

Act on Prevention of Transfer of Criminal Proceeds (Act No. 22 of 2007) [Provisional translation]

Article 1 (Purpose)

In light of the fact that it is extremely important to prevent criminal proceeds from being transferred (hereinafter referred to as “prevention of the transfer of criminal proceeds”) given the fact that criminal proceeds are likely to be used to encourage organized crime and, as a result of being transferred and used in business activities, to have serious adverse effects on sound economic activities, as well as the fact that the transfer of criminal proceeds is likely to make it difficult to divest the said criminal proceeds or to allot them to the recovery of damages resulting from crime through confiscation or collection of an equivalent value or by other procedures, the purpose of this Act is to prevent the transfer of criminal proceeds and to ensure the appropriate enforcement of international treaties, etc., concerning the prevention of terrorism financing, and, thereby, to ensure the safety and peace of national life and to contribute to the sound development of economic activities by way of devising such measures as the verification of customer identification data of a customer, etc. (which means the customer identification data prescribed in Article 4, paragraph 1, item (i); the same shall apply in Article 3, paragraph 1), preservation of transaction records or the like, and reporting of suspicious transactions by specified business operator, coupled with other measures stipulated by the Act on the Punishment of Organized Crime, Control of Crime Proceeds and Matters (Act No. 136 of 1999; hereinafter referred to as the “Act on the Punishment of Organized Crime Organized Crime Punishment Act”) and the Law Concerning Special Provisions for the Narcotics and Psychotropics Control Law, etc. and Other Matters for the Prevention of Activities Encouraging Illicit Conducts and Other Activities Involving Controlled Substances through International Cooperation (Act No. 94 of 1991; hereinafter referred to as the “Anti-Drug Special Provisions Law Act on Special Measures Concerning Narcotics, etc.”).

Article 2 (Definitions)

(1) The term “criminal proceeds” as used in this Act means criminal proceeds, etc. prescribed in Article 2, paragraph 4 of the Act on the Punishment of Organized Crime or drug-related criminal proceeds, etc. prescribed in Article 2, paragraph 5 of the Anti-Drug Special Provisions Law

(2) The term “specified business operator” as used in this Act means any of the following:

- (i) Bank
- (ii) Shinkin bank
- (iii) Federation of Shinkin banks
- (iv) Labor bank
- (v) Federation of labor banks
- (vi) Credit cooperative
- (vii) Federation of credit cooperatives
- (viii) Agricultural cooperative
- (ix) Federation of agricultural cooperatives
- (x) Fishery cooperative
- (xi) Federation of fishery cooperatives
- (xii) Fishery processing cooperative
- (xiii) Federation of fishery processing cooperatives
- (xiv) Norinchukin Bank
- (xv) Shokochukin Bank
- (xvi) Development Bank of Japan Inc.
- (xvii) Insurance company
- (xviii) Foreign insurance company, etc. prescribed in Article 2, paragraph 7 of the Insurance Business Act (Act No. 105 of 1995)
- (xix) Small-claims/short-term insurance business operator prescribed in Article 2, paragraph 18 of the Insurance Business Act
- (xx) Federation of fishery cooperatives for mutual aid
- (xxi) Financial instruments business operator prescribed in Article 2, paragraph 9 of the Financial Instruments and Exchange Act (Act No. 25 of 1948)
- (xxii) Securities finance company prescribed in Article 2, paragraph 30 of the Financial Instruments and Exchange Act
- (xxiii) Specially permitted business notifying person prescribed in Article 63, paragraph 3 of the Financial Instruments and Exchange Act
- (xxiv) Trust company
- (xxv) Person registered under Article 50-2, paragraph 1 of the Trust Business Act (Act No. 154 of 2004)
- (xxvi) Real estate specified joint enterprise operator prescribed in Article 2, paragraph 5 of the Real Estate Specified Joint Enterprise Act (Act No. 77 of 1994) (including a trust company or a financial institution approved under Article 1, paragraph 1 of the Act on Additional Operation etc. of Trust Business by Financial Institutions (Act No. 43 of 1943), which engages in a real estate specified joint enterprise prescribed in Article 2,

paragraph 4 of the Real Estate Specified Joint Enterprise Act)

(xxvii) Mutual loan company

(xxviii) Money lender prescribed in Article 2, paragraph 2 of the Money Lending Business Act (Act No. 32 of 1983)

(xxix) Person prescribed in Article 2, paragraph 1, item (v) of the Money Lending Business Act, who is specified by a Cabinet Order

(xxx) Fund transfer business operator prescribed in Article 2, paragraph 3 of the Act on Financial Settlements (Act No. 59 of 2009)

(xxxi) Futures commission merchant prescribed in Article 2, paragraph 18 of the Commodity Exchange Act (Act No. 239 of 1950)

(xxxii) Book-entry transfer institution prescribed in Article 2, paragraph 2 of the Act on Book-Entry Transfer of Company Bonds, Shares, etc. (Act No. 75 of 2001) (including the Bank of Japan which shall be deemed to be a book-entry transfer institution pursuant to Article 48 of the same Act)

(xxxiii) Account management institution prescribed in Article 2, paragraph 4 of the Act on Book-Entry Transfer of Company Bonds, Shares, etc.

(xxxiv) Electronic monetary claim recording institution prescribed in Article 2, paragraph 2 of the Electronically Recorded Monetary Claims Act (Act No. 102 of 2007)

(xxxv) Management Organization for Postal Savings and Postal Life Insurance

(xxxvi) Person who trades in currency exchange (which means commercial trading of foreign currencies (which means currencies other than Japanese currency) or traveler's checks)

(xxxvii) Person who conducts a business purchasing machinery and any other articles as designated by customers and leasing such articles to the customer (limited to a lease specified by a Cabinet Order)

(xxxviii) Person who conducts a business wherein the person issues or gives a card or any other object or a number, mark or any other code (hereinafter referred to as a "credit card, etc.") to another person (hereinafter referred to as a "customer as a user") who intends to purchase goods or rights from a specific seller or receive services from a specific service provider (which means a person who engages in the business of providing services; hereinafter the same shall apply in this item) so as to enable the customer as a user to purchase goods or rights from a specific seller or receive services for value from a specific service provider by presenting or giving notice of the credit card, etc., and when the customer as a user has purchased goods or a right from the specific seller or has received services for value from the specific service provider by presenting or giving notice of the credit card etc., the person delivers money equivalent to the price

of the goods or right or the consideration of the services to the seller or service provider directly or via a third party, and receives from the customer as a user money equivalent to the total amount of such prices or considerations within a predetermined period of time or receives from the customer as a user an amount of money calculated for each predetermined period of time by a predetermined method based on the said total amount

(xxxix) Building lots and buildings transaction business operator prescribed in Article 2, item (iii) of the Building Lots and Buildings Transaction Business Act (Act No. 176 of 1952) (including a trust company or a financial institution approved under Article 1, paragraph 1 of the Act on Additional Operation etc. of Trust Business by Financial Institutions, which engages in the building lots and buildings transaction business prescribed in Article 2, paragraph 2 of the Building Lots and Buildings Transaction Business Act) (simply referred to as “building lots and buildings transaction business” in appended table) (such trust company and financial institution shall be referred to as a “deemed building lots and buildings transaction business operator” in Article 21, paragraph 1, item (xv))

(xl) Person who buys or sells, as a business, gold, platinum or other precious metals specified by a Cabinet Order or diamonds or other precious stones specified by a Cabinet Order or products made thereof (hereinafter referred to as “precious metals, etc.”)

(xli) Person who conducts a business providing services wherein the person authorizes a customer to use the person’s residence or office address as the place at which the customer receives postal items (including correspondence items prescribed in Article 2, paragraph 3 of the Act on Letter Service by Private Business Operators (Act No. 99 of 2002) as well as goods the size and weight of which are similar to those of postal items; the same shall apply hereinafter) or to use the person’s telephone number as the customer’s contract telephone number, and receives postal items addressed to the customer at the person’s residence or office and delivers them to the customer, or receives telephone calls (including telecommunications by facsimile devices; the same shall apply hereinafter) addressed to the customer at the person’s telephone number and notifies the customer of the content of such telephone calls, or automatically transfers telephone calls addressed to or received from the customer at the person’s telephone number to the telephone number designated by the customer

(xlii) Lawyer (including a foreign lawyer registered in Japan) or legal profession corporation

(xliii) Judicial scrivener or judicial scrivener corporation

(xlv) Administrative scrivener or administrative scrivener corporation

(xlv) Certified public accountant including a registered foreign certified public accountant prescribed in Article 16-2, paragraph 5 of the Certified Public Accountant Act (Act No. 103 of 1948)) or audit firm

(xlvi) Certified tax accountant or certified tax accountant corporation

(3) The term “customer, etc.” as used in this Act means a customer (in a specified business operator listed in item (xxxviii) of the preceding paragraph, a customer as a user) or a person specified by a Cabinet Order as being equivalent thereto.

Article 3 (Responsibility, etc. of the National Public Safety Commission)

(1) The National Public Safety Commission shall, in order to ensure that such measures as the verification of customer identification data of a customer, etc., preservation of transaction records or the like, and reporting of suspicious transactions should be conducted appropriately by specified business operators, provide them with assistance including the provision of information on the modus operandi regarding the transfer of criminal proceeds, and shall endeavor to enhance public awareness on the importance of prevention of the transfer of criminal proceeds.

(2) The National Public Safety Commission shall promptly and appropriately collect, arrange, and analyze information on criminal proceeds including information on suspicious transactions reported by specified business operators so that such information can be utilized effectively in the investigation into criminal cases, inquiry into irregularities and cooperation, including the international exchange of information, with regard to prevention of the transfer of criminal proceeds.

(3) The National Public Safety Commission, other relevant administrative organs and local public entities’ relevant organs shall cooperate with each other to prevent the transfer of criminal proceeds.

Article 4 (Verification at the Time of Transaction, etc.)

(1) A specified business operator (excluding a specified business operator listed in Article 2, paragraph 2, item (xlii) (referred to as a “lawyer, etc.” in Article 11); the same shall apply hereinafter) shall, upon conducting a transaction prescribed in the right-hand column of the appended table (referred to as a “specified transaction” in item (ii) of the following paragraph and excluding those falling under the transactions prescribed in the first sentence of the same paragraph) in connection with the business affairs prescribed respectively in the middle column of the same table (hereinafter referred to as “specified business affairs”) according to the classification of specified

business operators listed in the left-hand column of the same table with a customer, etc. , verify the matters listed in the following items (or, item (i) in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi)) with regard to the said customer, etc. by a method specified by an ordinance of the competent ministries.

(i) Customer identification data (which means the name, domicile (matters specified by an ordinance of the competent ministries in case of a foreign national who does not have a domicile in Japan and who is specified by a Cabinet Order) and date of birth in the case of a natural person, and the name and location of the head office or main office in the case of a juridical person; the same shall apply hereinafter)

(ii) Purpose of conducting a transaction

(iii) Occupation when the said customer, etc. is a natural person, and contents of business when the said customer, etc. is a juridical person

(iv) When the said customer, etc. is a juridical person, if there is a person specified by an ordinance of the competent ministries as a person in a relationship that may allow such person to have substantial control of the business of the juridical person, the customer identification data of such person.

(2) A specified business operator shall, upon conducting a transaction that falls under any of the following items in connection with a specified business affair with a customer, etc., verify the matters listed in each item of the preceding paragraph, and when the transaction concerned involves transfer of property of a value exceeding the amount specified by a Cabinet Order, also verify the status of property and income (or, the matters listed in item (i) of the preceding paragraph in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi)) with regard to the said customer, etc. by a method specified by an ordinance of the competent ministries. In this case, the verification of the matters listed in item (i) of the preceding paragraph to be conducted at the time of a transaction listed in item (i), (a) or (b) shall be conducted by a method different from the method of verification of the said matters used when the verification at the time of the relevant transaction prescribed in item (i), (a) or (b) was conducted, and the verification of the state of property and income shall be conducted to the extent necessary to determine whether the said transaction is a case in which a report is required to be submitted pursuant to the provisions of Article 8, paragraph 1.

(i) A transaction specified by a Cabinet Order as falling under any of the following descriptions of transactions:

(a) A transaction with a party who is suspected of pretending to be a customer, etc. or representative person, etc. (which means a representative person, etc. prescribed in

paragraph 6; the same shall apply in (b)) related to the verification pursuant to the provisions of the preceding or this paragraph (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to paragraph 5) or paragraph 4 (referred to as “verification at the time of relevant transaction” in (b)) conducted at the time of another transaction related to the said transaction

(b) A transaction with a customer, etc. who is suspected to have given false information concerning the matters related to the verification at the time of relevant transaction (including a customer, etc. whose representative person, etc. is suspected to have given false information concerning such matters) when the verification at the time of relevant transaction was conducted

(ii) A specified transaction with a customer, etc. who resides or is located in the State or area specified by a Cabinet Order as those in which a system for the prevention of the transfer of criminal proceeds is deemed to be not sufficiently prepared (hereinafter referred to as the “specified States, etc.” in this item), and any other specified transaction which involves transfer of property to a person who resides or is located in the specified States, etc.

(iii) In addition to what is listed in the preceding two items, transactions specified by a Cabinet Order as those for which it is found that there is a substantial need to perform enhanced customer due diligence for the prevention of the transfer of criminal proceeds

(3) The provisions of paragraph 1 shall not apply to a transaction specified by a Cabinet Order (including a transaction specified by a Cabinet Order as being equivalent thereto) with a customer, etc. for whom the specified business operator concerned has already conducted the verification (limited to the cases where, in relation to the said verification, verification records have been prepared and preserved pursuant to the provisions of Article 6) under the provisions of the said paragraph or the preceding paragraph (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to paragraph 5) at the time of another transaction.

(4) When a specified business operator conducts the verification of a customer, etc. pursuant to the provisions of paragraph 1 or 2 in cases where the natural person who is actually in charge of conducting the specified transaction, etc. with the said specified business operator is not the customer, etc. concerned (excluding the case prescribed in the following paragraph), such as a case where the representative person of a company carries out a transaction prescribed in paragraph 1 or the first sentence of paragraph 2 (hereinafter referred to as a “specified transaction, etc.”) with the said specified business operator on behalf of the company, the specified business operator shall, in

addition to conducting the said verification of the said customer, etc., conduct the verification of customer identification data of the natural person who is actually in charge of conducting the said specified transaction, etc. , pursuant to the provisions of an ordinance of the competent ministries.

(5) When a natural person who is actually in charge of conducting a specified transaction, etc. with a specified business operator is not a customer, etc. in cases where the said customer, etc. is the State, a local public entity, an association or foundation without legal personality or any other person specified by a Cabinet Order (hereinafter referred to as the “State, etc.” in this paragraph), with regard to the application of the provisions of paragraph 1 or 2, the terms and phrases listed in column 3 of the following table among those prescribed in the provisions listed in column 2 of the same table shall be deemed to be respectively replaced with the terms and phrases listed in column 4 of the same table, according to the categories of customer, etc. listed in column 1 of the same table.

State, etc. (excluding an association or foundation without legal personality)	paragraph 1	the following items (or, item (i) in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi))	item (i)
	paragraph 1, item (i)	Customer identification data	Customer identification data of a natural person who is actually in charge of conducting a specified transaction, etc. with the specified business operator concerned

	paragraph 2	the matters listed in each item of the preceding paragraph, and when the transaction concerned involves transfer of property of a value exceeding the amount specified by a Cabinet Order, the state of property and income (or, the matters listed in item (i) of the preceding paragraph in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi))	the matters listed in item (i) of the preceding paragraph
Association or foundation without legal personality	paragraph 1	the following items	items (i) to (iii)
	paragraph 1, item (i)	Customer identification data	Customer identification data of a natural person who is actually in charge of conducting a specified transaction, etc. with the specified business operator concerned
	paragraph 1, item (iii)	Occupation when the said customer, etc. is a natural person, and contents of business when the said customer, etc. is a juridical person	Contents of business

	paragraph 2	the matters listed in each item of the preceding paragraph, and when the transaction concerned involves transfer of property of a value exceeding the amount specified by a Cabinet Order, the state of property and income	the matters listed in items (i) to (iii) of the preceding paragraph
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(6) When responding to the verification pursuant to the provisions of paragraph 1 or 2 (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to the preceding paragraph), or paragraph 4 (hereinafter referred to as the “verification at the time of transaction”) conducted by the specified business operator, the customer, etc. and the representative person, etc. (which means a natural person who is actually in charge of conducting the specified transaction ,etc. pursuant to the preceding two paragraphs; the same shall apply hereinafter) shall not give false information pertaining to the matters related to the said verification at the time of transaction to the said specified business operator.

Article 5 (Immunity of Specified Business Operators from Obligations)

A specified business operator may, when a customer, etc. or representative person, etc. does not comply with the request for verification at the time of transaction upon conducting a specified transaction, etc., refuse to perform its obligations pertaining to the said specified transaction, etc. until the customer, etc. or representative person, etc. complies with the request.

Article 6 (Obligation to Prepare Verification Records, etc.)

(1) A specified business operator shall, having conducted the verification at the time of transaction, prepare immediately, by a method specified by an ordinance of the competent ministries, records on the matters related to the said verification at the time of transaction, on measures which have been undertaken for conducting the said verification at the time of transaction, and on other matters specified by an ordinance of the competent ministries (hereinafter referred to as “verification records”).

(2) A specified business operator shall preserve verification records for seven years from

the day on which the contract pertaining to a specified transaction, etc. terminated or from a date otherwise specified by an ordinance of the competent ministries.

Article 7 (Obligation to Prepare Transaction Records, etc.)

(1) A specified business operator (excluding those prescribed in the following paragraph) shall, when having conducted a transaction pertaining to specified business affairs, except for small transactions and other transactions specified by a Cabinet Order, immediately prepare, by a method specified by an ordinance of the competent ministries, records on the matters necessary for searching verification records of the customer, etc., the date and content of the transaction concerned, and other matters specified by an ordinance of the competent ministries.

(2) A specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi) shall, when having carried out agent work, etc. (which means agent work, etc. prescribed in the middle column corresponding to the column for persons listed in Article 2, paragraph 2, item (xliii) in the appended table; hereinafter the same shall apply in this Article) for specified mandated acts, except for agent work for the disposition of a small amount of property or other agent work, etc. for specified mandated acts specified by a Cabinet Order, immediately prepare, by a method specified by an ordinance of the competent ministries, records on the matters necessary for searching verification records of the customer, etc., the date and content of the transaction concerned, and other matters specified by an ordinance of the competent ministries.

(3) A specified business operator shall preserve the records prescribed in the preceding two paragraphs (hereinafter referred to as the “transaction records, etc.”) for seven years from the day on which the transaction concerned or agent work, etc. for specified mandated acts was carried out.

Article 8 (Reporting of Suspicious Transactions, etc.)

(1) A specified business operator (excluding those listed in Article 2, paragraph 2, items (xliii) to (xlvi)) shall, when property accepted through specified business affairs is suspected, in consideration of the results of verification at the time of transaction and other conditions, to have been criminal proceeds or a customer, etc. is suspected to have been conducting acts constituting crimes set forth in Article 10 of the Act on the Punishment of Organized Crime or crimes set forth in Article 6 of the Anti-Drug Special Provisions Law with regard to specified business affairs, promptly report the matters specified by a Cabinet Order to a competent administrative agency, pursuant to the

provisions of a Cabinet Order.

(2) A specified business operator (including the officers and employees thereof) shall not divulge the fact that he/she is intending to make or has made a report under the preceding paragraph (hereinafter referred to as a “report of suspicious transactions”) to the customer, etc. pertaining to the said report of suspicious transactions or persons related to the customer etc. .

(3) A competent administrative agency (limited to prefectural governors or prefectural Public Safety Commissions) shall, when having received a report of suspicious transactions, promptly notify the matters pertaining to the said report of suspicious transactions to the competent minister(s).

(4) A competent administrative agency (excluding prefectural governors and prefectural Public Safety Commissions) or the competent minister(s) set forth in the preceding paragraph (excluding the National Public Safety Commission) shall, when having received a report of suspicious transactions or notification set forth in the same paragraph, promptly notify the matters pertaining to the said report of suspicious transactions or notification to the National Public Safety Commission.

Article 9 (Obligation of Notification pertaining to Foreign Exchange Transactions)

(1) In the case where a specified business operator (limited to those listed in Article 2, paragraph 2, items (i) to (xv) and (xxx); hereinafter the same shall apply in this Article) conducts exchange transactions (excluding those by way of writing checks or by other means specified by a Cabinet Order) pertaining to payment from Japan to foreign countries (which means countries and regions outside Japan and excludes countries and regions specified by a Cabinet Order; hereinafter the same shall apply in this Article) with a customer, and when the said specified business operator entrusts the said payment to another specified business operator or an exchange dealer residing in a foreign country (which means a person who resides in a foreign country and conducts exchange transactions as a business ; hereinafter the same shall apply in this Article), the said specified business operator shall notify about the customer identification data pertaining to the customer concerned and other matters specified by an ordinance of the competent ministries.

(2) In the case where a specified business operator has received a notification from another specified business operator pursuant to the provisions of the preceding paragraph or this paragraph and has accepted the entrustment or re-entrustment of a payment from Japan to a foreign country, and when the said specified business operator intends to re-entrust the said payment to another specified business operator or an

exchange dealer residing in a foreign country, the said specified business operator shall notify the matters pertaining to the notification concerned.

(3) In the case where a specified business operator has received a notification from an exchange dealer residing in a foreign country pursuant to the provisions of foreign laws and regulations equivalent to those of this Article and has accepted an entrustment or re-entrustment of a payment from a foreign country to Japan or a payment from a foreign country to another foreign country, and when the said specified business operator intends to re-entrust the said payment to another specified business operator or an exchange dealer residing in a foreign country, the said specified business operator shall notify about the matters pertaining to the notification concerned (limited to the matters specified by an ordinance of the competent ministries).

(4) In the case where a specified business operator has received a notification from another specified business operator pursuant to the provisions of the preceding paragraph or this paragraph and has accepted the re-entrustment of a payment from a foreign country to Japan or a payment from a foreign country to another foreign country, and when the said specified business operator intends to re-entrust the said payment to another specified business operator or an exchange dealer residing in a foreign country, the said specified business operator shall notify about the matters pertaining to the notification concerned (limited to the matters specified by an ordinance of the competent ministries).

Article 10 (Measures to Appropriately Conduct Verification at the Time of Transaction, etc.)

To appropriately take measures such as verification at the time of transaction, preservation of transaction records, etc. and reporting of suspicious transactions, a specified business operator shall take measures to keep information up-to-date concerning the matters for which such verification at the time of transaction has been conducted and shall implement education and training for the employees and develop other necessary systems.

Article 11 (Measures Undertaken by a Lawyer, etc. which are Equivalent to Verification of Customer Identification Data, etc.)

(1) Measures undertaken by a lawyer, etc. which are equivalent to the verification of customer identification data of a customer, etc. or representative person, etc., preparation and preservation of verification records, preparation and preservation of transaction records, etc. and measures to appropriately conduct these measures shall be

pursuant to the rules of the Japan Federation of Bar Associations in line with cases of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi).

(2) The provisions of Article 5 shall apply *mutatis mutandis* to the measures equivalent to the verification of customer identification data conducted by a lawyer, etc. pursuant to the provisions of the rules of the Japan Federation of Bar Associations prescribed under the preceding paragraph.

(3) The government and the Japan Federation of Bar Associations shall cooperate with each other for prevention of the transfer of criminal proceeds.

Article 12 (Dissemination of Information, etc. to Investigative Agencies, etc.)

(1) When the National Public Safety Commission finds that the matters pertaining to a report of suspicious transactions, information disseminated by foreign agencies which conduct duties equivalent to duties of the National Public Safety Commission prescribed in Article 8, this Article and the following Article, and the collected and analyzed results thereof (hereinafter referred to as “information on suspicious transactions”) will contribute to the investigation into criminal cases or inquiry into irregularities conducted by public prosecutors, assistant officers to prosecutors, or judicial police officials, or customs officers, or personnel of the Securities and Exchange Surveillance Commission (hereinafter referred to as “public prosecutors, etc.” in this Article) with regard to crimes listed in appended table or Article 2, paragraph 2, items (ii), (a) to (d) of the Organized Crime Punishment Act, crimes set forth in Article 2, paragraph 2, item (iii) or (iv) of the Organized Crime Punishment Act, crimes set forth in Article 9, paragraphs 1 to 3, or Article 10 or 11 of the Organized Crime Punishment Act, crimes listed in each item of Article 2, paragraph 2 of the Act on Special Measures Concerning Narcotics, etc., or crimes set forth in Article 6 or Article 7 of the Act on Special Measures Concerning Narcotics, etc., the Commission shall disseminate such information to public prosecutors, etc.

(2) Public prosecutors, etc. may, when they find it necessary for the investigation into criminal cases or inquiry into irregularities pertaining to crimes prescribed in the preceding paragraph, request the National Public Safety Commission for the inspection or copying of the record of information on suspicious transactions or the delivery of copies thereof.

Article 13 (Dissemination of Information to Foreign Agencies)

(1) The National Public Safety Commission may disseminate to foreign agencies prescribed in paragraph 1 of the preceding Article information on suspicious

transactions which it finds will contribute to the performance of their duties (limited to those equivalent to the duties of the National Public Safety Commission prescribed in Article 8, the preceding Article and this Article; the same shall apply in the following paragraph).

(2) When disseminating information on suspicious transactions pursuant to the provisions of the preceding paragraph, appropriate measures shall be taken so that the said information on suspicious transactions shall not be used for other purposes than for performing the duties of foreign agencies prescribed in paragraph 1 of the preceding Article and shall not be used for the investigation into criminal cases (limited to cases where the fact of a crime has already been specified) or inquiries (hereinafter referred to as “investigation, etc.” in this Article) in foreign countries without the consent under the following paragraph.

(3) The National Public Safety Commission may, having received a request from a foreign country, give consent for the information on suspicious transactions which it has provided pursuant to the provisions of paragraph 1 to be used for the investigation into criminal cases pertaining to the said request, except for cases falling under any of the following items:

(i) When a crime subject to the investigation into criminal cases pertaining to the said request is a political crime, or when it is found that the said request has been made for the purpose of conducting an investigation into a political crime

(ii) When the act, which constitute the crime subject to the investigation into criminal cases pertaining to the said request, does not constitute a crime under Japanese laws and regulations had it been conducted in Japan, except as otherwise specified in international agreements (which means international agreements concerning the provision of information on suspicious transactions under paragraph 1; the same shall apply in paragraph 5)

(iii) When the requesting country has not insured that it will accept a similar request from Japan

(4) The National Public Safety Commission shall, before giving the consent set forth in the preceding paragraph, obtain confirmation from the Minister of Justice that the request does not fall under items (i) and (ii) of the same paragraph and confirmation from the Minister of Foreign Affairs that the request does not fall under item (iii) of the same paragraph.

(5) When the dissemination of information on suspicious transactions under paragraph 1 has been conducted based on international agreements which specify the scope of the investigation into criminal cases in foreign countries for which information on

suspicious transactions can be used (limited to the investigation into cases other than political crimes), the consent set forth in paragraph 3 shall be deemed to have been given for the use of the said information on suspicious transactions within the said scope of the investigation.

Article 14 (Reports)

A competent administrative agency may, to the extent necessary for the enforcement of this Act, request a specified business operator to submit reports or materials concerning its business affairs.

Article 15 (On-site Inspections)

(1) A competent administrative agency may, to the extent necessary for the enforcement of this Act, have its officials enter a business office or other facility of a specified business operator, inspect the books, documents, and any other objects of the said facility, or ask questions of the persons concerned with regard to its business affairs.

(2) The officials who conduct on-site inspections under the preceding paragraph shall carry a certificate of identification and show it to any person concerned upon request.

(3) The authority for on-site inspections under paragraph 1 shall not be construed as being vested for criminal investigation.

(4) The provisions of paragraph 1 shall not apply to the Bank of Japan as a specified business operator.

Article 16 (Guidance, etc.)

A competent administrative agency may, when it finds it necessary to ensure the appropriate and smooth implementation of measures by a specified business operator specified by this Act, provide the necessary guidance, advice, and make the necessary suggestions to the specified business operator.

Article 17 (Order for Rectification)

A competent administrative agency may, when it finds that a specified business operator has violated the provisions of Article 4, paragraph 1 or 2 (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to paragraph 5 of the same Article) or paragraph 4, Article 6, Article 7, Article 8, paragraph 1 or paragraph 2, or Article 9 in the course of performing its business affairs, order the specified business operator to take any necessary measures to rectify the violation.

Article 18 (Statement of Opinion by the National Public Safety Commission)

(1) The National Public Safety Commission may, when it finds that a specified business operator has violated the provisions prescribed in the preceding Article in the course of performing its business affairs, state its opinion to a competent administrative agency (excluding prefectural Public Safety Commissions; hereinafter the same shall apply in this Article) to the effect that an order under the preceding Article should be issued against the specified business operator. In the case where measures such as the suspension of operation may be taken on the ground of the said violation under other laws or regulations, the Commission may state its opinion to the competent administrative agency to the effect that the said measures should be taken against the specified business operator.

(2) The National Public Safety Commission may, to the extent necessary for stating its opinion under the preceding paragraph, request the specified business operator to submit reports or materials concerning its operations or direct the prefectural police whichever it finds appropriate to conduct necessary inquiry.

(3) The Superintendent General or the Chief of the Prefectural Police Headquarters who has received the direction set forth in the preceding paragraph may, when it is found especially necessary for conducting the inquiry under the same paragraph, obtain approval from the National Public Safety Commission in advance and have its officials enter a business office or other facility of the specified business operator, inspect the books, documents, and any other objects of the said facility, or ask questions of the persons concerned with regard to its operations. In this case, the provisions of Article 15, paragraphs 2 to 4 shall apply *mutatis mutandis*.

(4) The National Public Safety Commission shall, before granting the approval set forth in the preceding paragraph, notify a competent administrative agency (when a competent administrative agency is a prefectural governor, the said prefectural governor through the competent minister) of the fact that the Commission will grant the approval.

(5) The competent administrative agency which has received a notification set forth in the preceding paragraph may request the National Public Safety Commission to provide the necessary consultation, pursuant to the provisions of a Cabinet Order, so as to coordinate the execution of the authorities under Article 15, paragraph 1 and the execution of the authorities of the prefectural police under paragraph 3. In this case, the National Public Safety Commission shall respond to the request.

Article 19 (Delegation to an Ordinance of the Competent Ministries)

In addition to what is provided for in this Act, any necessary matters for the enforcement of this Act shall be specified by an ordinance of the competent administrative ministries.

Article 20 (Transitional Measures)

When enacting, revising or repealing a Cabinet Order or an ordinance of the competent ministries pursuant to this Act, any necessary transitional measures (including transitional measures concerning penal provisions) may be specified by the Cabinet Order or ordinance of the competent ministries to the extent considered reasonably necessary for the enactment, revision or repeal.

Article 21 (Competent Administrative Agency, etc.)

(1) The competent administrative agency under this Act shall, according to the categories of specified business operators listed in the following items, be the one prescribed in the respective items with regard to the matters concerning the said specified business operators:

- (i) Specified business operators listed in Article 2, paragraph 2, items (i) to (iii), item (vi), item (vii), items (xvii) to (xix), items (xxi) to (xxv), items (xxvii) to (xxx), and item (xlv): the Prime Minister
- (ii) Specified business operators listed in Article 2, paragraph 2, items (iv) and (v): the Prime Minister and the Minister of Health, Labour and Welfare
- (iii) Specified business operators listed in Article 2, paragraph 2, items (viii) and (ix): the competent administrative agency prescribed in Article 98, paragraph 1 of the Agricultural Cooperative Act (Act No. 132 of 1947)
- (iv) Specified business operators listed in Article 2, paragraph 2, items (x) to (xiii), and item (xx): the competent administrative agency prescribed in Article 127, paragraph 1 of the Fishery Cooperative Act (Act No. 242 of 1948)
- (v) Specified business operators listed in Article 2, paragraph 2, item (xiv): the Minister of Agriculture, Forestry and Fisheries and the Prime Minister
- (vi) Specified business operators listed in Article 2, paragraph 2, item (xv): the Minister of Economy, Trade and Industry and the Minister of Finance
- (vii) Specified business operators listed in Article 2, paragraph 2, item (xvi): the competent minister(s) prescribed in Article 29, paragraph 1 of the Act on Development Bank of Japan Inc. (Act No. 85 of 2007)
- (viii) Specified business operators listed in Article 2, paragraph 2, item (xxvi): the

competent minister(s) prescribed in Article 49, paragraph 1 of the Real Estate Joint Enterprise Act

(ix) Specified business operators listed in Article 2, paragraph 2, item (xxxix): the competent minister(s) prescribed in Article 354, paragraph 1 of the Commodity Exchange Act

(x) Specified business operators listed in Article 2, paragraph 2, items (xxxii) to (xxxiv) (excluding those listed in the following item): the Prime Minister and the Minister of Justice:

(xi) Specified business operators listed in Article 2, paragraph 2, items (xxxii) and (xxxiii) which deal with national government bonds: the Prime Minister, the Minister of Justice, and the Minister of Finance

(xii) Specified business operators listed in Article 2, paragraph 2, item (xxxv) and specified business operators listed in item (xli) of the same paragraph which provide services to receive telephone calls on behalf of a customer and notify the said customer of the content of such telephone calls or to automatically transfer telephone calls addressed to or received from the customer to the telephone number designated by the customer: the Minister of Internal Affairs and Communications

(xiii) Specified business operators listed in Article 2, paragraph 2, item (xxxvi) and item (xli): the Minister of Finance

(xiv) Specified business operators listed in Article 2, paragraph 2, items (xxxvii), (xxxviii) and (xl) and specified business operators listed in item (xli) of the same paragraph which provide services to receive postal items addressed to a customer and deliver them to the said customer: the Minister of Economy, Trade and Industry

(xv) Specified business operators listed in Article 2, paragraph 2, item (xxxix): the Minister of Land, Infrastructure and Transport or a prefectural governor who has granted a license under Article 3, paragraph 1 of the Building Lots and Buildings Transaction Business Act (for specified business operators who are deemed- building lots and buildings transaction business operators, the Minister of Land, Infrastructure and Transport)

(xvi) Specified business operators listed in Article 2, paragraph 2, item (xliii): the Minister of Justice

(xvii) Specified business operators listed in Article 2, paragraph 2, item (xliv): the prefectural governor

(2) Notwithstanding the provisions of the preceding paragraph, the competent administrative agency concerning the matters prescribed in Article 9 with regard to specified business operators prescribed in Article 9, paragraph 1 (excluding those listed

in Article 2, paragraph 2, item (xv)) shall be the competent administrative agency prescribed in the preceding paragraph and the Minister of Finance.

(3) Notwithstanding the provisions of paragraph 1, when a specified business operator which has obtained registration under Article 33-2 of the Financial Instruments and Exchange Act conducts registered financial institution business (which means registered financial institution business prescribed in Article 33-5, paragraph 1, item (iii) of the same Act; the same shall apply in paragraph 6, item (ii)), the competent administrative agency in charge of the matters pertaining to the said registered financial institution business shall be the Prime Minister.

(4) Notwithstanding the provisions of paragraph 1, when a specified business operator listed in Article 2, paragraph 2, item (xl) which has obtained permission under Article 3, paragraph 1 of the Used Articles Business Act (Act No. 108 of 1949) conducts the buying and selling of precious metals, etc. which fall under used articles set forth in Article 2, paragraph 1 of the same Act and when a specified business operator listed in the same item which has obtained permission under Article 2, paragraph 1 of the Pawnbroker Business Act (Act No. 158 of 1950) conducts the selling of precious metals, etc. which fall under unredeemed pawned articles under Article 19, paragraph 1 of the same Act, the competent administrative agency in charge of the matters pertaining to these business affairs shall be the prefectural Public Safety Commission. In this case, affairs within the authority of the Hokkaido Public Safety Commission may be delegated to Area Public Safety Commissions pursuant to the provisions of a Cabinet Order.

(5) The Prime Minister shall delegate his/her authority under this Act (limited to the authority under the jurisdiction of the Financial Services Agency and excluding the part specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

(6) The Commissioner of the Financial Services Agency shall delegate the authority delegated thereto pursuant to the provisions of the preceding paragraph (excluding the part concerning Article 8, Article 16, and Article 17; such authority shall be referred to as the “authority of the Commissioner of the Financial Services Agency” in the following paragraph) to the Securities and Exchange Surveillance Commission with regard to the following acts; provided, however, that this shall not preclude the Commissioner of the Financial Services Agency from exercising him/herself the authority to order the submission of reports or materials:

(i) Acts conducted by a specified business operator listed in Article 2, paragraph 2, item (xxi) and item (xxiii)

(ii) Acts pertaining to registered financial institution business

(7) The Commissioner of the Financial Services Agency may, pursuant to the provisions

of a Cabinet Order, delegate the authority of the Commissioner of the Financial Services Agency to the Securities and Exchange Surveillance Commission with regard to the acts conducted by a specified business operator listed in Article 2, paragraph 2, item (xxii), item (xxxii) and item (xxxiii) (excluding acts listed in each item of the preceding paragraph).

(8) In cases set forth in the preceding two paragraphs, an appeal under the Administrative Appeal Act (Act No. 160 of 1962) against an order for the submission of reports or materials issued by the Securities and Exchange Surveillance Commission may be filed only with the Securities and Exchange Surveillance Commission.

(9) Part of the affairs within the authority of the competent administrative agency prescribed in this Act (excluding those falling within the authority of prefectural governors or prefectural Public Safety Commissions under this Act) may be administered by prefectural governors pursuant to the provisions of a Cabinet Order.

(10) In addition to what is provided for in the preceding paragraphs, any necessary matters for the execution of the authority of competent administrative agencies under Article 8, and Articles 14 to 18 shall be specified by a Cabinet Order.

Article 22 (Competent Minister, etc.)

(1) The competent minister under this Act shall be as follows:

(i) The competent ministers prescribed in (a) to (e) below respectively, according to the categories of specified business operators listed in (a) to (e) below with regard to the matters concerning the said specified business operators (excluding the matters listed in the following item to item (iv)):

(a) Specified business operators other than those listed in (b) to (e): the minister who is the competent administrative agency prescribed in paragraph 1 of the preceding Article

(b) Specified business operators listed in Article 2, paragraph 2, items (viii) and (ix): the competent minister prescribed in Article 98, paragraph 2 of the Agricultural Cooperative Act

(c) Specified business operators listed in Article 2, paragraph 2, items (x) to (xiii) and item (xx): the competent minister prescribed in Article 127, paragraph 2 of the Fishery Cooperative Act

(d) Specified business operators listed in Article 2, paragraph 2, item (xxxix): the Minister of Land, Infrastructure and Transport

(e) Specified business operators listed in Article 2, paragraph 2, item (xliv): the Minister of Internal Affairs and Communications

(ii) Matters prescribed in Article 20, paragraph 2 which pertain to specified business

operators prescribed in the same paragraph: the minister prescribed in (a) to (c) of the preceding item and the Minister of Finance

(iii) Matters prescribed in Article 20, paragraph 3 which pertain to specified business operators prescribed in the same paragraph: the Prime Minister

(iv) Matters prescribed in Article 20, paragraph 4 which pertain to specified business operators prescribed in the same paragraph: the National Public Safety Commission

(2) An ordinance of the competent ministries under this Act shall be an order to be issued jointly by the Prime Minister, the Minister of Internal Affairs and Communications, the Minister of Justice, the Minister of Finance, the Minister of Health, Labour and Welfare, the Minister of Agriculture, Forestry and Fisheries, the Minister of Economy, Trade and Industry, and the Minister of Land, Infrastructure and Transport.

Article 23 (Administrative Classification)

Affairs to be administered by prefectural governments under this Act with regard to the persons listed below shall be Item 1 statutory entrusted affairs prescribed in Article 2, paragraph 9, item (i) of the Local Autonomy Act (Act No. 67 of 1947):

(i) Agricultural cooperative and federation of agricultural cooperatives engaged in the business set forth in Article 10, paragraph 1, item (iii) of the Agricultural Cooperative Act

(ii) Fishery cooperative engaged in the business set forth in Article 11, paragraph 1, item (iv) of the Fishery Cooperative Act

(iii) Federation of fishery cooperatives engaged in the business set forth in Article 87, paragraph 1, item (iv) of the Fishery Cooperative Act

(iv) Fishery processing cooperative engaged in the business set forth in Article 93, paragraph 1, item (ii) of the Fishery Cooperative Act

(v) Federation of fishery processing cooperatives engaged in the business set forth in Article 97, paragraph 1, item (ii) of the Fishery Cooperative Act

Article 24 (Penal Provisions)

A person who has violated an order issued under Article 17 shall be punished by imprisonment with work for not more than two years or a fine of not more than three million yen, or both.

Article 25

A person who falls under any of the following items shall be punished by imprisonment

with work for not more than one year or a fine of not more than three million yen, or both:

(i) A person who has failed to submit reports or materials, or submitted false reports or materials under Article 14 or Article 18, paragraph 2. (ii) A person who has given no answer or false answers to the questions asked by the officials, or refused, obstructed or avoided inspections conducted under Article 15, paragraph 1 or Article 18, paragraph 3.

Article 26

A person who has committed an act in violation of Article 4, paragraph 6 for the purpose of concealing the customer identification data of a customer, etc. or a representative person, etc. (limited to such act related to the customer identification data of the customer, etc. or representative person, etc. concerned) shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both.

Article 27

A person who has, in the guise of another person, with the intention of receiving the services pertaining to a deposit/savings contract (which means a deposit/savings contract prescribed in the right-hand column corresponding to the column for persons listed in Article 2, paragraph 2, items (i) to (xxxvi); hereinafter the same shall apply in this paragraph) with a specified business operator (limited to those listed in Article 2, paragraph 2, items (i) to (xv) and item (xxxv); hereinafter the same shall apply in this Article) or having a third party receive such services, received the assignment, delivery or provision of the deposit/savings passbook, the deposit/savings withdrawal card, the information necessary for deposit/savings withdrawal or transfer or other items specified by a Cabinet Order as necessary for receiving the services pertaining to a deposit/savings contract with a specified business operator (hereinafter referred to as a "deposit/savings passbook, etc." in this Article) shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both. The same shall apply to a person who has received the assignment, delivery or provision of a deposit/savings passbook, etc. for value without justifiable reasons such that the assignment, delivery or provision accompanies an ordinary commercial transaction or financial transaction.

(2) The preceding paragraph shall also apply to a person who has assigned, delivered or provided a deposit/savings passbook, etc. to another person while knowing that such other person has the intention prescribed in the first sentence of the same paragraph.

The same shall apply to a person who has assigned, delivered or provided a deposit/savings passbook, etc. for value without justifiable reasons such that the assignment, delivery or provision accompanies an ordinary commercial transaction or financial transaction.

(3) A person who has committed, as a business, the crime prescribed in any of the preceding two paragraphs shall be punished by imprisonment with work for not more than three years or a fine of not more than five million yen, or both.

(4) Paragraph 1 shall also apply to a person who has solicited people or induced people by advertising or other similar methods to commit the crime prescribed in paragraph 1 or paragraph 2.

Article 28

(1) A person who has, in the guise of another person, with the intention of sending or receiving a remittance through an exchange transaction with a specified business operator listed in Article 2, paragraph 2, item (xxx) (hereinafter referred to as a “fund transfer business operator” in this paragraph) or having a third party conduct such act, received the assignment, delivery or provision of a card for receiving a remittance related to the said exchange transaction, information necessary for sending or receiving a remittance and other items specified by a Cabinet Order as necessary for sending or receiving a remittance through an exchange transaction with the fund transfer business operator (hereinafter referred to as an “exchange transaction card, etc.”) shall be punished by imprisonment with work for not more than one year or a fine of not more than one million yen, or both. The same shall apply to a person who has received the assignment, delivery or provision of an exchange transaction card, etc. for value without justifiable reasons such that the assignment, delivery or provision accompanies an ordinary commercial transaction.

(2) The preceding paragraph shall also apply to a person who has assigned, delivered or provided an exchange transaction card, etc. to another person while knowing that such other person has the intention prescribed in the first sentence of the same paragraph. The same shall apply to a person who has assigned, delivered or provided an exchange transaction card, etc. for value without justifiable reasons such that the assignment, delivery or provision accompanies an ordinary commercial transaction.

(3) A person who has committed, as a business, the crime prescribed in any of the preceding two paragraphs shall be punished by imprisonment with work for not more than three years or a fine of not more than five million yen, or both.

(4) Paragraph 1 shall also apply to a person who has solicited people or induced people

by advertising or other similar methods to commit the crime prescribed in paragraph 1 or paragraph 2.

Article 29

Where the representative person of a juridical person or an agent, employee or other worker of a juridical person or an individual has, with regard to the business of the juridical person or individual, committed the violations prescribed in the following items, not only shall the offender be punished but also the juridical person shall be punished by the fine prescribed in the respective items or the individual shall be punished by the fine prescribed in the respective Articles:

- (i) Article 24: fine of not more than 300 million yen
- (ii) Article 25: fine of not more than 200 million yen
- (iii) Article 26: fine prescribed in the same Article

Article 30 (Application Mutatis Mutandis of the Financial Instruments and Exchange Act)

The provisions of Chapter 9 of the Financial Instruments and Exchange Act shall apply mutatis mutandis to the cases concerning the crimes prescribed in Article 26 and item (iii) of the preceding Article with regard to the acts listed in the items of Article 21, paragraph 6.

Supplementary Provisions (Act No. 31 of 2011)

Article 1 (Effective Date)

This Act shall come into effect as from the day specified by a Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions listed in the following items shall come into force as from the days prescribed in the respective items:

- (i) The provisions revising Article 11, paragraph 1 (excluding the part revising “Article 9” to “Article 8”), the provisions deleting the title of Article 3 of the Supplementary Provisions, the provisions revising the same Article, the provisions adding the title to Article 4 of the Supplementary Provisions, and the provisions of Article 3 of the Supplementary Provisions: The date of promulgation
- (ii) The provisions revising Article 27, paragraph 1 (excluding the part revising “Article 2, paragraph 2, item (xxviii)-2” to “Article 2, paragraph 2, item (xxx)”), the provisions revising paragraph 3 of the same Article, the provisions revising Article 26, paragraph 1

(limited to the parts adding “in this Article”, revising “a fine of not more than 500,000 yen” to “imprisonment with work for a period of not more than one year or a fine of not more than one million yen,” and adding “or both” after “yen”), the provisions revising paragraph 3 of the same Article and the provision revising Article 25 (limited to the parts revising “a fine of not more than 500,000 yen” to “imprisonment with work for a period of not more than one year or a fine of not more than one million yen,” and adding “or both” after “yen”): The date on which one month has elapsed from the date of promulgation

Article 2 (Transitional Measures)

(1) With regard to the application of the provisions of Article 4, paragraph 1 of the Act on Prevention of Transfer of Criminal Proceeds revised by this Act (hereinafter referred to as the “New Act”) to a transaction (including a transaction specified by a Cabinet Order as being equivalent thereto) specified by a Cabinet Order after the effective date of this Act (hereinafter referred to as the “effective date”) (referred to as a “transaction after the effective date under paragraph 1” in paragraph 4, item (i)) executed between a specified business operator prescribed in Article 2, paragraph 2 of the New Act (excluding a specified business operator listed in item (xli) of the same paragraph who conducts a business providing services wherein the specified business operator automatically transfers telephone calls addressed to or received from the customer to the telephone number designated by the customer (hereinafter referred to as a “new specified business operator” in paragraph 4, item (iv)) and a specified business operator listed in paragraph 2, items (xlii) to (xlvi) of the same Article; hereinafter simply referred to as a “specified business operator”) and a customer, etc. prescribed in Article 2, paragraph 3 of the New Act (excluding the State, etc. prescribed in Article 4, paragraph 5 of the New Act (simply referred to as the “State, etc.” in paragraph 4, item (iii))) for whom the specified business operator has conducted, at the time of transaction prior to the effective date, the customer identification prescribed in Article 4, paragraph 1 of the Act on Prevention of Transfer of Criminal Proceeds prior to revision by this Act (hereinafter referred to as the “Old Act”) (limited to the cases where, in relation to the customer identification, the customer identification records have been prepared and preserved pursuant to the provisions of Article 6 of the Old Act), the terms “the following items (or, item (i) in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi))” in the said paragraph shall be deemed to be replaced with the terms “items (ii) to (iv).”

(2) With regard to the application of the provisions of Article 4, paragraph 1 of the New

Act to a transaction (including a transaction specified by a Cabinet Order as being equivalent thereto) specified by a Cabinet Order after the effective date (referred to as a “transaction after the effective date under paragraph 2” in paragraph 4, item (ii)) executed between a specified business operator and a customer, etc. prescribed in Article 2, paragraph 3 of the New Act (limited to an association or foundation without legal personality) for whom the specified business operator has conducted, at the time of transaction prior to the effective date, the customer identification prescribed in Article 4, paragraph 1 of the Old Act (limited to the cases where, in relation to the customer identification, the customer identification records have been prepared and preserved pursuant to the provisions of Article 6 of the Old Act), notwithstanding the provisions of paragraph 5 of the Article 4 of the New Act (limited to the portion related to paragraph 1 of the same Article), the terms “the following items (or, item (i) in the case of a specified business operator listed in Article 2, paragraph 2, items (xliii) to (xlvi))” in paragraph 1 of the Article 4 of the New Act shall be deemed to be replaced with the terms “items (ii) and (iii),” and the terms “Occupation when the said customer, etc. is a natural person, and contents of business when the said customer, etc. is a juridical person” in item (iii) of the same paragraph shall be deemed to be replaced with the terms “Contents of business.”

(3) In the cases referred to in the preceding two paragraphs, the terms “the said paragraph or the preceding paragraph (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to paragraph 5)” in Article 4, paragraph 3 of the New Act shall be deemed to be replaced with the terms “paragraph 1 or the preceding paragraph (including the cases where it is applied mutatis mutandis by replacing certain terms pursuant to paragraph 5) applied mutatis mutandis by replacing certain terms pursuant to Article 2, paragraph 1 or 2 of the Supplementary Provisions of the Act for Partial Revision of the Act on Prevention of Transfer of Criminal Proceeds (Act No. 31 of 2011; hereinafter referred to as the “Revised Act”), the terms “paragraph 1 or 2 (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to the preceding paragraph), or” in Article 4, paragraph 6 of the New Act shall be deemed to be replaced with the terms “paragraph 1 or 2 (including the cases where it is applied mutatis mutandis by replacing certain terms pursuant to the preceding paragraph) applied mutatis mutandis by replacing certain terms pursuant to Article 2, paragraph 1 or 2 of the Supplementary Provisions of the Revised Act, or,” the terms “verification records” in Article 6, paragraph 2 of the New Act shall be deemed to be replaced with the terms “verification records (including customer identification records related to preservation

prescribed in Article 2, paragraphs 1 and 2 of the Supplementary Provisions of the Revised Act; the same shall apply in paragraph 1 of the following Article,” and the terms “Article 4, paragraph 1 or 2 (including the cases where these provisions are applied mutatis mutandis by replacing certain terms pursuant to paragraph 5 of the same Article)” in Article 17 of the New Act shall be deemed to be replaced with “Article 4, paragraph 1 as applied mutatis mutandis by replacing certain terms pursuant to Article 2, paragraph 1 or 2 of the Supplementary Provisions of the Revised Act or Article 4, paragraph 2 (including the cases where it is applied mutatis mutandis by replacing certain terms pursuant to paragraph 5 of the same Article)”

(4) The provisions of Article 4, paragraph 1 of the New Act shall not apply to the transactions listed below:

(i) A transaction after the effective date under paragraph 1, which is specified by a Cabinet Order as being related to a transaction prior to the effective date prescribed in paragraph 1

(ii) A transaction after the effective date under paragraph 2, which is specified by a Cabinet Order as being related to a transaction prior to the effective date prescribed in paragraph 2,

(iii) A transaction (including a transaction specified by a Cabinet Order as being equivalent thereto) specified by a Cabinet Order after the effective date executed between a specified business operator and a customer, etc. prescribed in Article 2, paragraph 3 of the New Act (excluding the State, etc. (excluding an association or foundation without legal personality)) for whom the specified business operator has conducted, at the time of transaction prior to the effective date, the customer identification prescribed in Article 4, paragraph 1 of the Old Act (limited to the cases where, in relation to the customer identification, the customer identification records have been prepared and preserved pursuant to the provisions of Article 6 of the Old Act) and the verification equivalent to the verification pursuant to the provisions of Article 4, paragraph 1 (excluding the portion related to item (i) of the same paragraph and including the cases where it is applied mutatis mutandis by replacing certain terms pursuant to paragraph 5 of the same Article) of the New Act (limited to the cases where, in relation to the verification, records equivalent to the verification records prescribed in Article 6, paragraph 1 of the New Act have been prepared and preserved)

(iv) A transaction (including a transaction specified by a Cabinet Order as being equivalent thereto) specified by a Cabinet Order after the effective date executed between a new specified business operator and a customer, etc. prescribed in Article 2, paragraph 3 of the New Act for whom the new specified business operator has conducted,

at the time of transaction prior to the effective date, the verification (limited to the cases where, in relation to the verification, records equivalent to the verification records prescribed in Article 6, paragraph 1 of the New Act have been prepared and preserved) equivalent to the verification pursuant to the provisions of Article 4, paragraph 1 (including the cases where it is applied mutatis mutandis by replacing certain terms pursuant to paragraph 5 of the same Article) and paragraph 4 (limited to the portion related to paragraph 1 of the same Article) of the New Act

Article 3 (Delegation to Cabinet Order)

In addition to what is provided for in the preceding Article, any necessary transitional measure for the enforcement of this Act shall be specified by a Cabinet Order.

Appended Table (Related to Article 4)

Persons listed in Article 2, paragraph 2, items (i) to (xxxvi)	Business affairs concerning finance and other business affairs specified by a Cabinet Order	Conclusion of deposit/savings contracts (which means contracts for the acceptance of deposits or savings), exchange transactions, and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xxxvii)	Business affairs prescribed in the same item	Conclusion of lease contracts of goods prescribed in the same item and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xxxviii)	Business affairs prescribed in the same item	Conclusion of contracts for the delivery or issuance of credit cards, etc. and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xxxix)	Business affairs which, among building lots and buildings transaction business affairs, pertain to the buying and selling of building lots (which means	Conclusion of contracts for buying and selling building lots and buildings and other transactions specified by a Cabinet Order

	building lots prescribed in Article 2, item (i) of the Building Lots and Buildings Transaction Business Act; hereinafter the same shall apply in this table) or buildings (including parts of buildings; hereinafter the same shall apply in this table) or agent work or intermediation thereof	
Persons listed in Article 2, paragraph 2, item (xl)	Business affairs which pertain to the buying and selling of precious metals, etc.	Conclusion of contracts for buying and selling precious metals, etc. and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xli)	Business affairs prescribed in the same item	Conclusion of contracts for providing services prescribed in the same item and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xlili)	Business affairs which, among those prescribed in Article 3 or Article 29 of the Judicial Scriveners Act (Act No. 197 of 1950) or those accompanying or relating thereto, pertain to agent or deputy work for the following acts or procedures (excluding those specified by a Cabinet Order) to be carried out on behalf of customers (hereinafter referred to as “agent work, etc. for specified mandated	Conclusion of contracts for carrying out agent work, etc. for specified mandated acts and other transactions specified by a Cabinet Order

	<p>acts” in this table)</p> <p>(i) Acts or procedures concerning the buying and selling of building lots and buildings</p> <p>(ii) Acts or procedures concerning the establishment or merger of companies and other acts or procedures concerning the organization, operation or management of companies specified by a Cabinet Order (including acts or procedures specified by a Cabinet Order as being equivalent to the above-mentioned acts or procedures pertaining to juridical persons, partnerships, or trusts other than companies which are specified by a Cabinet Order)</p> <p>(iii) Management or disposition (excluding what falls under the preceding two items) of cash, deposits, securities, and other property</p>	
<p>Persons listed in Article 2, paragraph 2, item (xliv)</p>	<p>Business affairs which, among those prescribed in Article 1-2, Article 1-3, or Article 13-6 of the Administrative Scriveners Act (Act No. 4 of 1951) or</p>	<p>Conclusion of contracts for carrying out agent work, etc. for specified mandated acts and other transactions specified by a Cabinet Order</p>

	those accompanying or relating thereto, pertain to agent work, etc. for specified mandated acts	
Persons listed in Article 2, paragraph 2, item (xlv)	Business affairs which, among those prescribed in Article 2, paragraph 2 or Article 34-5, item (i) of the Certified Public Accountant Act or those accompanying or relating thereto, pertain to agent work, etc. for specified mandated acts	Conclusion of contracts for carrying out agent work, etc. for specified mandated acts and other transactions specified by a Cabinet Order
Persons listed in Article 2, paragraph 2, item (xlvi)	Business affairs which, among those prescribed in Article 2 or Article 48-5 of the Certified Public Tax Accountant Act (Act No. 237 of 1951) or those accompanying or relating thereto, pertain to agent work, etc. for specified mandated acts	Conclusion of contracts for carrying out agent work, etc. for specified mandated acts and other transactions specified by a Cabinet Order