

Law on Implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Other Conventions

Enforced on June 8, 1982
Revised on December 16, 2001

(Purpose)

1. With a view to ensuring a appropriate and competent implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (hereinafter referred "Biological Weapons Convention"), and the International Convention for the Suppression of Terrorist Bombings, this Law aims to prohibit the production, retention, transfer and acquisition of biological and toxin weapons and to take measures to restrict acts of discharging biological agents and toxins.

(Definitions)

2. "Biological Agents" as referred in this Law mean the microorganisms which are capable of causing diseases or bringing death to the bodies of humans, animals or plants when reproducing in these bodies, or capable of producing toxins.

2-2. "Toxins" as referred in this Law mean the agents produced by living organisms which are capable of causing diseases or bringing death to the bodies of humans, animals or plants when being placed in these bodies, including materials synthesized artificially in such a manner that structural formula is the same as that of any toxin.

2-3. "Biological Weapons" as referred in this Law mean the weapons being used as means of exercising armed forces, which are filled with biological agents or living organisms carrying or mediating such agents.

2-4. "Toxin Weapons" as referred in this Law mean the weapons being used as means of exercising armed forces, which are filled with toxins.

(Basic Principle of Development of Biological Agent or Toxin)

3. Legitimate purposes for which developing, producing, retaining, stockpiling and acquiring biological agents or toxins ("Developments" as referred in Article 5 "Report Collection") are allowed shall be limited only to prophylactic, protective or other peaceful purposes.

3-2. Minister for Foreign Affairs and competent Ministers in the government shall be authorized to take appropriate measures so as to make the contents of the Biological Weapons Convention and this Law widely known.

(Prohibitions)

4. No person shall produce biological or toxin weapons

4-2. No person shall retain, transfer or acquire biological or toxin weapons.

(Report Collection)

5. Competent Ministers in the government shall be authorized to order persons engaged in handling biological agents or toxins to make necessary reports regarding their activities to the extent necessary for preventing the Developments of biological agents and toxins for any purpose whatsoever other than prophylactic, protective or other peaceful purposes.

5-2. Matters required under the preceding Paragraph shall be stipulated by Cabinet Order.

(Request for Cooperation by Minister for Foreign Affairs)

6. Minister for Foreign Affairs may request the heads of relevant administrative agencies to provide necessary materials, information or necessary cooperation in other forms, whenever the Minister deems it necessary for the implementation of the Biological Weapons Convention.

(Competent Ministers)

7. The competent Ministers under this Law shall be stipulated by Cabinet Order.

(Exclusion of Application to Government, etc.)

8. The provision of Article 5 ("Report Collection") shall not apply to the Government and local public entities.

(Penalties)

9. Persons who use biological or toxin weapons and discharge biological agents or toxins filled in the said biological or toxin weapons shall be liable to either imprisonment with labor for an indefinite period or for minimum two years, or maximum fine of ten million yen.

9-2. Persons who endanger human life, body or property by discharging unlawfully biological agents or toxins shall be liable to either imprisonment with labor for maximum ten years or maximum fine of five million yen.

9-3. Other charges and punishments shall be imposed on persons who attempted the crimes under the preceding two Paragraphs.

10. Persons who violate the provision of Article 4, Paragraph 1 shall be liable to either imprisonment with labor for a limit term of minimum one year or maximum fine of five million yen.

10-2. Persons who violate the provision of Article 4, Paragraph 2 shall be liable to either imprisonment with labor for minimum ten years or maximum fine of three million yen.

10-3. Other charges and punishments shall be imposed on persons who attempted the crimes under Paragraph 1 hereof.

11. Crimes committed under the Article 9 shall be subject to Article 4-2 of the Criminal Code (in 1907; Law No. 45).

12. Persons who fail to make reports or make false reports under Article 5, Paragraph 1 shall be liable to either imprisonment with labor for maximum one year or maximum fine of half a million yen.

13. In cases where either representatives of corporation, or agents, staff or employees of corporation commit crimes under Article 9 or violations under Article 10 or Article 12 relating to the businesses of such corporation or persons, charges and punishments shall be imposed on those who have committed such crimes or violations and moreover, the corporation or persons shall also be liable to a fine stipulated in each Article hereof.