

○英文独立行政法人国際協力機構法(仮訳)

(Act No. 136 of December 6, 2002)

(Tentative translation)

Act of the Incorporated Administrative Agency-Japan International Cooperation Agency

Act No. 136 of December 6, 2002

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Chapter 1 General Provisions

(Purpose)

Article 1

The purpose of this Act is to provide for such matters concerning the Incorporated

Administrative Agency - Japan International Cooperation Agency as for its name, objective, scope of operations, etc.

(Name)

Article 2

The name of the Incorporated Administrative Agency which is prescribed in paragraph (1) of Article 2 of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999; hereinafter referred to as the "Act on General Rules") and established pursuant to the provisions of this Act and the Act on General Rules shall be the Incorporated Administrative Agency - Japan International Cooperation Agency.

(Objective of the Agency)

Article 3

The objective of the Incorporated Administrative Agency - Japan International Cooperation Agency (hereinafter referred to as the "Agency") is to contribute to the promotion of international cooperation and to the sound development of Japan and the international socioeconomy by contributing to the development or reconstruction of the economy and society, or economic stability of overseas regions which are in the developing stage (hereinafter referred to as the "Developing Area") through the operations necessary for implementation of technical cooperation, implementation of finance and investment cooperation or grant cooperation and promotion of the citizens' cooperation activities toward the residents of the Developing Area; operations necessary for settling down of the emigrants to Central and South American area, etc.; and operations necessary for emergency assistance against large-scale disasters in the Developing Area, etc.

(Agency Managed under the Medium-term Objectives)

Article 3-2

The Agency shall be the Agency Managed under the Medium-term Objectives as prescribed in paragraph (2) of Article 2 of the Act on General Rules.

(Office)

Article 4

The Agency shall have its principal office in Tokyo.

(Stated Capital)

Article 5

- (1) The Agency's stated capital shall be the total amounts which are deemed to have been contributed by the Japanese Government pursuant to the provisions of paragraph (6) of Article 2 of the Supplementary Provisions and paragraph (7) of Article 2 of the Supplementary Provisions of the Act Amending in Part the Act of the Incorporated Administrative Agency - Japan International Cooperation Agency (Act No. 100 of 2006; hereinafter referred to as the "Amendment Act").
- (2) The Japanese Government may, when it finds necessary, make additional capital contributions to the Agency within the amounts prescribed by the budget.
- (3) When a capital contribution was made by the Japanese Government pursuant to the provisions of the preceding paragraph, the Agency shall increase its stated capital by the amount of such contribution. In such case, the relevant stated capital shall be disposed of pertaining to each account pertaining to the specific operation prescribed in each item of paragraph (1) of Article 17 in accordance with the separation of accounting set forth in said paragraph.

(Restriction on Use of Name)

Article 6

No person other than the Agency may use the name of Japan International Cooperation Agency.

Chapter 2 Officers and Employees

(Officers)

Article 7

- (1) The Agency shall have as its officers one (1) President and three (3) Auditors.
- (2) The Agency may have as officers one (1) Executive Senior Vice President

and not more than eight (8) Senior Vice Presidents.

(Duties and Authorities, etc. of Executive Senior Vice President and Senior Vice Presidents)

Article 8

- (1) The Executive Senior Vice President shall, as determined by the President, represent the Agency and manage the Agency's operations by assisting the President.
- (2) The Senior Vice Presidents shall, as determined by the President, manage the Agency's operations by assisting the President (when the Executive Senior Vice President has been appointed, the President and the Executive Senior Vice President).
- (3) The officers to be prescribed under the Individual Act within the meaning of paragraph (2) of Article 19 of the Act on General Rules shall be the Executive Senior Vice President. Provided, however, that if a Senior Vice President has been appointed but the Executive Senior Vice President has not been appointed, it shall be the Senior Vice President, and if neither the Executive Senior Vice President nor the Senior Vice President has been appointed, it shall be an Auditor.
- (4) In the proviso of the preceding paragraph, the Auditor who represents the President in his or her duties or performs his or her duties pursuant to the provisions of paragraph (2) of Article 19 of the Act on General Rules shall not perform the duties of the Auditor during such period.

(Terms of Office of Executive Senior Vice President and Senior Vice Presidents)

Article 9

The term of office of the Executive Senior Vice President shall be four (4) years, and that of the Senior Vice Presidents shall be two (2) years.

(Special Addition to Disqualification Clause for Officers)

Article 10

- (1) In addition to those prescribed in Article 22 of the Act on General Rules, a person falling under any of the following items may not become an officer.

- (i) A person who is engaged in the business of manufacturing or selling goods or contracting for works and has a close conflict of interest with the Agency in terms of business transactions, or if such person is a juridical person, its officers (including those who hold the authorities or control at least equivalent to those held by such officers regardless of the title).
- (ii) The officers of the organization comprised of the business operators set forth in the preceding item (including those who hold the authority or control at least equivalent to those held by such officers regardless of the title).
- (2) In the application of the provision of paragraph (1) of Article 23 of the Act on General Rules concerning a dismissal of the officers of the Agency, the words "preceding Article" shall be treated as meaning "preceding Article and paragraph (1) of Article 10 of the Act of the Incorporated Administrative Agency - Japan International Cooperation Agency".

(Confidentiality Obligation of Officers and Employees)

Article 11

Neither officers nor employees of the Agency shall divulge or appropriate any secret that they have acquired in the course of their duties. The same shall apply after they have ceased to work for the Agency.

(Status of Officers and Employees)

Article 12

In the application of the penal provisions, such as Penal Code (Act No. 45 of 1907), the officers and the employees of the Agency shall be deemed by laws and regulations as officers engaged in public service.

Chapter 3 Operation

(Scope of Operation)

Article 13

- (1) The Agency shall perform the following operations in order to achieve the objective set forth in Article 3.

(i) To perform the following operations which are necessary for implementing the technical cooperation pursuant to international agreement such as a treaty:

- (a) To provide the technical trainees from the Developing Area with technical training, and to establish and manage the facilities for training and the accommodation for the trainees;
- (b) To dispatch personnel to the Developing Area for technical cooperation;
- (c) To give the equipment and materials for the technical cooperation pertaining to the operation stipulated in clause (b) and technical cooperation to the Developing Area;
- (d) To perform the operations which are necessary for the establishment and management of the technical cooperation centers to be established in the Developing Area, such as dispatching personnel and procuring machinery and equipment necessary for such centers; and
- (e) To conduct basic study regarding public development plan of in the Developing Area.

(ii) To perform the following operations regarding Finance and Investment Cooperation (referring to cooperation performed by lending of funds, guaranteeing of debt, acquiring of bonds or other similar securities (hereinafter referred to as "Bonds, etc.") or making of capital contributions (hereinafter referred to as "Supply of Funds, etc." in this item) and limited to those provided under concessional terms and conditions regarding the interest rate, repayment period, etc. so that the conditions of the Supply of Funds, etc. shall not be a heavy burden on the Developing Area; the same shall apply hereinafter):

- (a) To lend a government, government agency, or local government (hereinafter referred to as the "Government, etc.") of the Developing Area, or the entity designated by the Minister for Foreign Affairs such as the international organization, as Finance and Investment Cooperation pursuant to an international agreement such as a treaty, the funds which are necessary for the implementation of the projects which contribute to the Developing Area's economic and social development conducted by it and also are deemed to be necessary for the promotion of economic exchange with Japan (including the preparatory study or experimental implementation of such projects;

hereinafter referred to as the "Development Projects"), or the funds which are necessary to accomplish a plan regarding economic stabilization of such areas; and

- (b) To lend, a person designated by the Minister for Foreign Affairs such as an organization such as a juridical person in Japan or the Developing Areas the funds required for the execution of their Development Projects, guarantee debt for such funds or acquire Bonds, etc. issued to procure such funds, or alternatively make capital contributions to such persons when there is a special necessity in order to effectuate such Development Projects.
- (c) To lend a person designated by the Minister for Foreign Affairs such as an organization such as a juridical person in Japan or the Developing Areas the funds required for accomplishing a plan established by such person which contributes to improvement in the sustainability of the Developing Area's economy and society, guarantee debt for such funds, or acquire Bonds, etc. issued to procure such funds.
- (iii) To perform the following operations regarding Grant Cooperation (referring to the cooperation performed by donating funds or other assets or by repaying debts on behalf of the Government, etc. of the Developing Area pursuant to the decisions of the Japanese Government; the same shall apply hereinafter) to the Government, etc. of the Developing Area or the international organizations, or organizations such as juridical persons:
 - (a) To perform necessary operations for the implementation of the Grant Cooperation (excluding Grant Cooperation which a part or all of the operations necessary for the implementation of such Grant Cooperation are designated by the Minister for Foreign Affairs to be performed directly by the Minister, based on the need to secure agile implementation and the need in relation to executing diplomatic policy) pursuant to international agreement such as a treaty; and
 - (b) To perform necessary operations such as to investigate, mediate, communicate concerning the execution of any contract pertaining to Grant Cooperation, other than those prescribed in clause (a), which is designated by the Minister for Foreign Affairs as being in need of the Agency's participation in order to secure its appropriate implementation, and to perform necessary investigation regarding the status of the performance of such contract.

(iv) To perform the following operations to promote and foster the volunteer activities of the Japanese citizen, the General Incorporated Associations, the General Incorporated Foundations, the Specified Non-Profit Organizations prescribed in paragraph (2) of Article 2 of the Act on the Promotion of Specified Non-Profit Organization Activities (Act No. 7 of 1998) and Japanese private entities, etc., or other persons designated by the Minister for Foreign Affairs, taking into account their knowledge, technical expertise, and other qualifications related to international cooperation or the activities of incorporated administrative agencies as defined in paragraph (1) of Article 2, of the Act on General Rules, local governments or schools, etc. (referring to schools as defined in Article 1 of the School Education Act (Act No. 26 of 1947) and specialized training colleges as defined in Article 124 of the same Act), which are extended to the inhabitants of the Developing Area with the objective of cooperating in the economic and social development or reconstruction of such Developing Area (hereinafter referred to as the "Citizens' Cooperation Activities, etc." in this item and item (iii), paragraph (2) of Article 42):

- (a) To recruit, select and train the individuals desiring to join the Citizens' Cooperation Activities, etc. to be performed in unity with the inhabitants of the Developing Area, and establish and operate the facilities for their training;
- (b) To dispatch the personnel selected and trained as prescribed in clause (a) to the Developing Area pursuant to an international agreement such as treaty;
- (c) To perform the following operations for the technical cooperation extended to the Developing Area, pertaining to the proposals which were made by those desiring to join the Citizens' Cooperation Activities, etc. and deemed appropriate by the Minister for Foreign Affairs, by entrusting their implementation to those desiring to join such Citizens' Cooperation Activities, etc.:
 - (i) To provide technical training to the technical trainees from the relevant Developing Area;
 - (ii) To dispatch personnel for technical cooperation to be extended to the relevant Developing Area; and
 - (iii) To give equipment and materials for technical cooperation to be extended to the relevant Developing Area; and

- (d) To disseminate knowledge and promote the understanding of Japanese citizens regarding the Citizens' Cooperation Activities, etc.
 - (v) To perform the following operations in order to provide assistance and guidance, etc. for emigrants both within and outside Japan in an integrated manner:
 - (a) To study and disseminate knowledge with regard to emigration;
 - (b) To give counsel and guidance outside Japan regarding business and occupation of emigrants and matters relating to emigrants' living in general; and
 - (c) To provide assistance such as welfare facilities outside Japan which are necessary for the settling down of the emigrants.
 - (vi) To store and give materials such as the equipment and machineries for emergency relief activities such as the international emergency relief activities against large-scale disasters in the Developing Area, etc. (referring to the activities prescribed in Article 2 of the Act on Dispatch of the Japan Disaster Relief Team (Act No. 93 of 1987)).
 - (vii) To train and secure the personnel necessary for the execution of the operations set forth in item (i), clause (c) of item (iv), and preceding item, and the following paragraph.
 - (viii) To conduct research and study which are necessary in relation to the operations set forth in each of the preceding items.
 - (ix) To perform the operations which are incidental to the operations set forth in each of the preceding items.
- (2) The Agency shall perform the following operations in addition to the operations set forth in the preceding paragraph.
- (i) To dispatch the Japan Disaster Relief Team pursuant to the Act on Dispatch of the Japan Disaster Relief Team.
 - (ii) To procure or arrange for transportation of the materials such as the equipment which are necessary for international emergency relief activities, pursuant to the Act on Dispatch of the Japan Disaster Relief Team.
- (3) In addition to the operations set forth in the preceding two (2) paragraphs, when the Minister for Foreign Affairs deems it appropriate, the Agency may perform operations under entrustment made by the Government, etc. or an international organization, or an organization such as a juridical person, of Japan or a foreign state, which contribute to the Developing Areas' economic and social development or reconstruction, or economic stabilization, to the extent

that they do not interfere with the execution of the operations set forth in the preceding two (2) paragraphs.

Article 14

- (1) With respect to the operations prescribed in item (ii) of paragraph (1) of the preceding Article, the Agency shall supplement or encourage the lending of funds, the guaranteeing of debt, the acquiring of Bonds, etc. or investment conducted by ordinary financial institutions and shall not compete against them.
- (2) The Agency may perform the operations prescribed in item (ii) of paragraph (1) of the preceding Article only when the lending of funds, the guaranteeing of debt, the acquiring of Bonds, etc. or investment by ordinary financial institutions on ordinary terms is deemed difficult.
- (3) The Agency may perform the operations prescribed in item (ii) of paragraph (1) of the preceding Article only when the project plan for Development Projects, the plan concerning economic stabilization under clause (a) of said item or the plan which contributes to the improvement of the sustainability of the economy and society under clause (c) of said item is appropriate, and there is a prospect of their accomplishment.

(Entrustment, and Status of Officers and Employees of Banks, etc. Engaged in Entrusted Operations)

Article 15

- (1) The Agency may entrust a part of the operations regarding the Finance and Investment Cooperation (referring to the operations prescribed in item (ii) of paragraph (1) of Article 13 and to the operations prescribed in item (viii) and item (ix) of said paragraph and in paragraph (3) of said Article pertaining to the Finance and Investment Cooperation hereinafter referred to as the "Operation of the Finance and Investment Cooperation ") to the banks prescribed under the Banking Act (Act No. 59 of 1981), the long-term credit banks prescribed under the Long-Term Credit Bank Act (Act No. 187 of 1952), and financial institutions prescribed by Cabinet Order (hereinafter in this Article referred to as the "Banks, etc. ").
- (2) In the application of penal provisions such as the Penal Code (Act No. 45 of 1907), an officer and an employee of the Banks, etc. to which the operations of

the Agency have been entrusted pursuant to the provisions of the preceding paragraph (hereinafter referred to as the "Trustee"), those who are engaged in the entrusted operations shall be deemed by laws and regulations as a person engaged in public service.

(Matters to be Stated in Mid-Term Plan)

Article 16

With respect to the application to the Agency of the provisions of paragraph (2) of Article 30 of the Act on General Rules regarding the Mid-Term Plan prescribed in paragraph (1) of said Article, the words "the following matters" in paragraph (2) of said Article shall be treated as meaning "the following matters (with regard to the Operations of the Finance and Investment Cooperation, excluding the matters listed in item (iii) and item (vii))".

Chapter 4 Finance and Accounting

(Separation of Accounting)

Article 17

- (1) The Agency shall separate its accounting by each operation provided below, and allocate it by creating accounts for each operation:
 - (i) The operations prescribed in Article 13 (excluding the Operations of the Finance and Investment Cooperation); and
 - (ii) The Operations of the Finance and Investment Cooperation.
- (2) The accounting of the amount pertaining to each of the following items shall be allocated under the accounts prescribed in the relevant item.
 - (i) The amount which was deemed to have been contributed to the Agency pursuant to the provisions of paragraph (6) of Article 2 of the Supplementary Provisions - the accounts pertaining to the operations prescribed in item (i) of the preceding paragraph (hereinafter referred to as the "General Account").
 - (ii) The amount which was deemed to have been contributed to the Agency pursuant to the provisions of paragraph (7) of Article 2 of the Supplementary Provisions of the Amendment Act - the accounts pertaining to the Operations of the Finance and Investment Cooperation (hereinafter

referred to as the " Finance and Investment Account").

(Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 18

- (1) The Agency shall, for each business year, prepare a budget of income and expenditure pertaining to the Operations of the Finance and Investment Cooperation and submit it to the Minister of Finance through the competent Minister.
- (2) The income referred to in the preceding paragraph shall comprise interest on loans, debt guarantee fees, interest on Bonds, etc., dividends from investments, and other income accruing from the investment of assets, and incidental miscellaneous income; and the expenditure referred to in the same paragraph shall comprise expenses for management of administrative duties, expenses of delegation of operations, interest on the borrowings under the provisions of paragraph (1) of Article 45 of the Act on General Rules and paragraph (1) of Article 32 of this Act, the interest on the Agency Bonds issued pursuant to the provisions of said paragraph or paragraph (5) of said Article, as well as incidental expenses.
- (3) Upon receipt of the budget pertaining to the Operations of the Finance and Investment Cooperation submitted pursuant to the provisions of paragraph (1), the Minister of Finance shall examine it, make any necessary adjustments thereto, and obtain the Cabinet's decision thereon.
- (4) When the Cabinet decided on the budget pertaining to the Operations of the Finance and Investment Cooperation pursuant to the preceding paragraph, the Cabinet shall submit the budget to the Diet together with the national budget.
- (5) The form and the contents of the budget pertaining to the Operations of the Finance and Investment Cooperation shall be determined by the Minister of Finance through consultation with the competent Minister.
- (6) The procedures for the preparation and submission of the budget pertaining to the Operations of the Finance and Investment Cooperation shall be determined by the Minister of Finance.

Article 19

The following documents shall be attached to the budget pertaining to the Operations of the Finance and Investment Cooperation prescribed in the preceding Article:

- (i) Documents concerning the business plan and financial plan pertaining to the Operations of the Finance and Investment Cooperation for the relevant business year;
- (ii) The profit and loss statement, balance sheet, and inventory of properties pertaining to the Operations of the Finance and Investment Cooperation for the business year prior to the preceding business year;
- (iii) The estimated profit and loss statement and estimated balance sheet pertaining to the Operations of the Finance and Investment Cooperation for the preceding and current business years;
- (iv) Any other reference materials with respect to the budget concerned.

(Contingency pertaining to the Operations of the Finance and Investment Cooperation)

Article 20

The Agency may include contingency in its budget pertaining to the Operations of the Finance and Investment Cooperation to cover a shortfall in the expenditure budget which may arise from unforeseeable causes.

(Resolution on Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 21

The resolution of the Diet on the budget pertaining to the Operations of the Finance and Investment Cooperation shall be governed by the same rules as those for the resolution on the national budget.

(Notification of Passing of Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 22

- (1) When the budget pertaining to the Operations of the Finance and Investment

Cooperation has been resolved by the Diet, the Cabinet shall immediately notify the Agency to that effect through the competent Minister.

- (2) The Agency may not execute its budget before it receives notification pursuant to the provision of the preceding paragraph.
- (3) When the notification has been made pursuant to the provisions of paragraph (1), the Minister of Finance shall immediately notify the Board of Audit to that effect.

(Supplementary Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 23

- (1) The Agency may, when it becomes necessary to revise the budget pertaining to the Operations of the Finance and Investment Cooperation because of an event which has occurred after the preparation of the budget, prepare a supplementary budget pertaining to the Operations of the Finance and Investment Cooperation and submit it to the Minister of Finance through the competent Minister by attaching thereto the documents prescribed in item (i), item (iii) and item (iv) of Article 19 which have been revised as a result of the preparation of the relevant supplementary budget (excluding the profit and loss statement and balance sheet pertaining to the Operations of the Finance and Investment Cooperation for the preceding business year); provided, however, that a supplementary budget pertaining to the increase of the budget may be prepared only in the case where it became urgently necessary as a result of an event which has occurred after the preparation of the relevant budget.
- (2) The provisions of paragraph (2) through paragraph (6) of Article 18 and of the preceding two (2) Articles shall apply mutatis mutandis to the supplementary budget pertaining to the Operations of the Finance and Investment Cooperation prescribed in the preceding paragraph.

(Provisional Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 24

- (1) The Agency may, when necessary, prepare a provisional budget pertaining to the Operations of the Finance and Investment Cooperation for a specific

period within a business year and submit it to the Minister of Finance through the competent Minister, together with the business plan and financial plan pertaining to the Operations of the Finance and Investment Cooperation for the relevant period and reference materials relevant to that provisional budget.

- (2) The provisions of paragraph (2) through paragraph (6) of Article 18, Article 21, and Article 22 shall apply mutatis mutandis to the provisional budget pertaining to the Operations of the Finance and Investment Cooperation prescribed in the preceding paragraph.
- (3) The provisional budget pertaining to the Operations of the Finance and Investment Cooperation shall cease to be effective when Diet approval of the budget pertaining to the Operations of the Finance and Investment Cooperation for the business year has been obtained; and if expenditures have been made under the provisional budget pertaining to the Operations of the Finance and Investment Cooperation, they shall be deemed to have been made pursuant to the budget pertaining to the Operations of the Finance and Investment Cooperation for that business year.

(Execution of Budget pertaining to the Operations of the Finance and Investment Cooperation)

Article 25

The Agency shall not use the budget for the expenditure pertaining to the Operations of the Finance and Investment Cooperation for any other purpose than those prescribed in the relevant budget.

Article 26

- (1) The Agency may not divert the amount of the expense designated in the budget pertaining to the Operations of the Finance and Investment Cooperation to other purpose without obtaining the approval of the Minister of Finance.
- (2) When the Agency intends to obtain the approval pursuant to the provisions of the preceding paragraph, it shall do so through the competent Minister.
- (3) When the Minister of Finance has granted the approval set forth in the preceding paragraph, the Minister of Finance shall immediately notify the Board of Audit to that effect.
- (4) When the Minister of Finance has granted the approval pursuant to the

paragraph (1), the Minister of Finance shall without delay notify the competent Minister to that effect.

Article 27

- (1) When the Agency makes use of a contingency pertaining to the Operations of the Finance and Investment Cooperation, it shall immediately notify the Minister of Finance to that effect through the competent Minister.
- (2) Upon receipt of the notification pursuant to the provision of the preceding paragraph, the Minister of Finance shall immediately notify the Board of Audit to that effect.

(Financial Statements, etc. pertaining to the Operations of the Finance and Investment Cooperation)

Article 28

- (1) The Agency shall prepare an inventory of property and a balance sheet (including an electromagnetic record (referring to a record made by an electronic method, magnetic method and method which may not be recognized by human perception and is designated by Minister of Finance as the record to be used for the information processing by a computer; hereinafter the same shall apply in this paragraph and paragraph (1) of Article 30) which records the items to be stated in such inventory of property and balance sheet) pertaining to the Operations of the Finance and Investment Cooperation for each half-year period from April to September and from October to March of the following year, and profit and loss statement (including an electromagnetic record which records the items to be stated in such profit and loss statement) pertaining to the Operations of the Finance and Investment Cooperation for each half-year and for each business year (hereinafter referred to as "Financial Statements"), and make a report of them together with the audit report thereon to the Minister of Finance through the competent Minister within two (2) months of the end of the relevant half-year and within three (3) months of the end of the relevant business year.
- (2) When the Agency has made a report of the Financial Statements prescribed in the preceding paragraph, it shall without delay give public notice thereof in the official gazette, keep the Financial Statements and the annexed specifications and also the audit report set forth in said paragraph at all of its

offices and make such documents available for public inspection during the period prescribed by the Ordinance of the Ministry of Finance.

- (3) When the Agency completed the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation, the Agency shall without delay keep a business report on its operations pertaining to the Operations of the Finance and Investment Cooperation for that business year at all its offices and make it available for public inspection during the period prescribed in the Ordinance of the Ministry of Finance.
- (4) The items to be stated in the annexed specifications prescribed in paragraph (2) and the business report prescribed in the preceding paragraph shall be provided for in the Ordinance of the Ministry of Finance.
- (5) The provision of Article 38 of the Act on General Rules shall not be applicable to the Financial Statements pertaining to the Operations of the Finance and Investment Cooperation.

(Settlement of Accounts pertaining to the Operations of the Finance and Investment Cooperation)

Article 29

The Agency shall complete the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation for each business year by not later than May 31 of the following business year.

Article 30

- (1) After the completion of the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation, the Agency shall prepare a report of the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation for each business year (including any electromagnetic records which record the items to be stated in such report of the settlement of accounts) according to the classifications in the budget pertaining to the Operations of the Finance and Investment Cooperation, and submit it to the Minister of Finance without delay through the competent Minister by attaching thereto the audit report regarding such report on the settlement of accounts as well as the Financial Statements pertaining to the Operations of the Finance and Investment Cooperation which have been submitted to the Minister

- of Finance pursuant to the provision of paragraph (1) of Article 28.
- (2) When the Minister of Finance received the submission of the report on the settlement of accounts and the Financial Statements pertaining to the Operations of the Cooperation through Finance and Investment pursuant to the provision of the preceding paragraph, the Minister of Finance shall send them to the Cabinet.
 - (3) When the Cabinet receives the report on the settlement of accounts and the Financial Statements pertaining to the Operations of the Finance and Investment Cooperation pursuant to the provision of the preceding paragraph, it shall send them to the Board of Audit by November 30 of the following business year, and after the inspection by the Board of Audit, submit them to the Diet together with the settlement of accounts of the national revenue and expenditure.
 - (4) After the Agency has submitted the report on the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation pursuant to the provision of paragraph (1), it shall, without delay, keep at each of its offices the report on the settlement of accounts and the audit report set forth in said paragraph and make them available for public inspection during the period prescribed by the Ordinance of the Ministry of Finance.
 - (5) The form and content of the report of the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation provided for in paragraph (1) shall be determined by the Minister of Finance.
 - (6) The provision of paragraph (5) of Article 28 shall apply mutatis mutandis to the report on the settlement of accounts pertaining to the Operations of the Finance and Investment Cooperation.

(Special Provisions, etc. regarding Disposition of Profit and Loss)

Article 31

- (1) With respect to the General Account, if, after making the allocation under the provision of paragraph (1) or paragraph (2) of Article 44 of the Act on General Rules pertaining to the last business year of the period for the Mid-Term Objective (hereinafter referred to as the "Mid-Term Objective Period" in this paragraph) prescribed in item (i) of paragraph (2) of Article 29 of the Act on General Rules, there is any reserve fund for the General Account prescribed in paragraph (1) of Article 44 of said Act, the Agency may allocate the portion of such amount, pertaining to which the approval of the Minister for Foreign Affairs has been obtained, as a source of financing the operations prescribed in

item (i) of paragraph (1) of Article 17 for the Mid-Term Objective Period following the relevant Mid-Term Objective Period, as prescribed by the Mid-Term Plan pertaining to which the approval under paragraph (1) of Article 30 of the Act on General Rules has been obtained (if the approval for its revision has been obtained under the provision of the second sentence of said paragraph, referring to the Mid-Term Plan as so revised) for such following Mid-Term Objective Period.

- (2) If there is any residual amount in the reserve fund for the General Account prescribed in the preceding paragraph after deducting them from the amount which the approval has been obtained pursuant to the provision of said paragraph, the Agency shall pay such residual amount to the National Treasury.
- (3) In addition to the matters provided for in the preceding two (2) paragraphs, the procedures for the payments of amounts due pertaining to the General Account and necessary matters concerning the disposal of the reserve fund for the General Account shall be provided by Cabinet Order.
- (4) With respect to the Finance and Investment Account for each business year, if the calculation of profits and losses resulted in a profit, the Agency shall use it to make up the losses carried forward from the preceding business year, and if there is still any residual amount, shall accumulate such amount as a reserve fund for finance and investment until it reaches the amount equal to the amount of stated capital allocated for the Finance and Investment Account.
- (5) With respect to the Finance and Investment Account for each business year, if the calculation of profits and losses resulted in a loss, the Agency shall allocate it by reducing the reserve fund pursuant to the provision of the preceding paragraph, and if there still is a shortfall, shall allocate the amount of such shortfall as a carried forward loss.
- (6) The reserve fund for finance and investment prescribed in paragraph (4) shall not be drawn down except for the purpose of covering losses incurred in the Accounts for Finance and Investment.
- (7) The Agency shall pay the balance, obtained by deducting the amount accumulated as the reserve fund for finance and investment pursuant to the provision of paragraph (4) from the residual amount prescribed in said paragraph, to the National Treasury by May 31 of the following business year.
- (8) The Japanese Government may have a portion of the payment amount prescribed by the provision of the preceding paragraph paid to the National Treasury during the relevant business year based on the estimation pursuant to

the provision of Cabinet Order.

- (9) In addition to the matters provided for in the preceding paragraph, the procedures for the payment of the amount payable pertaining to the Finance and Investment Account pursuant to the provision of paragraph (7) and necessary matters concerning the amount payable shall be prescribed by Cabinet Order.
- (10) The provision of Article 44 of the Act on General Rules shall not be applicable to the Finance and Investment Account.

(Long-Term Borrowing and Japan International Cooperation Agency Bond under the Finance and Investment Account)

Article 32

- (1) The Agency may borrow funds from the Japanese Government or other person designated by the competent Minister on a long-term basis or issue Japan International Cooperation Agency Bonds (hereinafter referred to as the "Agency Bond"), in order to allocate them as a source for financing the fund necessary to perform the Operations of the Cooperation through Finance and Investment.
- (2) The funds procured by the long-term borrowing or issuance of the Agency Bond pursuant to the provisions of the preceding paragraph shall be made to belong to the Finance and Investment Account.
- (3) For each business year, the Agency shall prepare, pursuant to the provision of Cabinet Order, a basic policy regarding the issuance of the Agency Bond prescribed by paragraph (1), and obtain the approval from the competent Minister. The same shall apply when the Agency intends to revise such policy.
- (4) When the Agency has issued the Agency Bond pursuant to the provision of paragraph (1), it shall without delay notify to that effect to the competent Minister pursuant to the provision of Cabinet Order.
- (5) In addition to the matters provided for in paragraph (1), the Agency may, pursuant to the provision of Cabinet Order, issue the Agency Bond, when it is necessary to deliver to a person who has lost his or her Agency Bond.
- (6) The obligees pertaining to the Agency Bond issued pursuant to the provision of paragraph (1) or the preceding paragraph shall have the right to receive payment for their claims with priority, regarding the property of the Agency, to other creditors.
- (7) The order of priority of the statutory lien set forth in the preceding paragraph

shall be second to the general statutory lien under the provisions of the Civil Code (Act No. 89 of 1896).

- (8) The Agency may entrust the whole or a part of any administrative entities related to the issuance of Agency Bond to banks, trust corporations, or entities conducting the financial products exchange business (referring to the financial products exchange business prescribed in paragraph (8) of Article 2 of the Financial Products Exchange Act (Act No. 25 of 1948); the same shall apply in the next paragraph).
- (9) The provision of paragraph (1) and paragraph (2) of Article 705 and Article 709 of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis to the banks, trust corporations, or entities conducting the financial products exchange business to which the entrustment was made pursuant to the provision of the preceding paragraph.
- (10) In addition to the matters provided for in the preceding paragraphs, necessary matters relating to the Agency Bond shall be prescribed by Cabinet Order.

(Limitation of Amount of Borrowing, etc. under the Finance and Investment Account)

Article 33

- (1) The total of the outstanding amount of short-term borrowings pursuant to the provisions of paragraph (1), Article 45 of the Act on General Rules, the outstanding amount of long-term borrowings pursuant to the provision of paragraph (1) of the preceding Article, and the outstanding amount of the obligations pertaining to the principal of the Agency Bond issued pursuant to the provision of said paragraph shall not exceed the amount which is three times of the sum of the amount of the portion of the stated capital prescribed in Article 5 which is allocated to the Finance and Investment Account and the amount of the reserve fund for finance and investment prescribed in paragraph (4) of Article 31.
- (2) Notwithstanding the provision of the preceding paragraph, with respect to the Agency Bond, if it is necessary for refinancing those already issued, the Agency Bond may be issued temporarily in excess of such amount.

(Government Guarantee)

Article 34

- (1) Notwithstanding the provision of Article 3 of the Act on Restriction on Financial Assistance by the Japanese Government to Juridical Persons (Act No. 24 of 1946), the Japanese Government may guarantee the obligations pertaining to the Agency Bond issued pursuant to the provision of paragraph (1) of Article 32 (excluding the obligations which the Japanese Government may guarantee pursuant to Article 2 of the Act concerning Special Measures with respect to Acceptance of Foreign Capital from the International Bank for Reconstruction and Development, etc. (Act No. 51 of 1953) (hereinafter referred to as the "Foreign Capital Acceptance Act" in this Article); the same being applicable in paragraph (3)) within the amount prescribed by the budget.
- (2) When, with respect to the amount prescribed in a budget referred to in the preceding paragraph, it is difficult to provide the amount of obligations with respect to Agency Bond denominated in Japanese currency to be issued in a foreign country as distinct from the amount prescribed in a budget referred to in paragraph (2), Article 2 of the Foreign Capital Acceptance Act, it may be prescribed in aggregate with such amount.
- (3) The Japanese Government may, in addition to the cases prescribed in paragraph (1), guarantee the obligations with respect to Agency Bond issued by the Agency pursuant to paragraph (5), Article 32.

(Granting Funds)

Article 35

- (1) Within the limitation of the budget, the Japanese Government shall grant the Agency the funds which are necessary for the Agency to allocate for the gift or the repayment of debt under the Grant Cooperation prescribed in clause (a), item (iii) of paragraph (1) of Article 13 (hereinafter referred to as the "Gift, etc." in this Article) on a plan-to-plan basis of such Grant Cooperation.
- (2) The Agency shall allocate on a plan-to-plan basis of such Grant Cooperation the funds granted pursuant to the provision of the preceding paragraph as funds to be appropriated for the Gift, etc.
- (3) If the Minister for Foreign Affairs recognizes that a plan for Grant Cooperation, for which the Agency has received funds pursuant to paragraph (1) has been suspended, the Agency shall pay to the National Treasury the

funds it manages for the relevant plan, excluding the funds expected to be necessary at that time for the Agency to allocate for the Gift, etc. under the relevant plan. Provided, however, if approved by the Minister for Foreign Affairs, the Agency may allocate all or part of the funds it manages for the relevant plan to the Gift, etc. of up to the business year which immediately follows the business year in which the date on which the Minister for Foreign Affairs recognized the suspension of the relevant plan falls.

- (4) If there is any residual amount of the reserve fund granted pursuant to the provision of paragraph (1) even after the completion of the relevant plan of the Grant Cooperation, the Agency shall pay such residual amount to the National Treasury. Provided, however, that in the case where the approval of the Minister for Foreign Affairs has been obtained, the whole or a part of such residual amount may be allocated for the Gift, etc. of the business year which immediately follows the business year in which the date of completion of the relevant plan falls.

(Special Provisions for Investment of Surplus Fund)

Article 36

Notwithstanding the provision of Article 47 of the Act on General Rules, the Agency may invest the operational surplus fund belonging to the Finance and Investment Account in the following manners:

- (i) Depositing in the Fiscal Loan Fund;
- (ii) Depositing in the Bank of Japan;
- (iii) Holding negotiable bank deposit certificates; and
- (iv) Other methods designated by the competent Minister as safe and efficient method.

(Mutatis Mutandis Application of the Act on the Normalization of Execution of the Budget pertaining to Subsidy, etc.)

Article 37

The provisions (including penal provisions) of the Act on the Normalization of Execution of the Budget pertaining to Subsidy, etc. (Act No. 179 of 1955) shall apply mutatis mutandis to the subsidy granted by the Agency pursuant to the

provision of clause (c), item (v) of paragraph (1) of Article 13. In this case, the terms "each ministry and each agency" in said Act (excluding paragraph (7) of Article 2) shall be deemed to be replaced with "the Incorporated Administrative Agency-Japan International Cooperation Agency"; the terms "the head of each ministry and each agency" with "the President of the Incorporated Administrative Agency-Japan International Cooperation Agency"; the terms "the State" in paragraph (1) and paragraph (4) of Article 2, paragraph (2) of Article 7, paragraph (1) and paragraph (2) of Article 19, Article 24, and Article 33 of said Act with "the Incorporated Administrative Agency-Japan International Cooperation Agency"; and the terms "the fiscal year of the State" in Article 14 of said Act with "the business year of the Incorporated Administrative Agency-Japan International Cooperation Agency".

Chapter 5 Miscellaneous Provisions

(Report and Inspection)

Article 38

- (1) When the competent Minister finds it necessary for the enforcement of this Act, the competent Minister may have the Trustee make a report within the scope of the operations entrusted to such Trustee, or cause the Minister's staff members to enter the offices of the Trustee and inspect the status of the operations or books and records, documents and necessary articles.
- (2) When an employee is to perform the on-site inspection pursuant to the provision of the preceding paragraph, such member shall carry with him or her an identification card and present it to the persons concerned.
- (3) The authority to perform the on-site inspection prescribed in paragraph (1) shall not be interpreted to have been granted for a criminal investigation.

(Delegation of Authority)

Article 39

- (1) The competent Minister may delegate a part of the authority to perform the on-site inspection prescribed in paragraph (1) of the preceding Article and paragraph (1) of Article 64 of the Act on General Rules to the Prime Minister pursuant to the provision of Cabinet Order; provided, however, that it shall be

limited to the scope of the Operations of the Finance and Investment Cooperation.

- (2) When the Prime Minister performs the on-site inspection pursuant to the provision of paragraph (1) of the preceding Article or paragraph (1) of Article 64 of the Act on General Rules based on the delegation prescribed in the preceding paragraph, the Prime Minister shall promptly report its result to the competent Minister.
- (3) The Prime Minister delegates the authority delegated pursuant to the provision of paragraph (1) and the authority prescribed in the preceding paragraph to the Commissioner of the Financial Services Agency.
- (4) The Commissioner of the Financial Services Agency may delegate the whole or a part of the authority delegated pursuant to the provision of the preceding paragraph to the Director-General of the Local Finance Bureau or to the Director-General of the Local Finance Branch Bureau.

(Request of the Minister for Foreign Affairs, etc. in the Case of Urgent Necessity)

Article 40

- (1) The Minister for Foreign Affairs may request the Agency to take necessary measures with regard to the operations prescribed in Article 13 or to its offices located abroad when the Minister finds it urgently necessary for the execution of diplomatic policies because of a drastic change in the international situations or in response to a request, etc. made by a foreign government or international organization (including international conferences and frameworks for international cooperation), or when the Minister finds it urgently necessary in response to a request made by a relevant administrative organ.
- (2) The competent Minister may request the Agency to take necessary measures with regard to the matters listed in item (ii) of paragraph (1) of Article 43 when the Minister finds it urgently necessary to avoid the situation of significantly exacerbating finances pertaining to the Operations of the Finance and Investment Cooperation.
- (3) When the request pursuant to the provision of paragraph (1) was made by the Minister for Foreign Affairs, or when the request was made pursuant to the provision of the preceding paragraph by the competent Minister, the Agency shall meet such request in the absence of a justifiable reason not to do so.

(Communication, etc.)

Article 41

- (1) The Agency shall have close liaison with the local governments regarding the administration of the operations listed in item (i), clause (a) and clause (b) of item (iv), item (v), and item (vi) of paragraph (1) of Article 13, and in paragraph (2) of said Article.
- (2) Local governments shall endeavor to cooperate with the Agency regarding the administration of the operations prescribed in the preceding paragraph.

(Consultation)

Article 42

- (1) The Minister for Foreign Affairs shall consult with the Minister of Finance in the following cases:
 - (i) When the Minister for Foreign Affairs intends to appoint the Auditor pursuant to the provision of paragraph (2) of Article 20 of the Act on General Rules;
 - (ii) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provision of paragraph (1) of Article 31 pertaining to the operations listed in item (i) of paragraph (1) of Article 17; and
 - (iii) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provisions of the proviso of paragraph (3) or the proviso of paragraph (4) of Article 35.
- (2) The Minister for Foreign Affairs shall consult with the head of the relevant administrative organ (excluding the Minister of Finance in the cases of item (i) and item (ii)) in the following cases:
 - (i) When the Minister for Foreign Affairs intends to set up or revise the Mid-Term Objective pursuant to the provision of paragraph (1) of Article 29 of the Act on General Rules in respect of the operations listed in item (i) and item (iv) through item (vii) of paragraph (1) of Article 13;
 - (ii) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provision of paragraph (1) of Article 30 of the Act on General Rules pertaining to the operations listed in item (i) and item (iv) through item (vii) of paragraph (1) of Article 13; and

- (iii) When the Minister for Foreign Affairs intends to confirm the appropriate operations to be performed by the Agency through the entrustment to the persons desiring to join the Citizens' Cooperation Activities, etc. pertaining to the operations listed in clause (c), item (iv) of paragraph (1) of Article 13.
- (3) With respect to the operations prescribed in item (ii) of paragraph (1) of Article 13, the Minister for Foreign Affairs shall consult with the Minister of Finance and the Minister of Economy, Trade and Industry in the cases of item (i) through item (iv), and shall consult with the Minister of Economy, Trade and Industry in the cases of item (v) and item (vi):
- (i) When the Minister for Foreign Affairs intends to designate the entity which will be provided loans, have its debts guaranteed, or have its Bonds, etc. acquired by the Agency or obtain capital contribution from the Agency pursuant to the provision of item (ii) of paragraph (1) of Article 13;
 - (ii) When the Minister for Foreign Affairs intends to make a request for the implementation of necessary measures pursuant to the provision of paragraph (1) of Article 40;
 - (iii) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provision of paragraph (1) of Article 28 of the Act on General Rules;
 - (iv) When the Minister of Foreign Affairs intends to provide for the Ordinance of the Ministry of Foreign Affairs pursuant to the provision of paragraph (2) of Article 28 of the Act on General Rules;
 - (v) When the Minister for Foreign Affairs intends to set up or revise the Mid-Term Objective pursuant to the provision of paragraph (1) of Article 29 of the Act on General Rules; and
 - (vi) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provision of paragraph (1) of Article 30 of the Act on General Rules.
- (4) With respect to the operations prescribed in clause (a), item (ii) of paragraph (1) of Article 13, the Minister for Foreign Affairs shall hear the opinions of the head of the relevant administrative organ in the events set forth in the following items regarding the matters prescribed in the relevant item (excluding the matters relating to the officers and employees, and finance and accounting, and managerial operations (referred to as the "Managerial Operations" in paragraph (1) of the following Article)):

- (i) When the Minister for Foreign Affairs intends to set up or revise the Mid-Term Objective pursuant to the provision of paragraph (1) of Article 29 of the Act on General Rules - the matters listed in item (ii), item (iii) and item (v) of paragraph (2) of said Article; and
- (ii) When the Minister for Foreign Affairs intends to grant the approval pursuant to the provision of paragraph (1) of Article 30 of the Act on General Rules - the matters listed in item (i), item (ii), and item (viii) of paragraph (2) of said Article.

(Competent Minister, etc.)

Article 43

- (1) The competent Minister under this Act and the Act on General Rules pertaining to the Agency shall be as follows:
 - (i) With respect to the matters relating to the managerial operations (excluding those listed in the next item) - the Minister for Foreign Affairs;
 - (ii) With respect to the matters relating to the managerial operations which are of finances and accounting pertaining to the Operations of the Finance and Investment Cooperation - the Minister for Foreign Affairs and the Minister of Finance; and
 - (iii) With respect to the matters other than the managerial operations - the Minister for Foreign Affairs.
- (2) The competent Ordinance under the Act on General Rules pertaining to the Agency shall be the orders issued by the competent Minister.

(Exclusion from Application of the National Public Officers Housing Act)

Article 44

The provisions of the National Public Officers Housing Act (Act No. 117 of 1949) shall not be applicable to the officers and employees of the Agency.

Chapter 6 Penal Provisions

Article 45

Any person who, in violation of the provision of Article 11, has divulged or

appropriated any secret, shall be punished by imprisonment with work for not more than one (1) year or a fine of not more than 300,000 yen.

Article 46

- (1) The officer or employee of the Trustee who failed to submit a report or submitted a false report prescribed in paragraph (1) of Article 38, or refused, obstructed, or recused the inspection pursuant to the provision of said paragraph shall be punished by a fine of not more than 300,000 yen.
- (2) With respect to the application of the provision of Article 70 of the Act on General Rules pertaining to the officers or employees of the Agency, the words "200,000 yen" shall be treated as meaning "300,000 yen".

Article 47

The officer or employee of the Agency who has fallen under any of the following items shall be punished by a non-penal fine of not more than 200,000 yen:

- (i) When the officer or employee conducted an operation other than the operations prescribed in Article 13;
- (ii) When the officer or employee failed to obtain the approval of the Minister for Foreign Affairs or the Minister of Finance where such approval is required pursuant to the provision of this Act;
- (iii) When the officer or employee failed to obtain the approval of the competent Minister where such approval is required pursuant to the provision of this Act;
- (iv) When the officer or employee failed to notify or made a false notification to the Minister of Finance or the competent Minister where such notification is required pursuant to the provision of this Act;
- (v) When the officer or employee borrowed funds or issued a bond in violation of the provision of paragraph (1) of Article 33; or
- (vi) When the officer or employee invested the operational surplus funds in violation of the provision of Article 36.

Article 48

A person who violated the provision of Article 6 shall be punished by a non-penal fine of not more than 100,000 yen.

Supplementary Provisions

(Effective Date)

Article 1

This Act shall come into effect as of the date of the promulgation. Provided, however, that the provisions of Article 5 through Article 7 and Article 10 through Article 16 of the Supplementary Provisions shall come into effect as of October 1, 2003.

(Dissolution, etc. of Japan International Cooperation Agency)

Article 2

- (1) The Japan International Cooperation Agency (hereinafter referred to as the “Former Agency”) shall dissolve at time of the establishment of the Agency and any and all of its rights and obligations, with the exception of the assets to which the State shall succeed pursuant to the provisions of the following paragraph, shall be succeeded to by the Agency.
- (2) Of the rights and obligations actually held by the Former Agency at the time of the establishment of the Agency, the assets other than those necessary for the Agency to surely implement those operations shall be succeeded to by the State at the time of the establishment of the Agency.
- (3) The scope of the assets, to which the State shall succeed pursuant to the provisions of the preceding paragraph, and other matters necessary for the State’s succession to such assets shall be prescribed by Cabinet Order.
- (4) The business year of the Former Agency which starts from April 1, 2003 shall end on the date preceding the dissolution date of the Former Agency.
- (5) The settlement of accounts, inventory of properties, balance sheet, and profit and loss statement pertaining to the business year of the Former Agency which starts from April 1, 2003 shall be in accordance with the former rules.
- (6) When the Agency succeeds to the rights and the obligations of the Former Agency pursuant to the provisions of paragraph (1), the amount obtained by

subtracting the amount of the liabilities from the value of the assets to be succeeded to at the time of such succession shall be deemed to have been contributed by the Japanese Government to the Agency.

- (7) The value of the assets set forth in the preceding paragraph shall be the value appraised by the appraisal committee members based on the market value as of the establishment date of the Agency.
- (8) The matters regarding the appraisal committee members set forth in the preceding paragraph and other matters necessary for appraisal shall be prescribed by Cabinet Order.
- (9) The registration for the dissolution in case of the dissolution of the Former Agency pursuant to the provisions of paragraph (1) shall be prescribed by Cabinet Order.

(Special Provisions for Operations)

Article 3

- (1) The Agency may perform the operations described below (including the operations incidental thereto) in addition to the operations prescribed in Article 13.
 - (i) Until the collection against the claims is terminated pertaining to the money loaned pursuant to the provisions of clause (a) or clause (b) of item (iii) of paragraph (1) of Article 21 of the Japan International Cooperation Agency Act prior to its abolition pursuant to the provisions of Article 5 of the Supplementary Provisions (Act No. 62 of 1974; hereinafter referred to as the "Old Act" in this paragraph, the next Article and Article 6 of the Supplementary Provisions), to manage and collect against such claims.
 - (ii) For the time being, to loan money pertaining to the funds, which is provided for in clause (a) or clause (b) of item (iii) of paragraph (1) of Article 21 of the Old Act and the Former Agency decided to loan.
 - (iii) For the time being, to perform the study and provide the technical guidance necessary for the operations which is the subject of the loan or the capital contribution pursuant to the provisions of clause (a) or clause (b) of item (iii) of paragraph (1) of Article 21 of the Old Act, or which is the subject of the loan pursuant to the provisions of the preceding item.
 - (iv) Until the collection is terminated against the claims pertaining to the transfers of lands made pursuant to the provisions of clause (e), item (iv) of

paragraph (1) of Article 21 of the Old Act, to manage and collect against such claims.

- (v) For the time being, to manage and transfer the lands acquired pursuant to the provisions of clause (e), item (iv) of paragraph (1) of Article 21 of the Old Act.
 - (vi) Until the collection is terminated against the claims pertaining to the fund loaned pursuant to the provisions of clause (f) or clause (g) of item (iv) of paragraph (1) of Article 21 of the Old Act, to manage and collect against such claims.
 - (vii) Until March 31, 2006, to loan emigrants or their organizations who or which operate businesses, such as the agriculture, fishery and manufacturing industries in a foreign country the money necessary for such business, and to loan persons (excluding emigrants and their organizations) who operate businesses, such as the agriculture, fishery and manufacturing industries in a foreign country which are deemed to contribute to the settling down and stabilization of the emigrants the money necessary for such business.
- (2) When the Agency performs the operations prescribed in item (i) through item (iii) of the preceding paragraph pursuant to the provisions of said paragraph, notwithstanding the provisions of Article 43, the competent Minister and the competent Ordinance under the Act on General Rules pertaining to the Agency with respect to the matters relating to the development of agriculture and forestry industries out of these operations shall be the Minister for Foreign Affairs and the Minister of Agriculture, Forestry and Fisheries and the Ordinance of the Ministry of Foreign Affairs and the Ordinance of the Ministry of Agriculture, Forestry and Fisheries respectively and the competent Minister and the competent Ordinance under the Act on General Rules pertaining to the Agency with respect to the matters relating to the development of mining and manufacturing industries shall be the Minister for Foreign Affairs and the Minister of Economy, Trade and Industry and the Ordinance of the Ministry of Foreign Affairs and the Ordinance of the Ministry of Economy, Trade and Industry respectively.
- (3) When the Agency performs the operations prescribed in paragraph (1) pursuant to the provisions of paragraph (1), the terms “Article 13” in item (i) of paragraph (1) of Article 17 and item (i) of Article 47 shall become “Article 13 and paragraph (1) of Article 3 of the Supplementary Provisions”.

(Reduction in Stated Capital)

Article 4

- (1) The Agency shall pay to the National Treasury pursuant to the provisions of the Ordinance the total amount of assets obtained from the collection of claims and funds described below after subtracting the amount prescribed in the Ordinance.
 - (i) The claims prescribed in item (i), item (iv) and item (vi) of paragraph (1) of the preceding Article.
 - (ii) The claims pertaining to the loan made pursuant to the provisions of item (ii) and item (vii) of paragraph (1) of the preceding Article.
 - (iii) The claims pertaining to the transfers of lands made pursuant to the provisions of item (v) of paragraph (1) of the preceding Article.
 - (iv) The capital contributions made pursuant to the provisions of clause (b) of item (iii) of paragraph (1) of Article 21 of the Old Act.
- (2) When the Agency makes the payment to the Treasury pursuant to the provisions of the preceding paragraph, the stated capital shall be reduced by such payment amount.

(Abolition of the Japan International Cooperation Agency Act)

Article 5

The Japan International Cooperation Agency Act shall be abolished.

(Transitional Measures for the Abolition of the Japan International Cooperation Agency Act)

Article 6

The dispositions, procedures and other acts under the provisions of the Old Act (excluding Article 10) which are made before the provisions in the preceding Article came into effect shall be deemed as the dispositions, procedures and other acts made pursuant to the Act on General Rules or its equivalent provisions.

Article 7

The application of the penal provisions against the acts committed before the

provisions of Article 5 of the Supplementary Provisions came into effect and the acts committed after this Act came into effect which pertain to the matters which are deemed to be in accordance with the former rules pursuant to the provisions of paragraph (5) of Article 2 of the Supplementary Provisions shall be in accordance with the former rules.

(Transitional Measures Concerning Restriction on Use of Name)

Article 8

The provisions of Article 6 shall not be applied, for six (6) months after this Act comes into effect, to any person actually using the name of the Japan International Cooperation Agency at the time this Act comes into effect.

(Delegation to Cabinet Order)

Article 9

In addition to the matters provided for in Article 2 through Article 4 of the Supplementary Provisions and in the preceding three (3) Articles, transitional measures necessary for the establishment of the Agency and other transitional measures necessary in relation to the enforcement of this Act shall be prescribed by Cabinet Order.

Supplementary Provisions (Act No. 100 of November 15, 2006)

(Effective Date)

Article 1

This Act shall come into effect as of October 1, 2008. Provided, however, that the provisions amending Article 19 and the provisions amending said Article to become Article 43, and the provisions of the next following Article and Article 8 of the Supplementary Provisions shall come into effect as from the date of the promulgation, and the provisions of Article 14 of the Supplementary Provisions shall come into effect from the latter of the effective date of this Act and the effective date of the Act on Adjustment, etc. of the Related Acts Accompanying Enforcement of the Act on General Juridical Persons and General Foundations and the Act on Recognition, etc. of Public Service Juridical Persons and Public

Foundations (Act No. 50 of 2006).

(Succession to Rights and Obligations)

Article 2

- (1) The rights and the obligations which are listed below and actually held by the Japan Bank for International Cooperation at the time this Act comes into effect, with the exception of the assets to which the State shall succeed pursuant to the provisions of the following paragraph, shall be succeeded to by the Incorporated Administrative Agency-Japan International Cooperation Agency (hereinafter referred to as the "Agency") at such time as prescribed by the succession plan which sets forth the matters necessary for the succession to the rights and the obligations.
 - (i) The rights and the obligations pertaining to the Overseas Economic Cooperation Operations provided for in paragraph (2) of Article 23 of the Japan Bank for International Cooperation Act as it existed prior to its amendment pursuant to the provisions of Article 11 of the Supplementary Provisions (Act No. 35 of 1999; hereinafter referred to as the "Pre-Amendment JBIC Act" in this Article through Article 4 and in Article 6 of the Supplementary Provisions).
 - (ii) Of the rights and the obligations pertaining to the officers, employees, and other managerial operations provided for in item (i) of Article 56 of the Pre-Amendment JBIC Act, those which are determined to be succeeded to by the Agency.
- (2) Of the rights pertaining to the operations prescribed in each item of the preceding paragraph, the assets other than those necessary for the Agency to surely implement those operations shall be succeeded to by the State at the time this Act comes into effect.
- (3) The scope of the assets to which the State shall succeed pursuant to the provisions of the preceding paragraph and other matters necessary for the Japanese Government's succession to such assets shall be prescribed by Cabinet Order.
- (4) The succession plan referred to in paragraph (1) shall be prepared by the Japan Bank for International Cooperation in accordance with the criteria prescribed by Cabinet Order and approved by the Minister of Foreign Affairs and the Minister of Finance.

- (5) The settlement of accounts and the preparation ,etc. of the inventory of properties, balance sheet, and profit and loss statement pertaining to the business year of the Japan Bank for International Cooperation, which starts from April 1, 2008 shall be performed by the Agency and the Japan Finance Corporation in accordance with the former rules except for the portions pertaining to paragraph (1) of Article 40 (limited to the part pertaining to the Auditors' opinion) and paragraph (1) of Article 43 (limited to the part pertaining to the Auditors' opinion) of the Pre-Amendment JBIC Act. In this case, the terms "for each half-year from April to September and from October to March of the following year, and" shall be "and", the terms "for each such half-year and for each business year" shall be deleted, and the terms "within two (2) months of the end of the relevant half-year and within three (3) months of the end of the business year concerned" shall be "by December 31, 2008" in paragraph (1) of Article 40 of the Pre-Amendment JBIC Act; the terms "the settlement of accounts for each business year by May 31 of the following business year" in Article 42 of the Pre-Amendment JBIC Act shall be "the settlement of accounts pertaining to the business year which starts from April 1, 2008 by November 30, 2008"; and the terms "November 30 of the following business year" in paragraph (3) of Article 43 of the Pre-Amendment JBIC Act shall be "November 30, 2009".
- (6) The disposition of profit and loss and the payment to the National Treasury pursuant to the provisions of Article 44 of the Pre-Amendment JBIC Act pertaining to the Overseas Economic Cooperation Operations provided for in paragraph (2) of Article 23 of the Pre-Amendment JBIC Act for the business year of the Japan Bank for International Cooperation which starts from April 1, 2008 shall be performed by the Agency in accordance with the former rules. In this case, the terms "each business year" shall be "the business year which starts on April 1, 2008", and the terms "May 31 of the following business year" shall be "November 30, 2008" in paragraph (5) of Article 44 of said Act.
- (7) When the Agency succeeds to the rights and the obligations of the Japan Bank for International Cooperation pursuant to the provisions of paragraph (1), the amount obtained by subtracting the amount of the liabilities from the value of the assets (if there is any amount saved as the set-aside fund pursuant to the provisions of paragraph (2) of Article 44 of the Pre-Amendment JBIC Act, such amount shall be deducted from the value; and if there is any amount disposed of as a carried forward loss pursuant to the provisions of paragraph (3) of said Article, such amount shall be added to the value) to be succeeded to at the time

of such succession shall be deemed to have been contributed additionally by the Japanese Government to the Agency.

- (8) The value of the assets set forth in the preceding paragraph shall be the value appraised by the appraisal committee members based on the market value as of the effective date of this Act.
- (9) The matters regarding the appraisal committee members set forth in the preceding paragraph and other matters necessary for the appraisal shall be prescribed by Cabinet Order.
- (10) When the Agency succeeds to the rights and the obligations of the Japan Bank for International Cooperation pursuant to the provisions of paragraph (1), the amount saved up as the set-aside fund pursuant to the provisions of paragraph (2) of Article 44 of the Pre-Amendment JBIC Act or the amount disposed of as a carried forward loss pursuant to the provisions of paragraph (3) of said Article at the time of the succession shall be allocated as the reserve fund under paragraph (5) of Article 31 of the Act of the Incorporated Administrative Agency-Japan International Cooperation Agency revised by this Act (hereinafter referred to as the "New Act" in this Article, the following Article, and Article 6 of the Supplementary Provisions) or the carried forward loss under paragraph (6) of said Article, respectively, under the Finance and Investment Account provided for in item (ii) of paragraph (2) of Article 17.
- (11) When the Agency succeeds to the rights and the obligations of the Japan Bank for International Cooperation pursuant to the provisions of paragraph (1), the Japan Bank for International Cooperation shall reduce its capital at the time of the succession by the amount of capital belonging to the account pertaining to the operations listed in item (ii) of paragraph (1) of Article 41 of the Pre-Amendment JBIC Act.

(Transitional Measure Accompanying Succession to the Rights and the Obligations)

Article 3

- (1) The contract of guarantee set forth in each of the following items which were executed by the Japanese Government pertaining to the obligations pertaining to the borrowings or the bonds prescribed in the relevant item to which obligations the Agency shall succeed pursuant to the provisions of paragraph (1) of the preceding Article shall continue in effect pertaining to the relevant

borrowings or bonds, even after such succession, under the pre-existing conditions.

- (i) Japan Bank for International Cooperation Bonds under paragraph (1) of Article 45 of the Pre-Amendment JBIC Act - the contract of guarantee pursuant to the provisions of Article 47 of the Pre-Amendment JBIC Act.
 - (ii) The long-term borrowing of money and the Overseas Economic Cooperation Fund Bonds under paragraph (1) of Article 29-2 of the Overseas Economic Cooperation Fund Act (Act No. 173 of 1960; hereinafter referred to as the "Old Fund Act" in this item and the next Article) as it existed prior to its abolition pursuant to the provisions of Article 15 of the Supplementary Provisions of the Pre-Amendment JBIC Act - the contract of guarantee pursuant to the provisions of Article 29-4 of the Old Fund Act.
- (2) With respect to the application of the provisions of paragraph (6) and paragraph (7) of Article 32 of the New Act, the Japan Bank for International Cooperation Bonds and the Overseas Economic Cooperation Fund Bonds set forth in the preceding paragraph shall be deemed to be the Agency Bonds provided for in paragraph (1) of said Article.

Article 4

- (1) When the Agency succeeds to the obligations of the Japan Bank for International Cooperation pursuant to the provisions of paragraph (1) of Article 2 of the Supplementary Provisions, the Agency shall be responsible jointly and severally with the Japan Bank for International Cooperation for the performance of the obligations pertaining to all of the Japan Bank for International Cooperation Bonds under paragraph (1) of Article 45 of the Pre-Amendment JBIC Act and the foreign currency bonds, etc under paragraph (1) of Article 39-2 of the Export-Import Bank of Japan Act (Act No. 268 of 1950) as it existed prior to its abolition pursuant to the provisions of Article 15 of the Supplementary Provisions of the Pre-Amendment JBIC Act, which have been issued at the time of the succession.
- (2) The creditors pertaining to the Japan Bank for International Cooperation Bonds or the foreign currency bonds and the like set forth in the preceding paragraph shall have the right, regarding the property of the Japan Bank for International Cooperation, to have their claims satisfied with priority to other creditors.

- (3) The order of priority of the statutory lien set forth in the preceding paragraph shall be second to the general statutory lien under the provisions of the Civil Code (Act No. 89 of 1896).

(No Tax)

Article 5

- (1) When the Agency succeeds the rights pursuant to the provisions of paragraph (1) of Article 2 of the Supplementary Provisions, the registration license tax shall not be imposed on the registration for such succession.
- (2) When the Agency succeeds the rights pursuant to the provisions of paragraph (1) of Article 2 of the Supplementary Provisions, neither real estate acquisition tax nor automobile acquisition tax shall be imposed on the acquisition of real estate or automobile pertaining to such succession.

(Effect of Dispositions, etc.)

Article 6

The dispositions, procedures and other acts under the provisions of the Japan Bank for International Cooperation Act (excluding Article 11) before the amendment, which are made before the provisions in the preceding Article came into effect, shall be deemed as the dispositions, procedures and other acts made pursuant to the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999) or its equivalent provisions in the New Act.

(Transitional Measures Concerning Penal Provisions)

Article 7

The application of the penal provisions against the acts committed before the date of promulgation shall be in accordance with the former rules.

(Delegation to Cabinet Order)

Article 8

In addition to the matters provided for in Article 2 of the Supplementary Provisions through the preceding Article, the transitional measures necessary for the

enforcement of this Act shall be prescribed by Cabinet Order.

(Partial Revision of the Local Tax Act)

Article 9

The Local Tax Act (Act No. 226 of 1950) shall be amended in part as follows:

The terms “clause (a), (b) or (d) of item (iii) or clause (a) of item (iv)” in item 25 of paragraph 1 of Article 73-4 and item 28 of paragraph 2 of Article 348 shall be amended to “clause (a), (b) or (d) of item (iv) or clause (a) of item (v)”.

(Partial Revision of the Act on Special Measures with respect to Acceptance of Foreign Capital from the International Bank for Reconstruction and Development, etc.)

Article 10

The Act on Special Measures with respect to Acceptance of Foreign Capital from the International Bank for Reconstruction and Development, etc. (Act No. 51 of 1953) shall be amended in part as follows:

Item (iii) and item (iv) of paragraph (2) of Article 2 shall be amended as follows:

(iii) The Incorporated Administrative Agency-Japan International Cooperation Agency.

(iv) Deleted.

(Partial Revision of the Japan Bank for International Cooperation Act)

Article 11

The Japan Bank for International Cooperation Act shall be amended in part as follows:

The terms “and the loans, etc. for the development of economy and society or for contributing to the stability of economy in the developing overseas areas (hereinafter referred to as the “Developing Areas”)” in Article 1 shall be deleted.

Item (vii) of Article 2 shall be amended as follows:

(vii) Deleted

The terms “and paragraph (4) of Article 7” and “the total amount of” in paragraph (1) of Article 5 and the second sentence of paragraph (3) of said Article shall be deleted.

The terms “competent Minister” in paragraph (5) of Article 10 shall be amended to “Ministry of Finance”.

The terms “or competent Minister” in item (i) of paragraph (2) of Article 14 shall be deleted.

Article 22 shall be amended as follows:
Article 22 Deleted.

The terms “hereinafter referred to as the “international financial operations, etc.” in paragraph (1) of Article 23 shall be deleted and paragraph (2) of said Article shall be deleted.

The terms “item (i) of paragraph (1) of the preceding Article” shall amended to “item (i) of the preceding Article” and “Developing Areas” shall be amended to “developing overseas areas” in paragraph (1) of said Article, the terms “item (ii) of paragraph (1) of the preceding Article” shall be amended to “item (ii) of the preceding Article” in paragraph (2) of said Article, the terms “item (iii) of paragraph (1) of the preceding Article” shall be amended to “item (iii) of the preceding Article” in paragraph (3) of said Article, the terms “Developing Areas” shall be amended to “developing overseas areas” in item (i) of paragraph (3) of said Article, the terms “item (iv) of paragraph (1) of the preceding Article” shall be amended to “item (iv) of the preceding Article” in paragraph (4) of said Article, the terms “item (v) of paragraph (1) of the preceding Article” shall amended to “item (v) of the preceding Article” in paragraph (5) of said Article, the terms “item (vi) of paragraph (1) of the preceding Article” shall be amended to “item (vi) of the preceding Article” in paragraph (6) of said Article, the terms “item (i) of the preceding Article” shall amended to “preceding Article” in paragraph (7) of said Article, the terms “item (i) of paragraph (1) of the preceding Article” shall be amended to “item (i) of the preceding Article” in each item of said paragraph, and the terms “item (viii) of paragraph (1) of the preceding Article” shall be amended to “item (viii) of the preceding Article” and “item (i) of said paragraph” shall be

amended to “item (i) of said Article” in paragraph (8) of said Article.

The terms “paragraph (1) of Article 23” shall be amended to “Article 23” in paragraph (3) of Article 25 and the terms “item (i) of paragraph (1) of Article 23” shall be amended to “item (i) of Article 23” and “under the accounts pertaining to the operations in item (i) of paragraph (1) of Article 41” shall be deleted in paragraph (4) of said Article, and paragraph (5) of said Article shall be deleted.

Article 26 shall be amended as follows:

Article 26 Deleted.

The terms “Ordinance of the Ministry of Foreign Affairs / Ordinance of the Ministry of Finance” in paragraph (2) of Article 27 shall be amended to “Ordinance of the Ministry of Finance”.

The title “Delegated Operations” in Article 28 shall be amended to “Delegation and Delegated Operations”.

The terms “paragraph (8) of said Article” shall be amended to “paragraph (7) of said Article” in paragraph (2) of Article 30 and paragraph (6) of said Article shall be deleted.

Paragraph (4) of Article 34 shall be deleted.

The terms “paragraph (6)” in paragraph (2) of Article 35 and paragraph (2) of Article 36 shall be amended to “paragraph (5)”.

Paragraph (3) of Article 38, paragraph (3) of Article 39 and paragraph (5) of Article 40 shall be deleted.

Article 41 shall be amended as follows:

Article 41 Deleted.

Paragraph (6) of Article 43 shall be deleted.

The terms “of accounts on international finance, etc.” and “allocated to the

accounts on international finance, etc.” in paragraph (1) of Article 44 shall be deleted, paragraph (2) and paragraph (3) of said Article shall be deleted, the terms “reserve in paragraph (1) or reserve fund in paragraph (2)” shall be amended to “reserve in the preceding paragraph” and “resulted in the accounts belong to” shall be deleted in paragraph (4) of said Article, the said paragraph shall become item (ii) of said Article, the terms “, according to each account pertaining to the operations in each item of paragraph (1) of Article 41” and “the remaining amount after subtracting the amount accumulated as reserve fund under the provisions of paragraph (2) from the amount of the surplus under the provisions of same paragraph” shall be deleted in paragraph (5) of said Article, the said paragraph shall become paragraph (3) of said Article, paragraph (6) of said Article shall become paragraph (4) of said Article, the terms “paragraph (5)” shall be amended to “paragraph (3)” in paragraph (7) of said Article, and the said paragraph shall become paragraph (5) of said Article.

Paragraph (2) of Article 45 shall be deleted, the terms “paragraph (1)” in paragraph (3) of said Article shall be amended to “preceding paragraph” in paragraph (3) of said Article, the said paragraph shall become paragraph (2) of said Article, paragraph (4) of said Article shall become paragraph (3), and paragraph (5) through paragraph (13) shall each move up by one paragraph.

The terms “(hereinafter referred to as the “Total Amount of Loans, etc.”)” shall be deleted and “the amounts listed in each of the following items shall be as prescribed respectively in those items” shall be amended to “shall be equivalent to ten (10) times the total amount of the capital prescribed in Article 5 and the reserves prescribed in paragraph (1) of Article 44” in paragraph (1) of Article 46, each item of said paragraph shall be deleted, and the terms “paragraph (1) of Article 23” shall be amended to “Article 23”, “of which is allocated to the accounts on international finance, etc.” shall be deleted and “item (i) of paragraph (1)” shall be amended to “paragraph (1)” in paragraph (3) of said Article.

The terms “item (i) of paragraph (1) of Article 8 of the Supplementary Provisions” shall be amended to “paragraph (1) of Article 8 of the Supplementary Provisions” in paragraph (1) of Article 47, the terms “paragraph (8) of Article 45” shall be amended to “paragraph (7) of Article 45” in paragraph (3) of said Article, and the terms “or the Agency Bonds as prescribed in paragraph (1) of Article 32 of the Act

of the Incorporated Administrative Agency – Japan International Cooperation Agency (Act No. 136 of 2002)” shall be added following “prescribed bank bonds” and “paragraph (2) of Article 45 of said Act” shall be amended to “paragraph (2) of Article 45 of the Act on Development Bank of Japan Inc. or paragraph (2) of Article 34 of the Act of the Incorporated Administrative Agency – Japan International Cooperation Agency” in paragraph (4) of said Article.

Article 48 shall be amended as follows:

Article 48 Deleted.

The terms “competent Minister” shall be amended to “Minister of Finance” in Article 52, paragraph (1) of Article 53 and paragraph (1) and paragraph (2) of Article 53-2.

Article 55 and Article 56 shall be amended as follows:

Article 55 and Article 56 Deleted.

The terms “approval of the Minister for Foreign Affairs or” shall be deleted and “or” shall be amended to “, or” in item (i) of Article 59 and the terms “competent Minister” shall be amended to “Minister of Finance” in item (vii) of said Article.

The terms “or paragraph (1) of Article 7” shall be deleted, “loans or bonds listed in each of the following items” shall be amended to “foreign currency bonds, etc. set forth in paragraph (1) of Article 39-2 of the Former Export-Import Bank Act”, “listed in each of said items” shall be amended to “under the provisions in Article 39-2 of the Former Export-Import Bank Act or paragraph (2) of Article 2 of the Foreign Capital Acceptance Act” and “said loans or bonds” shall be amended to “said bonds” in paragraph (1) of Article 8 of the Supplementary Provisions, each item of said paragraph shall be deleted, and the term “and Overseas Economic Cooperation Fund Bonds” shall be deleted and “paragraph (9) and paragraph (10) of Article 45” shall be amended to “paragraph (8) and paragraph (9) of Article 45” in paragraph (2) of said Article.

(Partial Revision of the Act on Development Bank of Japan Inc.)

Article 12

The Act on Development Bank of Japan Inc. (Act No. 73 of 1999) shall be amended in part as follows:

The terms “or the Agency Bonds as prescribed in paragraph (1) of Article 32 of the Act of the Incorporated Administrative Agency – Japan International Cooperation Agency (Act No. 136 of 2002)” shall be added following “prescribed bank bonds” and “paragraph (2) of Article 47 of said Act” shall be amended to “paragraph (2) of Article 47 of the Japan Bank for International Cooperation Act or paragraph (2) of Article 34 of the Act of the Incorporated Administrative Agency – Japan International Cooperation Agency” in paragraph (4) of Article 45.

(Partial Revision of the Act on Special Measures for the Promotion and Development of Okinawa)

Article 13

The Act on Special Measures for the Promotion and Development of Okinawa (Act No. 14 of 2002) shall be amended in part as follows:

The terms “item (iii) of paragraph (1) of Article 13” shall be amended to “item (iv) of paragraph (1) of Article 13” in Article 87.

(Partial Revision of the Act of the Incorporated Administrative Agency-Japan International Cooperation Agency)

Article 14

The Act of the Incorporated Administrative Agency-Japan International Cooperation Agency shall be amended in part as follows:

Add the terms "(Act No. 89 of 1896)" following "Civil Code" in paragraph (7) of Article 32.

(Partial Revision of the Act on Adjustment, etc. of the Related Acts Accompanying Enforcement of the Act on General Juridical Persons and General Foundations, and the Act on Recognition, etc. of Public Service Juridical Persons and Public Foundations)

Article 15

The Act on Adjustment, etc. of the Related Acts Accompanying Enforcement of

the Act on General Juridical Persons and General Foundations, and the Act on Recognition, etc. of Public Service Juridical Persons and Public Foundations shall be amended in part as follows:

The terms "item (iii) of paragraph (1) of Article 13" in the amending provision pertaining to item (iii) of paragraph (1) of Article 13 of the Act of the Incorporated Administrative Agency-Japan International Cooperation Agency in Article 247 shall be amended to "item (iv) of paragraph (1) of Article 13"; and

The terms "paragraph (10) of Article 45" in the amending provision pertaining to paragraph (10) of Article 45 of the Japan Bank for International Cooperation Act in Article 260 shall be amended to "paragraph (9) of Article 45".

Supplementary Provisions (Act No. 50 of June 2, 2006) (excerptions)

This Act shall come into effect as of the effective date of the Act on General Incorporated Associations and General Incorporated Foundations (Editor's Note: December 1, 2008).

Supplementary Provisions (Act No. 39 of May 2, 2011) (excerptions)

This Act shall come into effect as of the date of the promulgation. Provided, however, that the provisions of paragraph (1) of Article 5 and Article 47 and the provisions of Article 22 through Article 51 of the Supplementary Provisions shall come into effect as of April 1, 2012.

Supplementary Provisions (Act No. 74 of June 24, 2011) (excerptions)

This Act shall come into effect as of the date which is twenty (20) days after the date of the promulgation.

Supplementary Provisions (Act No. 67 of June 13, 2014)

This Act shall come into effect as of April 1, 2015.

Supplementary Provisions (Act No. 68 of June 17, 2022) (excerptions)

(1) This Act shall come into effect as of the date on which the Act on the Partial Amendment of the Penal Code, etc. comes into effect; provided, however, that the provisions listed in the following items shall come into effect as of the day provided for respectively in those items.

(i) The provisions of Article 509: the day of promulgation.

Supplementary Provisions (Act No.21 of April 17, 2025)

(Effective Date)

Article 1

This Act shall come into effect on the date following its promulgation.

(Transitional Measures)

Article 2

With regard to the application of penal provisions to acts committed before the enforcement of this Act, the previous provisions shall remain applicable.

(Partial Amendment to the Ministry of Foreign Affairs Establishment Act)

Article 3

The Act for Establishment of the Ministry of Foreign Affairs (Act No. 94 of 1999) shall be partially amended as follows:

In Item (xxv) of paragraph (1) of Article 4, “cooperation through the provision of finance and investment” shall be amended to “cooperation through finance and investment.”