

**Provisional Measures Law for  
Telecommunications Infrastructure Improvement**

(Law No. 27 of April 2, 1991)

As amended last by Law No. 75 of June 27, 2001

**(Purpose)**

**Article 1.**

The purpose of this Law is to contribute to the formation of an advanced information and telecommunications network society, by improving and constructing an infrastructure that facilitates the flow of information, through adoption of measures for promoting the construction of advanced telecommunications facilities, facilities to improve reliability and advanced cable television broadcasting facilities, as well as measures for improving personnel abilities engaged in specified expert work.

**(Definition)**

**Article 2.**

- (1) “Advanced telecommunications facilities” in this Law means facilities for telecommunications business, which consist of the following telecommunications facilities and works with all appurtenances including buildings for installing thereof:
  - i) Telecommunications facilities enabling provision of service for transmitting digital signals of still images of moving objects
  - ii) Telecommunications facilities for effectively controlling switching facilities, which can be easily added new functions for control
  - iii) Telecommunications facilities enabling transmission/switching of telecommunications signals integrating different formats or different transmission speed
  
- (2) An “advanced telecommunications facility improvement/construction project” in this Law means a project for improving and constructing advanced telecommunications facilities
  
- (3) “Facilities for raising reliability” in this Law means the following facilities for use of telecommunications business or cable television business, which markedly raise reliability of telecommunications systems (a complex of telecommunications facilities constituted for operating telecommunications business integrally. Hereinafter the same shall apply.):
  - i) In cases where there is hindrance in providing telecommunications service (telecommunications service provided for under the Telecommunications Business Law (Law No. 86 of 1984) Article 2 Item iii)) or service of cable television broadcasting (cable television broadcasting provided for under the Cable Television Broadcast Law (Law No. 114 of 1972) Article 2 Paragraph (1); hereinafter the same shall apply.), or in cases where there is concern thereof, facilities consisting of telecommunications equipment for the purpose of promptly removing said hindrance or preventing

- occurrence of said hindrance and works with all appurtenances including buildings for installing the equipment
- ii) Facilities for the purpose of protecting transmission lines (including facilities accessory to such facilities. Hereinafter the same shall apply.) exclusively for telecommunications from damages, said transmission line facilities being easy to maintain
- (4) A “facility improvement/construction project for raising reliability” in this Law means a project for improvement/construction of facilities for raising reliability.
- (5) “Advanced cable television broadcasting facilities” under this Law means cable television broadcasting facilities for enabling digital signal transmission of cable television broadcasting by utilizing optical transmission systems as provided for under the Cable Television Broadcast Law Article 2 Paragraph (2), which extremely improve convenience of cable television broadcasting (including such works with all appurtenances as buildings for installing the facilities).
- (6) An “advanced cable television broadcasting facility improvement/construction project” in this Law means a project for improvement/construction of advanced cable television broadcasting facilities.
- (7) “Specified special technical services” in this Law means the following services, that require expertise or technical knowledge and skills:
- i) Service for technically supporting efficient use of telecommunications equipment functions such as telecommunications system design, inter alia
  - ii) Telecommunications service supporting efficient use of telecommunications equipment functions
  - iii) Service of radio equipment operation of a radio station or supervision thereof
  - iv) Service of chief telecommunications engineer (meaning chief telecommunications engineer as stipulated under Article 44 of the Telecommunications Business Law)
  - v) Service of installation technician (meaning installation technician as stipulated under Article 53 of the Telecommunications Business Law)
  - vi) Service of producing broadcast programming
  - vii) Service of operations of telecommunications equipment for use by telecommunications businesses or broadcasters (including wire broadcasting business) in addition to each case specified under the preceding items
- (8) A “human resource development project” in this Law means a business carrying out service for improving knowledge and skills related to specified special technical services of persons engaged in specified special technical services, through use of facilities

equipped with telecommunications equipment and other equipment for effectively conducting said service.

(9) A “telecommunications infrastructure improvement project” in this Law means an “advanced telecommunications facility improvement/construction project,” a “facility improvement/construction project for raising reliability,” an “advanced cable television broadcasting facility improvement/construction project” and a “human resource development project.”

(10) A “facility improvement/construction project” in this Law means an “advanced telecommunications facility improvement/construction project,” a “facility improvement/construction project for raising reliability” and an “advanced cable television broadcasting facility improvement/construction project.”

### **(Basic Guidelines)**

#### **Article 3.**

(1) The competent minister shall establish Basic Guidelines concerning implementation of telecommunications infrastructure improvement projects (hereinafter referred to as the “Basic Guidelines”) in order to improve and construct infrastructure for facilitation of information distribution over telecommunications networks. In this case, with regard to matters specified under the following paragraph Items ii) through iv), the competent minister shall establish each guideline concerning an “advanced telecommunications facility improvement/construction project,” a “facility improvement/construction project for raising reliability,” an “advanced cable television broadcasting facility improvement/construction project” and a “human resource development project,” respectively.

(2) The Basic Guidelines provide for the following matters:

- i) Basic direction concerning improvement and construction infrastructure for facilitation of information distribution over telecommunications networks
- ii) Matters concerning content of telecommunications infrastructure improvement projects (in cases of telecommunications infrastructure improvement projects, including services enabled to be offered by advanced telecommunications facilities; in cases of human resource development projects, including facilities relating to use)
- iii) Matters concerning areas where telecommunications infrastructure improvement projects are to be implemented
- iv) Other important matters to be taken into consideration in implementing telecommunications infrastructure improvement projects

- (3) In addition to matters specified under each item in the previous paragraph, a Basic Guideline concerning telecommunications infrastructure improvement projects shall provide for matters concerning requirements for persons conducting said projects.
- (4) The Basic Guidelines shall be ones considering to ensure harmonization with an international environment concerning telecommunications infrastructure improvement projects and at the same time ones considering contributing to sound development of local communities.
- (5) The competent minister shall, in cases when establishing or changing the Basic Guidelines, consult with the relevant minister including the Minister of Economy, Trade and Industry.
- (6) The competent minister shall, when establishing or changing the Basic Guidelines, make the fact publicly known without delay.

**(Recognition of implementation plan)**

**Article 4.**

- (1) A person who wishes to implement a facility improvement/construction project (including a person intending to establish a juridical person to implement said project) may develop a plan concerning implementation of said project (hereinafter referred to as the “implementation plan”), submit the plan to the competent minister and can be granted recognition from the minister that the implementation plan is appropriate.
- (2) The implementation plan shall be described the following matters:
  - i) Content of the facility improvement/construction project (in case of an advanced telecommunications facility improvement/construction project, including service to be offered by advanced telecommunications facilities)
  - ii) Location where the facility improvement/construction project is to be implemented
  - iii) Time when the facility improvement/construction project is to be implemented
  - iv) Amount of fund necessary for implementing the facility improvement/construction project and methods of fund raising thereof
- (3) Upon reception of an application for granting recognition under Paragraph (1), the competent minister shall, when deemed that the implementation plan is appropriate in light of the Basic Guidelines and that implementation of said implementation plan is considered as being ensured, grant recognition of Paragraph (1).

**(Change, etc. of implementation plan)**

**Article 5.**

- (1) A person who obtained the recognition under the preceding article Paragraph (1) (including a juridical person relating to the incorporation of the person under the same paragraph) shall, when intending to change the implementation plan concerning said recognition, obtain recognition from the competent minister.
- (2) The provisions under the preceding article Paragraph (3) shall apply to the recognition under the preceding paragraph.
- (3) When deemed that a person who implements a facility improvement/construction project based on the implementation plan (hereinafter referred to as the “recognized business”) as granted recognition under the preceding article Paragraph (1) (when changes are recognized under the preceding article Paragraph (1), the implementation plan after the changes; hereinafter referred to as the “recognized plan”) does not implement the project in accordance with said recognized plan, the competent minister may revoke the recognition.

**(Special exceptions of services of the Telecommunications Advancement Organization of Japan)**

**Article 6.**

- (1) The Telecommunications Advancement Organization of Japan (hereinafter referred to as “the Organization”) shall carry out the following business activities, in addition to business activities stipulated under Article 28 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979; hereinafter referred to as “the Organization Law”), in order to achieve the purpose of this Law:
  - i) To guarantee corporate bonds (except short-term corporate bonds stipulated under Article 2 Paragraph (1) of the Law Concerning Transfer of Short-Term Corporate Bond (Law No. 75 of 2001) issued in raising the fund necessary for implementing a facility improvement/construction project as based on the recognized plan and debts concerning said fund raising
  - ii) To deliver subsidies for supplementing the funding necessary for implementing a human resource development project
  - iii) In cases where the following facilities are improved and/or constructed as part of the following facility improvement/construction projects as based on the recognized plan, respectively, to deliver subsidies for supplementing the funding necessary for paying interests emanating from loans specified under the applicable cabinet order, which are loans necessary for improving and/or constructing said facilities and for promoting preparation of social capital

- a) Advanced telecommunications facility improvement/construction project: terminal optical trunk lines (meaning trunk line part of optical lines that is connected to terminal equipment), optical line terminals (OLTs: meaning equipment with converting functions in an optical transmission system, which converts electrical signals into optical signals and vice versa, and is connected to terminal optical trunk lines), optical network units (ONUs: meaning equipment with converting functions in an optical transmission system, which converts optical signals into electrical signals and vice versa, and is terminal equipment that is connected to fiber-optic cables), digital subscriber line (DSL) access multiplexers (DSLAMs: meaning modems used in a broadband transmission system enabling access to the Internet over balanced pair cables (hereinafter referred to as “the digital subscriber line (DSL) transmission system”), that multiplex two or more telecommunications signals and are not terminal equipment), DSL splitters (meaning equipment with functions which separate sound signals from data signals by filtering frequencies, and is not terminal equipment), radio equipment for fixed wireless access (meaning radio equipment with functions which enable access to the Internet and is used for radio stations (limited to radio equipment which is terminal equipment and is another party of radio communications) which are established as land stations not for mobile communications operations) and cable modems (meaning modems enabling access to the Internet, which is connected to telecommunications facilities transmitting cable television broadcasting)
  - b) Advanced cable television broadcasting facility improvement/construction project: optical trunk lines (meaning optical trunk line part of fiber-optic lines), optical transmission equipment for digital transmission (meaning equipment with functions that receive broadcasting with digital signals and convert the broadcasting into cable television broadcasting with digital signals and with functions that convert electrical signals into optical signals in an optical transmission system, and which is connected to optical trunk lines) and optical transmission equipment for receiving (meaning equipment with functions that convert optical signals into electrical signals in an optical transmission system, and which is connected to optical transmission lines at a receiving point)
  - iv) To perform business activities annexed to business activities specified under the preceding three items
- (2) The Organization shall, unless it deems that content of a human resource development project, areas where the project is to be implemented and a person who implements said project are appropriate in light of the Basic Guidelines, not make a decision concerning delivery of the subsidy under the preceding paragraph Item ii).

**(Deletion)**

**Article 7.** Deleted.

**(Subsidy)**

**Article 7-2**

The government may, within the scope of budget, provide the Organization with funding for supplementing financial resources necessary for business activities (including business activities annexed to these business activities) specified under Article 6 Paragraph (1) Item iii).

**(Promotion Funds for Advanced Telecommunications Facility Improvement/Construction)**

**Article 7-3.**

- (1) The Organization shall manage subsidies delivered in accordance with the provisions of the preceding article as the “Promotion Funds for Advanced Telecommunications Facility Improvement/Construction.”
- (2) Interests earned from operations of the Promotion Funds for Advanced Telecommunications Facility Improvement/Construction and revenues gained from operations or application of said funds shall, notwithstanding the provisions of Article 34 Paragraph (1) of the Organization Law, be added to the Promotion Funds for Advanced Telecommunications Facility Improvement/Construction.
- (3) The Promotion Funds for Advanced Telecommunications Facility Improvement/Construction may, to the extent that the funds are appropriated to expenses necessary for business activities (including business activities annexed to such business activities) as specified under Article 6 Paragraph (1) Item iii), be operated or used.

**(Segment accounting)**

**Article 7-4.**

With regard to accounting concerning business activities (including business activities annexed to such business activities) as specified under Article 6 Paragraph (1) Item iii), the Organization shall separate the accounting from other accountings and establish the special account thereof.

**(Application of the Organization Law)**

**Article 8.**

In cases where business activities of the Organization are performed in accordance with the provisions of Article 6 Paragraph (1);

“or” in Article 17 Paragraph (2) of the Organization Law shall be read as “or two business activities of guarantees of obligation (”;

“pertaining to” in Article 17 Paragraph (2) of the Organization Law shall be read as “or pertaining to business activities as specified under Article 6 Paragraph (1) Item i) (including business activities annexed to the business activities) of the Provisional Measures Law for Telecommunications Infrastructure Improvement (hereinafter referred to as “the Telecommunications Infrastructure Law”); hereinafter the same shall apply.)”;

“the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry” in Article 17 Paragraph (2) of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry, with regard to changes pertaining to business activities as specified under the same paragraph Item ii) (including business activities annexed to the business activities; hereinafter referred to as “training support business activities”), the competent minister (meaning the competent minister as stipulated under Article 13 of the Telecommunications Infrastructure Law; hereinafter the same shall apply.)”;

“business activities for guarantees of obligation concerning R&D” in Article 19 Paragraph (4), Article 29, Article 39 and Article 40 Paragraph (1) of the Organization Law shall be read as “two business activities of guarantees of obligation”;

“the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry)” in Article 19 Paragraph (4) of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry, with regard to opinions concerning training support business activities, the competent minister)”;

“part of” in Article 28-2 Paragraph (2) of the Organization Law shall be read as “part of business activities as specified under Article 6 Paragraph (1) Item i) of the Telecommunications Infrastructure Law (except decision of guarantee of obligation)”;

“the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry)” in Article 29 Paragraph (1) of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry, with regard to those pertaining to training support business activities, the competent minister)”;

“the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications and the applicable ministerial ordinance of the Ministry of Economy, Trade and Industry)” in Article 29 Paragraph (2) of the Organization Law shall be read as “the applicable ministerial ordinance of the Ministry of Public Management, Home Affairs, Posts and Telecommunications, the applicable ministerial ordinance of the Ministry of Economy, Trade and Industry, with regard to those pertaining to training

support business activities, the applicable ministerial ordinance of the competent ministry (meaning the ordinance issued by the competent minister))”;

“business activities for guarantees of obligation concerning R&D” in Article 29-2 Paragraph (1) of the Organization Law shall be read as “business activities for guarantees of obligation concerning R&D, etc. (meaning business activities for guarantees of obligation concerning R&D and business activities as specified under Article 6 Paragraph (1) Item i) of the Telecommunications Infrastructure Law (including business activities annexed to the business activities); hereinafter the same shall apply.)”;

“business activities for guarantees of obligation concerning R&D” in Article 31, Article 32, Article 35, Article 38 and Article 43 Paragraph (1) Item ii) of the Organization Law shall be read as “business activities for guarantees of obligation concerning R&D, etc.”;

“and business activities for guarantees of obligation concerning R&D” in Article 33-2 of the Organization Law shall be read as “as well as business activities for guarantees of obligation concerning R&D, etc. and training support business activities”;

“this Law” in Article 38 of the Organization Law shall be read as “this Law and the Telecommunications Infrastructure Law”;

“, the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry)” in Article 39 of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry, with regard to training support business activities, the competent minister)”;

“this Law” in Article 17 Paragraph (2) of the Organization Law shall be read as “this Law or the Telecommunications Infrastructure Law”;

“, the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Economy, Trade and Industry)” in Article 40 Paragraph (1) of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications or the Minister of Economy, Trade and Industry, with regard to training support business activities, the Minister of Public Management, Home Affairs, Posts and Telecommunications or the Minister of Welfare and Labor)”;

“the Minister of Public Management, Home Affairs, Posts and Telecommunications” in Article 43 Paragraph (1) of the Organization Law shall be read as “the Minister of Public Management, Home Affairs, Posts and Telecommunications (when intending to grant authorization for training support business activities as specified under Article 29 Paragraph (1), the competent minister)”;

“authorization under the provisions of Article 5 Paragraph (2), Article 28 Paragraph (2), Article 29 Paragraph (1), Article 31 or Article 35 (except those pertaining to business activities for investment concerning R&D or business activities for guarantees of obligation concerning R&D)” in Article 43 Paragraph (1) Item i) of the Organization Law shall be read as “authorization under the provisions of Article 5 Paragraph (2) or Article 29

Paragraph (1) (except those pertaining to business activities for investment concerning R&D or two business activities for guarantees of obligation), authorization under the provisions of Article 28 Paragraph (2) (except those pertaining to business activities for investment concerning R&D or business activities for guarantees of obligation concerning R&D), authorization under the provisions of Article 31 or Article 35 (except those pertaining to business activities for investment concerning R&D or business activities for guarantees of obligation concerning R&D)”;

“authorization under the provisions of Article 28 Paragraph (2) or Article 29 Paragraph (1)” in Article 43 Paragraph (2) Item i) of the Organization Law shall be read as “authorization under the provisions of Article 28 Paragraph (2) or authorization under the provisions of Article 29 Paragraph (1) (except those pertaining to business activities under the provisions of Article 6 Paragraph (1) of the Telecommunications Infrastructure Law)”;

“part” in Article 43 Paragraph (2) Item ii) of the Organization Law shall be read as “part (except part pertaining to business activities under the provisions of Article 6 Paragraph (1) of the Telecommunications Infrastructure Law)”;

and  
“Article 28 Paragraph (1)” in Article 45 Item iii) of the Organization Law shall be read as “Article 28 Paragraph (1) and Article 6 Paragraph (1) of the Telecommunications Infrastructure Law”.

**(Securing of funds, etc.)**

**Article 10.**

- (1) The government shall make efforts to secure funds necessary for implementing human resources development projects and facility improvement/construction projects pertaining to the recognized plan, and to arrange accommodation of the funds.
- (2) The Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Finance shall pay necessary consideration including information provision, in order to facilitate business operations of the Organization as specified under Article 6 Paragraph (1).

**(Cooperation of Japan Broadcasting Corporation, Nippon Telegraph and Telephone Corporation, etc.)**

**Article 11.**

Japan Broadcasting Corporation, Nippon Telegraph and Telephone Corporation, East Nippon Telegraph and Telephone Corporation and West Nippon Telegraph and Telephone Corporation shall make efforts to cooperate to facilitate smooth implementation of human resource development projects through dissemination of knowledge and skills concerning telecommunications.

**(Reporting)**

**Article 12.**

The competent minister may request a recognized business to submit a progress report on the implementation status of facility improvement/construction projects pertaining to the recognized plan.

**(Competent minister)**

**Article 13.**

With regard to matters concerning human resource development projects, the competent ministers in this Law shall be the Minister of Public Management, Home Affairs, Posts and Telecommunications and the Minister of Welfare and Labor, and with regard to other matters, the competent minister shall be the Minister of Public Management, Home Affairs, Posts and Telecommunications.

**Article 14.** Deleted

**(Penalties)**

**Article 15.**

- (1) Any person who fails to report or makes a false report in accordance with the provisions of Article shall be liable to a fine not exceeding two hundred thousand yen.
  
- (2) When any representative of a juridical person, or any agent, employee or other worker of a person or of a juridical person commits a violation referred to in the preceding paragraph with respect to the business activities of either the person or juridical person concerned, not only the violator shall be punished but also the person or juridical person concerned shall be punished with the fine under the preceding paragraph.

## **Supplementary Provisions**

### **(Effective Date)**

#### **Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding two months calculating from the day of promulgation.

### **(Abolition of this Law)**

#### **Article 2.**

This Law shall be abolished not later than may 31, 2006.

### **(Exceptions of ban of reimbursement of holdings of credit funds)**

#### **Article 3.**

- (1) Investors other than the Development Bank of Japan may request the Organization to reimburse holdings pertaining to credit funds as specified under Article 9 Paragraph (1) of the Telecommunications and Broadcasting R&D Law, limited to as of the date subsequent to a period of one month calculating from the effective date of this Law.
- (2) Upon request of the preceding paragraph, the Organization shall, notwithstanding the provisions of Article 6 Paragraph (1), reimburse the amount of money equivalent to the amount of capital contributions pertaining to said holdings. In this case, the Organization shall reduce its capital according to the amount of reimbursement.

### **(Transitional measures concerning penal provisions)**

#### **Article 4.**

With respect to the application of Penal Provisions to any acts committed before the enforcement of this Law, the provisions then in force shall still apply.

## **Supplementary Provisions (Law No. 34 of April 24, 2002) Excerpt**

### **(Effective Date)**

#### **Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding six months calculating from the day of promulgation.

## **Supplementary Provisions (Law No. 65 of June 14, 2003) Excerpt**

### **(Effective Date)**

#### **Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding two months calculating from the day of promulgation.

### **(Exceptions of ban of reimbursement of holdings of credit funds)**

#### **Article 2.**

- (1) Investors other than the Development Bank of Japan may request the Telecommunications Advancement Organization of Japan (in the following paragraph referred to as “the Organization”) to reimburse holdings pertaining to credit funds as specified under Article 9 Paragraph (1) of the Law Concerning Facilitation of Specified Telecommunications and Broadcasting R&D Project (Law No. 35 of 2000), limited to as of the date subsequent to a period of one month calculating from the effective date of this Law.
- (2) Upon request of the preceding paragraph, the Organization shall, notwithstanding the provisions of Article 6 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979), reimburse the amount of money equivalent to the amount of capital contributions pertaining to said holdings. In this case, the Organization shall reduce its capital according to the amount of reimbursement.

### **(Transitional measures concerning penal provisions)**

#### **Article 3.**

With respect to the application of Penal Provisions to any acts committed before the enforcement of this Law, the provisions then in force shall still apply.

## **Supplementary Provisions (Law No. 72 of April 21, 1995) Excerpt**

### **(Effective Date)**

#### **Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding three months calculating from the day of promulgation.

**(Exceptions of ban of reimbursement of holdings of credit funds)**

**Article 2.**

- (1) Investors other than the Development Bank of Japan may request the Telecommunications Advancement Organization of Japan (in the following paragraph referred to as “the Organization”) to reimburse holdings pertaining to credit funds as specified under Article 9 Paragraph (1) of the Law Concerning Facilitation of Specified Telecommunications and Broadcasting R&D Project (Law No. 35 of 2000), limited to as of the date subsequent to a period of one month calculating from the effective date of this Law.
- (2) Upon request of the preceding paragraph, the Organization shall, notwithstanding the provisions of Article 6 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979), reimburse the amount of money equivalent to the amount of capital contributions pertaining to said holdings. In this case, the Organization shall reduce its capital according to the amount of reimbursement.

**(Transitional measures concerning penal provisions)**

**Article 3.**

With respect to the application of Penal Provisions to any acts committed before the enforcement of this Law, the provisions then in force shall still apply.

**Supplementary Provisions (Law No. 62 of June 7, 1996) Excerpt**

**(Effective Date)**

**Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding three months calculating from the day of promulgation.

**(Exceptions of ban of reimbursement of holdings of credit funds)**

**Article 2.**

- (1) Investors other than the Development Bank of Japan may request the Telecommunications Advancement Organization of Japan (in the following paragraph referred to as “the Organization”) to reimburse holdings pertaining to credit funds as established in the Organization, limited to as of the date subsequent to a period of one month calculating from the effective date of this Law.

- (2) Upon request of the preceding paragraph, the Organization shall, notwithstanding the provisions of Article 6 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979), reimburse the amount of money equivalent to the amount of capital contributions pertaining to said holdings. In this case, the Organization shall reduce its capital according to the amount of reimbursement.

**(Transitional measures concerning penal provisions)**

**Article 3.**

With respect to the application of Penal Provisions to any acts committed before the enforcement of this Law, the provisions then in force shall still apply.

**Supplementary Provisions (Law No. 63 of June 7, 1996) Excerpt**

**(Effective Date)**

**Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding three months calculating from the day of promulgation.

**Supplementary Provisions (Law No. 98 of June 20, 1997) Excerpt**

**(Effective Date)**

**Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding two years and six months calculating from the day of promulgation.

**Supplementary Provisions (Law No. 9 of March 31, 1999) Excerpt**

**(Effective Date)**

**Article 1.**

This Law shall come into force as of April 1, 1999.

## **Supplementary Provisions (Law No. 160 of December 22, 1999) Excerpt**

### **(Effective Date)**

#### **Article 1.**

This Law (except Articles 2 and 3) shall come into force as of January 6, 2001.

## **Supplementary Provisions (Law No. 43 of June 8, 2001) Excerpt**

### **(Effective Date)**

#### **Article 1.**

This Law shall come into force as of the date as specified under the applicable cabinet order within a period not exceeding three months calculating from the day of promulgation. However, the revised provisions of Article 2 of Supplementary Provisions shall come into force as of the date of promulgation.

### **(Exceptions on ban of reimbursement for holdings of credit funds)**

#### **Article 2.**

- (1) Investors other than the Development Bank of Japan may request the Telecommunications Advancement Organization of Japan (hereinafter referred to as “the Organization”) to reimburse holdings pertaining to credit funds as specified under Article 29-2 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979; hereinafter referred to as “the Organization Law”), limited to as of the date subsequent to a period of one month calculating from the effective date of this Law.
- (2) Upon request of the preceding paragraph, the Organization shall, notwithstanding the provisions of Article 6 Paragraph (1) of the Telecommunications Advancement Organization of Japan Law (Law No. 46 of 1979), reimburse the amount of money equivalent to the amount of capital contributions pertaining to said holdings. In this case, the Organization shall reduce its capital according to the amount of reimbursement.

### **(Transitional measures)**

#### **Article 3.**

- (1) At the time of enforcement of this Law, with regard to recognition and revocation of changes of plans concerning persons implementing human resource development projects

pertaining to implementation plans as recognized under the provisions of Article 4 Paragraph (1) of the Provisional Measures Law for Telecommunications Infrastructure Improvement (hereinafter referred to as the "Old Law") prior to amendment, and request for reporting, the provisions then in force shall still apply.

- (2) The Organization shall, as regards accounting that pertains to capital contributions before the effective date of this Law as specified under Article 6 Item ii) of the Old Law, notwithstanding the provisions of Article 33-2 of the Organization Law as replaced by the provisions of Article 8 of the amended Provisional Measures Law for Telecommunications Infrastructure Improvement (hereinafter referred to as the "New Law"), readjust the accounting as R&D investment account under the provisions of Article 6 Item ii) of the Old Law.
- (3) At the effective date of this Law, optical transmission equipment, as specified under Article 6 Item iii) b) of the Old Law, subsidized for preparation thereof by the Organization in accordance with the provisions of Article 6 Item iii) of the Old Law shall, with regard to application of Article 6 Paragraph (1) Item iii) of the New Law, be deemed as facilities of the same item b).
- (4) With respect to the application of Penal Provisions to any acts committed before the enforcement of this Law and to any acts committed after the enforcement of this Law where the provisions then in force shall still apply, the provisions then in force shall still apply.

#### **Supplementary Provisions (Law No. 75 of June 27, 2001) Excerpt**

##### **(Effective Date)**

##### **Article 1.**

This Law shall come into force as of April 1, 2002, and shall apply to short-term corporate bonds, etc. to be issued after the effective date.