

商品取引所法施行令

Order for Enforcement of the Commodity Exchange Act

(昭和二十五年八月三十一日政令第二百八十号)
(Cabinet Order No. 280 of August 31, 1950)

内閣は、商品取引所法（昭和二十五年法律第二百三十九号）の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order based on the provisions of the Commodity Exchange Act (Act No. 239 of 1950).

(商品の指定)

(Specification of Commodities)

第一条 商品取引所法（以下「法」という。）第二条第四項第一号の政令で定めるものは、次に掲げる物品とする。

Article 1 (1) The goods specified by a Cabinet Order as set forth in Article 2, paragraph (4), item (i) of the Commodity Exchange Act (hereinafter referred to as the "Act") shall be the following goods:

一 牛

(i) Cattle/cow

二 豚

(ii) Swine

三 なたね

(iii) Rapeseed

四 亜麻の種

(iv) Flaxseed

五 木材

(v) Wood

六 天然ゴム

(vi) Natural rubber

七 綿花

(vii) Raw cotton

八 綿糸

(viii) Cotton yarn

九 乾繭

(ix) Dried cocoon

十 生糸

(x) Raw silk

十一 羊毛

(xi) Fleece

十二 毛糸

(xii) Wool yarn

十三 ステープルファイバー糸

(xiii) Staple-fiber yarn

十四 飼料

(xiv) Feed

2 法第二条第四項第二号の政令で定める鉱物は、次に掲げる物品とする。

(2) Minerals specified by a Cabinet Order as set forth in Article 2, paragraph (4), item (ii) of the Act shall be the following goods:

一 リチウム鉱

(i) Lithium ore

二 ベリリウム鉱

(ii) Beryllium ore

三 ホウ素鉱

(iii) Boron ore

四 マグネシウム鉱

(iv) Magnesium ore

五 アルミニウム鉱

(v) Aluminum ore

六 希土類金属鉱

(vi) Rare earth metal ore

七 チタン鉱

(vii) Titanium ore

八 バナジウム鉱

(viii) Vanadium ore

九 ガリウム鉱

(ix) Gallium ore

十 ゲルマニウム鉱

(x) Germanium ore

十一 セレン鉱

(xi) Selenium ore

十二 ルビジウム鉱

(xii) Rubidium ore

十三 ストロンチウム鉱

(xiii) Strontium ore

十四 ジルコニウム鉱

(xiv) Zirconium ore

十五 ニオブ鉱

(xv) Niobium ore

十六 白金属鉱

- (xvi) Platinum metal ore
十七 カドミウム鉱
(xvii) Cadmium ore
十八 インジウム鉱
(xviii) Indium ore
十九 テルル鉱
(xix) Tellurium ore
二十 セシウム鉱
(xx) Cesium ore
二十一 バリウム鉱
(xxi) Barium ore
二十二 ハフニウム鉱
(xxii) Hafnium ore
二十三 タンタル鉱
(xxiii) Tantalum ore
二十四 レニウム鉱
(xxiv) Rhenium ore
二十五 タリウム鉱
(xxv) Thallium ore
二十六 貴石
(xxvi) Precious stone
二十七 半貴石
(xxvii) Semiprecious stone
二十八 ベントナイト
(xxviii) Bentonite
二十九 酸性白土
(xxix) Acid clay
三十 けいそう土
(xxx) Diatomaceous earth
三十一 陶石
(xxxi) Pottery stone
三十二 雲母
(xxxii) Mica
三十三 ひる石
(xxxiii) Vermiculite

(書面に記載すべき事項等の電磁的方法による提供の承諾等)

(Consent, etc. to Providing Matters to be Included in Documents by an
Electromagnetic Means)

第一条の二 次に掲げる規定に規定する事項を電磁的方法（法第十二条第四項に規定する電磁的方法をいう。以下同じ。）により提供しようとする者（次項において「提供

者」という。)は、主務省令で定めるところにより、あらかじめ、当該事項の提供の相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 1-2 (1) A person who intends to provide matters prescribed in the following provisions by an Electromagnetic Means (which means the Electromagnetic Means prescribed in Article 12, paragraph (4) of the Act; the same shall apply hereinafter) (such person shall be referred to as a "Provider" in the following paragraph) shall inform the other party to whom said matters are to be provided of the type and contents of the Electromagnetic Means which he/she intends to use and gain such party's consent in writing or by an Electromagnetic Means, in advance, pursuant to the provisions of an ordinance of the competent ministry:

一 法第十二条第四項

(i) Article 12, paragraph (4) of the Act

二 法第百三十条第三項

(ii) Article 130, paragraph (3) of the Act

2 前項の規定による承諾を得た提供者は、同項の相手方から書面又は電磁的方法により電磁的方法による事項の提供を受けない旨の申出があつたときは、当該相手方に対し、当該事項の提供を電磁的方法によつてしてはならない。ただし、当該相手方が再び同項の規定による承諾をした場合は、この限りでない。

(2) A Provider who has gained the consent under the provisions of the preceding paragraph shall not provide said matters to said other party by an Electromagnetic Means when the other party set forth in the same paragraph has stated in writing or by an Electromagnetic Means that he/she would not accept the provision of the matters by an Electromagnetic Means; provided, however, that this shall not apply when said other party has also given his/her consent under the same paragraph at another time.

(設立の許可等の基準)

(Criteria for Permission for Establishment, etc.)

第二条 法第十五条第一項第二号の政令で定める基準は、申請に係る上場商品に係る商品市場の会員になろうとする者のうち一年以上継続して当該上場商品に係る上場商品構成物品の売買等を業として行っているものの過半数が当該上場商品の大部分の種類
の売買等を業として行っている者であることとする。

Article 2 (1) The criteria specified by a Cabinet Order as set forth in Article 15, paragraph (1), item (ii) of the Act shall be that a majority of those persons who intend to become members of a Commodity Market pertaining to a Listed Commodity concerning the application and who have, in the course of trade, engaged in the Buying and Selling, etc. of the Listed Commodity Component Products pertaining to said Listed Commodity for one year or more on a continuous basis are persons who have, in the course of trade, engaged in the

Buying and Selling, etc. of the majority of the types of said Listed Commodity.

2 前項の規定は、法第八十条第一項第四号の政令で定める基準について準用する。この場合において、前項中「会員」とあるのは、「取引参加者」と読み替えるものとする。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to criteria specified by a Cabinet Order as set forth in Article 80, paragraph (1), item (iv) of the Act. In this case, the term "a member" in the preceding paragraph shall be deemed to be replaced with "a Trading Participant."

3 第一項の規定は、法第一百四十六条第一項第三号の政令で定める基準について準用する。この場合において、第一項中「会員」とあるのは、「会員等」と読み替えるものとする。

(3) The provisions of paragraph (1) shall apply mutatis mutandis to criteria specified by a Cabinet Order as set forth in Article 146, paragraph (1), item (iii) of the Act. In this case, the term "a member" in paragraph (1) shall be deemed to be replaced with "a Member, etc."

(会員の資格の要件)

(Requirements for Membership Qualification)

第三条 法第三十条第一項第三号の政令で定める要件は、次の各号のいずれかに該当することとする。

Article 3 Requirements specified by a Cabinet Order as set forth in Article 30, paragraph (1), item (iii) of the Act shall be that a person falls under any of the following items:

一 商品市場に相当する外国の市場において先物取引に類似する取引を行うことの委託を受け、又はその媒介、取次ぎ若しくは代理を引き受ける業務を営むことについて当該外国において法第一百九十条第一項の規定による許可に相当する当該外国の法令の規定による同種の許可（当該許可に類する登録その他の行政処分を含む。）を受けている者であること。

(i) The person has accepted consignment of transactions similar to Futures Transactions on a market in a foreign state equivalent to a Commodity Market, or have obtained the same type of license in said foreign state under the provisions of the laws and regulations of said foreign state equivalent to a license under Article 190, paragraph (1) of the Act, with regard to engaging in business as an introducing broker, intermediary, or agent for said transactions (such license includes registration and other administrative dispositions similar to said license)

二 当該商品取引所の上場商品構成物品等について店頭商品先物取引を営業として行うことについて法第三百四十九条第二項の規定による届出をした者であること。

(ii) The person has given notification under Article 349, paragraph (2) of the Act that he/she intends to engage in Over-the-Counter Commodity Futures Transactions as business with regard to the Listed Commodity Component

Products, etc. of said Commodity Exchange.

三 次のいずれかに該当する者であること。

(iii) The person falls under any of the following categories:

イ 銀行

(a) Banks

ロ 金融商品取引法（昭和二十三年法律第二十五号）第二条第九項に規定する金融商品取引業者（同法第二十八条第一項に規定する第一種金融商品取引業を行う者に限る。）

(b) The Financial Instruments Business Operators prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (limited to those engaged in Type I Financial Instruments Business prescribed in Article 28, paragraph (1) of the same Act)

ハ 株式会社商工組合中央金庫

(c) The Shoko Chukin Bank

ニ 株式会社日本政策投資銀行

(d) Development Bank of Japan Inc.

ホ 信用金庫及び信用金庫連合会

(e) Shinkin banks and the Shinkin Bank Association

ヘ 信用協同組合及び中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会

(f) Credit cooperatives and cooperative associations which carry out business set forth in Article 9-9, paragraph (1), item (i) of the Small and Medium Enterprises, etc. Cooperative Act (Act No. 181 of 1949)

ト 労働金庫及び労働金庫連合会

(g) Labor banks and the Rokinren Bank

チ 農林中央金庫

(h) The Norinchukin Bank

リ 農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合及び農業協同組合連合会

(i) Agricultural cooperatives and federations of agricultural cooperatives which engage in business set forth in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947)

ヌ 保険会社及び保険業法（平成七年法律第百五号）第二条第七項に規定する外国保険会社等

(j) Insurance companies and foreign insurance companies, etc. prescribed in Article 2, paragraph (7) of the Insurance Business Act (Act No. 105 of 1995)

ル 商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第四項に規定する商品投資顧問業者

(k) Commodities investment advisors prescribed in Article 2, paragraph (4) of the Act on Regulation of Business Pertaining to Commodity Investment

(Act No. 66 of 1991)

(会員総会の招集の通知に係る電磁的方法)

(Electromagnetic Means pertaining to a Notice of Convocation of a General Meeting of Members)

第四条 会員総会を招集する者は、法第五十九条第十項の規定により電磁的方法による招集の通知を発しようとするときは、主務省令で定めるところにより、あらかじめ、当該会員に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 4 (1) When a person who intends to convene a general meeting of members wishes to issue a notice of convocation by an Electromagnetic Means pursuant to the provisions of Article 59, paragraph (10) of the Act, he/she shall inform the members of the type and contents of the Electromagnetic Means which he/she intends to use and gain their consent in writing or by an Electromagnetic Means, in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た会員総会を招集する者は、当該会員から書面又は電磁的方法により電磁的方法による招集の通知を受けない旨の申出があつたときは、当該会員に対し、招集の通知を電磁的方法によつてしてはならない。ただし、当該会員が再び同項の規定による承諾をした場合は、この限りでない。

(2) A person convening a general meeting of members who has gained the consent under the provisions of the preceding paragraph shall not issue a notice of convocation to said members by an Electromagnetic Means when any of said members has stated in writing or by an Electromagnetic Means that he/she would not accept a notice of convocation by an Electromagnetic Means; provided, however, that this shall not apply when said member has also given his/her consent under the same paragraph at another time.

(会員商品取引所の清算人について準用する法及び会社法の規定の読替え)

(Replacement of Terms of the Provisions of the Act and the Companies Act as Applied Mutatis Mutandis to a Liquidator of a Member Commodity Exchange)

第四条の二 法第七十七条第二項の規定により会員商品取引所の清算人について法第五十五条第一項の規定を準用する場合においては、同項中「会員商品取引所の役員」とあるのは「会員商品取引所の清算人」と、「他の商品取引所の役員」とあるのは「他の商品取引所の役員又は清算人」と読み替えるものとする。

Article 4-2 (1) In the case where the provisions of Article 55, paragraph (1) of the Act are applied mutatis mutandis to a liquidator of a Member Commodity Exchange pursuant to the provisions of Article 77, paragraph (2) of the Act, "An officer of a Member Commodity Exchange" in the same paragraph shall be deemed to be replaced with "a liquidator of a Member Commodity Exchange,"

and "an officer of another Commodity Exchange" shall be deemed to be replaced with "an officer or a liquidator of the other Commodity Exchange."

2 法第七十七条第二項の規定により会員商品取引所の清算人について会社法（平成十七年法律第八十六号）第四百三十条の規定を準用する場合には、同条中「役員等が」とあるのは「会員商品取引所の清算人が」と、「他の役員等」とあるのは「監事」と読み替えるものとする。

(2) In the case where the provisions of Article 430 of the Companies Act (Act No. 86 of 2005) are applied mutatis mutandis to a liquidator of a Member Commodity Exchange pursuant to the provisions of Article 77, paragraph (2) of the Act, "an officer, etc." in the same paragraph shall be deemed to be replaced with "a liquidator of a Member Commodity Exchange," and "other officers, etc." shall be deemed to be replaced with "an auditor."

(株式会社商品取引所の最低資本金の額)

(Amount of Minimum Capital for an Incorporated Commodity Exchange)

第五条 法第八十条第一項第一号の政令で定める金額は、十億円とする。

Article 5 The amount specified by a Cabinet Order as set forth in Article 80, paragraph (1), item (i) of the Act shall be 1 billion yen.

(取引参加者の資格の要件)

(Requirements for Qualification for a Trading Participant)

第六条 法第八十二条第一項第一号ハ及び第二号ハの政令で定める要件は、次の各号のいずれかに該当することとする。

Article 6 Requirements specified by a Cabinet Order as set forth in Article 82, paragraph (1), item (i) (c) and item (ii) (c) of the Act shall be that the person falls under any of the following items:

一 第三条第一号に掲げる要件に該当する者であること。

(i) The person falls under the requirements set forth in Article 3, item (i).

二 当該商品市場における上場商品構成物品等について店頭商品先物取引を営業として行うことについて法第三百四十九条第二項の規定による届出をした者であること。

(ii) The person has notified pursuant to the provisions of Article 349, paragraph (2) of the Act that he/she intends to engage in Over-the-Counter Commodity Futures Transactions as business with regard to Listed Commodity Component Products, etc. on said Commodity Market.

三 第三条第三号イからルまでのいずれかに該当する者であること。

(iii) The person falls under any category of the persons in Article 3, item (iii) (a) to (k) inclusive.

(特別の関係)

(Special Relationship)

第七条 法第八十六条第三項第二号の政令で定める特別の関係は、次に掲げる関係とす

る。

Article 7 (1) A special relationship specified by a Cabinet Order as set forth in Article 86, paragraph (3), item (ii) of the Act shall be as follows:

一 共同で株式会社商品取引所の対象議決権を取得し、若しくは保有し、又は当該株式会社商品取引所の対象議決権を行使することを合意している者（以下この条において「共同保有者」という。）の関係

(i) Relationship of a person who jointly has acquired or holds Subject Voting Rights of an Incorporated Commodity Exchange, or has agreed to exercise Subject Voting Rights of said Incorporated Commodity Exchange (hereinafter such a person shall be referred to as a "Joint Holder" in this Article)

二 夫婦の関係

(ii) Relationship of husband and wife

三 法人の総株主等（総株主、総社員又は総出資者をいう。以下この条及び第十九条第二号において同じ。）の議決権（株式会社にあつては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。以下この条及び第十九条第二号において同じ。）の百分の五十を超える議決権（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第四百七十七条第一項又は第四百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している者（以下この条において「支配株主等」という。）と当該法人（以下この条において「被支配法人」という。）との関係

(iii) Relationship between a person who holds voting rights (including the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) [including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the portion pertaining to item (ii))] of the Act on Transfer of Bonds, Shares, etc. [Act No. 75 of 2001]) that exceed fifty percent of the voting rights (in the case of a stock company, excluding the voting rights of the shares which cannot be exercised for all matters that are subject to a resolution at a general meeting of shareholders and including the voting rights of the shares for which a shareholder is deemed to have the voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; hereinafter the same shall apply in this Article and Article 19, item (ii)) of All Shareholders, etc. (which means all shareholders, all members or all contributors; hereinafter the same shall apply in this Article and Article 19, item (ii)) of a juridical person (hereinafter such person shall be referred to as a "Controlling Shareholder,

etc." in this Article) and said juridical person (hereinafter referred to as a "Controlled Juridical Person" in this Article)

四 被支配法人とその支配株主等の他の被支配法人との関係

(iv) Relationship between a Controlled Juridical Person and other Controlled Juridical Person of said Controlling Shareholder, etc.

2 共同保有者が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該共同保有者は、それぞれ当該法人の支配株主等とみなして前項の規定を適用する。

(2) In the case where Joint Holders jointly hold voting rights that exceed fifty percent of the voting rights of All Shareholders, etc. of a juridical person, said Joint Holders shall be deemed to be Controlling Shareholders, etc. of said juridical person, respectively, and the provisions of the preceding paragraph shall apply.

3 夫婦が合わせて法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該夫婦は、それぞれ当該法人の支配株主等とみなして第一項の規定を適用する。

(3) In the case where a husband and a wife jointly hold voting rights that exceed fifty percent of the voting rights of All Shareholders, etc. of a juridical person, said husband and wife shall be deemed to be Controlling Shareholders, etc. of said juridical person, respectively, and the provisions of paragraph (1) shall apply.

4 支配株主等とその被支配法人が合わせて他の法人の総株主等の議決権の百分の五十を超える議決権を保有している場合には、当該他の法人も、当該支配株主等の被支配法人とみなして第一項の規定を適用する。

(4) In the case where Controlling Shareholders, etc. and their Controlled Juridical Person jointly hold voting rights that exceed fifty percent of the voting rights of All Shareholders, etc. of the other juridical person, said other juridical person shall also be deemed to be a Controlled Juridical Person of said Controlling Shareholders, etc., and the provisions of paragraph (1) shall apply.

5 次の各号に掲げる場合において、当該各号に定める者が保有する議決権には、社債、株式等の振替に関する法律第百四十七条第一項又は第百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含むものとする。

(5) In the cases listed in the following items, the voting rights held by the persons respectively specified in those items shall include the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) [including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1),

Article 239, paragraph (1) and Article 276 (limited to the portion pertaining to item (ii))] of the Act on Transfer of Bonds, Shares, etc.:

一 第二項の場合 共同保有者

(i) In the case set forth in paragraph (2) The Joint Holders

二 第三項の場合 夫婦

(ii) In the case set forth in paragraph (3) The husband and wife

三 前項の場合 支配株主等及びその被支配法人

(iii) In the case set forth in the preceding paragraph The Controlling Shareholders, etc. and their Controlled Juridical Person

(充用有価証券)

(Appropriation Securities)

第八条 法第百一条第三項の政令で定める有価証券は、次に掲げるものとする。ただし、第三号から第七号までに掲げるものについては、商品取引所が定款（株式会社商品取引所にあつては、業務規程）で定めるところにより指定するものに限る。

Article 8 Securities specified by a Cabinet Order as set forth in Article 101, paragraph (3) of the Act shall be as follows; provided, however, that those listed in items (iii) to (vii) inclusive shall be limited to those which a Commodity Exchange designates in its articles of incorporation (in the case of an Incorporated Commodity Exchange, in its market rules).

一 日本銀行の発行する出資証券

(i) Subscription certificates issued by the Bank of Japan

二 特別の法律により法人の発行する債券

(ii) Bond certificates issued by a juridical person pursuant to special Acts

三 金融商品取引法第二条第十七項に規定する取引所金融商品市場において売買取引されている株券

(iii) Share certificates traded on a Financial Instruments Exchange Market prescribed in Article 2, paragraph (17) of the Financial Instruments and Exchange Act

四 金融商品取引法第六十七条の十一第一項に規定する店頭売買有価証券登録原簿に登録されている株券

(iv) Share certificates registered in the Registry of Over-the-Counter Traded Securities prescribed in Article 67-11, paragraph (1) of the Financial Instruments and Exchange Act

五 銀行法（昭和五十六年法律第五十九号）による銀行の発行する株券（前二号の株券を除く。）

(v) Share certificates (except for share certificates set forth in the preceding two items) issued by a bank pursuant to the Banking Act (Act No. 59 of 1981)

六 第三号又は第四号の株券を発行する会社の発行する社債券

(vi) Corporate bond certificates¹ issued by a company which issues share certificates set forth in item (iii) or item (iv)

七 投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第七項に規定する受益証券及び貸付信託法（昭和二十七年法律第百九十五号）第二条第二項に規定する受益証券

(vii) Beneficiary certificates prescribed in Article 2, paragraph (7) of the Act Concerning Investment Trusts and Investment Corporations (Act No. 198 of 1951) and beneficiary certificates prescribed in Article 2, paragraph (2) of the Loan Trust Act (Act No. 195 of 1952)

(会員商品取引所の会員が組織変更に際し株式等の割当てを受ける場合について準用する会社法の規定の読替え)

(Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases where a Member of a Member Commodity Exchange Receives the Allotment of Shares, etc. upon Entity Conversion)

第八条の二 法第二百二十六条第二項の規定により同条第一項の規定により株式又は金銭の割当てを受ける場合について会社法第八百七十一条の規定を準用する場合においては、同条第二号中「第八百七十四条各号」とあるのは、「第八百七十四条第四号」と読み替えるものとする。

Article 8-2 In the case where the provisions of Article 871 of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 126, paragraph (2) of the Act, to the case where the allotment of shares or money is received pursuant to the provisions of paragraph (1) of the same Article, "the respective items of Article 874" in item (ii) of Article 871 of the Companies Act shall be deemed to be replaced with "Article 874, item (iv)."

(金銭以外の財産を出資の目的とする場合について準用する会社法の規定の読替え)

(Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases of Making Property Other than Money the Object of Contribution)

第八条の三 法第三百十一条の六の規定により法第二百二十九条第三号に規定する場合について会社法第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合においては、同条第四号中「第八百七十条各号」とあるのは「第八百七十条第二号及び第七号」と、「申立人及び当該各号に定める者（同条第二号、第五号及び第七号に掲げる裁判にあっては、当該各号に定める者）」とあるのは「当該各号に定める者」と読み替えるものとする。

Article 8-3 In the case where the provisions of Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 131-6 of the Act, to the case prescribed in Article 129, item (iii) of the Act, "the respective items of Article 870" in item (iv) of Article 872 of the Companies Act shall be deemed to be replaced with "Article 870, item (ii) and item (vii)," and "the applicant or the persons respectively prescribed in those items (for the judgments set forth in item (ii),

item (v), and item (vii) of the same Article, the persons respectively prescribed in those items)" shall be deemed to be replaced with "the persons respectively prescribed in those items."

(吸収合併をする場合の株式買取請求について準用する会社法の規定の読替え)
 (Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Share Purchase Demand in the Case of an Absorption-Type Merger)

第八条の四 法第百四十四条の九第三項の規定により同条第一項の規定による請求について会社法第七百九十七条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 8-4 In the case where the provisions of Article 797, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-9, paragraph (3) of the Act, to a demand under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows.

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第七百九十七条第五項 Article 797, paragraph (5)	第一項 paragraph (1)	商品取引所法第百四十四条の九第一項 Article 144-9, paragraph (1) of the Commodity Exchange Act
第八百七十二条第四号 Article 872, item (iv)	第八百七十条各号 the respective items of Article 870	第八百七十条第四号 Article 870, item (iv)

(新設合併をする場合の株式買取請求について準用する会社法の規定の読替え)
 (Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Share Purchase Demand in the Case of a Consolidation-Type Merger)

第八条の五 法第百四十四条の十五第二項の規定により同条第一項の規定による請求について会社法第八百六条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 8-5 In the case where the provisions of Article 806, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-15,

paragraph (2) of the Act, to a demand under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows.

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八百六条第五項 Article 806, paragraph (5)	第一項 paragraph (1)	商品取引所法第百四十四 条の十五第一項 Article 144-15, paragraph (1) of the Commodity Exchange Act
	第三項 paragraph (3)	同法第百四十四條の十四 第一項 Article 144-14, paragraph (1) of the same Act
	前項 the preceding paragraph	同条第二項 paragraph (2) of the same Article
第八百七十二条第四号 Article 872, item (iv)	第八百七十条各号 the respective items of Article 870	第八百七十条第四号 Article 870, item (iv)

(新設合併をする場合の新株予約権買取請求について準用する会社法の規定の読替え)

(Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to a Request for Purchase of a Right to Subscribe for New Shares in the Case of a Consolidation-Type Merger)

第八條の六 法第百四十四條の十六第二項の規定により同条第一項の規定による請求について会社法第八百八条第五項、第八百九条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 8-6 In the case where the provisions of Article 808, paragraph (5), Article 809, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-16, paragraph (2) of the Act, to a request under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows.

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八百八条第五項 Article 808, item (v)	第三項 paragraph (3)	商品取引所法第百四十四 条の十四第一項 Article 144-14, paragraph (1) of the Commodity Exchange Act
	前項 the preceding paragraph	同条第二項 paragraph (2) of the same Article
第八百九条第五項 Article 809, item (v)	次の各号に掲げる新株予 約権の区分に応じ、当該 各号に定める時 the time prescribed in the following items for the categories of rights to subscribe for new shares set forth respectively in those items	新設合併設立株式会社商 品取引所の成立の日 the day of establishment of the Incorporated Commodity Exchange Established by a Consolidation-Type Merger
第八百七十二条第四号 Article 872, item (iv)	第八百七十条各号 the respective items of Article 870	第八百七十条第四号 Article 870, item (iv)

(同種の商品市場)

(Identical Type of Commodity Market)

第九条 法第百四十九条第二項及び第四項の政令で定める同種の商品市場は、次に掲げる商品市場とする。

Article 9 An identical type of Commodity Market specified by a Cabinet Order as set forth in Article 149, paragraph (2) and paragraph (4) of the Act shall be as follows:

一 上場商品に係る商品市場にあつては、合併によつて消滅した商品取引所の商品市場の上場商品構成物品のすべてをその上場商品に含み、当該上場商品構成物品ごとに当該消滅した商品取引所の商品市場において行われていた種類の取引のすべてを行う商品市場

(i) In the case of a Commodity Market pertaining to a Listed Commodity, a Commodity Market which includes, as its Listed Commodity, all Listed Commodity Component Products on a Commodity Market of a Commodity Exchange dissolved as a result of the merger and which carries out all types of transactions that had been carried out on a Commodity Market of said dissolved Commodity Exchange for each of said Listed Commodity Component Products

二 上場商品指数に係る商品市場にあつては、合併によつて消滅した商品取引所の商品市場の上場商品指数に含まれる商品指数（以下この号において「上場商品指数構成指数」という。）のすべてをその上場商品指数に含み、当該上場商品指数構成指数ごとに当該消滅した商品取引所の商品市場において行われていた種類の取引のすべてを行う商品市場

(ii) In the case of a Commodity Market pertaining to a Listed Commodity Index, a Commodity Market which includes, as its Listed Commodity Index, all Commodity Indices included in Listed Commodity Indices on a Commodity Market of a Commodity Exchange dissolved as a result of the merger (hereinafter referred to as "Indices Constituting the Listed Commodity Index" in this item) and which carries out all types of transactions that had been carried out on a Commodity Market of said dissolved Commodity Exchange for each of said Indices Constituting the Listed Commodity Index

(会員商品取引所の会員が合併に際し株式等の割当てを受ける場合について準用する会社法の規定の読替え)

(Replacement of Terms of the Provisions of the Companies Act as Applied Mutatis Mutandis to Cases where a Member of a Member Commodity Exchange Receives the Allotment of Shares, etc. upon Merger)

第九條の二 法第百五十條の規定により法第百四十二條の吸収合併及び法第百四十三條第一項の新設合併について会社法第二百三十四條第二項及び第八百七十一條の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 9-2 In the case where the provisions of Article 234, paragraph (2), and Article 871 of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 150 of the Act, to an Absorption-Type Merger under Article 142 of the Act and a Consolidation-Type Merger under Article 143, paragraph (1) of the Act, the technical replacement of terms pertaining to these provisions shall be as follows.

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第二百三十四條第二項 Article 234, paragraph (2)	法務省令 an Ordinance of the Ministry of Justice	主務省令 an ordinance of the competent ministry
第八百七十一條第二号 Article 871, item (ii)	第八百七十四條各号 the respective items of Article 874	第八百七十四條第四号 Article 874, item (iv)

(会員商品取引所と会員商品取引所との合併による会員商品取引所の登記について準用する商業登記法の規定の読替え)

(Replacement of Terms of the Provisions of the Commercial Registration Act as Applied Mutatis Mutandis to Registration of a Member Commodity Exchange Established by the Merger between one Member Commodity Exchange and another Member Commodity Exchange)

第九条の三 法第百五十二条第一項の規定により法第百三十九条第二項第一号に掲げる場合における合併による会員商品取引所の登記について商業登記法（昭和三十八年法律第百二十五号）第八十条（第二号、第六号、第九号及び第十号を除く。）及び第八十一条（第三号、第六号、第九号及び第十号を除く。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 9-3 In the case where the provisions of Article 80 (except for item (ii), item (vi), item (vix), and item (x)) and Article 81 (except for item (iii), item (vi), item (vix), and item (x)) of the Commercial Registration Act (Act No. 125 of 1963) are applied mutatis mutandis, pursuant to the provisions of Article 152, paragraph (1) of the Act, to the registration of a Member Commodity Exchange established by a merger in the case set forth in Article 139, paragraph (2), item (i) of the Act, the technical replacement of terms pertaining to these provisions shall be as follows.

読み替える商業登記法の規定 Provisions of the Commercial Registration Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八十条第三号 Article 80, item (iii)	会社法第七百九十九条第二項 Article 799, paragraph (2) of the Companies Act	商品取引所法第百四十四条の二第三項の規定により準用する同法第百二十四条第二項 Article 124, paragraph (2) of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144-2, paragraph (3) of the same Act
第八十条第四号 Article 80, item (iv)	会社法第四百四十五条第五項 Article 445, paragraph (5) of the Companies Act	商品取引所法第百五十四条第二項 Article 154, paragraph (2) of the Commodity Exchange Act

<p>第八十条第八号 Article 80, item (viii)</p>	<p>会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)</p>	<p>商品取引所法第四百四十四条第五項の規定により準用する同法第二百二十四条第二項 Article 124, paragraph (2) of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144, paragraph (5) of the same Act</p>
	<p>同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)</p>	<p>同条第三項 paragraph (3) of the same Article</p>
<p>第八十一条第八号 Article 81, item (viii)</p>	<p>会社法第八百十条第二項（第三号を除き、同法第八百十三条第二項において準用する場合を含む。） Article 810, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)</p>	<p>商品取引所法第四百四十四条の三第五項の規定により準用する同法第二百二十四条第二項 Article 124, paragraph (2) of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph (5) of the same Act</p>

	<p>同法第八百十條第三項 （同法第八百十三條第二項において準用する場合を含む。） Article 810, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)</p>	<p>同條第三項 paragraph (3) of the same Article</p>
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（会員商品取引所と株式会社商品取引所との合併による会員商品取引所及び株式会社商品取引所の登記について準用する商業登記法の規定の読替え）

(Replacement of Terms of the Provisions of the Commercial Registration Act as Applied Mutatis Mutandis to Registration of a Member Commodity Exchange or an Incorporated Commodity Exchange Established by the Merger between a Member Commodity Exchange and an Incorporated Commodity Exchange)

第九條の四 法第百五十二條第二項の規定により法第百三十九條第二項第二号に掲げる場合における合併による会員商品取引所及び株式会社商品取引所の登記について商業登記法第八十條（第六号、第九号、及び第十号を除く。）、第八十一條及び第八十三條の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 9-4 In the case where the provisions of Article 80 (except for item (vi), item (vix), and item (x)), Article 81 and Article 83 of the Commercial Registration Act are applied mutatis mutandis, pursuant to the provisions of Article 152, paragraph (2) of the Act, to the registration of a Member Commodity Exchange or an Incorporated Commodity Exchange established by the merger in the case set forth in Article 139, paragraph (2), item (ii) of the Act, the technical replacement of terms pertaining to these provisions shall be as follows.

<p>読み替える商業登記法の規定 Provisions of the Commercial Registration Act whose terms are to be replaced</p>	<p>読み替えられる字句 Original term</p>	<p>読み替える字句 Term to be replaced with</p>
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第八十条第二号 Article 80, item (ii)	会社法第七百九十六条第一項本文又は第三項本文 the main clause of Article 796, paragraph (1) or the main clause of Article 796, paragraph (3) of the Companies Act	商品取引所法第四百四十四条の七第一項本文 the main clause of Article 144-7, paragraph (1) of the Commodity Exchange Act
	同条第四項 paragraph (4) of the same Article	同条第二項 paragraph (2) of the same Article
第八十条第三号 Article 80, item (iii)	会社法第七百九十九条第二項 Article 799, paragraph (2) of the Companies Act	商品取引所法第四百四十四条の十第二項 Article 144-10, paragraph (2) of the Commodity Exchange Act
第八十条第四号 Article 80, item (iv)	会社法第四百四十五条第五項 Article 445, paragraph (5) of the Companies Act	商品取引所法第一百五十四条第二項 Article 154, paragraph (2) of the Commodity Exchange Act
第八十条第八号 Article 80, item (viii)	会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)	商品取引所法第四百四十四条第五項の規定により準用する同法第二百二十四条第二項 Article 124, paragraph (2) of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144, paragraph (5) of the same Act
	同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)	同条第三項 paragraph (3) of the same Article

<p>第八十一条第六号 Article 81, item (vi)</p>	<p>会社法第八百四条第一項 及び第三項 Article 804, paragraph (1) and paragraph (3) of the Companies Act</p>	<p>商品取引所法第四百四十四 条の十三第一項及び第四 項 Article 144-13, paragraph (1) and paragraph (4) of the Commodity Exchange Act</p>
<p>第八十一条第八号 Article 81, item 8</p>	<p>会社法第八百十條第二項 (第三号を除き、同法第 八百十三條第二項におい て準用する場合を含 む。) Article 810, paragraph 2 of the Companies Act (except for item 3 and including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph 2 of the same Act)</p>	<p>商品取引所法第四百四十四 条の三第五項の規定によ り準用する同法第二百四 十四條第二項及び同法第百 四十四條の十七の規定に より準用する同法第四百 四十四條の十第二項 Article 124, paragraph 2 of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph 5 of the same Act, and Article 144-10, paragraph 2 of the same Act as applied mutatis mutandis pursuant to the provisions of Article 144-17 of the same Act</p>

	<p>同法第八百十條第三項 (同法第八百十三條第二項において準用する場合を含む。) Article 810, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)</p>	<p>同法第一百四十四條の三第五項の規定により準用する同法第二百二十四條第三項及び同法第一百四十四條の十七の規定により準用する同法第一百四十四條の十第三項 Article 124, paragraph (3) of the Commodity Exchange Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph (5) of the same Act, and Article 144-10, paragraph (3) of the same Act as applied mutatis mutandis pursuant to the provisions of Article 144-17 of the same Act</p>
<p>第八十三條第二項 Article 83, paragraph (2)</p>	<p>本店の所在地を管轄する登記所に送付しなければ unless sending to a registry office having jurisdiction over the location of the head office</p>	<p>主たる事務所又は本店の所在地を管轄する登記所に送付しなければ unless sending to a registry office having jurisdiction over the location of the principal office or the head office</p>

(登録手数料の額)

(Amount of Registration Fee)

第十条 法第二百七條第一項の規定による登録手数料の額は、二千七百円とする。

Article 10 (1) The amount of the registration fee prescribed in Article 207, paragraph (1) of the Act shall be 2,700 yen.

2 前項の登録手数料は、国に納める場合にあっては、登録申請書に、登録手数料の金額に相当する額の収入印紙をはって納めなければならない。ただし、行政手続等における情報通信の技術の利用に関する法律（平成十四年法律第百五十一号）第三条第一項の規定により同項に規定する電子情報処理組織を使用して登録の申請をするときは、主務省令で定めるところにより、現金をもつて納めることができる。

(2) In the case where a person pays a registration fee set forth in the preceding paragraph to the national government, he/she shall pay it attaching a revenue stamp of the amount equivalent to the registration fee; provided, however, that in the case where a person applies for registration by a method using an electronic data processing system prescribed in Article 3, paragraph (1) of the

Act Concerning Utilization of Information Communications Technology in Administrative Procedures, etc. (Act No. 151 of 2002) pursuant to the provisions of the same paragraph, he/she may pay it in cash pursuant to the provisions of an ordinance of the competent ministry.

(顧客の判断に影響を及ぼす重要事項)

(Important Matters that May Have an Impact on Customers' Judgment)

第十条の二 法第二百十三条の二第一項第三号に規定する政令で定めるものは、次に掲げるものとする。

Article 10-2 The matters specified by a Cabinet Order as prescribed in Article 213-2, paragraph (1), item (iii) of the Act shall be the following:

一 受託契約（法第二百十四条第二号に規定する受託契約をいう。以下この条において同じ。）に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であつて主務省令で定めるもの

(i) Matters concerning fees, remunerations and any other considerations to be paid by the customer with regard to a Brokerage Contract (which means the Brokerage Contract prescribed in Article 214, item (ii) of the Act; hereinafter the same shall apply in this Article), which are specified by an ordinance of the competent ministry

二 受託契約に関して顧客が預託すべき取引証拠金等（法第二百十七条第一項第一号に規定する取引証拠金等をいう。以下この条において同じ。）がある場合にあつては、その額又は計算方法

(ii) In cases where there is a Clearing Margin, etc. (which means the Clearing Margin, etc. prescribed in Article 217, paragraph (1), item (i) of the Act; hereinafter the same shall apply in this Article) to be deposited by the customer with regard to a Brokerage Contract, the amount or calculation method thereof

三 受託契約に基づく取引（法第二条第八項第四号に掲げる取引にあつては、同号の権利を行使することにより成立する同号イからハマまでに掲げる取引）の額（当該受託契約に係る上場商品構成物品又は上場商品指数に係る商品指数ごとに商品取引所の定める取引単位当たりの価額に、当該受託契約に基づく取引の数量を乗じて得た額をいう。）が、当該取引について顧客が預託すべき取引証拠金等の額に比して著しく大きい旨及び当該取引の額の当該取引証拠金等の額に対する比率（当該比率を算出することができない場合にあつては、その旨及びその理由）

(iii) The fact that the amount of the transaction based on a Brokerage Contract (in the case of the transactions set forth in Article 2, paragraph (8), item (iv) of the Act, it shall be any transaction set forth in (a) to (c) inclusive of the same item which is closed by exercising the right under the same item) (such amount means an amount obtained by multiplying the value per transaction unit specified by the Commodity Exchange for each of the Listed Commodity Component Products or each Commodity Index pertaining to the Listed

Commodity Index pertaining to said Brokerage Contract by the volume of transactions based on said Brokerage Contract) is extremely high in comparison with the amount of the Clearing Margin, etc. to be deposited by the customer for said transaction, and the ratio of said amount of transaction to the amount of said Clearing Margin, etc. (if said ratio cannot be calculated, a statement to that effect and the reason therefor)

四 商品市場における相場の変動により受託契約に基づく取引について顧客に損失が生ずることとなるおそれがあり、かつ、当該損失の額が取引証拠金等の額を上回ることとなるおそれがある旨及びその理由

(iv) The fact that there is a risk of the customer incurring a loss with regard to the transaction based on said Brokerage Contract due to fluctuation in the quotations on the Commodity Market and a risk that the amount of such loss could exceed the amount of the Clearing Margin, etc., and the reason therefor

五 前各号に掲げる事項に準ずるものとして主務省令で定めるもの

(v) The matters specified by an ordinance of the competent minister as those equivalent to the matters listed in the preceding items

(情報通信の技術を利用する方法)

(Method Using Information Communications Technology)

第十一条 商品取引員は、法第二百七条第二項の規定により同項に規定する事項を提供しようとするときは、主務省令で定めるところにより、あらかじめ、当該顧客に対し、その用いる同項に規定する情報通信の技術を利用する方法（以下この条において「電磁的方法」という。）の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 11 (1) When a Futures Commission Merchant intends to provide matters prescribed in Article 217, paragraph (2) of the Act pursuant to the provisions of the same paragraph, he/she shall inform said existing or potential customer of the type and contents of the information communications technology which he/she intends to use as prescribed in the same paragraph (hereinafter referred to as an "Electromagnetic Means" in this Article) and gain such customer's consent in writing or by an Electromagnetic Means, in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た商品取引員は、当該顧客から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があつたときは、当該顧客に対し、法第二百七条第二項に規定する事項の提供を電磁的方法によつてしてはならない。ただし、当該顧客が再び前項の規定による承諾をした場合は、この限りでない。

(2) The Futures Commission Merchant who has gained the consent under the provisions of the preceding paragraph shall not provide matters prescribed in Article 217, paragraph (2) of the Act to said existing or potential customer by an Electromagnetic Means when said existing or potential customer has stated in writing or by an Electromagnetic Means that he/she would not accept the

provision of the matters by an Electromagnetic Means; provided, however, that this shall not apply when said existing or potential customer has also given his/her consent under the preceding article at another time.

(取引の成立の通知等に係る情報通信の技術を利用する方法の規定の準用)
(Application Mutatis Mutandis of the Provisions of a Method Using
Information Communications Technology pertaining to a Notice of the
Closing of a Transaction, etc.)

第十二条 前条の規定は、法第二百二十条第二項において法第二百十七条第二項の規定を準用する場合について準用する。この場合において、前条中「顧客」とあるのは、「委託者」と読み替えるものとする。

Article 12 (1) The provisions of the preceding Article shall apply mutatis mutandis to the case where the provisions of Article 217, paragraph (2) of the Act are applied mutatis mutandis pursuant to Article 220, paragraph (2) of the Act. In this case, "existing or potential customer" in the preceding Article shall be deemed to be replaced with "customer."

2 前条の規定は、法第三百四十九条第八項において法第二百十七条第二項の規定を準用する場合について準用する。この場合において、前条中「商品取引員」とあるのは「店頭商品先物取引業者」と、「顧客」とあるのは「特定業者」と読み替えるものとする。

(2) The provisions of the preceding Article shall apply mutatis mutandis to the case where the provisions of Article 217, paragraph (2) of the Act are applied mutatis mutandis pursuant to Article 349, paragraph (8) of the Act. In this case, "a Futures Commission Merchant" in the preceding Article shall be deemed to be replaced with "an Over-the-Counter Commodity Futures Transactions Dealer," and "existing or potential customer" shall be deemed to be replaced with "Specified Commercial Dealer."

(勧誘方針の策定を要しない者等)

(Persons Who Are Not Required to Establish a Solicitation Policy, etc.)

第十二条の二 法第二百二十条の三の規定により準用する金融商品の販売等に関する法律（平成十二年法律第百一号）第九条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は特別の法律により特別の設立行為をもつて設立された法人（総務省設置法（平成十一年法律第九十一号）第四条第十五号の規定の適用を受けない法人を除く。）であつて国又は地方公共団体の全額出資に係る法人とする。

Article 12-2 (1) The persons specified by a Cabinet Order as prescribed in the proviso to Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products (Act No. 101 of 2000) as applied mutatis mutandis pursuant to Article 220-3 of the Act shall be juridical persons directly established pursuant to an Act or juridical persons established by a special act of incorporation pursuant

to a special Act (excluding juridical persons which are not subject to application of the provisions of Article 4, item (xv) of the Act for Establishment of the Ministry of Internal Affairs and Communications [Act No. 91 of 1999]) that are wholly owned by the State or a local public entity.

2 法第二百二十条の三の規定により準用する金融商品の販売等に関する法律第九条第三項に規定する政令で定める方法は、商品取引員の本店（外国の法令に準拠して設立された法人にあつては、国内における主たる営業所。以下この項並びに第二十九条第一項第四号及び第三項において同じ。）において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

(2) The method specified by a Cabinet Order as prescribed in Article 9, paragraph (3) of the Act on Sales, etc. of Financial Products as applied mutatis mutandis pursuant to Article 220-3 of the Act shall be the method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at the head office of the Futures Commission Merchant (with regard to a juridical person established in accordance with the laws and regulations of a foreign state, the principal business office in Japan; hereinafter the same shall apply in this paragraph and Article 29, paragraph (1), item (iv) and paragraph (3) of the same Article), and, in the cases listed in the following items, the methods specified respectively in those items:

一 商品取引員が、支店その他の本店以外の営業所（外国の法令に準拠して設立された法人にあつては、国内における従たる営業所。以下この号並びに第二十九条第二項及び第三項において「支店等」という。）において受託契約の締結を行う場合受託契約の締結を行う支店等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) Cases where the Futures Commission Merchant concludes Brokerage

Contracts at branch offices or any other business offices other than the head office (with regard to a juridical person established in accordance with the laws and regulations of a foreign state, secondary business offices in Japan; hereinafter referred to as the "Branch Office(s), etc." in this item and Article 29, paragraphs (2) and (3))- The method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each Branch Office, etc. where Brokerage Contracts will be concluded

二 商品取引員が、公衆によつて直接受信されることを目的として公衆からの求めに応じ自動的に無線通信又は有線電気通信の送信を行うこと（以下この号において「自動送信」という。）により受託契約の締結を行う場合（前号に掲げる場合に該当する場合を除く。） 勧誘方針を自動送信する方法

(ii) Cases where the Futures Commission Merchant concludes Brokerage

Contracts by making automatic transmissions, by wireless communications or wire telecommunications, intended for direct reception by the public, upon

request from the public (hereinafter referred to as "automatic transmission" in this item) (excluding the cases set forth in the preceding item)- The method of making automatic transmission of the solicitation policy

(商品取引員が行う受託契約の締結について準用する金融商品の販売等に関する法律の規定の読替え)

(Replacement of Terms of the Provisions of the Act on Sales, etc. of Financial Products as Applied Mutatis Mutandis to Conclusion of Brokerage Contracts by a Futures Commission Merchant)

第十二条の三 法第二百二十条の三の規定により商品取引員が行う受託契約の締結について金融商品の販売等に関する法律第九条第一項の規定を準用する場合には、同項中「特定顧客」とあるのは、「商品取引所法第二百十八条第一項の主務省令で定める者」と読み替えるものとする。

Article 12-3 In cases of applying mutatis mutandis the provisions of Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products to the conclusion of Brokerage Contracts by a Futures Commission Merchant pursuant to the provisions of Article 220-3, the term "specified customer" in the same paragraph shall be deemed to be replaced with "person specified by an ordinance of the competent minister as set forth in Article 218, paragraph (1) of the Commodity Exchange Act."

(国内に保有すべき資産)

(Assets to be Held in Japan)

第十三条 法第二百三十四条に規定する商品取引員の資産のうち政令で定める部分は、主務省令で定めるところにより算定される負債の額に相当する資産の額とする。

Article 13 Among the assets of a Futures Commission Merchant prescribed in Article 234 of the Act, the portion specified by a Cabinet Order shall be the amount of assets equivalent to the amount of liabilities calculated pursuant to the provisions of an ordinance of the competent ministry.

(一般委託者から除かれる者)

(Persons Excluded from Being General Customers)

第十四条 法第二百六十九条第一項の政令で定める者は、次に掲げる者とする。

Article 14 Persons specified by a Cabinet Order as set forth in Article 269, paragraph (1) of the Act shall be as follows.

一 商品取引員

(i) A Futures Commission Merchant

二 金融商品取引法第二条第三項第一号に規定する適格機関投資家

(ii) A qualified institutional investor prescribed in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act

三 商品投資に係る事業の規制に関する法律第二条第四項に規定する商品投資顧問業

者

(iii) A commodities investment advisor prescribed in Article 2, paragraph (4) of the Act on Regulation of Business Pertaining to Commodity Investment

四 外国の法令上前三号に掲げる者に相当する者

(iv) A person equivalent to a person set forth in the preceding three items under the laws and regulations of a foreign state

五 前各号に掲げる者のほか、主務大臣が指定する者

(v) In addition to the persons listed in the preceding items, a person designated by the competent minister

(委託者保護基金への通知)

(Notice to the Consumer Protection Fund)

第十五条 法第三百三条第一項第六号の政令で定めるときは、次に掲げるときとする。

Article 15 Cases specified by a Cabinet Order as set forth in Article 303, paragraph (1), item (vi) of the Act shall be as follows:

一 商品取引所又は商品取引清算機関に対する次に掲げる債務を履行しなかつたとき。

(i) When the Futures Commission Merchant failed to perform the following liability to a Commodity Exchange or a Commodity Clearing Organization:

イ 金銭債務

(a) Monetary debt

ロ 決済のための商品の受渡し

(b) Delivery of Commodities for the settlement

二 手形交換所による取引停止処分を受けたとき。

(ii) When receiving a disposition to suspend transactions with a clearinghouse

(委託者保護基金による支払に係る公告事項)

(Matters for Public Notice pertaining to Payment by the Consumer Protection Fund)

第十六条 法第三百五条第一項の政令で定める事項は、次に掲げる事項とする。

Article 16 Matters specified by a Cabinet Order as set forth in Article 305, paragraph (1) of the Act shall be as follows.

一 法第三百四条の認定を受けた商品取引員の商号

(i) The trade name of a Futures Commission Merchant who received recognition under Article 304 of the Act

二 法第三百六条第一項の請求の方法

(ii) The method of making a request under Article 306, paragraph (1) of the Act

三 法第三百六条第一項の金額の支払期間、支払場所及び支払方法

(iii) The period, the place and the method of the payment of the amount under Article 306, paragraph (1) of the Act

四 一般委託者が法第三百六条第一項の請求の際に委託者保護基金に対し提出又は提示をすべき書類その他のもの

(iv) Any documents and other articles which a General Customer shall submit or present to the Consumer Protection Fund when making a request under Article 306, paragraph (1)

五 その他委託者保護基金が必要と認める事項

(v) Any other matters that the Consumer Protection Fund finds necessary

(届出期間の変更事由)

(Situations for Changing the Period of Notification)

第十七条 法第三百五条第二項の政令で定める事由は、次に掲げる事由とする。

Article 17 Situations specified by a Cabinet Order as set forth in Article 305, paragraph (2) of the Act shall be as follows:

一 破産法（平成十六年法律第七十五号）第百九十七条第一項（同法第二百九条第三項において準用する場合を含む。）の規定による公告

(i) A public notice under Article 197, paragraph (1) of the Bankruptcy Act (Act No. 75 of 2004; including the case where it is applied mutatis mutandis pursuant to Article 209, paragraph (3) of the same Act) has been given.

二 法第三百五条第五項の規定による通知

(ii) A notice under Article 305, paragraph (5) of the Act has been given.

三 会社更生法（平成十四年法律第百五十四号）第百九十九条第一項の規定による更生計画認可の決定

(iii) A decision of approval of a reorganization plan under Article 199, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002) has been made.

四 民事再生法（平成十一年法律第二百二十五号）第七十四条第一項の規定による再生計画認可の決定

(iv) A decision of approval of a rehabilitation plan under Article 174, paragraph (1) of the Civil Rehabilitation Act (Act No. 225 of 1999) has been made.

(円滑な弁済が困難であると認められる債権)

(Claims whose Smooth Repayment is Found Difficult)

第十八条 一般委託者が認定商品取引員に対して有する債権（当該一般委託者の委託者資産に係るものに限る。）であつて委託者保護基金が法第三百六条第一項の政令で定めるところにより当該認定商品取引員による円滑な弁済が困難であると認めるものは、当該認定商品取引員の財産の状況及び法第二百十条の規定による保全義務の履行の状況に照らして完全な弁済ができないと認められる債権又は弁済に著しく日数を要すると認められる債権とする。

Article 18 Claims which a General Customer has on a Recognized Futures Commission Merchant (limited to those pertaining to Customer Assets of said General Customer) and whose smooth repayment by said Recognized Futures Commission Merchant is found difficult by the Consumer Protection Fund pursuant to the provisions of a Cabinet Order as set forth in Article 306,

paragraph (1) of the Act shall be claims whose complete repayment is found impossible or requires a considerable number of days in light of the status of the property of said Recognized Futures Commission Merchant and the status of performance of the duty to preserve under Article 210 of the Act.

(委託者保護基金による支払の対象から除かれる者)

(Persons Excluded from the Payment by the Consumer Protection Fund)

第十九条 法第三百六条第二項の政令で定める者は、次に掲げる者とする。

Article 19 Persons specified by a Cabinet Order as set forth in Article 306, paragraph (2) of the Act shall be as follows:

一 認定商品取引員の役員（外国の法令に準拠して設立された法人にあつては、国内における営業所の業務を統括する者を含む。）

(i) An officer of a Recognized Futures Commission Merchant (including one who supervises the business of a business office in Japan, in the case of a juridical person established in accordance with the laws and regulations of a foreign state)

二 認定商品取引員が支配関係（他の法人の総株主等の議決権の百分の五十を超える議決権（社債、株式等の振替に関する法律第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している関係その他その法人の事業活動を実質的に支配することが可能なものとして主務省令で定める関係をいう。次号において同じ。）を有する法人

(ii) A juridical person in which a Recognized Futures Commission Merchant has a Controlling Interest (which means a relationship of holding voting rights that exceed fifty percent of the voting rights of All Shareholders, etc. of the other juridical person [including the voting rights of the shares or equity interest which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc. (including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 [limited to the portion pertaining to item (ii)] of the same Act)], or a relationship specified by an ordinance of the competent ministry as that can substantially control business activities of said juridical person; the same shall apply in the following item)

三 商品取引員に対して支配関係を有する法人

(iii) A juridical person which has a controlling interest in a Futures Commission Merchant

四 他人（仮設人を含む。以下この号において同じ。）の名義をもつて委託者資産を

有している一般委託者（当該他人の名義をもって有する委託者資産に係る補償対象債権についての支払を行う場合に限る。）

(iv) A General Customer who holds Customer Assets under the name of another person (including a temporary establisher; hereinafter the same shall apply in this item) (limited to the case where a person makes a payment of Claims Subject to Compensation pertaining to Customer Assets which he/she holds under the name of said other person)

五 前各号に掲げる者のほか、主務大臣が指定する者

(v) In addition to the persons listed in the preceding items, a person designated by the competent minister

（委託者保護基金による支払の最高限度額）

(Maximum Amount of Payment by the Consumer Protection Fund)

第二十条 法第三百七条第三項の政令で定める金額は、千万円とする。

Article 20 The amount of money specified by a Cabinet Order as set forth in Article 307, paragraph (3) of the Act shall be 10 million yen.

（補償対象債権の取得）

(Acquisition of Claims Subject to Compensation)

第二十一条 法第三百六条第一項並びに第三百七条第一項及び第三項の規定により委託者保護基金が支払をすべき金額が、当該支払に係る補償対象債権の金額と同額であるときは、委託者保護基金は、当該補償対象債権の全部を取得するものとする。

Article 21 (1) In the case where the amount of money to be paid by the Consumer Protection Fund pursuant to the provisions of Article 306, paragraph (1) and Article 307, paragraph (1) and paragraph (3) of the Act is the same as the amount of the Claims Subject to Compensation pertaining to said payment, the Consumer Protection Fund shall acquire the whole of said Claims Subject to Compensation.

2 前項の支払をすべき金額が、当該支払に係る補償対象債権の金額に満たないときは、委託者保護基金は、当該補償対象債権のうち、委託者保護基金が指定するものを取得するものとする。

(2) In the case where the amount of money to be paid as set forth in the preceding paragraph is less than the amount of the Claims Subject to Compensation pertaining to said payment, the Consumer Protection Fund shall acquire the part of said Claims Subject to Compensation designated by the Consumer Protection Fund.

（商品市場類似施設の開設の禁止の適用除外）

(Exemption from the Prohibition of Establishment of a Facility Similar to a Commodity Market)

第二十二条 法第三百三十一条第一号の政令で定める要件は、次に掲げるものとする。

Article 22 Requirements specified by a Cabinet Order as set forth in Article 331, item (i) shall be as follows:

一 商品又は商品指数（法第三百三十一条第一号に規定する商品又は商品指数をいう。）の対象となる物品の売買等を業として行っている者のみが当該商品又は商品指数の対象となる物品に係る先物取引に類似する取引をする施設であること。

(i) The facility shall be one where only persons who, in the course of trade, engage in the Buying and Selling, etc. of Commodities or goods subject to Commodity Indices (such Commodities and Commodity Indices mean the Commodities and the Commodity Indices prescribed in Article 331, item (i) of the Act) carry out transactions similar to Futures Transactions pertaining to said Commodities or goods subject to Commodity Indices.

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) The facility shall be one where persons, who carry out transactions similar to Futures Transactions, carry out transactions similar to said Futures Transactions without receiving consignment.

（第一種特定商品市場類似施設の開設の許可）

(Permission for Establishment of a Facility Similar to Type 1 Specified Commodity Market)

第二十三条 法第三百三十二条第一項の政令で定める要件は、次に掲げるものとする。

Article 23 Requirements specified by a Cabinet Order as set forth in Article 332, paragraph (1) shall be as follows:

一 商品又は商品指数（法第三百三十二条第一項に規定する商品又は商品指数をいう。）の対象となる物品の売買等を業として行っている者及び次条に規定する者のみが同項第一号に規定する方法により、当該商品又は商品指数の対象となる物品に係る先物取引に類似する取引をする施設（前条第一号に規定する施設を除く。）であること。

(i) The facility shall be one where only persons who, in the course of trade, engage in the Buying and Selling, etc. of Commodities or goods subject to Commodity Indices (such Commodities and Commodity Indices mean the Commodities and the Commodity Indices prescribed in Article 332, paragraph (1) of the Act) or persons prescribed in the following Article carry out transactions similar to Futures Transactions pertaining to said Commodities or goods subject to Commodity Indices by a method prescribed in item (i) of the same paragraph (such facility excludes the facility prescribed in item (i) of the preceding Article).

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) The facility shall be one where persons, who carry out transactions similar to Futures Transactions, carry out transactions similar to said Futures

Transactions without receiving consignment.

(法第三百三十二条第一項第三号等の政令で定める者)

(Persons Specified by a Cabinet Order as Set forth in Article 332, Paragraph (1), Item (iii) of the Act, etc.)

第二十四条 法第三百三十二条第一項第三号及び第三百四十二条第一項第三号の政令で定める者は、第三条第三号イからリまでに掲げる者とする。

Article 24 Persons specified by a Cabinet Order as set forth in Article 332, paragraph (1), item (iii) and Article 342, paragraph (1), item (iii) of the Act shall be those listed in Article 3, item (iii) (a) to (i) inclusive.

(第二種特定商品市場類似施設の開設の許可)

(Permission for Establishment of a Facility Similar to a Type 2 Specified Commodity Market)

第二十五条 法第三百四十二条第一項の政令で定める要件は、次に掲げるものとする。

Article 25 Requirements specified by a Cabinet Order as set forth in Article 342, paragraph (1) shall be as follows:

一 商品又は商品指数（法第三百四十二条第一項に規定する商品又は商品指数をいう。）の対象となる物品の売買等を業として行っている者及び前条に規定する者のみが同項第一号に規定する方法により、当該商品又は商品指数の対象となる物品に係る先物取引に類似する取引をする施設であること。

(i) The facility shall be one where only persons who, in the course of trade, engage in the Buying and Selling, etc. of Commodities or goods subject to Commodity Indices (such Commodities and Commodity Indices mean the Commodities and the Commodity Indices prescribed in Article 342, paragraph (1) of the Act) or persons prescribed in the preceding Article carry out transactions similar to Futures Transactions pertaining to said Commodities or goods subject to Commodity Indices by a method prescribed in item (i) of the same paragraph.

二 先物取引に類似する取引をする者が委託を受けないで当該先物取引に類似する取引をする施設であること。

(ii) The facility shall be one where persons, who carry out transactions similar to Futures Transactions, carry out transactions similar to said Futures Transactions without receiving consignment.

(参考人等に支給する費用)

(Costs Paid to a Witness, etc.)

第二十六条 法第三百五十条の規定により、参考人又は鑑定人には、国家公務員等の旅費に関する法律（昭和二十五年法律第百十四号）の例により鉄道賃、船賃、車賃、日当又は宿泊料を支給する。

Article 26 (1) A witness or an expert witness shall be provided with train fares,

boat fares, vehicle fares, a daily allowance, or lodging expenses in accordance with the Act concerning Travel Expenses of National Public Officers, etc. (Act No. 114 of 1950), pursuant to the provisions of Article 350 of the Act.

2 鑑定人には、鑑定人が鑑定につき特に費用を要した場合で主務大臣（第二十九条第一項の規定により地方農政局長又は経済産業局長が法第二百三十七条において準用する法第百五十八条第二項の規定による主務大臣の権限を行つた場合にあつては、当該地方農政局長又は当該経済産業局長）が必要と認めるときは、前項の規定により支給する費用のほか、相当の額の鑑定料を支給することができる。

(2) In the case where an expert witness has incurred special costs for expert testimony and the competent minister (in the case where the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry exercises the authority of the competent minister pursuant to the provisions of Article 158, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 237 of the Act, pursuant to the provisions of Article 29, paragraph (1), said Director of the Regional Agricultural Administration Office or said Director of the Bureau of Economy, Trade and Industry) finds it necessary, the expert witness may be provided with a reasonable amount of expert opinion fee in addition to the costs paid pursuant to the provisions of the preceding paragraph.

(外国法人等に対する法の規定の適用に当たつての技術的読替え)

(Technical Replacement of Terms in Applying the Provisions of the Act to a Foreign Juridical Person, etc.)

第二十七条 法第三百五十三条の規定による外国の法令に準拠して設立された法人である商品取引員に対する法の規定の適用についての技術的読替えは、次の表のとおりとする。

Article 27 Technical replacement of terms pertaining to the application of the provisions of the Act to a Futures Commission Merchant, which is a juridical person established in compliance with the laws and regulations of a foreign state under Article 353 of the Act, shall be as follows.

読み替える法の規定 Provisions of the Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第百九十二条第一項第三号 Article 192, paragraph (1), item (iii)	本店、支店 head office, branch offices	本店、国内における主たる営業所 head office and major domestic business offices

<p>第九十二条第一項第四号及び第二百三十六条第二項</p> <p>Article 192, paragraph (1), item (iv) and Article 236, paragraph (2)</p>	<p>役員</p> <p>officers</p>	<p>役員及び国内における営業所の業務を統括する者</p> <p>officers and persons who supervise the business of domestic business offices</p>
<p>第九十三条第一項第二号</p> <p>Article 193, paragraph (1), item (ii)</p>	<p>許可申請者</p> <p>The applicant for a license</p>	<p>許可申請者及びその国内における営業所</p> <p>The applicant for a license and the domestic business offices</p>
<p>第九十三条第一項第三号</p> <p>Article 193, paragraph (1), item (iii)</p>	<p>許可申請者</p> <p>The applicant for a license</p>	<p>許可申請者及びその人的構成に照らして許可申請者の国内における営業所</p> <p>The applicant for a license and his/her domestic business office in light of the personnel structure</p>
<p>第九十六条第三項</p> <p>Article 196, paragraph (3)</p>	<p>委託を受け、又はその媒介、取次ぎ若しくは代理を</p> <p>accepting consignment - -- or acting as an introducing broker, intermediary or agent</p>	<p>委託を国内において受け、又はその媒介、取次ぎ若しくは代理を国内において</p> <p>accepting consignment in Japan --- or acting as an introducing broker, intermediary or agent in Japan</p>

(農林水産省関係商品の指定)

(Designation of Commodities related to the Ministry of Agriculture, Forestry and Fisheries)

第二十八条 法第三百五十四条第一項第一号の政令で指定するものは、次に掲げるものとする。

Article 28 Commodities specified by a Cabinet Order as set forth in Article 354, paragraph (1), item (i) of the Act shall be as follows:

一 農産物、林産物、畜産物及び水産物並びにこれらを原料又は材料として製造し、又は加工した物品のうち、飲食物であるもの

(i) Agricultural products, forest products, livestock products, fishery products and goods manufactured or processed by using these products as ingredients and which are edible or potable

二 第一条第一項第一号から第五号まで、第九号、第十号及び第十四号に掲げる物品

(ii) Goods listed in Article 1, paragraph (1), items (i) to (v) inclusive, item (vix), item (x), and item (xiv)

(権限の委任)

(Delegation of Authority)

第二十九条 法第一百五十七条第一項及び第二項、第二百十四条の二第三項及び第五項、第二百三十一条第一項から第三項まで、第二百三十二条第一項及び第二項、第二百三十五条第一項及び第二項並びに第二百三十七条において準用する法第一百五十八条第二項の規定による主務大臣の権限であつて次の各号に掲げるものは、当該各号に定める者に行わせるものとする。ただし、主務大臣が自らその権限を行うことを妨げない。

Article 29 (1) The authorities of the competent minister under Article 158, paragraph (2) as applied mutatis mutandis pursuant to Article 157, paragraph (1) and paragraph (2), Article 214-2, paragraph (3) and paragraph (5), Article 231 paragraphs (1) to (3) inclusive, Article 232, paragraph (1) and paragraph (2), Article 235, paragraph (1) and paragraph (2), and Article 237, which are listed in the following items shall be exercised by the persons respectively prescribed in said items; provided, however, that the competent minister shall not be precluded from exercising his/her authorities by himself/herself.

一 農林水産省関係商品市場のみを開設する商品取引所又はその会員等に関する農林水産大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する地方農政局長

(i) The authority of the Minister of Agriculture, Forestry and Fisheries concerning Commodity Exchanges which open only Commodity Markets related to the Ministry of Agriculture, Forestry and Fisheries or their Members, etc.- The Director of a Regional Agricultural Administration Office who has jurisdiction over the location of the principal office or the head office of said Commodity Exchange

二 経済産業省関係商品市場のみを開設する商品取引所又はその会員等に関する経済産業大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する経済産業局長

(ii) The authority of the Minister of Economy, Trade and Industry concerning Commodity Exchanges which open only Commodity Markets related to the Ministry of Economy, Trade and Industry or their Members, etc.- The Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of the principal office or the head office of said Commodity Exchange

三 商品取引所であつて前二号に掲げるもの以外のもの又はその会員等に関する農林水産大臣及び経済産業大臣の権限 当該商品取引所の主たる事務所又は本店の所在地を管轄する地方農政局長及び経済産業局長

(iii) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Commodity Exchanges other than those listed in the preceding two items or their Members, etc.- The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the

location of the principal office or the head office of said Commodity Exchange
四 商品取引員に関する農林水産大臣及び経済産業大臣の権限 当該商品取引員の本店の所在地を管轄する地方農政局長及び経済産業局長

(iv) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Futures Commission Merchants- The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of the head office of said Futures Commission Merchant

2 法第二百三十一条第一項から第三項までの規定による権限で商品取引員の支店等に関するものについては、前項第四号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(2) The authority under Article 231, paragraphs (1) to (3) inclusive of the Act concerning Branch Offices, etc. may be exercised by the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of said Branch Offices, etc., in addition to the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry prescribed in item (iv) of the preceding paragraph.

3 前項の規定により商品取引員の支店等に対して法第二百三十一条第一項の規定による報告若しくは資料の提出の命令又は立入検査（以下この項において「検査等」という。）を行つた地方農政局長及び経済産業局長は、当該商品取引員の本店又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店又は当該支店等以外の支店等に対し、検査等を行うことができる。

(3) The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has ordered the submission of a report or materials or carried out an inspection under Article 231, paragraph (1) of the Act (hereinafter referred to as an "Inspection, etc." in this paragraph) for Branch Offices, etc. of a Futures Commission Merchant pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for the head office or Branch Offices, etc. other than said Branch Offices, etc. of said Futures Commission Merchant, if he/she finds it necessary.

附 則

Supplementary Provisions

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 （昭和二五年九月三〇日政令第二九九号）

Supplementary Provisions (Cabinet Order No. 299 of September 30, 1950)

1 この政令は、公布の日から施行する。

(1) This Cabinet Order shall come into force as from the day of promulgation.

2 取引所令（大正十一年勅令第三百五十三号）は、廃止する。

(2) The Exchange Act (Imperial Ordinance No. 353 of 1922) shall be abolished.

附 則（昭和二六年三月三日政令第三七号）

Supplementary Provisions (Cabinet Order No. 37 of March 3, 1951)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則（昭和二六年五月四日政令第一三二号）

Supplementary Provisions (Cabinet Order No. 132 of May 4, 1951)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則（昭和二六年九月二一日政令第三〇四号）

Supplementary Provisions (Cabinet Order No. 304 of September 21, 1951)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則（昭和二七年六月二三日政令第二〇一号）

Supplementary Provisions (Cabinet Order No. 201 of June 23, 1952)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則（昭和二八年九月二一日政令第二九三号）

Supplementary Provisions (Cabinet Order No. 293 of September 21, 1953)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則（昭和二九年五月三一日政令第一一七号）

Supplementary Provisions (Cabinet Order No. 117 of May 31, 1954)

1 この政令は、昭和二十九年六月一日から施行する。

(1) This Cabinet Order shall come into force as from June 1, 1954.

2 商品取引所法の一部を改正する法律（昭和二十九年法律第九十二号）の施行の際現に取引所が改正前の法第三十八条第三項の規定により指定している有価証券は、改正後の商品取引所法施行令第三条の二但書の規定により指定したものとみなす。

(2) Securities having been designated by an Exchange at the time of the enforcement of the Act for Partial Revision of the Commodity Exchange Act (Act No. 92 of 1954) pursuant to the provisions of Article 38, paragraph (3) of the Act prior to the revision shall be deemed to have been designated pursuant to the provisions of the proviso of Article 3-2 of the Order for Enforcement of the Commodity Exchange Act after the revision.

附 則 （昭和三七年一〇月一日政令第三九九号）

Supplementary Provisions (Cabinet Order No. 399 of October 1, 1962)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 （昭和三八年一〇月二五日政令第三五六号）

Supplementary Provisions (Cabinet Order No. 356 of October 25, 1963)

この政令は、昭和三十九年一月一日から施行する。

This Cabinet Order shall come into force as from January 1, 1964.

附 則 （昭和四三年一月二二日政令第四号） 抄

Supplementary Provisions (Cabinet Order No. 4 of January 22, 1968)
(Extract)

1 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（昭和四十三年一月二十七日。以下「施行日」という。）から施行する。

(1) This Cabinet Order shall come into force as from the day of enforcement (January 27, 1968; hereinafter referred to as the "Effective Date") of the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Revising Act.")

附 則 （昭和四六年四月一日政令第一一二号）

Supplementary Provisions (Cabinet Order No. 112 of April 1, 1971)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 （昭和四七年八月一日政令第三〇二号）

Supplementary Provisions (Cabinet Order No. 302 of August 1, 1972)

この政令は、昭和四十七年十月一日から施行する。

This Cabinet Order shall come into force as from October 1, 1972.

附 則 （昭和五〇年一二月二三日政令第三六三号）

Supplementary Provisions (Cabinet Order No. 363 of December 23, 1975)

（施行期日）

(Effective Date)

1 この政令は、商品取引所法の一部を改正する法律の施行の日（昭和五十一年一月十四日）から施行する。

(1) This Cabinet Order shall come into force as from the day of the enforcement (January 14, 1976) of the Act for Partial Revision of the Commodity Exchange Act.

（経過措置）

(Transitional Measures)

2 この政令の施行の際現に商品取引所法（以下「法」という。）第四十一条第一項の許可を受けている商品取引員について、改正後の商品取引所法施行令（以下「新令」という。）第五条に定める額が改正前の商品取引所法施行令（以下「旧令」という。）第五条に定める額を超えている場合には、当該商品取引員の法第四十九条第一項に規定する基準額は、この政令の施行の日（以下「施行日」という。）から一年間は、新令第五条の規定にかかわらず、旧令第五条に定める額とする。

(2) With regard to a Futures Commission Merchant who has received a license under Article 41, paragraph (1) of the Commodity Exchange Act (hereinafter referred to as the "Act") at the time of the enforcement of this Cabinet Order, in the case where the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision (hereinafter referred to as the "New Order") exceeds the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision (hereinafter referred to as the "Former Order"), the standard amount for said Futures Commission Merchant prescribed in Article 49, paragraph (1) of the Act shall be the amount prescribed in Article 5 of the Former Order, for one year from the day of the enforcement of this Cabinet Order (hereinafter referred to as the "Effective Date"), notwithstanding the provisions of Article 5 of the New Order.

3 この政令の施行の際現に法第四十一条第一項又は第四十六条第一項の許可に係る営業所である営業所について、新令第七条に定める額に基づいて法第九十七条の二第二項第一号の規定により算出する額が旧令第七条に定める額に基づいて法第九十七条の二第二項第一号の規定により算出する額を超える場合には、当該営業所については、施行日から一年間は、旧令第七条に定める額に基づいて法第九十七条の二第二項第一

号に規定する額を算出するものとする。

- (3) With regard to a business office pertaining to a license under Article 41, paragraph (1) or Article 46, paragraph (1) of the Act at the time of the enforcement of this Cabinet Order, in the case where the amount calculated pursuant to the provisions of Article 97-2, paragraph (2), item (i) of the Act based on the amount prescribed in the Article 7 of the New Order exceeds the amount calculated pursuant to the provisions of Article 97-2, paragraph (2), item (i) of the Act based on the amount prescribed in Article 7 of the Former Order, the amount prescribed in Article 97-2, paragraph (2), item (i) shall be calculated based on the amount prescribed in the Article 7 of the Former Order with regard to said business office, for one year from the Effective Date.

附 則 （昭和五三年七月五日政令第二八二号） 抄
Supplementary Provisions (Cabinet Order No. 282 of July 5, 1978)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、公布の日から施行する。

Article 1 This Cabinet Order shall come into force as from the day of promulgation.

附 則 （昭和五六年九月一六日政令第二八二号）
Supplementary Provisions (Cabinet Order No. 282 of September 16, 1981)

(施行期日)

(Effective Date)

1 この政令は、昭和五十六年九月二十四日から施行する。

(1) This Cabinet Order shall come into force as from September 24, 1981.

(経過措置)

(Transitional Measures)

- 2 売買の当事者が、将来の一定の時期において、当該売買の目的物となつている金及びその対価を現に授受するように制約され、現に当該金の転売若しくは買戻しをしたときは差金の授受によつて決済することができる取引であつて、この政令の施行前に行われたもの（以下この項において「施行前取引」という。）の目的物となつている金及びその対価の授受又は当該金の転売若しくは買戻し及び当該転売若しくは買戻しによる差金の授受であつて、施行前取引が行われた施設と同一の施設においてなされるもの（以下この項において「取引の終了行為」という。）が、この政令の施行後に、取引の終了行為をすべき者の間でなされる場合には、当該取引の終了行為及び当該取引の終了行為がなされる施設の開設に関しては、商品取引所法第八条の規定は、適用

しない。

- (2) In the case where a transaction, in which the parties to the buying and selling are bound to transfer between them the gold subject to said buying and selling and the consideration therefor at a certain time in the future and a resale or buy-in of said gold may be settled by exchanging the difference, has been carried out prior to the enforcement of this Cabinet Order (hereinafter referred to as a "Transaction prior to Enforcement" in this paragraph), and the transfer between the gold subject to said Transaction prior to Enforcement and the consideration therefor or the transfer between the resale or buy-in of said gold and the difference arising from said resale or buy-in in the same facility as the facility in which the Transaction prior to Enforcement was carried out (hereinafter referred to as "Completion of Transaction") is to be carried out after the enforcement of this Cabinet Order between the persons who should carry out the Completion of Transaction, the provisions of Article 8 of the Commodity Exchange Act shall neither apply to said Completion of Transaction nor the establishment of the facility in which said Completion of Transaction is to be carried out.

附 則 (昭和五七年二月二三日政令第二三号)

Supplementary Provisions (Cabinet Order No. 23 of February 23, 1982)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 (昭和五八年一〇月七日政令第二一四号)

Supplementary Provisions (Cabinet Order No. 214 of October 7, 1983)

(施行期日)

(Effective Date)

- 1 この政令は、昭和五十八年十月十七日から施行する。

(1) This Cabinet Order shall come into force as from October 17, 1983.

(経過措置)

(Transitional Measures)

- 2 売買の当事者が、将来の一定の時期において、当該売買の目的物となつている銀若しくは白金及びその対価を現に授受するように制約され、現に当該銀若しくは白金の転売若しくは買戻しをしたときは差金の授受によつて決済することができる取引であつて、この政令の施行前に行われたもの（以下この項において「施行前取引」という。）の目的物となつている銀若しくは白金及びその対価の授受又は当該銀若しくは白金の転売若しくは買戻し及び当該転売若しくは買戻しによる差金の授受であつて、施行前取引が行われた施設と同一の施設においてなされるもの（以下この項において

「取引の終了行為」という。)が、この政令の施行後に、取引の終了行為をすべき者の間でなされる場合には、当該取引の終了行為及び当該取引の終了行為がなされる施設の開設に関しては、商品取引所法(以下「法」という。)第八条の規定は、適用しない。

(2) In the case where a transaction, in which the parties to the buying and selling are bound to transfer between them the silver or platinum subject to said buying and selling and the consideration therefor at a certain time in the future and a resale or buy-in of said silver or platinum may be settled by exchanging the difference, has been carried out prior to the enforcement of this Cabinet Order (hereinafter referred to as a "Transaction prior to Enforcement" in this paragraph), and the transfer between the silver or platinum subject to said Transaction prior to Enforcement and the consideration therefor or the transfer between the resale or buy-in of said silver or platinum and the difference arising from said resale or buy-in in the same facility as the facility in which the Transaction prior to Enforcement was carried out (hereinafter referred to as the "Completion of Transaction") is to be carried out after the enforcement of this Cabinet Order between the persons who should carry out the Completion of Transaction, the provisions of Article 8 of the Commodity Exchange Act (hereinafter referred to as the "Act") shall neither apply to said Completion of Transaction nor the establishment of the facility in which said Completion of Transaction is to be carried out.

3 この政令の施行の際現に東京金取引所が開設する商品市場に上場される金についての法第四十一条第一項の許可(以下「金についての許可」という。)を受けている商品取引員は、東京金取引所が貴金属を上場するための定款の変更について法第二十条第一項の規定による主務大臣の認可を受けた日から東京金取引所において新たに銀又は白金の売買取引が開始される日(以下「売買取引開始日」という。)の前日(その日以前に東京金取引所が開設する商品市場に上場される貴金属についての法第四十一条第一項の許可を受けた場合は、当該許可を受けた日の前日)までの間は、東京金取引所が開設する商品市場に上場される貴金属(金に限る。)についての法第四十一条第一項の許可を受けたものとみなす。

(3) A Futures Commission Merchant who has received a license under Article 41, paragraph (1) of the Act with regard to gold to be listed on a Commodity Market established by the Tokyo Gold Exchange (hereinafter referred to a "License with regard to Gold") at the time of the enforcement of this Cabinet Order shall be deemed to have received a license under Article 41, paragraph (1) of the Act with regard to precious metals (limited to gold) to be listed on a Commodity Market established by the Tokyo Gold Exchange, during the period from the day on which the Tokyo Gold Exchange received the approval of the competent minister under Article 20, paragraph (1) of the Act with regard to an amendment in its articles of incorporation for listing precious metals until the day preceding the day on which buying and selling transactions of silver of

platinum commenced on the Tokyo Gold Exchange (hereinafter referred to as the "Commencement Date of Buying and Selling Transactions") (in the case where he/she received a license under Article 41, paragraph (1) of the Act with regard to precious metals to be listed on a Commodity Market established by the Tokyo Gold Exchange prior to this day, the day preceding the day on which he/she received said license).

4 この政令の施行の際現に金についての許可を受けている商品取引員に係る法第四十九条第一項の基準額は、売買取引開始日（その日がこの政令の施行の日から起算して三月を経過する日（以下「経過日」という。）前である場合は、経過日）の前日までの間は、改正後の商品取引所法施行令（以下「新令」という。）第五条の規定にかかわらず、改正前の商品取引所法施行令（以下「旧令」という。）別表第二の東京金取引所の項に掲げる金額とする。

(4) The standard amount under Article 49, paragraph (1) of the Act pertaining to a Futures Commission Merchant who has received a "License with regard to Gold" at the time of the enforcement of this Cabinet Order shall be the amount set forth in the row relating to the Tokyo Gold Exchange in appended table 2 of the Order for Enforcement of the Commodity Exchange Act prior to the revision (hereinafter referred to as the "Former Order") until the day preceding the Commencement Date of Buying and Selling Transactions (in the case where this date is prior to the date on which three months have elapsed from the day of the enforcement of this Cabinet Order [hereinafter referred to as the "Elapsed Date"], the Elapsed Date), notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision (hereinafter referred to as the "New Order").

5 この政令の施行の際現に金についての許可を受けている各商品取引員に係る法第九十七条の二第二項第一号の政令で定める金額は、当該各商品取引員が銀又は白金に係る受託業務を開始する日（その日が売買取引開始日以後である場合は、売買取引開始日）の前日までの間は、新令第七条の規定にかかわらず、旧令別表第三の金の項に掲げる金額とする。

(5) The amount specified by a Cabinet Order as set forth in Article 97-2, paragraph (2), item (i) of the Act pertaining to each Futures Commission Merchant who has received a "License with regard to Gold" at the time of the enforcement of this Cabinet Order shall be the amount set forth in the row relating to gold in appended table 3 of the Former Order, until the day preceding the day on which said each Futures Commission Merchant starts the business of accepting consignments pertaining to silver or platinum (in the case where this date is after the Commencement Date of Buying and Selling Transactions, the Commencement Date of Buying and Selling Transactions), notwithstanding the provisions of Article 7 of the New Order.

附 則 （昭和五九年四月二〇日政令第一一〇号）

Supplementary Provisions (Cabinet Order No. 110 of April 20, 1984)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 (昭和五十九年九月二一日政令第二八二号)

Supplementary Provisions (Cabinet Order No. 282 of September 21, 1984)

この政令は、昭和五十九年十月一日から施行する。

This Cabinet Order shall come into force as from October 1, 1984.

附 則 (昭和五十九年一〇月二六日政令第三一一号)

Supplementary Provisions (Cabinet Order No. 311 of October 26, 1984)

この政令は、昭和五十九年十一月一日から施行する。

This Cabinet Order shall come into force as from November 1, 1984.

附 則 (昭和六〇年一二月一七日政令第三一五号)

Supplementary Provisions (Cabinet Order No. 315 of December 17, 1985)

(施行期日)

(Effective Date)

1 この政令は、昭和六十一年一月一日から施行する。

(1) This Cabinet Order shall come into force as from January 1, 1986.

(経過措置)

(Transitional Measures)

2 この政令の施行の際現に商品取引所法第四十一条第一項の許可を受けている商品取引員について、改正後の商品取引所法施行令第五条に定める額（その者が二以上の商品市場における上場商品について同項の許可を受けている場合にあつては、これらの商品市場における上場商品について同条に定める額を合算した額）が改正前の商品取引所法施行令第五条に定める額（その者が二以上の商品市場における上場商品について同項の許可を受けている場合にあつては、これらの商品市場における上場商品について同条に定める額を合算した額）を超えている場合には、当該商品取引員の同法第四十九条第一項に規定する基準額は、この政令の施行の日から一年間は、改正後の商品取引所法施行令第五条の規定にかかわらず、改正前の商品取引所法施行令第五条に定める額とする。

(2) With regard to a Futures Commission Merchant who has received a license under Article 41, paragraph (1) of the Commodity Exchange Act at the time of the enforcement of this Cabinet Order, in the case where the amount prescribed in Article 5 of the Order for Enforcement of the Commodity

Exchange Act after the revision (in the case where a person has received a license under the same paragraph with regard to Listed Commodities on two or more Commodity Markets, the total of the amount prescribed in the same Article with regard to these Listed Commodities on the Commodity Markets) exceeds the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision (in the case where a person has received a license under the same paragraph with regard to Listed Commodities on two or more Commodity Markets, the total of the amount prescribed in the same Article with regard to these Listed Commodities on the Commodity Markets), the standard amount prescribed in Article 49, paragraph (1) of the same Act for said Futures Commission Merchant shall be the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision, for one year from the day of the enforcement of this Cabinet Order, notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision.

附 則 (平成二年一二月一四日政令第三五四号) 抄

**Supplementary Provisions (Cabinet Order No. 354 of December 14, 1990)
(Extract)**

(施行期日)

(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（平成二年法律第五十二号。以下「改正法」という。）の施行の日（平成二年十二月二十九日）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (December 29, 1990) of the Act for Partial Revision of the Commodity Exchange Act (Act No. 52 of 1990; hereinafter referred to as the "Revising Act").

(第一種商品取引受託業の許可に係る最低資本の額に関する経過措置)

(Transitional Measures pertaining to the Minimum Capital concerning a License for the First Class Commodity Transactions Brokerage Business)

第二条 改正法附則第三条第一項の規定により改正後の商品取引所法（以下「新法」という。）第四十一条第一項の許可を受けたものとみなされた者が同条第二項第一号に掲げる者に係る同条第一項の許可、同条第四項の許可の更新又は新法第四十六条第一項の許可を受けようとする場合における新法第四十四条第一項第一号の二（新法第四十六条第三項第一号において準用する場合を含む。）の政令で定める額は、この政令の施行の日から起算して四年を経過する日の前日までの間は、改正後の商品取引所法施行令第五条の規定にかかわらず、三億円とする。

Article 2 In the case where a person, who is deemed to have received a license under Article 41, paragraph (1) of the Commodity Exchange Act after the

revision (hereinafter referred to as the "New Act") pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the Revising Act, intends to receive a license under paragraph (1) of the same Article, the renewal of a license under paragraph (4) of the same Article, or a license under Article 46, paragraph (1) of the New Act pertaining to a person set forth in Article 41, paragraph (2), item (i) of the New Act, the amount specified by a Cabinet Order as set forth in Article 44, paragraph (1), item (i)-2 of the New Act (including the case where it is applied mutatis mutandis pursuant to Article 46, paragraph (3), item (i) of the New Act) shall be 300 million yen, until the day preceding the day on which four years have elapsed from the day of the enforcement of this Cabinet Order, notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision.

附 則 (平成六年九月一九日政令第三〇三号) 抄
Supplementary Provisions (Cabinet Order No. 303 of September 19, 1994)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、行政手続法の施行の日（平成六年十月一日）から施行する。
Article 1 This Cabinet Order shall come into force as from the effective date (October 1, 1994) of the Administrative Procedures Act.

附 則 (平成七年三月二三日政令第七八号)
Supplementary Provisions (Cabinet Order No. 78 of March 23, 1995)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 (平成八年九月二六日政令第二九四号)
Supplementary Provisions (Cabinet Order No. 294 of September 26, 1996)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 (平成九年九月二九日政令第三〇五号)
Supplementary Provisions (Cabinet Order No. 305 of September 29, 1997)

(施行期日)

(Effective Date)

1 この政令は、公布の日から施行する。

(1) This Cabinet Order shall come into force as from the day of promulgation.

(罰則に関する経過措置)

(Transitional Measures pertaining to Penal Provisions)

2 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

(2) With regard to the application of penal provisions to acts committed prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

附 則 (平成一〇年十一月二〇日政令第三六九号) 抄

Supplementary Provisions (Cabinet Order No. 369 of November 20, 1998)

(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、平成十年十二月一日から施行する。

Article 1 This Cabinet Order shall come into force as from December 1, 1998.

(罰則の適用に関する経過措置)

(Transitional Measures pertaining to the Application of Penal Provisions)

第三十条 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 30 With regard to the application of penal provisions to acts committed prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

附 則 (平成一一年三月二六日政令第八〇号) 抄

Supplementary Provisions (Cabinet Order No. 80 of March 26, 1999)

(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（平成十一年四月一日）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (April 1, 1999) of the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Revising Act").

(商品取引員協会等の登記に係る経過措置)

(Transitional Measures pertaining to Registration of the Futures Commission

Merchant Association, etc.)

第二条 改正法の公布の際既に改正法による改正前の商品取引所法第五十四条の三第一項に規定する商品取引員協会が設立されている場合において、当該商品取引員協会が、改正法附則第八条第一項の規定により、改正法による改正後の商品取引所法の規定による商品先物取引協会となるための定款の変更の認可を受けたときは、同条第四項に規定する定款の変更の認可の効力が発生した日から主たる事務所の所在地においては二週間以内に、従たる事務所の所在地においては三週間以内に、商品取引員協会については解散の登記、商品先物取引協会については組合等登記令（昭和三十九年政令第二十九号）第三条に定める登記をしなければならない。

Article 2 (1) In the case where the Futures Commission Merchant Association prescribed in Article 54-3, paragraph (1) of the Commodity Exchange Act prior to the revision by the Revising Act has been established at the time of the promulgation of the Revising Act, when said Futures Commission Merchant Association was approved to amend its articles of incorporation to become a commodity futures association under the provisions of the Commodity Exchange Act revised by the Revising Act pursuant to the provisions of Article 8, paragraph (1) of the Supplementary Provisions of the Revising Act, registration of dissolution shall be completed with regard to the Futures Commission Merchant Association and registration prescribed in Article 3 of the Association Registration Order (Cabinet Order No. 29 of 1964) shall be completed with regard to the commodity futures association, within two weeks from the day on which the approval for the amendment of articles of incorporation prescribed in Article 8, paragraph (4) of the Supplementary Provisions of the Revising Act becomes effective at the location of its principal office and within three weeks from such day at the location of its secondary offices.

2 前項の規定により商品先物取引協会についてする登記の申請書には、定款、代表権を有する者の資格を証する書面及び次条の規定による改正後の組合等登記令別表一商品先物取引協会の項の登記事項の欄に掲げる事項を証する書面を添付しなければならない。

(2) A written application for registration to be completed with regard to a commodity futures association pursuant to the provisions of the preceding paragraph shall have attached the articles of incorporation, a document proving the qualification of the person who has the power of representation, and documents proving the matters set forth in the column of the registered matters in the row of commodity futures associations of appended table 1 of the Association Registration Order after the revision by the provisions of the following Article.

3 登記官は、第一項の規定により解散の登記がされたときは、その登記用紙を閉鎖しなければならない。

(3) A registrar shall close the registration record when dissolution has been

registered pursuant to the provisions of paragraph (1).

4 商業登記法（昭和三十八年法律第二百二十五号）第十九条、第五十五条第一項、第七十一条及び第七十三条の規定は、第一項の登記について準用する。この場合において、同法第七十一条中「組織を変更した旨」とあるのは、「商品取引所法の一部を改正する法律（平成十年法律第四十二号）附則第八条第一項及び第四項の規定により同法による改正後の商品取引所法（昭和二十五年法律第二百三十九号）の規定による商品先物取引協会となつた旨」と読み替えるものとする。

(4) The provisions of Article 19, Article 55, paragraph (1), Article 71, and Article 73 of the Commercial Registration Act (Act No. 125 of 1963) shall apply mutatis mutandis to the registration under paragraph (1). In this case, "to the effect that the organization has been changed" in Article 71 of the same Act shall be deemed to be replaced with "to the effect that it has become a commodity futures association under the Commodity Exchange Act (Act No. 239 of 1950) revised by the Act for Partial Revision of the Commodity Exchange Act (Act No. 42 of 1998) pursuant to the provisions of Article 8, paragraph (1) and paragraph (4) of the Supplementary Provisions of the same Act."

附 則 （平成一二年六月七日政令第三一一号） 抄

Supplementary Provisions (Cabinet Order No. 311 of June 7, 2000)

(Extract)

（施行期日）

(Effective Date)

第一条 この政令は、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日（平成十三年一月六日）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (January 6, 2001) of the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999).

附 則 （平成一二年十一月一七日政令第四八二号） 抄

Supplementary Provisions (Cabinet Order No. 482 of November 17, 2000)

(Extract)

（施行期日）

(Effective Date)

第一条 この政令は、特定目的会社による特定資産の流動化に関する法律等の一部を改正する法律（以下「改正法」という。）の施行の日（平成十二年十一月三十日。以下「施行日」という。）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (November 30, 2000; hereinafter referred to as the "Effective

Date") of the Act for Partial Revision of the Act concerning Liquidation of Specified Assets by Special Purpose Entities (hereinafter referred to as the "Revising Act").

附 則 (平成一六年三月二四日政令第五七号) 抄
Supplementary Provisions (Cabinet Order No. 57 of March 24, 2004)
(Extract)

この政令は、平成十六年三月三十一日から施行する。
This Cabinet Order shall come into force as from March 31, 2004.

附 則 (平成一六年八月二七日政令第二五九号) 抄
Supplementary Provisions (Cabinet Order No. 259 of August 27, 2004)
(Extract)

(施行期日)
(Effective Date)

第一条 この政令は、商品取引所法の一部を改正する法律（以下「改正法」という。）の施行の日（平成十七年五月一日。以下「施行日」という。）から施行する。ただし、次条から附則第四条までの規定は、公布の日から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (May 1, 2005; hereinafter referred to as the "Effective Date") of the Act for Partial Revision of the Commodity Exchange Act (hereinafter referred to as the "Revising Act"); provided, however, that the provisions set forth in the following Article to Article 4 of the Supplementary Provisions shall come into force as from the day of promulgation.

(商品取引債務引受業の許可に関する経過措置)
(Transitional Measures pertaining to a License for the Business of Assuming Commodity Transaction Debts)

第二条 改正法による改正後の商品取引所法（以下「新法」という。）第百六十七条の許可を受けようとする株式会社は、施行日前においても、新法第百六十八条の規定の例により、その許可の申請をすることができる。

Article 2 (1) A stock company which intends to receive a license under Article 167 of the Commodity Exchange Act revised by the Revising Act (hereinafter referred to as the "New Act") may also file an application for the license prior to the Effective Date in accordance with the provisions of Article 168 of the New Act.

2 主務大臣は、前項の規定による許可の申請があった場合には、施行日前においても、新法第百六十七条から第百六十九条までの規定の例により、その許可をすることができる。この場合において、その許可を受けた株式会社は、施行日において新法第百六

十七条の許可を受けたものとみなす。

- (2) In the case where an application for a license under the preceding paragraph has been filed, the competent minister may grant the license in accordance with the provisions of Articles 167 to 169 inclusive of the New Act also prior to the Effective Date. In this case, the stock company which received the license shall be deemed to have received the license under Article 167 of the New Act as on the Effective Date.

(委託者保護会員制法人の登記等に係る経過措置)

(Transitional Measures pertaining to Registration of a Consignor Protection Membership Corporation)

第三条 改正法附則第十八条第一項の規定により施行日前において委託者保護会員制法人（新法第二百六十九条第四項に規定する委託者保護会員制法人をいう。以下同じ。）を設立しようとする場合の設立の登記は、附則第七条の規定による改正後の組合等登記令（昭和三十九年政令第二十九号）の規定の例により、当該委託者保護会員制法人の理事長となるべき者がするものとする。

Article 3 (1) In the case where a Consignor Protection Membership Corporation (which refers to the Consignor Protection Membership Corporation prescribed in Article 269, paragraph (4) of the New Act; the same shall apply hereinafter) is to be established prior to the Effective Date pursuant to the provisions of Article 18, paragraph (1) of the Supplementary Provisions of the Revising Act, the registration of establishment shall be completed by a person who is to be the president of said Consignor Protection Membership Corporation in accordance with the provisions of the Association Registration Order (Cabinet Order No. 29 of 1964) after the revision by the provisions of Article 7 of the Supplementary Provisions.

2 改正法附則第十八条第一項の規定により設立された委託者保護会員制法人の施行日前における運営並びに解散及び清算については、新法第六章第二節の規定の例によるものとする。

- (2) With regard to the management and the dissolution and liquidation prior to the Effective Date of a Consignor Protection Membership Corporation established pursuant to the provisions of Article 18, paragraph (1) of the Supplementary Provisions of the Revising Act, the provisions of Chapter VI, Section 2 of the New Act shall apply.

(委託者保護基金への業務等の承継申出の期限)

(Time Limit for Application for Succession of Businesses, etc. to the Consumer Protection Fund)

第四条 改正法附則第十九条第一項の政令で定める日は、平成十八年四月三十日とする。

Article 4 The day specified by a Cabinet Order as set forth in Article 19, paragraph (1) of the Supplementary Provisions of the Revising Act shall be

April 30, 2006.

(社団法人商品取引受託債務補償基金協会の解散の登記の嘱託等)

(Request for Registration of Dissolution of the Association of Compensation Funds for Consigned Liabilities in Commodity Futures, Inc., etc.)

第五条 改正法附則第十九条第五項の規定により社団法人商品取引受託債務補償基金協会（次条において「補償基金協会」という。）が解散したときは、主務大臣は、遅滞なく、その解散の登記を登記所に嘱託しなければならない。

Article 5 (1) In the case where the Association of Compensation Funds for Consigned Liabilities in Commodity Futures, Inc. (referred to as the "Association of Compensation Funds" in the following Article) was dissolved pursuant to the provisions of Article 19, paragraph (5) of the Supplementary Provisions of the Revising Act, the competent minister shall make a request for the registration of dissolution to a registry office, without delay.

2 登記官は、前項の規定による嘱託に係る解散の登記をしたときは、その登記記録を閉鎖しなければならない。

(2) A registrar shall close the registration record when he/she has registered the dissolution pertaining to the request under the preceding paragraph.

(課税の特例)

(Special Provisions for Taxation)

第五条の二 改正法附則第十九条第五項の規定により補償基金協会の有する資産及び負債の承継を受けた委託者保護基金（新法第二百九十六条に規定する委託者保護基金をいう。）としての委託者保護会員制法人（次項において単に「委託者保護基金」という。）の当該資産の当該承継の時の価額から当該負債の当該承継の時の価額を控除した金額は、法人税法（昭和四十年法律第三十四号）第二条第十七号に規定する資本積立金額とする。

Article 5-2 (1) Where a Consignor Protection Membership Corporation as a Consumer Protection Fund (which means the Consumer Protection Fund prescribed in Article 296 of the New Act) has succeeded to the assets and liabilities held by the Association of Compensation Funds pursuant to the provisions of Article 19, paragraph (5) of the Supplementary Provisions of the Revising Act (such Consignor Protection Membership Corporation shall be simply referred to as a "Consumer Protection Fund" in the following paragraph), the amount obtained by deducting the value of said liabilities at the time of said succession from the value of said assets at the time of said succession shall be the capital surplus prescribed in Article 2, item (xvii) of the Corporation Tax Act (Act No. 34 of 1965).

2 前項の場合において、委託者保護基金が承継を受ける資産のうち法人税法第二条第二十一号に規定する有価証券については、補償基金協会が当該承継の日の前日において経理していた当該有価証券の価額をもって、同項に規定する承継の時の価額とする。

(2) In the case referred to in the preceding paragraph, with regard to securities prescribed in Article 2, item (xxi) of the Corporation Tax Act among the assets to which the Consumer Protection Fund succeeds, the value of the securities which were under the accounting of the Association of Compensation Funds as on the day preceding the day of said succession shall be deemed to be the value at the time of the succession prescribed in the same paragraph.

附 則 (平成一七年二月一八日政令第二四号) 抄
Supplementary Provisions (Cabinet Order No. 24 of February 18, 2005)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、不動産登記法の施行の日（平成十七年三月七日）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (March 7, 2005) of the Real Property Registration Act.

附 則 (平成一七年四月二七日政令第一六六号)
Supplementary Provisions (Cabinet Order No. 166 of April 27, 2005)

この政令は、公布の日から施行する。

This Cabinet Order shall come into force as from the day of promulgation.

附 則 (平成一八年四月二六日政令第一八〇号) 抄
Supplementary Provisions (Cabinet Order No. 180 of April 26, 2006)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、会社法の施行の日（平成十八年五月一日）から施行する。

Article 1 This Cabinet Order shall come into force as from the day of the enforcement (May 1, 2006) of the Companies Act.

附 則 (平成一九年八月三日政令第二三三号) 抄
Supplementary Provisions (Cabinet Order No. 233 of August 3, 2007)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日から施行する。

Article 1 This Cabinet Order shall come into effect as from the day of

enforcement of the revising Act.

(罰則の適用に関する経過措置)

(Transitional Measure concerning Application of Penal Provisions)

第六十四条 施行日前にした行為及びこの附則の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 64 With regard to the application of penal provisions to an act committed prior to the enforcement date or an act committed on or after the enforcement date in the case where the provisions shall remain in force pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

附 則 (平成二〇年五月二一日政令第一八〇号) 抄

Supplementary Provisions (Cabinet Order No. 180 of May 21, 2008)

(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

Article 1 This Cabinet Order shall come into effect as from October 1, 2008.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この政令の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Cabinet Order, the provisions then in force shall remain applicable.

附 則 (平成二〇年七月四日政令第二一九号) 抄

Supplementary Provisions (Cabinet Order No. 219 of July 4, 2008)

(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、株式等の取引に係る決済の合理化を図るための社債等の振替に関する法律等の一部を改正する法律（以下「改正法」という。）の施行の日から施行する。

Article 1 This Cabinet Order shall come into effect as from the day of the enforcement of the Act for Partial Revision of the Act on Transfer of Bonds, etc.

for Achieving Rationalization of Settlements for Transactions of Shares, etc.
and Other Acts (hereinafter referred to as the "Revising Act").

附 則 (平成二〇年七月二五日政令第二三七号) 抄
Supplementary Provisions (Cabinet Order No. 237 of July 25, 2008)
(Extract)

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

Article 1 This Cabinet Order shall come into effect as from October 1, 2008.