the provisions of the following paragraph, in light of its business purpose and other circumstances.

3 財務大臣及び事業所管大臣は、第一項の規定による届出があつた場合において、当該届出に係る対内直接投資等が次に掲げるいずれかの対内直接投資等（以下「国の安全等に係る対内直接投資等」という。）に該当しないかどうかを審査する必要があると認めるときは、当該届出に係る対内直接投資等を行ってはならない期間を、当該届出を受理した日から起算して四月間に限り、延長することができる。

(3) If the notification under the provisions of paragraph (1) has been made, when the Minister of Finance and the competent minister for the business find it to be

necessary to examine whether the inward direct investment, etc. stated in the notification falls within any of the following categories of inward direct investment, etc. (hereinafter referred to as "inward direct investment, etc. involving national security, etc."), they may extend the period during which the inward direct investment, etc. stated in the notification must not be conducted, only for four months from the day on which they receive the notification:

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

(i) inward direct investment, etc. which is likely to cause the situation set forth in (a) or (b) (limited to: inward direct investment, etc. conducted by a foreign investor of a member state of a multilateral treaty or any other international agreement concerning inward direct investment, etc. to which Japan is a member state and which is specified by Cabinet Order (hereinafter referred to as a "treaty, etc." in this item), if there is no obligation based on the treaty, etc. to remove restrictions on inward direct investment, etc.; and inward direct investment, etc. conducted by a foreign investor of a country other than a member state of the treaty, etc., if there would be no such obligation if that country is assumed to be a member state of the treaty, etc.):

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

(a) it would undermine national security, disturb the maintenance of public order, or interfere with the protection of public safety; or

ロ 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

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

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

(ii) inward direct investment, etc. which is to be conducted by a foreign investor of a country with which Japan does not have a treaty or any other international agreement concerning inward direct investment, etc., and regarding which it is therefore found necessary to modify the substance or discontinue in order to treat the inward direct investment, etc. in substantially the same manner as treating direct investment, etc. (meaning direct investment, etc. that is equivalent to inward direct investment, etc. set forth in the items of paragraph (2) of the preceding

Article) conducted by a Japanese investor in that country; or

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

(iii) inward direct investment, etc. regarding which it is found necessary to modify the substance or discontinue because the whole or part of the inward direct investment, etc. constitutes a capital transaction for which the obligation to obtain permission is imposed pursuant to the provisions of Article 21, paragraph (1) or (2) in light of the use of funds and other circumstances.

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

(4) If the Minister of Finance and the competent minister for the business have extended the period during which inward direct investment, etc. must not be conducted pursuant to the provisions of the preceding paragraph, and they find, as a result of the examination under the provisions of that paragraph and before the expiration of the extended period, that the inward direct investment, etc. stated in the notification made under the provisions of paragraph (1) does not fall within the scope of inward direct investment, etc. involving national security, etc., they may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により対内直接投資等を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等の届出をしたものに対し、政令で定めるところにより、当該対内直接投資等に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して第三項又は次項の規定により延長された期間の満了する日までとする。

(5) If the Minister of Finance and the competent minister for the business have extended the period during which inward direct investment, etc. must not be conducted pursuant to the provisions of paragraph (3), and they find, as a result of the examination under the provisions of that paragraph, that the inward direct investment, etc. stated in the notification made under the provisions of paragraph (1) falls within the scope of inward direct investment, etc. involving national security, etc., they may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, issue a recommendation that the person that has made the notification of the inward direct investment, etc. should modify the substance of or discontinue the inward direct investment, etc.; provided, however, that the period during which the ministers may recommend the modification or discontinuance commences from the



day on which they receive the notification, and ends on the day on which the period extended under the provisions of paragraph (3) or the following paragraph expires.

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

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

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

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

8 前項の規定により勧告を応諾する旨の通知をしたものは、当該勧告をされたところに従い、当該勧告に係る対内直接投資等を行わなければならない。

(8) A person that has given notice of the acceptance of the recommendation pursuant to the provisions of the preceding paragraph must conduct the inward direct investment, etc. addressed in the recommendation in compliance with the recommendation.

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

(9) Notwithstanding the provisions of paragraph (3) or (6), a person that has given notice of the acceptance of the recommendation pursuant to the provisions of paragraph (7) may conduct the inward direct investment, etc. addressed in the recommendation before four months (or five months if the period is extended pursuant to the provisions of paragraph (6)) have passed from the day on which the person made a notification regarding the inward direct investment, etc.

10 第五項の規定による勧告を受けたものが、第七項の規定による通知をしなかつた場合又は当該勧告を応諾しない旨の通知をした場合には、財務大臣及び事業所管大臣は、当該勧告を受けたものに対し、当該対内直接投資等に係る内容の変更又は中止を命ずることができる。ただし、当該変更又は中止を命ずることができる期間は、当該届出を受

理した日から起算して第三項又は第六項の規定により延長された期間の満了する日までとする。

(10) If a person that is issued the recommendation under the provisions of paragraph (5) fails to give notice under the provisions of paragraph (7) or gives notice of the refusal of the recommendation, the Minister of Finance and the competent minister for the business may order the person that is issued the recommendation to modify the substance of or discontinue the inward direct investment, etc.; provided, however, that the period during which the ministers may order the modification or discontinuance commences from the day on which they receive the notification, and ends on the day on which the period extended under the provisions of paragraph (3) or (6) expires.

1 1 財務大臣及び事業所管大臣は、経済事情の変化その他の事由により、第一項の規定による届出に係る対内直接投資等が国の安全等に係る対内直接投資等に該当しなくなつたと認めるときは、第七項の規定による対内直接投資等に係る内容の変更の勧告を応諾する旨の通知をしたもの又は前項の規定により対内直接投資等に係る内容の変更を命じられたものに対し、当該勧告又は命令の全部又は一部を取り消すことができる。

(11) When the Minister of Finance and the competent minister for the business find that, due to changes in the economic conditions or any other grounds, the inward direct investment, etc. stated in the notification made under the provisions of paragraph (1) has ceased to fall within the scope of inward direct investment, etc. involving national security, etc., they may fully or partially rescind the recommendation issued to the person that has given notice of the acceptance of the recommendation to modify the substance of the inward direct investment, etc. under the provisions of paragraph (7), or may fully or partially rescind the order issued to the person that is ordered to modify the substance of the inward direct investment, etc. pursuant to the provisions of the preceding paragraph.

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

(12) Beyond what is provided for in paragraph (5) through the preceding paragraph, Cabinet Order prescribes the procedure for issuing a recommendation of the modification of the substance of or discontinuance of inward direct investment, etc. and other necessary matters concerning the recommendation.

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

(13) Property or rights to be acquired by a partner of a specified partnership, etc. (or a member of an organization similar to a specified partnership; the same applies hereinafter) as a result of any act equivalent to inward direct investment, etc. conducted by the specified partnership, etc. are deemed to be acquired, owned, or held by the specified partnership, etc., and the provisions of the preceding

paragraphs and Article 29, paragraphs (1) through (4) apply thereto.

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

(14) With regard to any act equivalent to inward direct investment, etc. conducted by a person (including a corporation or any other organization) other than a foreign investor on behalf of the foreign investor but not in the name of the foreign investor, the person other than a foreign investor is deemed to be a foreign investor, and the provisions of paragraphs (1) through (12) and Article 29, paragraphs (1) through (4) apply thereto.

（対内直接投資等の届出の特例）

(Special Provisions for Notification of Inward Direct Investment, etc.)

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

Article 27-2 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, if a foreign investor (meaning the foreign investor prescribed in Article 26, paragraph (1), and excluding a foreign investor specified by Cabinet Order as one highly requiring the examination under the provisions of paragraph (3) of the preceding Article, such as one that has violated this Act, any order based on this Act, or any disposition based on them; hereinafter the same applies in this Article) intends to conduct inward direct investment, etc. (meaning the inward direct investment, etc. prescribed in Article 26, paragraph (2), and limited to the acts set forth in items (i) through (iv) of that paragraph or item (ix) of that paragraph (limited to those equivalent to the acts set forth in items (i) through (iv)); hereinafter the same applies in this Article and Article 29, paragraph (5)), other than one specified by Cabinet Order as being highly likely to constitute inward direct investment, etc. involving national security, etc., the foreign investor is not required to make a notification under the provisions of paragraph (1) of the preceding Article. In this case, the foreign investor must comply with the conditions so that inward direct investment, etc. does not fall within the category of inward direct investment, etc. involving national security, etc., which are specified by the Minister of Finance

and the competent minister for the business.

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

(2) When the Minister of Finance and the competent minister for the business intend to propose the establishment, revision, or abolition of the conditions prescribed in the preceding paragraph, they must hear opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transaction.

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

(3) When the Minister of Finance and the competent minister for the business find that a foreign investor that has conducted inward direct investment, etc. without making a notification under the provisions of paragraph (1) of the preceding Article pursuant to the provisions of paragraph (1) violates the conditions prescribed in paragraph (1), the ministers may issue a recommendation that the foreign investor should take necessary measures to comply with the conditions.

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

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

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

(5) Beyond what is provided for in the preceding two paragraphs, Cabinet Order prescribes the procedure for issuing a recommendation under the provisions of paragraph (3) and other necessary matters concerning the recommendation.

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

(6) Property or rights to be acquired by a partner of a specified partnership, etc. as a result of any act equivalent to inward direct investment, etc. conducted by the specified partnership, etc. are deemed to be acquired, owned, or held by the specified partnership, etc., and the provisions of the preceding paragraphs and Article 29, paragraph (5) apply thereto.

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

(7) With regard to any act equivalent to inward direct investment, etc. conducted by a person (including a corporation or any other organization) other than a foreign investor on behalf of the foreign investor but not in the name of the foreign investor, the person other than a foreign investor is deemed to be a foreign investor, and the provisions of paragraphs (1) through (5) and Article 29, paragraph (5) apply thereto.

(特定取得の届出及び変更勧告等)

(Notification and Recommendation of Modification Regarding Specified Acquisition)

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

Article 28 (1) If a foreign investor intends to conduct specified acquisition (meaning the specified acquisition prescribed in Article 26, paragraph (3), and excluding specified acquisition specified by Cabinet Order in consideration of inheritance, bequest, merger of a corporation, or any other circumstances; the same applies hereinafter) specified by Cabinet Order as being likely to constitute specified acquisition that requires the examination under the provisions of paragraph (3), the foreign investor must, pursuant to the provisions of Cabinet Order, notify the Minister of Finance and the competent minister for the business, in advance, of matters specified by Cabinet Order, such as the business purpose, the amount, and the time of execution regarding the specified acquisition.

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

(2) A foreign investor that has made a notification under the provisions of the preceding paragraph regarding specified acquisition must not conduct the specified acquisition in the notification until 30 days have passed from the day on which the Minister of Finance and the competent minister for the business receive the notification; provided, however, that the Minister of Finance and the competent minister for the business may shorten the 30-day period when they find, before the expiration of the period, that the specified acquisition stated in the notification does not fall within the category of specified acquisition that requires the examination under the provisions of the following paragraph, in light of its business purpose and other factors.

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

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

(3) If the notification under the provisions of paragraph (1) has been made, when the Minister of Finance and the competent minister for the business find it to be necessary to examine whether the specified acquisition stated in the notification falls within the category of specified acquisition that is highly likely to undermine national security (limited to: specified acquisition conducted by a foreign investor of a member state of a multilateral treaty or any other international agreement concerning specified acquisition to which Japan is a member state and which is specified by Cabinet Order (hereinafter referred to as a "treaty, etc." in this paragraph), if there is no obligation based on the treaty, etc. to remove restrictions on specified acquisition; and specified acquisition conducted by a foreign investor of a country other than a member state of the treaty, etc., if there would be no such obligation if that country is assumed to be a member state of the treaty, etc.; hereinafter referred to as "specified acquisition involving national security"), the ministers may extend the period during which the specified acquisition stated in the notification must not be conducted, only for four months from the day on which they receive the notification.

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

(4) If the Minister of Finance and the competent minister for the business have extended the period during which specified acquisition must not be conducted pursuant to the provisions of the preceding paragraph, and they find, as a result of the examination under the provisions of that paragraph and before the expiration of the extended period, that the specified acquisition stated in the notification made under the provisions of paragraph (1) does not fall within the category of specified acquisition involving national security, etc., the ministers may shorten the extended period.

5 財務大臣及び事業所管大臣は、第三項の規定により特定取得を行つてはならない期間を延長した場合において、同項の規定による審査をした結果、第一項の規定による届出に係る特定取得が国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該特定取得の届出をしたものに対し、政令で定めるところにより、当該特定取得に係る内容の変更又は中止を勧告することができる。ただし、当該変更又は中止を勧告することができる期間は、当該届出を受理した日から起算して

第三項又は次項の規定により延長された期間の満了する日までとする。

(5) If the Minister of Finance and the competent minister for the business have extended the period during which specified acquisition must not be conducted pursuant to the provisions of paragraph (3), and they find, as a result of the examination under the provisions of that paragraph, that the specified acquisition stated in the notification made under the provisions of paragraph (1) falls within the category of specified acquisition involving national security, the ministers may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, issue a recommendation that the person that has made the notification of the specified acquisition should modify the substance of or discontinue the specified acquisition; provided, however, that the period during which the ministers may recommend the modification or discontinuance commences from the day on which they receive the notification, and ends on the day on which the period extended under the provisions of paragraph (3) or the following paragraph expires.

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

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

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

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

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

(8) Property or rights to be acquired by a partner of a specified partnership, etc. as a result of any act equivalent to specified acquisition conducted by the specified partnership, etc. are deemed to be acquired, owned, or held by the specified partnership, etc., and the provisions of the preceding paragraphs and Article 29, paragraphs (1) through (4) apply thereto.

9 外国投資家以外の者（法人その他の団体を含む。）が外国投資家のために当該外国投資家の名義によらないで行う特定取得に相当するものについては、当該外国投資家以外

の者を外国投資家とみなして、第一項から第七項まで及び第二十九条第一項から第四項までの規定を適用する。

(9) With regard to any act equivalent to specified acquisition conducted by a person (including a corporation or any other organization) other than a foreign investor on behalf of the foreign investor but not in the name of the foreign investor, the person other than a foreign investor is deemed to be a foreign investor, and the provisions of paragraphs (1) through (7) and Article 29, paragraphs (1) through (4) apply thereto.

(特定取得の届出の特例)

(Special Provisions for Notification of Specified Acquisition)

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

Article 28-2 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, if a foreign investor (meaning the foreign investor prescribed in Article 26, paragraph (1), and excluding a foreign investor specified by Cabinet Order as one highly requiring the examination under the provisions of paragraph (3) of the preceding Article, such as one that has violated this Act, any order based on this Act, or any disposition based on them; the same applies in this Article) intends to conduct specified acquisition, other than one specified by Cabinet Order as being highly likely to constitute specified acquisition involving national security, the foreign investor is not required to make a notification under the provisions of paragraph (1) of the preceding Article. In this case, the foreign investor must comply with the conditions so that specified acquisition does not fall within the category of specified acquisition involving national security, which are specified by the Minister of Finance and the competent minister for the business.

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

(2) When the Minister of Finance and the competent minister for the business intend to propose the establishment, revision, or abolition of the conditions prescribed in the preceding paragraph, they must hear opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transaction.

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

(3) When the Minister of Finance and the competent minister for the business find



that a foreign investor that has conducted specified acquisition without making a notification under the provisions of paragraph (1) of the preceding Article pursuant to the provisions of paragraph (1) violates the conditions prescribed in paragraph (1), the ministers may issue a recommendation that the foreign investor should take necessary measures to comply with the conditions.

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

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

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

(5) Beyond what is provided for in the preceding two paragraphs, Cabinet Order prescribes the procedure for issuing a recommendation under the provisions of paragraph (3) and other necessary matters concerning the recommendation.

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

(6) Property or rights to be acquired by a partner of a specified partnership, etc. as a result of any act equivalent to specified acquisition conducted by the specified partnership, etc. are deemed to be acquired, owned, or held by the specified partnership, etc., and the provisions of the preceding paragraphs and paragraph (5) of the following Article apply thereto.

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

(7) With regard to any act equivalent to specified acquisition conducted by a person (including a corporation or any other organization) other than a foreign investor on behalf of the foreign investor but not in the name of the foreign investor, the person other than a foreign investor is deemed to be a foreign investor, and the provisions of paragraphs (1) through (5) and paragraph (5) of the following Article apply thereto.

（措置命令）

(Order for Measures)

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

Article 29 (1) In the following cases, when the Minister of Finance and the competent minister for the business find that inward direct investment, etc. or specified acquisition falls within the category of inward direct investment, etc. involving national security, etc. or the category of specified acquisition involving national security, the ministers may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, order the foreign investor that has conducted the inward direct investment, etc. or specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment, etc. or specified acquisition or take any other necessary measures:

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

(i) if a foreign investor that must make a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1) conducts inward direct investment, etc. or specified acquisition without making the notification; or

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

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

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

(2) If a foreign investor that has made a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1) has made a false notification as that notification, when the Minister of Finance and the competent minister for the business find that the inward direct investment, etc. or specified acquisition stated in the notification falls within the category of inward direct investment, etc. involving national security, etc. or the category of specified acquisition involving national security, the ministers may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, order the foreign investor that has conducted the inward direct investment, etc. or specified acquisition to take necessary measures.

3 財務大臣及び事業所管大臣は、第二十七条第一項又は第二十八条第一項の規定による届出をした外国投資家が、第二十七条第七項（第二十八条第七項において準用する場合を含む。）の規定により応諾する旨の通知をした対内直接投資等若しくは特定取得に係る内容の変更の勧告に従わず、又は第二十七条第十項（第二十八条第七項において準用

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

(3) If a foreign investor that has made a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1) fails to follow a recommendation to modify the substance of the inward direct investment, etc. or specified acquisition for which the foreign investor has given notice of the acceptance of the recommendation pursuant to the provisions of Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), or violates an order under the provisions of Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) to modify the substance of the inward direct investment, etc. or specified acquisition, the Minister of Finance and the competent minister for the business may, pursuant to the provisions of Cabinet Order, order the foreign investor that has conducted the inward direct investment, etc. or specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment, etc. or specified acquisition (only if the ministers have recommended the modification of the number or amount of shares or the number of units or amount of equity involved in the inward direct investment, etc. or specified acquisition pursuant to the provisions of Article 27, paragraph (5) or Article 28, paragraph (5), this applies only to the part subject to the modification so recommended; or if the ministers have ordered the modification of the number or amount of shares or the number of units or amount of equity involved in the inward direct investment, etc. or specified acquisition pursuant to the provisions of Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), this applies only to the part subject to the modification so ordered), or take any other necessary measures.

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

(4) If a foreign investor that has made a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1) fails to follow a recommendation to discontinue the inward direct investment, etc. or specified acquisition for which the foreign investor has given notice of the acceptance of the recommendation pursuant to the provisions of Article 27, paragraph (7) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)), or violates an order under the provisions of Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) to discontinue the inward direct investment, etc. or specified acquisition, the Minister of Finance and the competent minister for the business may, pursuant to the provisions of Cabinet Order, order the foreign investor that has conducted the inward direct investment, etc. or specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment, etc. or specified acquisition, or take any other necessary measures.

5 財務大臣及び事業所管大臣は、第二十七条の二第一項又は前条第一項の規定により第二十七条第一項又は第二十八条第一項の規定による届出をせずに対内直接投資等又は特定取得を行つた第二十七条の二第一項又は前条第一項に規定する外国投資家が、第二十七条の二第四項又は前条第四項の規定による命令に違反した場合であつて、当該対内直接投資等又は特定取得が国の安全等に係る対内直接投資等又は国の安全に係る特定取得に該当すると認めるときは、関税・外国為替等審議会の意見を聴いて、当該対内直接投資等又は特定取得を行つた外国投資家に対し、政令で定めるところにより、当該対内直接投資等又は特定取得により取得した株式又は持分の全部又は一部の処分その他必要な措置を命ずることができる。

(5) If a foreign investor prescribed in Article 27-2, paragraph (1) or paragraph (1) of the preceding Article has conducted inward direct investment, etc. or specified acquisition without making a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1) pursuant to the provisions of Article 27-2, paragraph (1) or paragraph (1) of the preceding Article, and has violated an order under the provisions of Article 27-2, paragraph (4) or paragraph (4) of the preceding Article, when the Minister of Finance and the competent minister for the business find that the inward direct investment, etc. or specified acquisition falls within the category of inward direct investment, etc. involving national security, etc. or the category of specified acquisition involving national security, the ministers may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, order the foreign investor that has conducted the inward direct investment, etc. or specified acquisition to dispose of all or part of the shares or equity acquired through the inward direct investment, etc. or specified acquisition, or take any other necessary measures.

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

第二項本文に規定する期間（同条第三項若しくは第六項の規定により延長され、又は同条第二項ただし書若しくは第四項の規定により短縮された場合には、当該延長され、又は短縮された期間）をいう。

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

(技術導入契約の締結等の届出及び変更勧告等)

(Notification and Recommendation of Modification Regarding Conclusion, etc. of Technology Introduction Contract)

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

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

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

めるときは、当該期間を短縮することができる。

(2) A resident that has made a notification under the provisions of the preceding paragraph with regard to the conclusion, etc. of a technology introduction contract must not conduct the conclusion, etc. of a technology introduction contract stated in the notification until 30 days have passed from the day on which the Minister of Finance and the competent minister for the business receive the notification; provided, however, that the Minister of Finance and the competent minister for the business may shorten the 30-day period when they find, before the expiration of the period, that the conclusion, etc. of a technology introduction contract stated in the notification does not fall within the category of conclusion, etc. of a technology introduction contract that requires the examination under the provisions of the following paragraph, in light of the type of the technology and other circumstances.

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

(3) If the notification under the provisions of paragraph (1) has been made, when the Minister of Finance and the competent minister for the business find it to be necessary to examine whether the conclusion, etc. of a technology introduction contract stated in the notification falls within the category of conclusion, etc. of a technology introduction contract that is likely to cause either of the following situations (limited to: the conclusion, etc. of a technology introduction contract conducted with a non-resident belonging to a member state of a multilateral treaty or any other international agreement concerning the conclusion, etc. of a technology introduction contract to which Japan is a member state and which is specified by Cabinet Order (hereinafter referred to as a "treaty, etc." in this item), if there is no obligation based on the treaty, etc. to remove restrictions on the conclusion, etc. of a technology introduction contract; and the conclusion, etc. of a technology introduction contract conducted with a non-resident of a country other than a member state of the treaty, etc., if there would be no such obligation if that country is assumed to be a member state of the treaty, etc.; referred to as the "conclusion, etc. of a technology introduction contract involving national security, etc." in the following paragraph and paragraph (5)), the ministers may extend the period during which the conclusion, etc. of a technology introduction contract stated in the notification must

not be conducted, only for four months from the day on which they receive the notification:

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

(i) it would undermine national security, disturb the maintenance of public order, or interfere with the protection of public safety; or

二 我が国経済の円滑な運営に著しい悪影響を及ぼすことになること。

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

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

(4) If the Minister of Finance and the competent minister for the business have extended the period during which the conclusion, etc. of a technology introduction contract must not be conducted pursuant to the provisions of the preceding paragraph, and they find, as a result of the examination under the provisions of that paragraph and before the expiration of the extended period, that the conclusion, etc. of a technology introduction contract stated in the notification made under the provisions of paragraph (1) does not fall within the category of the conclusion, etc. of a technology introduction contract involving national security, etc., the ministers may shorten the extended period.

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

(5) If the Minister of Finance and the competent minister for the business have extended the period during which the conclusion, etc. of a technology introduction contract must not be conducted pursuant to the provisions of paragraph (3), and they find, as a result of the examination under the provisions of that paragraph, that the conclusion, etc. of a technology introduction contract stated in the notification made under the provisions of paragraph (1) falls within the category of conclusion, etc. of a technology introduction contract involving national security, etc., the ministers may, pursuant to the provisions of Cabinet Order, after hearing opinions from the Council on Customs, Tariff, Foreign Exchange and Other Transactions, issue a recommendation that the person that has made the notification of the conclusion, etc.

of a technology introduction contract should modify or discontinue all or part of the terms of the contract involved in the conclusion, etc. of a technology introduction contract; provided, however, that the period during which the ministers may recommend the modification or discontinuance commences from the day on which they receive the notification, and ends on the day on which the period extended under the provisions of paragraph (3) or the following paragraph expires.

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

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

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

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

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

(8) The provisions of the preceding paragraphs do not apply to the conclusion, etc. of a technology introduction contract involving technology developed independently by a non-resident's branch office, etc. in Japan or any other case of the conclusion, etc. of a technology introduction contract specified by Cabinet Order.

第三十一条 削除

Article 31 Deleted

第三十二条 削除

Article 32 Deleted

第三十三条 削除

Article 33 Deleted

第三十四条 削除

Article 34 Deleted

第三十五条 削除

Article 35 Deleted

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第三十七条 削除



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第三十八条 削除

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Article 41 Deleted

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Article 42 Deleted

第四十三条 削除

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第四十四条 削除

Article 44 Deleted

第四十五条 削除

Article 45 Deleted

第四十六条 削除

Article 46 Deleted

第六章 外国貿易

Chapter VI Foreign Trade

(輸出の原則)

(Principle of Export)

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

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

(輸出の許可等)

(Permission for Export)

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

Article 48 (1) A person that intends to conduct the export of a specified type of goods, with a specified region being the destination, which is specified by Cabinet Order as export that is found to result in hindering the maintenance of international peace and security, must obtain the permission of the Minister of Economy, Trade and Industry, pursuant to the provisions of Cabinet Order.

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

(2) When the Minister of Economy, Trade and Industry finds it to be necessary in

order to ensure the implementation of the provisions of the preceding paragraph, the minister may, pursuant to the provisions of Cabinet Order, impose an obligation to obtain permission on a person that intends to export a specified type of goods referred to in that paragraph, with a region other than a specified region referred to in that paragraph being the destination.

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

(3) Beyond the cases prescribed in the preceding two paragraphs, the Minister of Economy, Trade and Industry may, pursuant to the provisions of Cabinet Order, impose an obligation to obtain approval on a person that intends to export a specified type of goods or export goods with a specified region being the destination, or a person that intends to export goods through a specified transaction, to the extent necessary to maintain a balance of payments equilibrium, achieve the sound development of foreign trade and national economy, allow Japan to sincerely implement a treaty or any other international agreement that Japan has signed, allow Japan to contribute to international efforts for international peace, or implement the cabinet decision referred to in Article 10, paragraph (1).

第四十九条 削除

Article 49 Deleted

第五十条 削除

Article 50 Deleted

(船積の非常差止)

(Suspension of Shipments in Case of Emergency)

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

Article 51 The Minister of Economy, Trade and Industry may, pursuant to the provisions of Order of the Ministry of Economy, Trade and Industry, suspend a shipment of goods by designating the item of goods or destination and specifying the time limit of not more than one month, when the minister finds a particularly urgent necessity.

(輸入の承認)

(Approval of Import)

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

Article 52 In order to achieve the sound development of foreign trade and national economy, allow Japan to sincerely implement a treaty or any other international agreement that it has signed, allow Japan to contribute to international efforts for international peace, or implement the cabinet decision referred to in Article 10, paragraph (1), a person that intends to import goods may be subjected to the obligation to obtain approval of import pursuant to the provisions of Cabinet Order.

(制裁)

(Sanctions)

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

Article 53 (1) The Minister of Economy, Trade and Industry may prohibit a person that has conducted the export of goods prescribed in Article 48 paragraph (1) without obtaining the permission under the provisions of that paragraph, from engaging in the following, only for a period of not more than three years: conducting export; conducting a transaction the purpose of which is to provide specified technology in a foreign country or to a non-resident; exporting the specified recording medium, etc. concerning that transaction; or transmitting information concerning the specified technology by means of telecommunications that are intended to be received in a foreign country.

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

(2) The Minister of Economy, Trade and Industry may prohibit a person that has violated this Act, any order based on this Act, or any disposition based on them with regard to import or export of goods (excluding the person prescribed in the preceding paragraph) from conducting import or export, only for a period of not more than one year (or three years in the case of a person that has violated the countermeasures prescribed in Article 10, paragraph (1) (limited to those concerning Article 48, paragraph (3) or the preceding Article)).

3 第一項又は前項の規定による禁止をする場合において、経済産業大臣は、違反者（第一項に規定する第四十八条第一項の規定による許可を受けないで同項に規定する貨物の輸出をした者又は前項に規定する貨物の輸出若しくは輸入に関し、この法律、この法律に基づく命令若しくはこれらに基づく処分に違反した者をいう。次項において同じ。）が個人である場合にあつては、その者に対して、当該禁止に係る期間と同一の期間を定めて、当該禁止に係る範囲の業務を営む法人（人格のない社団又は財団で代表者又は管理

人の定めのあるものを含む。以下この項及び次項において同じ。)の当該業務を担当する役員(業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者を行い、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役、代表者、管理人又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。次項において同じ。)となることを禁止することができる。

(3) If the Minister of Economy, Trade and Industry imposes a prohibition under the provisions of paragraph (1) or the preceding paragraph, and the violator (meaning a person that has conducted the export of goods prescribed in Article 48, paragraph (1) without obtaining the permission under the provisions of that paragraph as prescribed in paragraph (1), or a person that has violated this Act, any order based on this Act, or any disposition based on them in connection with the import or export of goods prescribed in the preceding paragraph; the same applies in the following paragraph) is an individual, the minister may prohibit the violator from becoming an officer in charge of the business that is in the scope of the prohibition at a corporation (including an association or foundation without legal personality for which a representative or administration has been designated; hereinafter the same applies in this paragraph and the following paragraph) that engages in that business (the term "officer" means a member who executes the business, a director, an executive officer, a representative, an administrator, or any other person equivalent thereto, and includes a person, irrespective of their title such as advisor or consultant, who is found to have control over a corporation that is equal to or greater than that of a member who executes the business, a director, an executive officer, a representative, an administrator, or any other person equivalent thereto; hereinafter the same applies in the following paragraph), for the same period as the period of the prohibition.

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

(4) If the Minister of Economy, Trade and Industry imposes a prohibition under the provisions of paragraph (1) or (2), when the person specified in each of the following items according to the categories of cases regarding the violator falls within the category of person specified by Order of the Ministry of Economy, Trade and Industry as a person regarding whom it is found to be appropriate to restrict the person from engaging in the business that is subject to the prohibition in order to ensure the effectiveness of the prohibition in consideration of the fact due to which the

prohibition has been imposed and the degree of responsibility the person has had in connection with that fact, the minister may prohibit the person from commencing a new business that is in the scope of the prohibition (including becoming an officer in charge of that business at a corporation that engages in that business), for the same period as the period of the prohibition:

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

(i) if the violator is a corporation: its officer and any person that has been its officer within 60 days prior to the day of the disposition imposing the prohibition, and its employee specified by Cabinet Order such as an employee who manages the business at its business office (hereinafter simply referred to as an "employee" in this item and the following item) and any person who has been its employee within 60 days prior to the day of the disposition imposing the prohibition; or

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

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

（税関長に対する指揮監督等）

(Direction and Supervision over Directors-General of Customs)

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

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

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

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

第六章の二 報告等

Chapter VI-2 Reports

（支払等の報告）

(Report of Payment or Receipt of Payment)

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

Article 55 (1) Except in cases prescribed by Cabinet Order, when a resident or non-resident has made a payment from Japan to a foreign country or received a payment from a foreign country to Japan, or a resident has made a payment to or received a payment from a non-resident in Japan or a foreign country, the resident or non-resident must, pursuant to the provisions of Cabinet Order, report matters specified by Cabinet Order, such as the details of the payment or receipt of payment and the time of execution, to the competent minister.

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

(2) If the payment or receipt of payment referred to in the preceding paragraph that is stated in the report under the provisions of that paragraph has been made through an exchange transaction conducted by a bank, etc. or a funds transfer service provider, the report is to be made via the bank, etc. or funds transfer service provider, pursuant to the provisions of Cabinet Order; provided, however, that if the report referred to in the preceding paragraph is to be made by using the electronic data processing system prescribed in Article 6, paragraph (1) of the Act on the Promotion of Administrative Affairs through the Use of Information and Communications Technology (Act No. 151 of 2002) pursuant to the provisions of that paragraph, it may be made without going through the bank, etc. or funds transfer service provider.

第五十五条の二 削除

Article 55-2 Deleted

（資本取引の報告）

(Report of Capital Transactions)

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

Article 55-3 (1) Except in cases prescribed by Cabinet Order, on each occasion when a resident or non-resident becomes a party to any of the capital transactions set forth in the following items, the resident or non-resident must, pursuant to the provisions of Cabinet Order, report matters specified by Cabinet Order, such as the details of the capital transaction and the time of execution, to the Minister of Finance, according to the categories specified in the relevant item; provided, however, that this does not apply to a capital transaction set forth in item (vi) for which a

notification is required pursuant to the provisions of Article 23, paragraph (1):

一 第二十条第一号に掲げる資本取引 居住者

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

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

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

三 第二十条第三号に掲げる資本取引 居住者

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

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

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

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

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

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

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

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

(vii) a capital transaction set forth in Article 20, item (vi), which is the issue or offering of securities by a resident in a foreign country or the issue or offering of foreign currency securities by a resident in Japan: the resident;

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

(viii) a capital transaction set forth in Article 20, item (vi), which is the issue or offering of securities by a non-resident in Japan: the non-resident;

九 第二十条第七号に掲げる資本取引 非居住者

(ix) a capital transaction set forth in Article 20, item (vii): the non-resident;

十 第二十条第八号に掲げる資本取引 居住者

(x) a capital transaction set forth in Article 20, item (viii): the resident;

十一 第二十条第九号に掲げる資本取引 居住者

(xi) a capital transaction set forth in Article 20, item (ix): the resident;

十二 第二十条第十号に掲げる資本取引のうち、非居住者による本邦にある不動産又はこれに関する権利の取得 非居住者

(xii) a capital transaction set forth in Article 20, item (x), which is the acquisition of real property located in Japan or any rights thereon by a non-resident: the non-resident; or

十三 第二十条第十二号に掲げる資本取引のうち、政令で定めるもの 政令で定める居住者又は非居住者

(xiii) a capital transaction set forth in Article 20, item (xii), which is specified by Cabinet Order: the resident or non-resident specified by Cabinet Order.

2 銀行等及び金融商品取引業者は、前項第五号、第十号又は第十一号に掲げる資本取引の媒介、取次ぎ又は代理をしたときは、その都度、政令で定めるところにより、当該資本取引の内容、実行の時期その他の政令で定める事項を財務大臣に報告しなければならない。

(2) On each occasion when a bank, etc. and a financial instruments business operator have conducted intermediation, brokerage, or agency service for a capital transaction set forth in item (v), (x), or (xi) of the preceding paragraph, they must, pursuant to the provisions of Cabinet Order, report matters specified by Cabinet Order, such as the details of the capital transaction and the time of execution, to the Minister of Finance.

3 銀行等、金融商品取引業者及び届出者（第一項第四号又は第十一号に掲げる資本取引の当事者となる居住者であつて、財務省令で定めるところにより自己のこれらの資本取引の相手方となる者の同項の規定による報告を要しないこととしたい旨並びにその氏名又は名称及び住所その他の財務省令で定める事項を財務大臣に届け出たものをいう。以下この条において同じ。）以外の居住者が同項第四号又は第十一号に掲げる資本取引の当事者となつた場合において、当該資本取引の相手方が銀行等、金融商品取引業者又は届出者であるときは、当該居住者は、同項の規定にかかわらず、当該資本取引に係る同項の規定による報告をすることを要しない。

(3) Notwithstanding the provisions of paragraph (1), if a resident that is not a bank, etc., a financial instruments business operator, or a person making a notification (meaning a resident that becomes a party to a capital transaction set forth in item (iv) or (xi) of that paragraph and has notified the Minister of Finance, pursuant to the provisions of Ministry of Finance Order, that the resident wishes that a report under the provisions of that paragraph will not be required from a person that becomes the other party to a capital transaction set forth in these items to be conducted thereby, and also notified the minister of matters specified by Ministry of Finance Order, such as the resident's name and address; hereinafter the same applies in this Article) becomes a party to a capital transaction set forth in item (iv) or (xi) of that paragraph, and the other party to the capital transaction is a bank, etc.,



a financial instruments business operator, or a person making a notification, the resident is not required to make a report under the provisions of that paragraph with regard to the capital transaction.

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

(4) Notwithstanding the provisions of paragraph (1), beyond the case prescribed in the preceding paragraph, if a resident becomes a party to a capital transaction set forth in paragraph (1), item (v), (x), or (xi), and the party that conducts intermediation, brokerage, or agency service for the capital transaction is a bank, etc. or financial instruments business operator, the resident is not required to make a report under the provisions of paragraph (1) with regard to the capital transaction.

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

(5) A bank, etc., financial instruments business operator, and person making a notification may, pursuant to the provisions of Cabinet Order, report matters specified by Ministry of Finance Order collectively with regard to capital transactions to which they have been a party or for which they have conducted intermediation, brokerage, or agency service during a certain period of time, notwithstanding the provisions of paragraph (1) or (2) in the case of a bank, etc. and financial instruments business operator, and notwithstanding the provisions of paragraph (1) in the case of a person making a notification, respectively. In this case, the person that has made the report must, pursuant to the provisions of Cabinet Order, prepare and preserve books and documents in which information specified by Ministry of Finance Order is stated with regard to the capital transactions stated in the report.

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

(6) If there is a change to any of the matters stated in the notification prescribed in paragraph (3), the person making the notification must notify the Minister of Finance of this fact and the matter subject to the change, without delay.

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

(7) Ministry of Finance Order prescribes the public notice concerning the notification referred to in paragraph (3), inspection of a list of parties making a notification, and

other necessary matters concerning the notification referred to in that paragraph.

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

Article 55-4 Except in cases specified by Cabinet Order, when a resident becomes a party to any of the following specified capital transactions, the resident must, pursuant to the provisions of Cabinet Order, report matters specified by Cabinet Order, such as the details of the capital transaction and the time of execution, to the Minister of Economy, Trade and Industry:

一 第二十条第二号に掲げる資本取引に係る特定資本取引

(i) a specified capital transaction involved in a capital transaction set forth in Article 20, item (ii); or

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

(ii) a specified capital transaction involved in a capital transaction set forth in Article 20, item (xii), which is specified by Cabinet Order.

(対内直接投資等及び特定取得の報告)

(Report of Inward Direct Investment, etc. and Specified Acquisition)

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

Article 55-5 (1) When a foreign investor has conducted inward direct investment, etc. or specified acquisition (limited to specified acquisition for which a notification is required pursuant to the provisions of Article 28, paragraph (1); hereinafter the same applies in this Article), the foreign investor must, pursuant to the provisions of Cabinet Order, report matters specified by Cabinet Order, such as the details of the inward direct investment, etc. or specified acquisition and the time of execution, to the Minister of Finance and the competent minister for the business; provided, however, that this does not apply to the inward direct investment, etc. or specified acquisition for which a notification has been made pursuant to the provisions of Article 27, paragraph (1) or Article 28, paragraph (1).

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

(2) Property or rights to be acquired by a partner of a specified partnership, etc. as a result of any act equivalent to inward direct investment, etc. or specified acquisition conducted by the specified partnership, etc. are deemed to be acquired, owned, or held by the specified partnership, etc., and the provisions of the preceding paragraph apply thereto.

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

(3) With regard to any act equivalent to inward direct investment, etc. or specified acquisition conducted by a person (including a corporation or any other organization) other than a foreign investor on behalf of the foreign investor but not in the name of the foreign investor, the person other than a foreign investor is deemed to be a foreign investor, and the provisions of paragraph (1) apply thereto.

（技術導入契約の締結等の報告）

(Report of Conclusion, etc. of a Technology Introduction Contract)

第五十五条の六 居住者は、非居住者（非居住者の本邦にある支店等を含む。）との間で技術導入契約の締結等をしたときは、政令で定めるところにより、当該技術導入契約の締結等について、財務大臣及び事業所管大臣に報告しなければならない。ただし、第三十条第一項の規定により届け出なければならないとされる技術導入契約の締結等については、この限りでない。

Article 55-6 (1) When a resident has conducted the conclusion, etc. of a technology introduction contract with a non-resident (including a non-resident's branch office, etc. in Japan), the resident must, pursuant to the provisions of Cabinet Order, report the conclusion, etc. of a technology introduction contract to the Minister of Finance and the competent minister for the business; provided, however, that this does not apply to the conclusion, etc. of a technology introduction contract for which a notification is required pursuant to the provisions of Article 30, paragraph (1).

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

(2) The provisions of the preceding paragraph do not apply to the conclusion, etc. of a technology introduction contract involving technology developed independently by a non-resident's branch office, etc. in Japan or any other case of the conclusion, etc. of a technology introduction contract specified by Cabinet Order.

（外国為替業務に関する事項の報告）

(Report of Matters Concerning Foreign Exchange Services)

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

Article 55-7 To the extent necessary to achieve the purpose of this Act, the Minister of Finance may, pursuant to the provisions of Cabinet Order, request a person engaging in foreign exchange services (meaning conducting, in the course of trade, foreign exchange transactions or any other transactions or acts specified by Cabinet Order as being closely related to Japan's balance of payments or the trends in

Japan's foreign borrowing and lending) that is specified by Cabinet Order as a person engaging in those services on a considerable scale to report matters concerning the foreign exchange services (excluding the matters subject to the report under the provisions of Article 55-3).

(その他の報告)

**(Other Reports)**

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

Article 55-8 Beyond what is otherwise provided for in this Act, to the extent necessary to achieve the purpose of this Act, the competent minister may, pursuant to the provisions of Cabinet Order, request a person that conducts or has conducted a transaction, act, or payment or receipt of payment to which this Act applies, or any relevant person, to report the details of the transaction, act, or payment or receipt of payment and other matters related to the transaction, act, or payment or receipt of payment.

(対外の貸借及び国際収支に関する統計)

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

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

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

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

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

第六章の三 輸出者等遵守基準

**Chapter VI-3 Standards to Be Complied with by Exporters, etc.**

(輸出者等遵守基準)

**(Standards to Be Complied with by Exporters, etc.)**

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

Article 55-10 (1) The Minister of Economy, Trade and Industry must establish, by

Order of the Ministry of Economy, Trade and Industry, standards that a person conducting the transaction prescribed in Article 25, paragraph (1) or the export prescribed in Article 48, paragraph (1) (hereinafter referred to as the "export, etc.") in the course of trade (such person is hereinafter referred to as an "exporter, etc.") should comply with in conducting the export, etc. (hereinafter referred to as the "standards to be complied with by exporters, etc.").

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

(2) The standards to be complied with by exporters, etc. are to provide for matters for confirming whether the specified technology that is intended to be provided through the transaction prescribed in Article 25, paragraph (1) or the specified type of goods referred to in Article 48, paragraph (1) that is intended to be exported, with the specified region referred to in that paragraph being the destination, falls within the category of specified important goods, etc., and other matters that should be complied with in conducting the transaction or export.

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

(3) The term "specified important goods, etc." referred to in the preceding paragraph means specified technology or a specified type of goods referred to in Article 48, paragraph (1), which is specified by Order of the Ministry of Economy, Trade and Industry as one regarding which the provision in a specified country or the provision to a non-resident belonging to a specified country, or the export with a specified region referred to in that paragraph being the destination, is found to result in seriously hindering the maintenance of international peace and security.

4 輸出者等は、輸出者等遵守基準に従い、輸出等を行わなければならない。

(4) An exporter, etc. must conduct the export, etc. in compliance with the standards to be complied with by exporters, etc.

(指導及び助言)

(Guidance and Advice)

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

Article 55-11 When the Minister of Economy, Trade and Industry finds it to be necessary in order to ensure that the export, etc. is properly conducted, the minister may provide necessary guidance or advice to an exporter, etc. so that the exporter, etc. will conduct the export, etc. in compliance with the standards to be complied with by exporters, etc.

(勧告及び命令)

**(Recommendation and Order)**

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

Article 55-12 (1) If the Minister of Economy, Trade and Industry has provided guidance or advice under the provisions of the preceding Article, and finds that an exporter, etc. still violates the standards to be complied with by exporters, etc., the minister may issue a recommendation that the exporter, etc. should comply with the standards to be complied with by exporters.

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

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

第七章 行政手続法との関係

Chapter VII Relationship with the Administrative Procedure Act

(行政手続法の適用除外)

**(Exclusion from Application of the Administrative Procedure Act)**

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

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

第七章の二 審査請求

Chapter VII-2 Request for Review

第五十六条 この法律又はこの法律に基づく命令の規定による処分又はその不作為についての審査請求に対する裁決は、行政不服審査法（平成二十六年法律第六十八号）第二十四条の規定により当該審査請求を却下する場合を除き、審査請求人に対して、相当な期間を置いて予告をした上、同法第十一条第二項に規定する審理員が公開による意見の聴取をした後にしなければならない。

Article 56 (1) An administrative disposition on a request for review regarding a disposition under the provisions of this Act or an order based on the provisions of

this Act or inaction thereof must be made after advance notice with a reasonable period of time is given to the requestor and the review officer prescribed in Article 11, paragraph (2) of the Administrative Complaint Review Act (Act No. 68 of 2014) holds a public hearing of opinions, except when dismissing the request for review pursuant to the provisions of Article 24 of that Act.

2 前項の意見の聴取に際しては、審査請求人及び利害関係人に対して、当該事案について、証拠を提示し、意見を述べる機会を与えなければならない。

(2) In the hearing of opinions referred to in the preceding paragraph, the requestor and any interested person must be given the opportunity to present evidence and state their opinions on the case.

3 第一項に規定する審査請求については、行政不服審査法第三十一条の規定は適用せず、同項の意見の聴取については、同条第二項から第五項までの規定を準用する。

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

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

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

第五十七条 削除

Article 57 Deleted

第五十八条 削除

Article 58 Deleted

第五十九条 削除

Article 59 Deleted

第六十条 削除

Article 60 Deleted

第六十一条 削除

Article 61 Deleted

第六十二条 削除

Article 62 Deleted

第六十三条 削除

Article 63 Deleted

第六十四条 削除

Article 64 Deleted

第八章 雑則

Chapter VIII Miscellaneous Provisions

(公正取引委員会の権限)

(Authority of the Fair Trade Commission)

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

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

（政府機関の行為）

(Acts of Governmental Organizations)

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

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

（許可等の条件）

(Conditions for Permission)

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

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

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

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

（立入検査）

(On-site Inspection)

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

Article 68 (1) To the extent necessary for the enforcement of this Act, the competent minister may have the ministry employees enter a business office, office, factory, or any other facility of a person that has conducted a transaction, act, or payment or receipt of payment to which this Act applies, or of any relevant person, inspect books,



documents, and any other objects, or question any relevant person.

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

(2) When the employees enter the facility pursuant to the provisions of the preceding paragraph, they must carry their identification and present it to any relevant person.

3 第一項の規定による立入検査及び質問の権限は、犯罪捜査のために認められたものと解釈してはならない。

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

(権限の委任)

(Delegation of Authority)

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

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

(事務の一部委任)

(Partial Delegation of Functions)

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

Article 69 (1) The competent minister may, pursuant to the provisions of Cabinet Order, have the Bank of Japan handle part of the functions concerning the enforcement of this Act.

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

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

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

(3) If the competent minister has the Bank of Japan handle part of the functions pursuant to the provisions of paragraph (1), the expenses for the handling of the functions may be imposed on the Bank of Japan.

(主務大臣等)

(Competent Minister)

第六十九条の二 この法律における主務大臣は、政令で定める。

Article 69-2 (1) Cabinet Order prescribes the competent minister under this Act.

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

(2) Unless otherwise provided for, Cabinet Order prescribes the competent minister for the business under this Act as the competent minister for the business involving inward direct investment, etc., specified acquisition, or the conclusion, etc. of a technology introduction contract.

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

Article 69-3 (1) The ministers set forth in the following items may request the Minister for Foreign Affairs or the head of any other relevant administrative organ to provide materials or information, state opinions, or provide other necessary cooperation with regard to the operation of the provisions specified in the relevant item when they find it to be particularly necessary:

一 主務大臣 第十六条第一項又は第二十五条第六項

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

二 財務大臣 第二十一条第一項

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

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

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

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

(iv) the Minister of Finance and the competent minister for the business: Article 27, paragraph (3), Article 27-2, paragraph (3), Article 28, paragraph (3), or Article 28-2, paragraph (3).

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

(2) The Minister for Foreign Affairs or the head of any other relevant administrative organ may state their opinions to: the minister set forth in items (i) through (iii) with regard to the operation of the provisions set forth respectively in items (i) through

(iii) when the minister finds it to be particularly necessary in order to allow Japan to sincerely implement a treaty or any other international agreement that it has signed or to allow Japan to contribute to international efforts for international peace; the minister specified in item (iv) with regard to the operation of the provisions set forth in that item when the minister finds it to be particularly necessary in order to maintain international peace and security; to the minister specified in item (v) with regard to the operation of the provisions set forth in that item when the minister finds it to be particularly necessary due to the likelihood of a situation that would undermine national security, disturb the maintenance of public order, or interfere with the protection of public safety, or the likelihood of a situation that would have a significant adverse effect on the smooth operation of the Japanese economy; or the minister specified in item (vi) with regard to the operation of the provisions set forth in that item when the minister finds it to be particularly necessary due to the high likelihood of a situation that would undermine national security:

一 第十六条第一項又は第二十五条第六項 主務大臣

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

二 第二十一条第一項 財務大臣

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

三 第二十四条第一項、第四十八条第三項又は第五十二条 経済産業大臣

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

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

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

五 第二十七条第三項又は第二十七条の二第三項 財務大臣及び事業所管大臣

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

六 第二十八条第三項又は第二十八条の二第三項 財務大臣及び事業所管大臣

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

(外国執行当局への情報提供)

**(Provision of Information to Foreign Enforcement Authorities)**

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

Article 69-4 (1) The Minister of Finance and the competent minister for the business

may provide the authorities of a foreign country in charge of enforcing the laws and regulations of the foreign country that are equivalent to this Act (limited to the parts concerning Articles 27 and 28) (hereinafter referred to as the "foreign enforcement authorities" in this Article), with information that is found to contribute to the execution of their duties (limited to those equivalent to the duties prescribed in Articles 27 and 28 of this Act; the same applies in the following paragraph); provided, however, that this does not apply if the provision of that information is found to be likely to interfere with the proper enforcement of this Act or otherwise infringe Japan's interests.

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

(2) The Minister of Finance and the competent minister for the business must confirm the following matters when they provide the foreign enforcement authorities with the information prescribed in the preceding paragraph:

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

(i) that the foreign enforcement authorities are authorized to provide the Minister of Finance and the competent minister for the business with information equivalent to information to be provided as prescribed in the preceding paragraph;

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

(ii) that the foreign country assures the same level of confidentiality under the laws and regulations of the foreign country as that assured in Japan with regard to the information provided pursuant to the provisions of the preceding paragraph that is provided as confidential information; and

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

(iii) that the foreign enforcement authorities will not use the information provided pursuant to the provisions of the preceding paragraph, for any purposes other than the purpose of contributing to the execution of their duties.

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

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

4 財務大臣及び事業所管大臣は、外国執行当局からの要請があつたときは、次の各号のいずれかに該当する場合を除き、第一項の規定により提供した情報を当該要請に係る

刑事手続に使用することについて同意をすることができる。

(4) Except in any of the cases set forth in the following items, the Minister of Finance and the competent minister for the business may, at the request of the foreign enforcement authorities, give consent to the information provided pursuant to the provisions of paragraph (1) being used in the criminal proceedings involved in the request:

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

(i) if the crime subject to the criminal proceedings involved in the request is a political crime or the request is found to have been made for the purpose of conducting criminal proceedings for a political crime;

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

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

三 日本国が行う同種の要請に応ずる旨の要請国の保証がないとき。

(iii) if the requesting country does not assure that it would accept the same kind of request made by Japan.

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

(5) If the Minister of Finance and the competent minister for the business give consent referred to in the preceding paragraph, they must obtain in advance the confirmation by the Minister of Justice that the case does not fall under item (i) or (ii) of that paragraph, or the confirmation by the Minister for Foreign Affairs that the case does not fall under item (iii) of that paragraph, respectively.

(経過措置)

(Transitional Measures)

第六十九条の五 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 69-5 If an order is enacted, revised, or abolished based on the provisions of this Act, the order may prescribe necessary transitional measures (including transitional measures concerning penal provisions) to the extent considered reasonably necessary upon the enactment, revision, or abolition of the order.

第九章 罰則

Chapter IX Penal Provisions

第六十九条の六 次の各号のいずれかに該当する者は、七年以下の懲役若しくは二千万円以下の罰金に処し、又はこれを併科する。ただし、当該違反行為の目的物の価格の五

倍が二千万円を超えるときは、罰金は、当該価格の五倍以下とする。

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

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

(i) a person that has conducted a transaction prescribed by an order based on the provisions of Article 25, paragraph (1) or (4) without obtaining permission under the provisions of the relevant paragraph; or

二 第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める貨物の輸出をした者

(ii) a person that has conducted the export of goods prescribed by an order based on the provisions of Article 48, paragraph (1) without obtaining permission under the provisions of that paragraph.

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

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

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

(i) a person that has conducted a transaction prescribed by an order based on the provisions of Article 25, paragraph (1) without obtaining permission under the provisions of that paragraph, with regard to specified technology that is technology specified by Cabinet Order as technology for designing, manufacturing, or using a nuclear weapon, a military chemical agent or biological agent, a device for spraying one of those agents, or a rocket or unmanned aerial vehicle capable of transporting one of these, which is specified by Cabinet Order (hereinafter referred to as a "nuclear weapon, etc." in this paragraph), or as technology for designing, manufacturing, or using goods that are found to be highly likely to be used for the development, manufacturing, use, or storage (hereinafter referred to as "development, etc." in the following item) of a nuclear weapon, etc.; or

二 第四十八条第一項の特定の種類の貨物であつて、核兵器等又はその開発等のために

用いられるおそれが特に大きいと認められる貨物として政令で定める貨物について、第二十五条第四項の規定による許可を受けないで同項の規定に基づく命令の規定で定める取引をした者又は第四十八条第一項の規定による許可を受けないで同項の規定に基づく命令の規定で定める輸出をした者

(ii) a person that has conducted a transaction prescribed by an order based on the provisions of Article 25, paragraph (4) without obtaining permission under the provisions of that paragraph or conducted the export prescribed by an order based on the provisions of Article 48, paragraph (1) without obtaining permission under the provisions of that paragraph, with regard to a specified type of goods referred to in Article 48, paragraph (1), which are specified by Cabinet Order as goods that are found to be highly likely to be used for a nuclear weapon, etc. or the development, etc. thereof.

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

(3) An attempt to commit the crimes referred to in paragraph (1), item (ii) and item (ii) of the preceding paragraph (limited to the part concerning the export of goods) is punishable.

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

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

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

(i) a person that has conducted a transaction the purpose of which is to provide specified technology, without obtaining permission under the provisions of an order based on the provisions of Article 25, paragraph (2);

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

(ii) a person that has conducted an act specified in Article 25, paragraph (3), item (i), without obtaining permission under the provisions of an order based on the provisions of that paragraph;

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

(iii) a person that has exported goods without obtaining permission under the provisions of an order based on the provisions of Article 48, paragraph (2);

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

(iv) a person that has exported goods without obtaining approval under the provisions of an order based on the provisions of Article 48, paragraph (3); or

五 第五十二条の規定に基づく命令の規定による承認を受けずに貨物の輸入をした者  
(v) a person that has imported goods without obtaining approval under the provisions of an order based on the provisions of Article 52.

2 前項第二号（第二十五条第三項第一号イに係る部分に限る。）の未遂罪は、罰する。  
(2) An attempt to commit the crime referred to in item (ii) of the preceding paragraph (limited to the part concerning Article 25, paragraph (3), item (i), (a)) is punishable.

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

Article 70 A person that falls under any of the following items is punished by imprisonment for not more than three years or a fine of not more than one million yen, or both: provided, however, that if three times the value of the subject matter of the violation exceeds one million yen, the fine is not more than three times that value:

一 第八条の規定に違反して支払等をした者

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

二 第九条第一項の規定に基づく命令の規定に違反して取引、行為又は支払等をした者  
(ii) a person that has conducted a transaction or act or made or received a payment in violation of the provisions of an order based on the provisions of Article 9, paragraph (1);

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

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

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

(iv) a person that has made or received a payment in violation of the prohibition under the provisions of Article 16-2 on payment or receipt of payment, or without obtaining permission under the provisions of an order based on the provisions of that Article;

五 第十七条の二第二項（第十七条の三において準用する場合を含む。）の規定による停止又は制限に違反して、外国為替取引に係る業務を行つた者

(v) a person that has conducted the business involving foreign exchange transactions in violation of the suspension or restrictions under the provisions of Article 17-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 17-3);

六 第十九条第一項又は第二項の規定に基づく命令の規定による許可を受けずに、同条第一項に規定する支払手段又は証券若しくは貴金属を輸出し、又は輸入した者

(vi) a person that has imported or exported a means of payment prescribed in Article



19, paragraph (1), securities, or precious metals without obtaining permission under the provisions of an order based on the provisions of paragraph (1) or (2) of that Article;

七 第二十一条第一項又は第二項の規定に基づく命令の規定による許可を受けずに資本取引をした者

(vii) a person that has conducted a capital transaction without obtaining permission under the provisions of an order based on the provisions of Article 21, paragraph (1) or (2);

八 第二十二条第一項の規定による資本取引の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けずに資本取引をした者

(viii) a person that has conducted a capital transaction in violation of the prohibition under the provisions of Article 22, paragraph (1) on capital transactions, or without obtaining permission under the provisions of an order based on the provisions of that paragraph;

九 第二十二条第二項の規定に違反して経理した者

(ix) a person that has handled accounting in violation of the provisions of Article 22, paragraph (2);

十 第二十三条第一項の規定による届出をせず、又は虚偽の届出をして、対外直接投資を行った者

(x) a person that has conducted outward direct investment while failing to make a notification under the provisions of Article 23, paragraph (1) or making a false notification;

十一 第二十三条第三項又は第五項の規定に違反してこれらの規定に規定する期間中に対外直接投資を行った者

(xi) a person that has, in violation of the provisions of Article 23, paragraph (3) or (5), conducted outward direct investment during the period prescribed in these provisions;

十二 第二十三条第七項の規定に違反して対外直接投資を行った者

(xii) a person that has conducted outward direct investment in violation of the provisions of Article 23, paragraph (7);

十三 第二十三条第九項の規定による変更又は中止の命令に違反して対外直接投資を行った者

(xiii) a person that has conducted outward direct investment in violation of an order of modification or discontinuance under the provisions of Article 23, paragraph (9);

十四 第二十四条第一項又は第二項の規定に基づく命令の規定による許可を受けずに特定資本取引をした者

(xiv) a person that has conducted a specified capital transaction without obtaining permission under the provisions of an order based on the provisions of Article 24, paragraph (1) or (2);

十五 第二十四条の二の規定による特定資本取引の禁止に違反して、又は同条の規定に基づく命令の規定による許可を受けずに特定資本取引をした者

(xv) a person that has conducted a specified capital transaction in violation of the prohibition under the provisions of Article 24-2 on specified capital transactions, or without obtaining permission under the provisions of an order based on the provisions of that Article;

十六 第二十五条第三項の規定に基づく命令の規定による許可を受けないで同項第二号に定める行為をした者

(xvi) a person that has conducted an act prescribed in Article 25, paragraph (3), item (ii) without obtaining permission under the provisions of an order based on the provisions of that paragraph;

十七 第二十五条第五項の規定による許可を受けないで同項の規定に基づく命令の規定で定める役務取引をした者

(xvii) a person that has conducted a service transaction prescribed by an order based on the provisions of Article 25, paragraph (5) without obtaining permission under the provisions of that paragraph;

十八 第二十五条第六項の規定に基づく命令の規定による許可を受けないで役務取引等を行つた者

(xviii) a person that has conducted a service transaction, etc. without obtaining permission under the provisions of an order based on the provisions of Article 25, paragraph (6);

十九 第二十五条の二第一項又は第二項の規定による技術の提供を目的とする取引若しくは技術記録媒体等輸出若しくは国外技術送信又は貨物の輸出の禁止に違反して取引若しくは技術記録媒体等輸出若しくは国外技術送信又は輸出をした者

(xix) a person that has conducted a transaction, export of recording medium containing technological information, international transmission of technological information, or export of goods, in violation of the prohibition under Article 25-2, paragraph (1) or (2) on a transaction the purpose of which is to provide technology, on the export of recording medium containing technological information, on the international transmission of technological information, or on the export of goods;

二十 第二十五条の二第三項の規定による貨物の売買、貸借若しくは贈与に関する取引又は貨物の輸出の禁止に違反して取引又は輸出をした者

(xx) a person that has conducted a transaction or export of goods in violation of the prohibition under Article 25-2, paragraph (3) on transactions for the purchase and sale, lease, or gift, or on the export of goods;

二十一 第二十五条の二第四項の規定による役務取引等の禁止に違反して、又は同項の規定に基づく命令の規定による許可を受けないで役務取引等をした者

(xxi) a person that has conducted a service transaction, etc. in violation of the prohibition under Article 25-2, paragraph (4) on service transactions, etc., or without obtaining permission under the provisions of an order based on the provisions of that paragraph;

二十二 第二十七条第一項又は第二十八条第一項の規定による届出をせず、又は虚偽の届出をして、対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八

条第八項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条第十四項又は第二十八条第九項の規定により外国投資家とみなされる者を含む。)

(xxii) a person that has conducted inward direct investment, etc. or specified acquisition while failing to make a notification under the provisions of Article 27, paragraph (1) or Article 28, paragraph (1), or making a false notification (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27, paragraph (13) or Article 28, paragraph (8), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27, paragraph (14) or Article 28, paragraph (9));

二十三 第二十七条第二項又は第二十八条第二項の規定に違反して、第二十九条第六項に規定する禁止期間中に対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条第十四項又は第二十八条第九項の規定により外国投資家とみなされる者を含む。)

(xxiii) a person that has conducted inward direct investment, etc. or specified acquisition during the prohibition period prescribed in Article 29, paragraph (6) in violation of the provisions of Article 27, paragraph (2) or Article 28, paragraph (2) (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27, paragraph (13) or Article 28, paragraph (8), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27, paragraph (14) or Article 28, paragraph (9));

二十四 第二十七条第八項（第二十八条第七項において準用する場合を含む。）の規定に違反して対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条第十四項又は第二十八条第九項の規定により外国投資家とみなされる者を含む。)

(xxiv) a person that has conducted inward direct investment, etc. or specified acquisition in violation of the provisions of Article 27, paragraph (8) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27, paragraph (13) or Article 28, paragraph (8), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27, paragraph (14) or Article 28, paragraph (9));

二十五 第二十七条第十項（第二十八条第七項において準用する場合を含む。）の規定による変更又は中止の命令に違反して対内直接投資等又は特定取得をした者（第二十七条第十三項又は第二十八条第八項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条第

十四項又は第二十八条第九項の規定により外国投資家とみなされる者を含む。)

(xxv) a person that has conducted inward direct investment, etc. or specified acquisition in violation of an order of modification or discontinuance under the provisions of Article 27, paragraph (10) (including as applied mutatis mutandis pursuant to Article 28, paragraph (7)) (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27, paragraph (13) or Article 28, paragraph (8), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27, paragraph (14) or Article 28, paragraph (9));

二十六 第二十九条第一項から第四項までの規定による命令に違反した者（第二十七条第十三項又は第二十八条第八項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条第十四項又は第二十八条第九項の規定により外国投資家とみなされる者を含む。）又は第二十九条第五項の規定による命令に違反した者（第二十七条の二第六項又は第二十八条の二第六項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び第二十七条の二第七項又は第二十八条の二第七項の規定により外国投資家とみなされる者を含む。)

(xxvi) a person that has violated an order under the provisions of Article 29, paragraphs (1) through (4) (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27, paragraph (13) or Article 28, paragraph (8), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27, paragraph (14) or Article 28, paragraph (9)), or a person that has violated an order under the provisions of Article 29, paragraph (5) (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of Article 27-2, paragraph (6) or Article 28-2, paragraph (6), and a person that is deemed to be a foreign investor pursuant to the provisions of Article 27-2, paragraph (7) or Article 28-2, paragraph (7));

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

(xxvii) a person that has conducted the conclusion, etc. of a technology introduction contract while failing to make a notification under the provisions of Article 30, paragraph (1) or making a false notification;

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

(xxviii) a person that has conducted the conclusion, etc. of a technology introduction contract during the period prescribed in Article 30, paragraph (2) (if the period is extended pursuant to the provisions of paragraph (3) or (6) of that Article or shortened pursuant to the provisions of paragraph (4) of that Article, the period so

extended or shortened) in violation of the provisions of paragraph (2) of that Article;  
二十九 第三十条第七項において準用する第二十七条第八項の規定に違反して技術導入契約の締結等をした者

(xxix) a person that has conducted the conclusion, etc. of a technology introduction contract in violation of the provisions of Article 27, paragraph (8) as applied mutatis mutandis pursuant to Article 30, paragraph (7);

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

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

三十一 第五十一条の規定に基づく命令の規定に違反して貨物の船積をした者

(xxxii) a person that has conducted the shipment of goods in violation of the provisions of an order based on the provisions of Article 51;

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

(xxxiii) a person that has conducted export, a transaction, export of specified recording medium, etc., or transmission of information in violation of the prohibition under Article 53, paragraph (1) on the export of goods, on a transaction the purpose of which is to provide specified technology, on the export of specified recording medium, etc., or on the transmission of information concerning the specified technology;

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

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

三十四 第五十三条第三項又は第四項の規定による命令に違反した者

(xxxv) a person that has violated an order under the provisions of Article 53, paragraph (3) or (4);

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

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

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

(xxxvii) a person that has obtained, by deception or other wrongful means, the

permission or approval under the provisions of Article 25, paragraph (1); under the provisions of an order based on the provisions of paragraph (2) or (3) of that Article; under the provisions of paragraph (4) of that Article; under the provisions of Article 48, paragraph (1); under the provisions of an order based on the provisions of Article 48, paragraph (2) or (3); or under the provisions of an order based on the provisions of Article 52.

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

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

第七十条の二 第十八条の四(第十八条の五、第二十二條の二第二項及び第二十二條の三において準用する場合を含む。)の規定による命令に違反した者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

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

第七十一条 次の各号のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 71 A person that falls under any of the following items is punished by imprisonment for not more than six months or a fine of not more than 500,000 yen:

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

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

二 第五十五条第一項の規定による報告をせず、又は虚偽の報告をした者

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

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

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

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

(iv) a person that has failed to prepare books and documents under the provisions of Article 55-3, paragraph (5), failed to enter the matters prescribed in that paragraph in them or made false entries in them, or failed to preserve them;

五 第五十五条の四の規定による報告をせず、又は虚偽の報告をした者

(v) a person that has failed to make a report under the provisions of Article 55-4 or made a false report;

六 第五十五条の五第一項の規定による報告をせず、又は虚偽の報告をした者（同条第二項の規定により特定組合等が取得し、又は所有し、若しくは保有するものとみなされる場合の当該特定組合等の業務執行組合員及び同条第三項の規定により外国投資家とみなされる者を含む。）

(vi) a person that has failed to make a report under the provisions of Article 55-5, paragraph (1) or made a false report (including an executive partner of a specified partnership, etc. in the case where a specified partnership, etc. is deemed to acquire, own, or hold property or rights pursuant to the provisions of paragraph (2) of that Article, and a person that is deemed to be a foreign investor pursuant to the provisions of paragraph (3) of that Article);

七 第五十五条の六第一項の規定による報告をせず、又は虚偽の報告をした者

(vii) a person that has failed to make a report under the provisions of Article 55-6, paragraph (1) or made a false report;

八 第五十五条の七の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をした者

(viii) a person that has failed to make a report in violation of the provisions of an order based on the provisions of Article 55-7 or made a false report;

九 第五十五条の八の規定に基づく命令の規定に違反して、報告をせず、又は虚偽の報告をした者

(ix) a person that has failed to make a report in violation of the provisions of an order based on the provisions of Article 55-8 or made a false report;

十 第五十五条の十二第二項の規定による命令に違反した者

(x) a person that has violated an order under the provisions of Article 55-12, paragraph (2);

十一 第六十八条第一項の規定による検査を拒み、妨げ、又は忌避した者

(xi) a person that has refused, obstructed, or evaded the inspection under the provisions of Article 68, paragraph (1); or

十二 第六十八条第一項の規定による質問に対して答弁をせず、又は虚偽の答弁をした者

(xii) a person that has failed to answer questions under the provisions of Article 68, paragraph (1), or gave false answers.

第七十一条の二 本人特定事項を隠ぺいする目的で、第十八条第四項（第十八条の五、第二十二條の二第二項及び第二十二條の三において準用する場合を含む。）の規定に違反した者は、五十万円以下の罰金に処する。

Article 71-2 A person that has violated the provisions of Article 18, paragraph (4) (including as applied mutatis mutandis pursuant to Article 18-5, Article 22-2, paragraph (2), and Article 22-3) in order to conceal identification information is punished by a fine of not more than 500,000 yen.

第七十二条 法人（第二十六条第一項第二号、第四号及び第五号、第二十七条第十四項、第二十七条の二第七項、第二十八条第九項、第二十八条の二第七項並びに第五十五条の五第三項に規定する団体に該当するものを含む。以下この項において同じ。）の代表者又

は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務又は財産に関し、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 72 If the representative of a corporation (including an organization that falls under any of the categories of organizations prescribed in Article 26, paragraph (1), items (ii), (iv), and (v), Article 27, paragraph (14), Article 27-2, paragraph (7), Article 28, paragraph (9), Article 28-2, paragraph (7), and Article 55-5, paragraph (3); hereinafter the same applies in this paragraph), or an agent, employee or any other worker of a corporation or individual commits a violation referred to in any of the provisions set forth in the following items with regard to the business or property of the corporation or individual, not only is the offender punished, but also the corporation is subject to the fine specified in the relevant item and the individual is subject to the fine referred to in the relevant Article:

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

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

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

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

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

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

四 第七十条の二 三億円以下の罰金刑

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

五 第七十条又は前二条 各本条の罰金刑

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

2 前項の規定により第六十九条の六又は第六十九条の七の違反行為につき法人又は人に罰金刑を科する場合における時効の期間は、各本条の罪についての時効の期間による。

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

3 第二十六条第一項第二号、第四号及び第五号、第二十七条第十四項、第二十七条の二第七項、第二十八条第九項、第二十八条の二第七項並びに第五十五条の五第三項に規



定する団体に該当するものを処罰する場合においては、その代表者又は管理人がその訴訟行為につきその団体を代表するほか、法人を被告人とする場合の刑事訴訟に関する法律の規定を準用する。

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

第七十三条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。ただし、その行為について刑を科すべきときは、この限りでない。

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

一 第五十五条の三第六項の規定による届出をせず、又は虚偽の届出をした者

(i) a person that has filed to make a notification under the provisions of Article 55-3, paragraph (6) or made a false notification; or

二 第六十七条第一項の規定により付した条件に違反した者

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