

# Act on the Control of Organizations Which Have Committed Acts of Indiscriminate Mass Murder

(Act No. 147 of December 7, 1999)

## Table of Contents

- Chapter I General Provisions (Articles 1 to 4)
- Chapter II Control Measures (Articles 5 to 11)
- Chapter III Procedures for Control Measures (Articles 12 to 28)
- Chapter IV Investigation (Articles 29 and 30)
- Chapter V Miscellaneous Provisions (Articles 31 to 37)
- Chapter VI Penal Provisions (Articles 38 to 43)
- Supplementary Provisions

## Chapter I General Provisions

### (Purpose)

Article 1 The purpose of this Act is to prescribe necessary control measures for an Organization whose officials (meaning a representative, chief officer, or any other person engaged in the official work of the Organization, regardless of title; the same applies hereinafter) or members have committed an Act of Indiscriminate Mass Murder as an Organizational activity by, for example, using sarin gas, in order to reveal the status of the Organization's activities and prevent the recurrence of the acts, thereby contribute to securing public security, which includes a peaceful existence for the citizens.

### (Interpretation and Application of this Act)

Article 2 Due to the fact that this Act has a grave bearing upon the fundamental human rights of the citizens, it shall be applied only to the minimum extent necessary to secure public security, and shall not under any circumstances be subject to an expanded interpretation.

### (Control Standards)

Article 3 (1) Controls and investigations for controls under this Act shall be conducted only to the minimum extent necessary to achieve the purpose prescribed in Article 1, and shall not under any circumstances be carried out, in deviation from the prescribed authority, to unreasonably restrict freedom of thought, freedom of religion, freedom of assembly and association, freedom of expression, academic freedom, the right of workers to organize and act collectively, or any other liberty or right of the citizens which is guaranteed by

the Constitution of Japan.

- (2) Controls and investigations for controls under this Act shall not under any circumstances be abused or used to restrict or interfere with any lawful activity by a labor union or other Organization.

(Definitions)

Article 4 (1) In this Act, the term "Act of Indiscriminate Mass Murder" means a Terroristic Subversive Activity listed in Article 4, paragraph (1), item (ii), sub-item (f) of the Subversive Activities Prevention Act, through which a large number of persons are indiscriminately murdered, or which has been set in motion but not accomplished (this excludes an act which has ended more than ten years prior to the date of the enforcement of this Act).

- (2) In this Act, the term "Organization" means a continuous association of persons, or a federation of such associations, organized to achieve any particular common objective. Any branch, chapter or subsidiary body of an Organization, in case it comes within the purview of this definition, may be subject to control under this Act.

## **Chapter II Control Measures**

(Surveillance Disposition)

Article 5 (1) In case an Organization whose officials or members have committed an Act of Indiscriminate Mass Murder as the Organization's activity falls under any of the matters listed in the following items and continuous reveal of its activities is found necessary, the Public Security Examination Commission may issue a disposition to place the Organization under the surveillance of the Director-General of the Public Security Intelligence Agency for a fixed period not exceeding three years:

- (i) the ringleader of the Act of Indiscriminate Mass Murder exerts an influence over the Organization's activities;
- (ii) all or some of the persons who took part in the Act of Indiscriminate Mass Murder are officials or members of the Organization;
- (iii) all or some of the persons who were officers (meaning persons engaged in the official work of the Organization who are able to take part in its decision-making; the same applies hereinafter) of the Organization at the time when the Act of Indiscriminate Mass Murder was committed, are officers of the Organization;
- (iv) the Organization has a platform which explicitly or implicitly encourages homicide; or
- (v) other than those listed in the preceding items, there are facts enough to establish that there is a risk of the Organization committing an Act of

Indiscriminate Mass Murder.

- (2) The Organization which has become subject to a disposition under the preceding paragraph shall, pursuant to Cabinet Order, report the following matters to the Director-General of the Public Security Intelligence Agency within thirty days from the date on which the disposition becomes effective:
- (i) the names, domiciles, and titles of the Organization's officials, as well as the names and domiciles of its members, as of the date on which the disposition becomes effective;
  - (ii) the location, parcel area, and use of land used for the Organization's activities as of the date on which the disposition becomes effective;
  - (iii) the location, size, and use of buildings used for the Organization's activities as of the date on which the disposition becomes effective;
  - (iv) the assets and liabilities of the Organization prescribed by Cabinet Order, as of the date on which the disposition becomes effective; and
  - (v) any other matters which the Public Security Examination Commission finds particularly necessary at the time it issues the disposition under the preceding paragraph.
- (3) An Organization which has become subject to a disposition under paragraph (1) shall, pursuant to Cabinet Order, report the following matters to the Director-General of the Public Security Intelligence Agency within fifteen days after the end of each three-month period which occurs during the time from the date on which the disposition becomes effective until the day before the date on which the disposition ceases to be effective (or within fifteen days after the last of such periods, in case the last period within those dates consists of less than three months; the same applies hereinafter in this paragraph):
- (i) the names, domiciles, and titles of the Organization's officials, as well as the names and domiciles of its members, as of the last day of the relevant period;
  - (ii) the location, parcel area, and use of land used for the Organization's activities as of the last day of the relevant period;
  - (iii) the location, size, and use of buildings used for the Organization's activities as of the last day of the relevant period;
  - (iv) the assets and liabilities of the Organization prescribed by Cabinet Order, as of the last day of the relevant period;
  - (v) the matters of the Organization's activities prescribed by Cabinet Order, during the relevant period; and
  - (vi) any other matters which the Public Security Examination Commission finds particularly necessary at the time it issues the disposition under paragraph (1).
- (4) In case an Organization which has become subject to a disposition under paragraph (1) falls under any of the matters listed in any of the items of the same paragraph, and it is found still necessary to continuously reveal its

activities, the Public Security Examination Commission may renew the period of the disposition.

- (5) The provisions of paragraph (3) apply mutatis mutandis in case a period has been renewed pursuant to the preceding paragraph. In this case, the term "from the date on which the disposition becomes effective" in paragraph (3) is replaced with "from the date on which the period of the disposition is renewed."
- (6) When the Director-General of the Public Security Intelligence Agency has received a report under paragraph (2) or (3) (including as applied mutatis mutandis pursuant to the preceding paragraph), he/she promptly notifies the Commissioner General of the National Police Agency of its contents in writing.

(Revocation of a Surveillance Disposition)

- Article 6 (1) The Public Security Examination Commission shall revoke a disposition under paragraph (1) or (4) of the preceding Article when it finds that is no longer necessary to continuously reveal the status of the Organization's activities.
- (2) An Organization which has become subject to a disposition under paragraph (1) or (4) of the preceding Article may call for the Public Security Examination Commission to revoke the disposition pursuant to the preceding paragraph.

(Enforcement of a Surveillance Disposition)

- Article 7 (1) The Director-General of the Public Security Intelligence Agency may have a Public Security Intelligence Officer conduct necessary investigations in order to reveal the status of the Organization's activities which has become subject to a disposition under Article 5, paragraph (1) or (4) .
- (2) When it is found particularly necessary to reveal the status of the Organization's activities which has become subject to a disposition under Article 5, paragraph (1) or (4), the Director-General of the Public Security Intelligence Agency may have a Public Security Intelligence Officer enter land or buildings owned or managed by an Organization which has become subject to a disposition under paragraph (1) or (4) of the same Article and inspect the facilities, books and documents, or other necessary articles.
  - (3) The Public Security Intelligence Officer who conducts an entry and inspection under the preceding paragraph shall carry his/her certificate of identification indicating his/her official status and present it to a relevant person.
  - (4) The authority to conduct the entry and inspection under paragraph (2) shall not be interpreted as having been granted for the purpose of a criminal investigation.

(Dispositions for Preventing Recurrence)

- Article 8 (1) In case an Organization whose officials or members have committed

an Act of Indiscriminate Mass Murder as an Organizational activity falls under any of the items of Article 5, paragraph (1) and any of the following items, the Public Security Examination Commission may issue all or some of the dispositions listed in the items of the following paragraph to the Organization for a fixed period not exceeding six months. The same applies in case an Organization which has become subject to a disposition under paragraph (1) or (4) of the same Article has not submitted a report under paragraph (2) or (3) of the same Article or has submitted a false report, or has refused, interfered with, or evaded an entry and inspection under paragraph (2) of the preceding Article, and it is found difficult to assess the degree of risk with which the Organization will commit an Act of Indiscriminate Mass Murder:

- (i) the officials or members of the Organization have murdered or attempted to murder a person, have caused or attempted to cause a person bodily harm, or have assaulted or attempted to assault a person, as an Organizational activity;
  - (ii) the officials or members of the Organization have kidnapped or attempted to kidnap a person by force or enticement, as an Organizational activity;
  - (iii) the officials or members of the Organization have held or attempted to hold a person captive, as an Organizational activity;
  - (iv) the officials or members of the Organization have gained or attempted to gain possession of explosives, toxic substances or their raw materials, or firearms or their parts, or have gained or attempted to gain ownership of facilities for manufacturing such objects, as an Organizational activity;
  - (v) the officials or members of the Organization have coerced or attempted to coerce a person to join the Organization, or have obstructed or attempted to obstruct a person's withdrawal from the Organization, as an Organizational activity;
  - (vi) the officials or members of the Organization have instructed or attempted to instruct officials or members of the Organization based on a platform which explicitly or implicitly encourages homicide, as an Organizational activity;
  - (vii) the officials or members of the Organization have increased or attempted to increase the total number of members or assets such as land, buildings, facilities, and others in drastic manner, as an Organizational activity; or
  - (viii) other than those listed in the preceding items, it is necessary to prevent an increasing risk of the Organization committing an Act of Indiscriminate Mass Murder.
- (2) The following dispositions may be issued pursuant to the preceding paragraph:
- (i) prohibiting the Organization from any further acquisition or lease of land or buildings under any name, in a specific or unspecified area;

- (ii) prohibiting the Organization from using all or part of a specific piece of land or buildings (except those exclusively for residential use) it owns or manages;
- (iii) prohibiting the Organization from allowing a person who took part in the Act of Indiscriminate Mass Murder or who was an officer of the Organization at the time when the Act of Indiscriminate Mass Murder was committed (hereinafter referred to as a "Person Involved, etc. in the Act of Indiscriminate Mass Murder") to participate or engage in all or some of the Organization's activities on the land or in the buildings used for the Organization's activities;
- (iv) prohibiting the Organization from coercing or soliciting a person to join or from obstructing a person's withdrawal from the Organization; and
- (v) prohibiting or restricting the Organization from receiving gifts of money, goods, or any other economic benefit.

(Prohibited Actions by Officials or Members)

Article 9 (1) No official or member of an Organization which has become subject to a disposition prescribed in the preceding Article shall perform any act which contravenes the disposition as an Organizational activity.

(2) After a disposition prescribed in the preceding Article has become effective, no official or member of the Organization which has become subject to the disposition shall perform any act listed in the following items:

- (i) in case the Organization has become subject to a disposition listed in paragraph (2), item (i) of the preceding Article, acquiring or leasing, under any name, land or buildings which the disposition has prohibited the Organization from acquiring or leasing, for the purpose of making these available for use by the Organization;
- (ii) in case the Organization has become subject to a disposition listed in paragraph (2), item (ii) of the preceding Article, using the land or buildings which the disposition has prohibited the Organization from using, for the purpose of making these available for use by the Organization;
- (iii) in case the Organization has become subject to a disposition listed in paragraph (2), item (iii) of the preceding Article, allowing a Person Involved, etc. in the Act of Indiscriminate Mass Murder to participate or engage in the Organization's activities which the disposition has prohibited the Organization from allowing a Person Involved, etc. in the Act of Indiscriminate Mass Murder to participate or engage in;
- (iv) in case the Organization has become subject to a disposition listed in paragraph (2), item (iv) of the preceding Article, coercing or soliciting a person to join the Organization or obstructing a person's withdrawal from the Organization, which the disposition has prohibited ; and

(v) in case the Organization has become subject to a disposition listed in paragraph (2), item (v) of the preceding Article, receiving any money, goods, or any other economic benefits as a gift which the disposition has prohibited the Organization from receiving as a gift, for the purpose of promoting the interests of the Organization.

(3) In case the Organization has become subject to a disposition listed in paragraph (2), item (iii) of the preceding Article, no Person Involved, etc. in the Act of Indiscriminate Mass Murder shall participate or engage in the Organization's activities which the disposition has prohibited the Organization from allowing Person Involved, etc. in the Act of Indiscriminate Mass Murder to participate or engage in, after the disposition has become effective.

(Revocation of a Disposition for Preventing Recurrence)

Article 10 (1) The Public Security Examination Commission shall revoke a disposition under Article 8, when it finds that it is no longer necessary to impose the prohibition or restriction under the disposition.

(2) An Organization which has become subject to a disposition under Article 8 may call for the Public Security Examination Commission to revoke the disposition pursuant to the preceding paragraph.

(Posting of a Mark in Connection with a Prohibition on the Use of Land or Buildings)

Article 11 (1) When the Public Security Examination Commission has issued a disposition prohibiting an Organization from using all or part of a specific piece of land or buildings it owns or manages pursuant to Article 8, paragraph (2), item (ii), the Public Security Examination Commission posts a mark as prescribed by the Rules of the Public Security Examination Commission, noticing that the Organization has become subject to the disposition for the land or buildings, at the place where the land is located, or in a position which is readily visible in the entrance area of the buildings.

(2) In case the Public Security Examination Commission has posted a mark under the preceding paragraph, the Public Security Examination Commission shall remove the mark when the period fixed pursuant to Article 8, paragraph (1) has passed or when the disposition has been revoked pursuant to the preceding Article.

(3) No person shall damage or defile a mark posted under paragraph (1), and no person shall remove the mark before the period fixed pursuant to Article 8, paragraph (1) for the land or buildings where the mark is posted has passed, or before the disposition has been revoked pursuant to the preceding Article.

### **Chapter III Procedures for Control Measures**

(Request for a Disposition)

Article 12 (1) Dispositions under Article 5, paragraph (1) and Article 8 may be issued only at the request of the Director-General of the Public Security Intelligence Agency. The same applies to a disposition under Article 5, paragraph (4).

(2) When the Director-General of the Public Security Intelligence Agency intends to request the dispositions under the preceding paragraph, he/she hears the opinion of the Commissioner-General of the National Police Agency in advance.

(3) When the Commissioner-General of the National Police Agency finds it necessary, he/she may state an opinion that it is necessary to request a disposition under Article 5, paragraph (1) or (4) or Article 8 to the Director-General of the Public Security Intelligence Agency.

(Submitting Documents on Land/Buildings Owned or Managed by an Organization Subject to a Surveillance Disposition)

Article 13 When requesting a disposition under Article 5, paragraph (1) or (4) or thereafter, the Director-General of the Public Security Intelligence Agency shall submit documents to the Public Security Examination Commission detailing sufficient matters for identifying the land or buildings which the Organization subject to the disposition is found to own or manage, pursuant to the Rules of the Public Security Examination Commission.

(Entry and Inspection)

Article 14 (1) When the Commissioner-General of the National Police Agency finds it necessary to state an opinion with regard to a request for a disposition under Article 8 pursuant to Article 12, paragraph (2) or (3), he/she may instruct the prefectural police which he/she finds appropriate to conduct the necessary investigations into an Organization which has become subject to a disposition under Article 5, paragraph (1) or (4).

(2) When the Superintendent-General of the Metropolitan Police Department or the chief of prefectural police headquarters (hereinafter referred to as the "Chief of Prefectural Police Headquarters") who has received the instructions under the preceding paragraph find it particularly necessary to conduct investigations under the same paragraph, he/she may, obtaining approval from the Commissioner-General of the National Police Agency in advance, have an officer of the prefectural police enter land or buildings owned or managed by an Organization which has become subject to a disposition under Article 5, paragraph (1) or (4) and inspect the facilities, books and documents, or other necessary articles.

(3) When the Commissioner-General of the National Police Agency intends to

give an approval under the preceding paragraph, he/she shall consult with the Director-General of the Public Security Intelligence Agency in advance.

- (4) The officer of the prefectural police who conducts an entry and inspection under paragraph (2) shall carry his/her certificate of identification indicating his/her official status, and present it to relevant person.
- (5) When the Chief of Prefectural Police Headquarters had an officer conduct the entry and inspection under paragraph (2), he/she shall promptly report the results in writing to the Commissioner-General of the National Police Agency.
- (6) When the Commissioner-General of the National Police Agency has received the report under the preceding paragraph, he/she shall promptly notify the Director-General of the Public Security Intelligence Agency of its contents in writing.
- (7) The authority to conduct the entry and inspection under paragraph (2) shall not be interpreted as having been granted for the purpose of a criminal investigation.

(Formalities for Requesting a Disposition)

- Article 15 (1) A request for a disposition under the first sentence of Article 12, paragraph (1) shall be made by submitting a written request (hereinafter referred to as a "Written Request for a Disposition") to the Public Security Examination Commission detailing the following matters and other matters prescribed by the Rules of the Public Security Examination Commission:
- (i) the content of the disposition under request and the provisions of laws and regulations which serve as the grounds for the disposition; and
  - (ii) the facts which constitute the grounds for the request.
- (2) A Written Request for a Disposition shall be accompanied by documentary evidence or articles of evidence (hereinafter referred to as "Documentary Evidence, etc.") proving the facts which constitute the grounds for the request.

(Hearings)

- Article 16 When the Public Security Examination Commission has received a request for a disposition under the first sentence of Article 12, paragraph (1), it shall conduct an open hearing; provided, however, that the Commission may conduct a closed hearing when this is found unavoidable in order to protect an individual's privacy.

(Formalities for Notification of a Hearing)

- Article 17 (1) In a hearing under the preceding Article, the Public Security Examination Commission shall fix a date and place for the hearing in advance, and shall notify the Organization of the following matters at least seven days before the date:

- (i) the content of the disposition under request by the Director-General of the Public Security Intelligence Agency and the provisions of laws and regulations which serve as the grounds for the disposition;
  - (ii) the facts which constitute the grounds for the request; and
  - (iii) the date and place for the hearing.
- (2) The notification under the preceding paragraph is given by publication in the Official Gazette. In this case, it is deemed to reach the Organization when seven days have elapsed after the date of the publication.
- (3) When the domicile or residence of the representative or chief officer of the Organization is known, a written notification shall be sent to such person in addition to publication in the Official Gazette pursuant to the preceding paragraph.

(Agents)

- Article 18 (1) An Organization which has received a notification under paragraph (1) of the preceding Article (including an Organization the notification is deemed to have reached pursuant to the second sentence of paragraph (2) of the same Article) may appoint an agent or agents.
- (2) Each agent may perform any and all acts for the Organization in connection with the hearing.

(Direction of a Hearing)

- Article 19 (1) A hearing is directed by a chairman or members of the Public Security Examination Commission designated by the Commission (hereinafter referred to as "Designated Members, etc.").
- (2) At the opening of a hearing, the Designated Members, etc. shall have an official of the Public Security Intelligence Agency explain the content of the disposition under request, the provisions of laws and regulations which serve as the grounds for the disposition, and the facts which constitute the grounds for the request to the persons who have appeared at the hearing.
- (3) The Designated Members, etc. may order any person performing conduct which interferes with the hearing proceedings to leave.

(Statement of Opinion and Submission of Documentary Evidence, etc.)

- Article 20 (1) A maximum of five officials, members, or agents of the Organization may appear on a hearing date, state opinions on the issuance of the disposition, and submit Documentary Evidence, etc.
- (2) The official, member, or agent of the Organization may, with the permission of the Designated Members, etc., ask questions of the officials of the Public Security Intelligence Agency.
- (3) The official, member, or agent of the Organization may submit a written

statement and Documentary Evidence, etc. to the Public Security Examination Commission prior to a hearing date, in lieu of appearing on a hearing date.

(Conclusion of a Hearing)

Article 21 (1) In case all or some of the officials, members, or agents of the Organization fail to appear on a hearing date without justifiable grounds and fail to submit the written statement or Documentary Evidence, etc. prescribed in paragraph (3) of the preceding Article, the Designated Members, etc. may conclude the hearing without giving such persons further opportunity to state opinions or submit Documentary Evidence, etc.

(2) In addition to the case prescribed in the preceding paragraph, in case all or some of the officials, members, or agents of the Organization fail to appear on a hearing date and fail to submit the written statement or Documentary Evidence, etc. prescribed in paragraph (3) of the preceding Article, and there is little prospect of them appearing on a hearing date for a reasonable period of time, the Designated Members, etc. may request them to submit a written statement and Documentary Evidence, etc. within a fixed time limit, and may conclude the hearing upon the arrival of the time limit.

(Decision by the Public Security Examination Commission)

Article 22 (1) After having examined the Written Request for a Disposition and Documentary Evidence, etc. submitted by the Director-General of the Public Security Intelligence Agency, the opinions of the Organization, and the Documentary Evidence, etc. submitted by the Organization, the Public Security Examination Commission shall make a decision within one of the following categories:

(i) a decision denying the request for a disposition when the request is found unlawful;

(ii) a decision dismissing the request for a disposition when there are found to be no reasons for the request; or

(iii) a decision issuing the requested disposition when there are found to be reasons for the request.

(2) The Public Security Examination Commission shall attempt to make a decision on a case involving a request for a disposition within thirty days from the date of publication under Article 17, paragraph (2).

(Form for a Decision)

Article 23 A decision under paragraph (1) of the preceding Article shall be made in writing and accompanied by a statement of the reason, and shall bear the signatures and seals of the chairman and members who took part in the decision.

(Notification and Publication of a Decision)

Article 24 (1) The Director-General of the Public Security Intelligence Agency and the Organization shall be notified of a decision under Article 22, paragraph (1).

(2) The notification under the preceding paragraph is given by a copy of the written decision being sent to the Director-General of the Public Security Intelligence Agency and the Organization; provided, however that a copy of the written decision may be sent to an agent acting of the Organization, in case the Organization has an agent.

(3) A decision under Article 22, paragraph (1) shall be published in the Official Gazette.

(4) When the Director-General of the Public Security Intelligence Agency has received the notification under paragraph (1), he/she promptly notifies the Commissioner General of the National Police Agency of its contents in writing.

(Timing of a Decision's Entry into Effect)

Article 25 A decision under Article 22, paragraph (1) becomes effective at the time prescribed in each of the following items for the category of a decision listed in the relevant item:

(i) a decision denying or dismissing the request for a disposition: when a copy of the written decision is sent to the Director-General of the Public Security Intelligence Agency; or

(ii) a decision issuing a disposition: when the decision is published in the Official Gazette pursuant to the provisions of paragraph (3) of the preceding Article.

(Procedures for Renewing the period of a Surveillance Disposition)

Article 26 (1) When requesting a disposition under the second sentence of Article 12, paragraph (1), the Director-General of the Public Security Intelligence Agency shall submit a written request detailing the facts which constitute reasons for renewal and any other matters prescribed by the Rules of the Public Security Examination Commission (hereinafter referred to as a "Written Request for Renewal" in this Article) to the Public Security Examination Commission.

(2) A Written Request for Renewal shall be accompanied by Documentary Evidence, etc. proving the facts which constitute reasons for renewal.

(3) When the Public Security Examination Commission has received a request under paragraph (1), it shall give the Organization an opportunity to state its opinion. In this case, the Organization states its opinion by submitting a written statement and Documentary Evidence, etc.

- (4) The Public Security Examination Commission shall notify the Organization of the following matters at least seven days before the time limit for the submission of a written statement under the preceding paragraph:
- (i) the content of the disposition to be renewed and the provisions of laws and regulations which serve as the grounds for the renewal;
  - (ii) the facts which constitute reasons for renewal; and
  - (iii) the place and time limit for the submission of a written statement.
- (5) The provisions of Article 17, paragraphs (2) and (3) and Article 18 apply mutatis mutandis to the statement of opinion on the renewal of the period of a surveillance disposition. In this case, the phrases "the preceding paragraph" in Article 17, paragraph (2) and "paragraph (1) of the preceding Article" in Article 18, paragraph (1) are deemed to be replaced with " Article 26, paragraph (4)," and the phrase "the second sentence of paragraph (2) of the same Article" in the same paragraph is deemed to be replaced with "the second sentence of Article 17, paragraph (2) as applied mutatis mutandis pursuant to Article 26, paragraph (5)."
- (6) The provisions of Article 22, paragraph (1) and Article 23 to the preceding Article inclusive apply mutatis mutandis to a decision by the Public Security Examination Commission to renew the period of a surveillance disposition. In this case, the phrases "decision under paragraph (1) of the preceding Article" in Article 23 and "decision under Article 22, paragraph (1)" in Article 24, paragraphs (1) and (3) and Article 25 are deemed to be replaced with "decision under Article 22, paragraph (1) as applied mutatis mutandis pursuant to Article 26, paragraph (6)."

(Procedures for Revocation of a Disposition)

- Article 27 (1) The provisions of Article 23 and Article 24 apply mutatis mutandis to a decision to revoke a disposition. In this case, the phrases "decision under paragraph (1) of the preceding Article" in Article 23 and "decision under Article 22, paragraph (1)" in Article 24, paragraphs (1) and (3) are deemed to be replaced with "decision to revoke a disposition."
- (2) A decision to revoke a disposition becomes effective when it is published in the Official Gazette pursuant to the provisions of Article 24, paragraph (3) as applied mutatis mutandis pursuant to the preceding paragraph.

(Detailed Regulations on Procedures for a Disposition)

Article 28 Beyond what is prescribed in this Chapter, detailed regulations on the Public Security Examination Commission's procedures are set forth in the Rules of the Public Security Examination Commission.

## **Chapter IV Investigation**

(Investigative Authority of Public Security Intelligence Officers)

Article 29 A Public Security Intelligence Officer may conduct necessary investigations (including investigations under Article 7, paragraph (1); the same applies in the following Article) with regard to the controls under this Act, within the limits of the standards prescribed in Article 3.

Article 30 In addition to what is prescribed in the preceding Article with regard to investigations by a Public Security Intelligence Officer in connection with Organizational controls prescribed in this Act, Articles 28 to 34 inclusive of the Subversive Activities Prevention Act apply *mutatis mutandis*.

## **Chapter V Miscellaneous Provisions**

(Report to the Diet)

Article 31 The Government shall report to the Diet once a year on the status of the enforcement of this Act.

(Provision of the Results of Investigation)

Article 32 When requested by the head of the relevant prefecture or municipality (including special wards), the Director-General of the Public Security Intelligence Agency may provide the person making the request with the results of investigation based on a disposition under Article 5, excluding any matters found likely to infringe an individual's privacy or to threaten public security.

(Exclusion from Application of the Administrative Procedure Act)

Article 33 The provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to dispositions issued by the Public Security Examination Commission based on the provisions of this Act.

(Restriction on Appeals)

Article 34 No appeal under the Administrative Appeals Act (Act No. 160 of 1962) may be entered against a disposition issued by the Public Security Examination Commission based on the provisions of this Act.

(Action for the Revocation of a Disposition)

Article 35 An association or foundation without juridical personality which has become subject to a decision under Article 22, paragraph (1), item (iii) (including as applied *mutatis mutandis* pursuant to Article 26, paragraph (6)) may file an action demanding the revocation of a disposition in its name.

(Publication of Judicial Decisions)

Article 36 When a court revokes all or part of a decision by the Public Security Examination Commission to issue a disposition under Article 5, paragraph (1) or Article 8 (including if the court revokes a decision to renew a surveillance disposition under Article 5, paragraph (4)), the Director-General of the Public Security Intelligence Agency shall publish the judicial decision in the Official Gazette.

(Detailed Regulations for Enforcement)

Article 37 (1) Unless otherwise specifically prescribed in this Act, procedures for the implementation of this Act and other detailed regulations necessary for its enforcement are set forth by Ordinance of the Ministry of Justice.

(2) The matters necessary for implementing the official work under the authority of the Commissioner General of the National Police Agency pursuant to Article 12, paragraph (2) and (3) and Article 14, paragraphs (1), (2), and (5) are set forth in the Rules of the National Public Safety Commission.

## **Chapter VI Penal Provisions**

(Crime of the Violation of Prohibited Acts by Officials or Members)

Article 38 A person who has violated Article 9 is punished by imprisonment with work for a term not exceeding two years or a fine not exceeding one million yen.

(Crime of the Refusal of Entry or Inspection)

Article 39 A person who has refused, interfered with, or evaded the entry or inspection under Article 7, paragraph (2) or Article 14 paragraph (2) is punished by imprisonment with work for a term not exceeding one year or a fine not exceeding five hundred thousand yen.

(Crime of the Damage to a Mark)

Article 40 A person who has violated Article 11, paragraph (3) is punished by a fine not exceeding five hundred thousand yen.

(Crime of the Violation of an Order to Leave)

Article 41 A person who has violated an order under Article 19, paragraph (3) is punished by a fine not exceeding three hundred thousand yen.

(Crime of the Abuse of Authority by a Public Security Intelligence Officer)

Article 42 When a Public Security Intelligence Officer who has abused the authority prescribed in this Act by forcing a person to do anything which the

person is not obliged to do or by interfering with the exercise of a person's rights, he/she is punished by imprisonment with or without work for a term not exceeding three years.

(Crime of the Abuse of Authority by a Police Officer)

Article 43 A police officer who has abused the authority prescribed by this Act by forcing a person to do anything which the person is not obliged to do or by interfering with the exercise of a person's rights, he/she is punished by imprisonment with or without work for a term not exceeding three years.

### **Supplementary Provisions [Extract]**

(Effective Date)

(1) This Act is enforced as of the day on which twenty days have elapsed from the date of its promulgation.

(Review)

(2) Every five years after the date of enforcement, the status of enforcement of this Act is examined, and the necessary review is made with the possibility of repeal based on the results.