

Act on the Japan External Trade Organization, Independent Administrative Agency

Law No.172, December 13, 2002

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Chapter 1. General Provisions

Article 1. Purpose

The purpose of this law is to determine the name, objectives, scope of activities and other necessary matters pertaining to the Japan External Trade Organization.

Article 2. Name

The name of the Incorporated Administrative Agency (provided for in Paragraph 1, Article 2 of the Law Concerning the General Rules of the Incorporated Administrative Agencies (Law No. 103 of 1999, hereinafter “the Law of the General Rules”)) established by this law and the Law of the General Rules shall be the Japan External Trade Organization.

Article 3. Objectives of JETRO

1. The objectives of the Japan External Trade Organization (hereinafter “JETRO”) are to comprehensively and efficiently conduct activities to promote Japan’s international trade and to conduct basic comprehensive research of the economies, and related matters, in areas including the Asian region, as well as disseminate the results of such research, and thereby to contribute to the expansion of international trade and the promotion of international economic cooperation.

2. JETRO shall be an agency managed under the medium-term objectives stipulated in Paragraph 2, Article 2 of the Law of the General Rules.

Article 4. Office

The head office of JETRO is located in Tokyo.

Article 5. Capital

1. JETRO's capital shall be the amount allocated by the Government in accordance with Paragraph 6, Article 2 of the Additional Provisions.
2. The Government may, as required, allocate additional funds to JETRO up to the maximum amount provided for in the national budget.
3. In the event of any allocation by the Government under the provisions of the preceding Paragraph, JETRO shall increase its capital by an equivalent amount.

Chapter 2. Executive Officers and Employees

Article 6 Executive Officers

1. JETRO shall have one Chairman and two Auditors as executive officers.
2. JETRO may also have one President and up to six Executive Vice Presidents as executive officers.

Article 7 Responsibilities and Authority, and other Provisions Pertaining to Executive Officers

1. The President shall, at the determination of the Chairman, represent JETRO and assist the Chairman in executing activities of JETRO.
2. The Executive Vice President(s) shall, at the determination of the Chairman, assist the Chairman (as well as the President, if the post is filled) in executing activities.
3. In Paragraph 2, Article 19 of the Law of the General Rules, the President is the executive officer designated under the relevant Incorporated Administrative Agency ("IAA") individual law. If the post of President is not filled, but the post of Executive Vice President is filled, then an Executive Vice President shall be so designated. If the post of neither President nor Executive Vice President is filled, then an Auditor shall be so designated.

4. In the event that an Auditor is to perform the duties of the Chairman, as provided for in Paragraph 2, Article 19 of the Law of the General Rules and pursuant to the latter provision of the preceding Paragraph 3, he/she shall not concurrently perform the duties of Auditor.

Article 8.

Terms of Office of President and Executive Vice President(s)

The terms of office of the President shall be four years, and those of the Executive Vice President(s) shall be two years.

Article 9

Executive Officer Appointments' Exemption from Disqualification Clause in Law of the General Rules

1. Notwithstanding the provisions of Article 22 of the Law of the General Rules, national public servants who are engaged in educational fields designated by Cabinet Order shall be eligible for appointment as Executive Vice President.

2. In the case of a dismissal of an Executive Vice President under Paragraph 1, Article 23 of the Law of the General Rules, reference to "the preceding Article" in the same Paragraph shall be deemed to be "the preceding Article and Paragraph 1, Article 9 of the Law Concerning the Japan External Trade Organization as an Incorporated Administrative Agency."

Article 10.

Confidentiality Obligation

Executive officers and employees of JETRO, and persons who have previously held any of the foregoing positions, must not divulge or use in a fraudulent manner the information they have obtained through the activities described in Subparagraphs (1) through (5) of Article 12, and the incidental matters described in Subparagraph (10) thereof which are limited to matters relating to activities described in Subparagraphs (1) through (5) thereof.

Article 11.

Status of Executive Officers and Employees

In the application of the laws and regulations of the Penal Code (Law No. 45 of 1907) and related rules of punishment, executive officers and employees of JETRO are deemed to be officials engaged in public service.

Chapter 3.

JETRO's Activities

Article 12.

Scope of Activities

JETRO shall execute the following activities to attain the objectives stated in Article 3:

- (1) Conduct research on international trade and publicize the results.
- (2) Render services to introduce and publicize Japanese industries and merchandise.
- (3) Render services to assist international business activities.
- (4) Publish and disseminate publications concerning international trade and matters related to international trade, and disseminate other information related to international trade.
- (5) Hold or participate in exhibitions, trade fairs and the like, and render services to support the holding of or participation in such undertakings.
- (6) Collect research materials on the economies, and related matters, of Asia and other regions.
- (7) Conduct studies (using documents and other research materials, or field surveys) of the economies, and related matters, in Asia and other regions.
- (8) Disseminate the results of activities set forth in the immediately preceding two Subparagraphs on a periodic basis, upon request or when otherwise deemed necessary.
- (9) Provide facilities for the activities described in the immediately preceding three Subparagraphs for use by individuals conducting studies on the economies, and related matters, in Asia and other regions.
- (10) Conduct incidental matters related to the activities stated in the preceding Subparagraphs.

Article 13.

Disposition of Accumulated Surplus

1. If an accumulated surplus (provided for in Paragraph 1, Article 44 of the Law of the General Rules) occurs after disposition of profit and loss (provided for in Paragraphs 1 and 2, Article 44 of the same law) in the last fiscal year of JETRO's Medium-Term Objectives period provided for in Subparagraph (1), Paragraph 2, Article 29 of the same law, an amount approved by the Minister of Economy, Trade and Industry may be applied toward activities (covered in the preceding Article) in the Medium-Term Plan for the next Medium-Term Objectives period, pursuant to the approval of the plan under Paragraph 1, Article 30 of the same law. (If any revision of the Plan is approved under the latter provision of Paragraph 1, Article 30 of the same law, the amount may be assigned to activities contained in this revised Plan.)

2. The Minister of Economy, Trade and Industry must consult with the Minister of Finance, if the Minister plans to issue an acknowledgement of the matters provided for in the preceding paragraph.

3. If any accumulated surplus remains after deduction of the amount provided for in Paragraph 1 of this Article 13, JETRO shall pay the remainder into the National Treasury.

4. Except as otherwise provided in the preceding Paragraphs of this Article 13, Cabinet Orders shall determine the procedures for payment of the remainder of the accumulated surplus into the National Treasury, as well as matters concerning the disposition of the accumulated surplus.

Chapter 4. Miscellaneous Provisions

Article 14 Emergency requests

1. If the healthy development of the Japanese and international economies is hindered, or is likely to be hindered, as a result of rapid changes in the international economy or other circumstances, the Minister of Economy, Trade and Industry may request JETRO to carry out necessary measures regarding the activities described in Subparagraphs (1) through (3) and Subparagraph (5) of Article 12, including incidental matters, if it is determined that such measures are urgently required to ensure that JETRO's activities conform to Government policies on international trade promotion.

2. JETRO shall comply with requests by the Minister of Economy, Trade and Industry provided for in the preceding Paragraph, except if there are justifiable reasons for doing otherwise.

Article 15. Competent Minister, Ministry and Ministerial Order

The competent Minister and Ministerial Order provided for in the Law of the General Rules shall be the Minister of Economy, Trade and Industry and the Order by the Ministry of Economy, Trade and Industry, respectively.

Article 16. Exemption from Government Official Housing Law

The executive officers and employees of JETRO are exempted from the Government Official Housing Law (Law No. 117 of 1949).

Article 17. Deleted

Chapter 5. Penal Provisions

Article 18.

If any person violates Article 10 by divulging or fraudulently using secrets acquired in connection with their duties, they may be sentenced to a maximum of one year imprisonment with hard labor, or a maximum fine of 300,000 yen.

Article 19.

If JETRO commits any of the following violations, executive officers of JETRO liable for such violations may be sentenced to a maximum fine of 200,000 yen:

- (1) Executes any activity other than those stated in Article 12.
- (2) Fails to obtain the acknowledgement of the Minister of Economy, Trade and Industry as provided in Subparagraph (1), Article 13 when such acknowledgement is required.

Additional Provisions (Extract)

Article 1. Effective Date

This Law shall be effective on the date of its promulgation; however, Articles 5 through 7 and Articles 9 through 12 of these Additional Provisions shall be effective on October 1, 2003.

Article 2 Dissolution of former JETRO

1. The Japan External Trade Organization established by the Law Concerning the Japan External Trade Organization (Law No. 95 of 1958; hereinafter “the former JETRO”) shall be dissolved on the date of JETRO’s establishment, and JETRO shall assume all rights and obligations of the former JETRO, except those assets assumed by the Government in accordance with the provisions of the following Paragraph.
2. Assets owned by the former JETRO at the time of JETRO’s establishment, except those considered to be necessary for JETRO to execute its activities fully, shall be assumed by the Government upon JETRO’s establishment.
3. Cabinet Orders shall determine the scope of assets that the Government shall assume under the provisions of the preceding Paragraph, as well as other necessary matters.
4. The fiscal year of the former JETRO shall be deemed to finish on the day immediately

preceding the organization's date of dissolution.

5. The settlement of accounts, the submission of a balance sheet and profit and loss statement, and the disposition of profit and loss for the fiscal year in effect on the day immediately preceding the dissolution of the former JETRO shall be carried out according to precedents.

6. When JETRO assumes the rights and obligations of the former JETRO pursuant to Paragraph 1 of this Article 2, the value of the former JETRO's assets less any liability shall be deemed to be funded by the Government.

7. The members of the Assessment Committee shall assess the value of such assets according to fair market value on the date of JETRO's establishment.

8. Cabinet Orders shall determine the members of the Assessment Committee, as well as matters concerning the valuation of the assets.

9. When the former JETRO is dissolved pursuant to Paragraph 1 of this Article 2, the details of registering such dissolution shall be determined by Cabinet Order.

Article 3

Special Activities

1. In addition to the activities described in Article 12 of Chapter 2, JETRO shall collect, as well as manage until fully collected, monies assumed by JETRO (under Paragraph 1 of the preceding Article 2) that arise from funds ("loans" in Paragraph 1, Article 4 of the Additional Provisions) that the former JETRO was entrusted by the Minister of Economy, Trade and Industry pursuant to Subparagraph (6), Paragraph 1, Article 21 of the former Law Concerning the Japan External Trade Organization (Law No. 95 of 1958) pursuant to Article 5 of the Additional Provisions to loan out.

2. If JETRO executes the activities provided for in the preceding Paragraph 1, then reference to "Article 12" in Subparagraph (1), Article 19 of Chapter 5 shall be deemed to be "Article 12 and Paragraph 1, Article 3 of the Additional Provisions."

Article 4

Payment into National Treasury, etc.

1. JETRO shall make a payment into the National Treasury, pursuant to Cabinet Order, if such payment is deemed necessary by the Minister of Economy, Trade and Industry. The amount of such payment shall be the redeemed portion of outstanding loans (provided for in Paragraph 1, Article 3 of the Additional Provisions) less necessary operational funds for JETRO. Payment shall be made by the dates that such monies are redeemed.

2. The Minister of Economy, Trade and Industry may determine that JETRO shall pay into the National Treasury an amount derived from monies that the former JETRO deposited with private entities (limited to rights assumed by JETRO pursuant to

Paragraph 1, Article 2 of the Additional Provisions) between January 25, 1993 and March 30, 2001 for the lease of exhibition halls, and other facilities designated by Cabinet Order, to carry out import-promotion activities. The amount, which shall be the refunded portion of these outstanding deposits less necessary operational funds for JETRO, shall be paid into the National Treasury by March 31, 2008 pursuant to Cabinet Order.

3. The Minister of Economy, Trade and Industry shall consider the opinions of its IAA Evaluation Committee, as well as consult with the Minister of Finance, prior to determining the amounts of the payments provided for in the preceding Paragraphs 1 and 2.

4. In the event the payment(s) provided for in the preceding Paragraphs 1 and 2 of this Article 4 are made, JETRO shall decrease its capital by the equivalent amount(s).

Article 5

Repeal of Law Concerning the Japan External Trade Organization

The Law Concerning the Japan External Trade Organization (Law No. 95 of 1958) shall be repealed.

Article 6.

Interim Measures Pertaining to Repeal of Law Concerning the Japan External Trade Organization

Dispositions, proceedings and other actions carried out pursuant to the Law Concerning the Japan External Trade Organization (excluding Article 10 thereof) prior to its repeal pursuant to Article 5 of Additional Provisions, shall be deemed to have been carried out pursuant to the applicable provisions of the Law of the General Rules, or this Law.

Article 7.

Interim Measures Pertaining to Penalties

Penalties for actions taken prior to the date the provisions of Article 5 of these Additional Provisions are effective and for actions taken after the effective date of this Law that pertain to matters which shall be treated according to precedents as provided for in this Law, shall be imposed in accordance with precedents.

Article 8.

Delegation of Authority to Cabinet

Except as provided for in this Law, necessary interim measures concerning the establishment of JETRO and other matters necessary for implementation of this Law, shall be determined by Cabinet Order.

Additional Provisions (Law No. 130, June 23, 2004) (Extract)

Article 1.

Effective Date

This Law shall be effective on October 1, 2004; however, the provisions in each of the following items are effective as of the date provided in such item.

- (2) Article 2, Article 7, Article 10, Article 13 and Article 18, and Articles 9 through 15, Articles 28 through 36 and Articles 38 through 76 of these Additional Provisions
— April 1, 2005

Additional Provisions (Law No. 67, June 13, 2014) (Extract)

Article 1.

Effective Date

This law shall be effective on an effective date of the Law for *Partial Amendment* to the Law Concerning the General Rules of the Incorporated Administrative Agencies (Law No. 66 of 2014, hereinafter “Law for Amendment to the Law of the General Rules”), provided, however, that the provision in the following item shall become effective from the date specified in such item.

1. Provisions of Paragraph 2, Article 14, Article 18 and Article 30: Date of its promulgation

Article 28

Effect of Dispositions, etc.

Dispositions, procedures, or other actions that have been taken or should be taken before the day of enforcement of this Law, under the relevant laws (including orders thereunder) prior to the amendment by this Law, and that are stipulated by respective corresponding laws amended by this Law (including orders thereunder, collectively “New Laws”) shall be deemed dispositions, procedures, or other actions that have been taken or should be taken under the corresponding provisions of the New Laws, except as otherwise provided in laws (including Cabinet Orders thereunder).

Article 29

Interim Measures Pertaining to Penalties

Penalties for actions taken prior to the effective date of this Law and for actions taken after the effective date of this Law that pertain to matters that shall be treated according to precedents as provided for in this Additional Provisions, shall be imposed in accordance with the precedents.

Article 30

Delegation of Other Interim Measures to Cabinet Order

In addition to what is provided for from Article 3 to the immediately preceding Article in this Additional Provisions, necessary interim measures concerning the enforcement of this Law (including interim measures pertaining to penalties) shall be determined by Cabinet Order (matters subject to the jurisdiction of the National Personnel Authority shall be determined by Rules of the National Personnel Authority).