JAPAN
Master
Tax
Guide
2011/12



9th Edition





Japan Master Tax Guide

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Proficient in English, Japanese and Chinese, Dr Darcy played an active part for many years within Japanese and US legal and business circles. He has published numerous articles in both Japanese and English on the subjects of international taxation and investment. Among the publications in which his articles have appeared are *TAXES: The Tax Magazine (CCH)*; *The CCH Journal of Asian Pacific Taxation* (for which he served as the United States national reporter for the "Tax Conference — In Print" feature); *Kokusai Zeimu* (International Taxation); *Major Tax Planning* and *East Asian Executive Reports*. He has also been a frequent speaker on international tax issues at tax law and bar association conferences.

Dr Darcy is a member of the Bar in the State of California, the District of Columbia and the United States Tax Court. His educational background includes a BA in East Asian Languages from Indiana University in 1970, a Master of Science in Accounting from San Francisco State University in 1980, an MBA in Taxation from Golden Gate University in 1980, a JD (*magna cum laude*) from the University of San Francisco School of Law in 1987 and a PhD from the University of Oklahoma in 2002.

PREFACE

Japan Master Tax Guide 2011/2012 is a handy and comprehensive reference on Japanese tax rules. It is designed to be used by businesses and individuals subject to Japanese taxes and tax professionals who deal with Japanese tax issues.

This ninth edition of the *Japan Master Tax Guide (2011/2012)* has been updated to reflect the legislation promulgated through 30 June 2011, including:

- 1 東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律 *Special Tax Law for those Affected by the Great Eastern Japan Earthquake*, Law No 29 of 2011, 27 April 2011.
- 2 現下の厳しい経済状況及び雇用情勢に対応して税制の整備を図るための所得税法等の一部を改正する法律
 Law to Revise the Income Tax, etc., in Order to Develop a Tax System to Address
 the Current Severe Economic Circumstances and Employment Conditions, Law No
 82 of 2011, 30 June 2011.
- 3 経済社会の構造の変化に対応した税制の構築を図るための所得税法等の一部を改正する法律
 Law to Revise the Income Tax, etc., in Order to Construct a Tax System Addressing Changes in the Socio-Economic Structure, approved by the Japanese House of Representatives on 10 June 2011.

The first and second of these legislative bills were approved by the Diet during the originally scheduled 2011 regular legislative session ending on 22 June 2011. The 2011 regular legislative session has been extended 70 days, through the end of August 2011.

The bill promulgated on 27 April 2011 (Law No. 29 of 2011) consists of emergency tax legislation addressing issues arising out of the Great Eastern Japan Earthquake. The bill promulgated on 30 June 2011 (Law No 82 of 2011) consists of the fast-track legislative items taken from the originally proposed 2011 Tax Reform Act(所得税法等の一部を改正する法律案) submitted to the Diet on 25 January 2011. The remaining bill, approved by the House of Representatives on 10 June 2011, consists of the remaining items from the original 2011 Proposed Tax Reform Act that will be considered during the extended legislative session along with other major tax reform proposals, including a plan to increase the rate of the Consumption Tax. Items from the third bill, which have not been approved by the Diet during the originally scheduled Diet session, are identified in the text of this edition of the *Japan Master Tax Guide* as proposed legislation.

Readers interested in a more intensive, detailed analysis of Japanese transactions may consult the companion volumes to the *Japan Master Tax Guide*:

- CCH Tax Planning and Compliance in Japan
- CCH Japan-US International Tax Transactions
- CCH Transfer Pricing in Japan
- CCH Fundamentals of Transfer Pricing in Japan

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The CCH Master Tax Guide series began with the US Master Tax Guide, which is currently in its 94th edition. CCH Asia is proud to provide the Japanese edition of this industry-standard series.

John Darcy June 2011

GLOSSARY ENGLISH — JAPANESE

English	Japanese	Kanji
Absolute Acceptance	Tanjun Shonin	単純承認
Acceptance and Renunciation of Succession	Sozoku No Shonin Oyobi Hoki	相続の承認及び放棄
Act on Securitisation of Assets	Shizan Ho Ryudoka Ni Kansuru Ho	資産の流動にかんす る法
Additional Corrections	Saikosei	再更正
Administrative Assessment Determination Notification Form	Fukakettei Tsuchisho	賦課決定通知書
Administrative Litigation Law	Gyosei Jiken Sosho Ho	行政事件訴訟法
Administrative Review	Fufuku Mo Shitate	不服申立
Advance Demand	Kuriage Seikyusho	繰上請求書
Advance Ruling System	Jizen Shokai	事前照会
Affiliated Shareholder Group	Dozoku Kabunushi Gurupu	同族株主グループ
After	Ato	後
Aggregate Assessment Income Taxation	Shinkoku Shotokuzei	申告所得税
Aggregate Assessment Taxation	Sogokazei	総合課税
Amalgamation by Incorporating a New Corporation	Shinsetsu Gappei	新設合併
Amended Return	Shusei Shinkoku	修正申告
Amortisation of Deferred Assets	Kurinobeshisan No Shokyakuhi	繰延資産の償却費
Anonymous Association	Tokumei Kumiai	匿名組合
Appeal	Fufuku Moshitate	不服申立て
Appeals	Koso	控訴
Appeal Suit	Kokoku Sosho	抗告訴訟
Appraisal Gains	Hyokaeki	評価益
Appraisal Loss	Shisan No Hyokason	資産の評価損
Approval Fees	Shodakuryo	承諾料
· Arm's Length Price	Dokuritsu Kigyokan Kakaku	独立企業間価格

English	Japanese	Kanji
Assessing the Amount of Tax to be Paid	Nofu Subeki Zeigaku No Kakutei	納付すべき税額の確 定
Assessment	Kakutei	確定
Assessment by Determination	Kettei	決定
Association	Shadan	社団
Automatic Assessment	Jido Kakutei	自動確定
Aviation Fuel Tax	Kokukinenryozei	航空機燃料税
Aviation Fuel Tax (SA)	Kokukinenryozei (Toku)	航空機燃料税(特)
Bank of Japan Note Issue Tax	Nihonginkoken Hakkozei	日本銀行券発行税
Base of One's Living	Seikatsu No Honkyo	生活の本拠
Base Period	Kijun Kikan	基準期間
Basic Deduction	Kiso Kojo	基礎控除
Basic Exemption	Isan Ni Kakaru Kiso Kojo	遺産に係る基礎控除
Before	Sen	前
Beneficiary	Juekisha	受益者
Block Registration System	Ikkatsu Toroku	一括登録
Blue Tax Return	Aoiro Shinkoku	青色申告
Bond Investment Trusts	Koshasai Toshi Shintaku	公社債投資信託
Bonuses	Shoyo	賞与
Book-Entry Corporate Bonds	Furikae Shasai	振替社債
Book-Entry Local Government Bonds	Furikae Chihosai	振替地方債
Bourse Tax	Torihikijozei	取引所税
Business Income	Jigyo Shotoku	事業所得
Business Office Tax	Kigyojo Zei	企業所税
Business Succession Tax System	Jigyo Shokei Zeisei	事業承継税制
Cabinet Orders	Seirei	政令
Calculation of the Gift Tax	Zoyozei No Zeigaku	贈与税の税額
Calculation of Time	Kikan No Keisan	期間の計算
Capital Gains	Joto Shotoku	譲渡所得
Carryover of Losses	Kurikoshi Kesson Kin	繰越欠損金
Child Allowance	Kodomo Teate	子ども手当
Chukan Hojin Law	Chukan Hojin Ho	中間法人法
Cities, Towns and Villages	Shichoson	市町村
City Planning Law	Toshi Keikaku Ho	都市計画法
City Planning Tax	Toshi Keikaku Zei	都市計画税
Civil Code	Minpo	民法

English	Japanese	Kanji
Civil Code Association	Nin-I Kumiai	任意組合
Civil Code Association Contract	Minpo Kumiai Keiyaku	民法組合契約
Claim for Correction	Kosei No Seikyu	更正の請求
Classification of Individuals in Japan under the <i>Immigration Law</i>	Zairyu Shikaku	在留資格
Code of Criminal Procedures	Keijisoshoho	刑事訴訟法
Collection of National Taxes	Kokuzei No Choshu	国税の徴収
Collection Procedures	Choshu	徴収
Commercial Code	Sho Ho	商法
Commercial Code Anonymous Association	Tokumei Kumiai	匿名組合
Commuter Allowance	Tsukin Teate	通勤手当
Company Law	Kaisha Ho	会社法
Company Representative	Daihyosha	代表者
Company Type Investment Trusts	Kaishagata Toshi Shintaku	会社型投資信託
Comparable Uncontrolled Price Method	Dokuritsu Kakaku Hijunho	独立価格批准法
Consolidated Tax System	Renketsu Nozei Seido	連結納税制度
Consumption Tax	Shohizei	消費税
Consumption Tax Law	Shohizei Ho	消費税法
Contract Type Investment Trusts	Keiyakugata Toshi Shintaku	契約型投資信託
Conversion of Seized Property to Cash	Kanka	換価
Cooperatives	Kyodo Kumiai	協同組合
Coordination Division of the District Tax Office	Somuka	総務課
Coordination Law (Law Concerning Coordination, etc of Related Laws in Connection with the Enforcement of the Company Law)	Seibi Ho (Kaisha Ho No Shiko Ni Tomonau Kankei Horitsu No Seibi Nado Ni Kansuru Horitsu)	整備法(会社法の施 行に伴う関係法律の 整備などに関する法 律)
Corporate Taxation Trusts	Hojin Kazei Shintaku	法人課税信託
Corporate Tax Law Enforcement Orders	Hojinzei Ho Shikorei	法人税法施行令
Corporate Tax Law Enforcement Regulations	Hojinzei Ho Shikokisoku	法人税法施行規則
Corporation Tax	Hojinzei	法人税

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English	Japanese	Kanji
Corporation Tax Group of the District Tax Office	Hojin-Kazei Bumon	法人課税部門
Corporation Tax Law	Hojinzei Ho	法人税法
Corporation Tax Law Basic Circulars	Hojinzei Kihon Tsutatsu	法人税基本通達
Corporation Tax Law Separate Circulars	Hojinzei Kohetsu Tsutatsu	法人税個別通達
Corporations	Hojin	法人
Correction	Kosei	更正
Correction Notification Form	Kosei Tsuchisho	更正通知書
Cost Plus Method	Genka Kijunho	原価基準法
Cost to Rebuild the Building	Saikenchiku Kakaku Hoshiki	再建築価格方式
Costs of Delinquency Proceedings	Taino Shobunhi	滞納処分費
Covered Warrant	Kaba-Do Waranto	カバードワラント
Credit for a Handicapped Person	Shogaisha Kojo	障害者控除
Credit for Increase in Experimentation and Research	Shiken Kenkyuhi No Gaku Ga Zoka Shita Bai Nado No Hojinzeigaku No Tokubutsu Kojo	試験研究費の額が増 加した場合等の法人 税額の特別控除
Credit for a Minor Child	Miseinensha Kojo	未成年者控除
Credit for Multiple Successions	Aitsu Sozoku Kojo	相次相続控除
Credit for Overpayment of Tax Due to Disguised Accounting	Kaso Keiri Nimotodzuko Kadai Shinkoku No Bai No Kosei Ni Tomonauhojin Zeigaku No Kojo	仮装経理に基づく過 大申告の場合の更正 に伴う法人税額の控 除
Credit for Taxable Purchases	Shiire Ni Kakaru Shohizeigaku No Kojo	仕入れに係る消費税 の控除
Criminal Tax Penalties	Sozei Bassoku	租税罰則
Crude Oil Custom Duty, etc (SA)	Sekiyunadokanzei (Toku)	原油等関税(特)
Custom Duty	Kanzei	関税
Customs Law	Kanzeiho	関税法
Customs Tariff Law	Kanzei Teiritsu Ho	関税定率法
Deadline to Pay Tax	Hotei Nokigen	法定納期限
Declining Balance Method	Teiritsuho	定率法
Decrease in Tax Obligation	Gengaku Kosei	減額更正
Deductible Expenses	Sonkin No Gaku	損金の額

English	Japanese	Kanji
Deduction for a Handicapped Person	Shogaisha Kojo	障害者控除
Deduction for a Widow or Widower	Kafukojo	寡婦(夫)控除
Deduction for a Working Student	Rodogakusei Kojo	労働学生控除
Deduction for an Aged Person	Ronensha Kojo	老年者控除
Deduction for Casualty Losses	Zassonkojo	雑損控除
Deduction for Contributions or Donations	Kifukin Kojo	寄付金控除
Deduction for Debts	Saimu Kojo	債務控除
Deduction for Dependants	Fuyo Kojo	扶養控除
Deduction for Fire and Other Casualty Insurance Premiums	Songaihokenryo Kojo	損害保険料控除
Deduction for Medical Expenses	Iryokojo	医療控除
Deduction for Small-Scale Enterprise Mutual Aid Premiums	Shokibokigyo Kyosai Nado Kakekin Kojo	小規模企業共済など 掛金控除
Deduction for Social Insurance Premiums	Shakai Hokenryokojo	社会保険料控除
Deduction for Spouse	Haigusha Kojo	配偶者控除
Deductions	Kojo	控除
Deductions for Income	Shunyu Kara Sashihikikareru Kingaku	収入から差引きかれ る金額
Deductions from Income	Shotoku Kara Sashihikikareru Kingaku	所得から差引きかれ る金額
Deductions from Income	Shotoku Kojo	所得控除
Deductions from Tax (Tax Credits)	Zeikin Kara Sashihikikareru Kingaku	税金から差し引きか れる金額
Deemed Contribution	Minashi Kifu	みなし寄付
Deferred Gain and Reduced Basis Transactions	Asshuku Kicho	圧縮記帳
Deferred Tax for Prior Acquisition Transactions Involving Land	Tochi No Senko Shutoku	土地等の先行取得
Deferred Tax Payment	Enno	延納
Defined Contribution Plan	Kakutei Kyoshutsu Nenkin	確定拠出年金
Delinquency Proceedings	Taino Shobun	滞納処分
Delinquency Tax	Entaizei	延滞税
Delinquent Taxpayer	Tainosha	滞納者

English	Japanese	Kanji
Delivery by Notification	Koshiki Sotatsu	公式送達
Delivery of Documents	Shorui No Sotatsu	書類の送達
Demand (for Payment of Tax)	Tokusoku	督促
Demand for Delivery	Kofu Yokyu	交付要求
Demand Notice	Tokusokujo	督促状
Deposits	Shikikin	敷金
Designated Investment Corporations	Tokutei Toshi Hojin	特定投資法人
Designated Non-Profit Activities Promotion Law	Tokutei Hieiri Katsudo Sokushin Ho	特定非営利活動促進 法
Designated Non-Profit Organisation	Nintei NPO	認定 NPO 法人
Determination	Kettei	決定
Determination Notification Form	Kettei Tsuchisho	決定通知書
Distribution	Haito	配当
Distributions to Stockholders of Income	Rieki No Haito	利益の配当
District Courts	Chiho Saibansho	地方裁判所
District Tax Offices	Zeimusho	税務署
Dividends Credit	Haito Kojo	配当控除
Dividend Income	Haito Shotoku	配当所得
Dividend Return Method	Haito Kangen Hoshiki	配当還元方式
Dividends Received	Uketorihaito	受取配当
Document of Participatory Seizure	Sanka Sashiosaesho	参加差押え書
Domestic Transactions	Kokunai Torihiki	国内取引
Domicile	Jusho	住所
Donations	Kifu	寄付
Downpayments	Atamakin	頭金
Elective Separate Assessment Taxation for Dividends	Haito Shotoku No Shinkoku Bunri Sentaku Kazei	配当所得の申告分離 選択課税
Employment Income	Kyuyo Shotoku	給与所得
Employment Income Deduction	Kyuyo Shotoku Kojo	給与所得控除
Enforcement Orders	Shikorei	施行令
Enforcement Regulations	Shikokisoku	施行規則
Enterprise Tax	Jigyo Zei	事業税
Entertainment Expense	Kosaihi	交際費

English	Japanese	Kanji
Estimation Assessment	Suikei Kazei	推計課税
Excess Retained Earnings	Ryuho Kingaku	留保金額
Exempt Enterprises	Menzei Jigyosha	免税事業者
Exempt Transactions	Menzei Torihiki	免税取引
Expenses	Sonkin	損金
Extension of Tax Obligations to Others	Nozeigimu No Kakucho	納税義務の拡張
Factor-Based Enterprise Tax for Large Corporations	Gaikei Hyoujun Kazei	外形標準課税
Family Corporations	Dozoku Kaisha	同族会社
Final Appeal	Jokoku	
Final Income Tax Return for the Calendar Year	Shotokuzei No Kakutei Shinkokusho	所得税の確定申告書
Final Tax Return	Kakutei Shinkoku	確定申告
Fixed Assets Tax	Kotei Shisan Zei	固定資産税
Fixed Rate Tax Reduction	Teiritsu Genzei	定率減税
Foreign Corporations	Gaikoku Hojin	外国法人
Foreign Currency Deposits	Gaika Yochokin	外貨預貯金
Foreign Partnerships	Gaikoku Patonashippu	外国パートナーシッ プ
Foreign Related Person	Gaikoku Kanrensha	外国関連者
Foreign Related Transaction	Kokugai Kanren Torihiki	国外関連取引
Foreign Tax Credit	Gaikokuo Zeigaku Kojo	外国税額控除
Forestry Income Amount	Sanrin Shotoku Kingaku	山林所得金額
Foundation	Zaidan	財団
Gasoline Tax	Kihatsuyuzei	揮発油税
Gasoline Tax (SA)	Kihatsuyuzei (Toku)	揮発油税(特)
General Incorporated Association	Ippan Shadan Hojin	一般社団法人
General Incorporated Foundation	Ippan Zaidan Hojin	一般財団法人
General Law of National Tax	Kokuzei Tsusoku Ho	国税通則法
General Law Concerning National Tax Procedures and Taxpayers' Rights and Duties	Kokuzei Ni Kansuru Kyotsutekina Tetsudzuki Narabini Nozeisha No Kenri Oyobi Gimu Nikansuru Horitsu	国税に係る共通的な 手続 並 びに納税者の 権利及び義務に関す る法律
General Law of National Tax	Kokuzei Tsusoku Ho	国税通則法
Gift Income	Juzoeki	受贈益
Gift Tax	Zoyozei	贈与税

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English	Japanese	Kanji
Gift Tax Credit	Zoyozeigaku Kojo	贈与税額控除
Gift Tax Settlement at Time of Inheritance	Sozokuji Seisan Kazei	相続時精算課税
Gift Tax Taxable Amount	Zoyozei No Kazei Kakaku	贈与税の課税価格
Grace Period for Payment of Taxes	Yuyo	猶予
Gross Revenues	Ekikin No Gaku	益金の額
Guarantee Money	Hoshokin	保証金
Head Office	Honten	本店
High Courts	Koto Saibansho	高等裁判所
Hotel Tax	Shukuhakuzei	宿泊税
Hunting Tax	Shuryozei	狩猟税
Income	Shueki	収益
Income Averaging for Fluctuating or Extraordinary Income	Hendo Shotoku Oyobi Rinji Shotoku	変動所得および臨時 所得
Income from Payments in Kind	Genbutsu Kyuyo	現物給与
Income Tax	Shotokuzei	所得税
Income Tax Credits	Zeigaku Kojo	税額控除
Income Tax Law	Shotokuzei Ho	所得税法
Income Tax Law Basic Circulars	Shotokuzei Kihon Tsutatsu	所得税法基本通達
Income Tax Law Enforcement Orders	Shotokuzei Ho Shikorei	所得税法施行令
Income Tax Law Enforcement Regulations	Shotokuzei Ho Shikokisoku	所得税法施行規則
Income Tax Law Separate Circulars	Shotokuzei Kobetsu Tsutatsu	所得税法個別通達
Income Tax Treaties	Sozei Joyaku	租税条約
Income Tax Withholding	Gensen Choshu	源泉徴収義務
Income Taxes Distributed to Local Governments	Shotokuzei (Joyobun)	所得税(譲与分)
Incorporated Associations	Shadan Hojin	社団法人
Increase in Tax Obligation	Zogaku Kosei	増額更正
Indirect Tax	Kansetsuzei	間接税等
Individual (Taxpayers)	Kojin	個人
Individual Net Taxable Amount	Kakujin No Kazei Kakaku	各人の課税価格

English	Japanese	Kanji
Individual Net Taxable Amounts of Inheritance Tax	Kakujin No Kazei Kakaku	各人の課税価格
Individual Taxes Group of the District Tax Office	Kojin-Kazei Bumon	個人課税部門
Inheritance Tax	Sozoku Zei	相続税
Inheritance Tax Surtax	Sozokuzeigaku No Kasan	相続税額の加算
Instalment, Payment of a Fixed Amount	Kakekin	掛金
Instalment Sales	Choki Kappu Hanbai	長期割賦販売
Instalment Savings Contracts	Teiki Tsumikin	定期積立金
Interest Income	Rishi Shotoku	利子所得
Interest Tax	Rishizei	利子税
Interim Tax Returns	Chukan Shinkoku	中間申告
Investment Business Limited Partnerships	Toshi Jigyo Yugen Sekinin Kumiai	投資事業有限責任組 合
Investment Company	Toshi Hojinn	投資法人
Investment in Trusts	Shintaku Kingaku	信託金額
Investment Trusts	Toshi Shintaku	投資信託
Investment Trusts and Investment Companies Law	Toshishintaku Oyobi Toshihojin Ni Kansuru Horitsu	投資信託及び投資法 人に関する法律
Japanese Domestic Corporations	Naikoku Hojin	内国法人
Japanese National Government Bonds	Kokusai	国債
Japanese Source Income	Kokunai Gensen Shotoku	国内源泉所得
Joint Investment Trusts	shudan toshi shintaku	集団投資信託
Joint Operation Trusts	Godo Unyo Shintaku	合同運用信託
Joint Stock Companies	Kabushiki Kaisha	株式会社
Joint Tax Liability	Rentai Nozei Gimu	連带納税義務
Judicial Decisions	Senketsurei	先決例
Land Readjustment Law	Tochi Kukaku Seiri Ho	土地区画整理法
Land Value Tax	Chikazei	地価税
Large Company	Dai Kaisha	大会社
Law of Civil Procedure	Minji Sosho Ho	民事訴訟法
Law of Investment Trusts and Investment Companies	Shoken Toshishintaku Oyobi Shoken Toshihojin Ni Kansuru Horitsu	証券投資信託及び証 券投資法人に関する 法律