

貿易保險法

Trade Insurance and Investment Act

(昭和二十五年三月三十一日法律第六十七号)
(Act No. 67 of March 31, 1950)

目次

Table of Contents

第一章 総則 (第一条・第二条)

Chapter I General Provisions (Article 1 and Article 2)

第二章 独立行政法人日本貿易保険

Chapter II The Incorporated Administrative Agency Nippon Export and
Investment Insurance

第一節 総則 (第三条—第七条)

Section 1 General Provisions (Article 3 to Article 7)

第二節 役員及び職員 (第八条—第十二条)

Section 2 Officers and Employees (Article 8 to Article 12)

第三節 業務等 (第十三条—第十八条)

Section 3 Business Operations (Article 13 to Article 18)

第四節 雑則 (第十九条—第二十一条)

Section 4 Miscellaneous Provisions (Article 19 to Article 21)

第三章 貿易保険

Chapter III Trade Insurance

第一節 総則 (第二十二条—第二十六条)

Section 1 General Provisions (Article 22 to Article 26)

第二節 普通輸出保険 (第二十七条—第二十九条)

Section 2 General Export Insurance (Article 27 to Article 29)

第三節 輸出代金保険 (第三十条—第三十三条)

Section 3 Export Payments Insurance (Article 30 to Article 33)

第四節 為替変動保険 (第三十四条—第三十六条)

Section 4 Exchange Risk Insurance (Article 34 to Article 36)

第五節 輸出手形保険 (第三十七条—第四十一条)

Section 5 Export Bill Insurance (Article 37 to Article 41)

第六節 輸出保証保険 (第四十二条—第四十五条)

Section 6 Export Bond Insurance (Article 42 to Article 45)

第七節 前払輸入保険 (第四十六条—第四十八条)

Section 7 Prepayment Import Insurance (Article 46 to Article 48)

第八節 仲介貿易保険 (第四十九条—第五十一条)

Section 8 Intermediary Trade Insurance (Article 49 to Article 51)

第九節 海外投資保険 (第五十二条・第五十三条)

Section 9 Overseas Investment Insurance (Article 52 and Article 53)

第十節 海外事業資金貸付保険（第五十四条—第五十六条）

Section 10 Overseas Untied Loan Insurance (Article 54 to Article 56)

第四章 政府の再保険（第五十七条—第六十一条）

Chapter IV Government Reinsurance (Article 57 to Article 61)

第五章 罰則（第六十二条—第六十四条）

Chapter V Penal Provisions (Article 62 to Article 64)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、外国貿易その他の対外取引において生ずる為替取引の制限その他通常の保険によつて救済することができない危険を保険する制度を確立することによつて、外国貿易その他の対外取引の健全な発達を図ることを目的とする。

Article 1 The purpose of this Act is to promote the sound development of foreign trade and other external transactions, through the establishment of a system of insurance against restrictions on exchange transactions and other risks for which ordinary insurance cannot provide relief, that arise in foreign trade and other external transactions.

(定義)

(Definitions)

第二条 この法律において「輸出契約」とは、本邦内で生産され、加工され、又は集荷される貨物を輸出する契約であつて、政令で定める事項についての定めがあるものをいう。

Article 2 (1) The term "export contract," as used in this Act, shall mean any contract to export trade goods that are produced, processed, or collected in Japan, and which contains provisions with respect to matters provided for by Cabinet Order.

2 この法律において「輸出者」とは、輸出契約の当事者であつて、貨物を輸出するものをいう。

(2) The term "exporter," as used in this Act, shall mean a party to an export contract who exports trade goods.

3 この法律において「供給契約」とは、輸出者が輸出契約に基づいて輸出すべき貨物を本邦内で生産し、加工し、又は集荷して当該輸出者に引き渡す契約をいう。

(3) The term "supply contract," as used in this Act, shall mean a contract for the delivery of trade goods to an exporter that are produced, processed, or collected

in Japan and that are to be exported by said exporter based on an export contract.

- 4 この法律において「生産者」とは、輸出する目的をもって本邦内で貨物を生産し、加工し、又は集荷する者をいう。
- (4) The term "producer," as used in this Act, shall mean any person who produces, processes or collects trade goods in Japan for the purpose of export.
- 5 この法律において「技術提供契約」とは、外国において技術の提供又はこれに伴う労務の提供をする契約であつて、政令で定める事項についての定めがあるものをいう。
- (5) The term "technical cooperation contract," as used in this Act, shall mean any contract for the provision of technology or of services associated with technical cooperation in a foreign country, and which contains provisions with respect to matters provided for by Cabinet Order.
- 6 この法律において「技術提供者」とは、技術提供契約の当事者であつて、技術の提供又はこれに伴う労務の提供をするものをいう。
- (6) The term "technological provider," as used in this Act, shall mean a party to a technical cooperation contract who provides technology or services associated with technical cooperation.
- 7 この法律において「輸出代金貸付契約」とは、輸出契約に基づく輸出貨物（第三十条第二項の政令で定める貨物に限る。）の代金若しくは賃貸料又は技術提供契約に基づく技術若しくは労務の提供の対価の支払に充てられる資金を外国の政府、地方公共団体若しくはこれらに準ずる者（以下「外国政府等」という。）、外国法人又は外国人に貸し付ける契約であつて、政令で定める事項について定めがあるものをいう。
- (7) The term "export finance contract," as used in this Act, shall mean a contract for a loan, to a foreign government, local government or equivalent (hereafter referred to as a "foreign government, etc.") or a foreign juridical person or foreign citizen, of purchase monies or lease fees for exported trade goods (limited to trade goods prescribed by the Cabinet Order set forth in Article 30, paragraph (2)) based on an export contract, or funds appropriated for payment for technologies or services based on a technical cooperation contract, and which contains provisions with respect to matters provided for by Cabinet Order.
- 8 この法律において「輸出代金貸付者」とは、輸出代金貸付契約の当事者であつて、資金を貸し付けるものをいう。
- (8) The term "export finance provider," as used in this Act, shall mean a party to an export finance contract who loans funds.
- 9 この法律において「輸出保証」とは、次に掲げる保証であつて、保証金額その他政令で定める事項についての定めがあるものをいう。
- (9) The term "export bond," as used in this Act, shall mean any guarantee listed below which contains provisions with respect to the amount of guarantee and other matters provided for by Cabinet Order.
- 一 輸出契約又は技術提供契約に関する入札（以下「入札」という。）の条件に含ま

れる保証条項に従い入札に基づく債務について当該入札の相手方に対してする保証（違約金その他これに類する金銭を支払い、又はその支払に代えて主たる債務の全部若しくは一部を主たる債務者に代わつて履行し、若しくは第三者に履行させる旨の保証をいう。次号において同じ。）

(i) A guarantee (meaning a guarantee to pay penalty fees or similar monies, or, in lieu of said payment, to perform all or part of the principal obligations on behalf of the principal obligor, or to have a third party perform the same) against the counterparty to a bid concerning an export contract or a technical cooperation contract (hereinafter referred to as a "bid"), with respect to obligations based on said bid that are in accordance with a guarantee clause included in the terms of said bid.

二 輸出契約又は技術提供契約に含まれる保証条項に従いこれらの契約に基づく債務について当該契約の相手方に対してする保証

(ii) A guarantee towards the counterparty to a contract with respect to obligations based on said contract, in accordance with a guarantee clause included in an export contract or a technical cooperation contract.

三 前二号に掲げる保証（前二号に掲げる保証に係る保証であつて、この号に該当するものを含む。）をした者（以下「保証人」という。）がその保証の条件に従い保証債務を履行した場合における主たる債務者の当該保証人に対する賠償債務について当該保証人に対してする金銭の支払の保証

(iii) A guarantee for the payment of monies to a person (hereinafter referred to as a "guarantor") making a guarantee (including a guarantee which falls under the terms of this item and which pertains to a guarantee listed in the preceding two items) listed in the preceding two items, with respect to compensatory obligations borne by the principal obligor concerning the guarantor, in cases where said guarantor has performed guarantee obligations in accordance with the terms of said guarantee.

10 この法律において「前払輸入契約」とは、貨物を輸入する契約のうち、その輸入貨物の代金又は賃借料の全部又は一部を当該輸入貨物の船積期日前に支払うことを条件とする契約であつて、政令で定める事項についての定めがあるものをいう。

(10) The term "prepayment import contract," as used in this Act, shall mean, among contracts for the import of trade goods, those which contain the condition that all or part of the purchase monies or lease fees for those imported trade goods be paid before the shipping date of said imported trade goods, and which contain provisions with respect to matters provided for by Cabinet Order.

11 この法律において「前払輸入者」とは、前払輸入契約の当事者であつて、貨物を輸入するものをいう。

(11) The term "prepayment importer," as used in this Act, shall mean a party to a prepayment import contract who imports trade goods.

12 この法律において「仲介貿易契約」とは、本邦法人又は本邦人が一の外国の地域

において生産され、加工され、又は集荷される貨物を他の外国の地域に販売し、又は賃貸する契約であつて、政令で定める事項についての定めがあるものをいう。

(12) The term "intermediary trade contract," as used in this Act, shall mean a contract for the sale or lease of trade goods produced, processed or collected in one region of a foreign country in a different region of a foreign country by a Japanese juridical person or Japanese citizen, and which contains provisions with respect to matters provided for by Cabinet Order.

1 3 この法律において「仲介貿易者」とは、仲介貿易契約の当事者であつて、貨物を販売し、又は賃貸するものをいう。

(13) The term "trade intermediary," as used in this Act, shall mean a party to an intermediary trade contract who sells or leases trade goods.

1 4 この法律において「仲介貿易代金貸付契約」とは、仲介貿易契約に基づく仲介貿易貨物の代金又は賃貸料の支払に充てられる資金を外国政府等、外国法人又は外国人に貸し付ける契約であつて、政令で定める事項についての定めがあるものをいう。

(14) The term "intermediary trade payment loan contract," as used in this Act, shall mean a contract for a loan to a foreign government, etc., a foreign juridical person, or a foreign citizen, of funds to be allocated to the payment of purchase monies or lease fees for intermediary trade goods based on an intermediary trade contract, and which contains provisions with respect to matters provided for by Cabinet Order.

1 5 この法律において「仲介貿易代金貸付者」とは、仲介貿易代金貸付契約の当事者であつて、資金を貸し付けるものをいう。

(15) The term "intermediary trade payment loan provider," as used in this Act, shall mean a party to an intermediary trade payment loan contract who loans funds.

1 6 この法律において「海外投資」とは、本邦法人又は本邦人が行う次に掲げるものをいう。

(16) The term "overseas investment," as used in this Act, shall mean the types of investment listed below which are undertaken by a Japanese juridical person or a Japanese citizen.

一 外国法人の株式その他の持分（以下「株式等」という。）の取得

(i) The acquirement of shares or other equity (hereinafter referred to as "shares, etc.") in a foreign juridical person.

二 本邦外において行う事業の用に供する不動産若しくは設備に関する権利若しくは鉱業権、工業所有権その他の権利又はこれらに類する利益（以下「不動産に関する権利等」という。）の取得

(ii) The acquirement of rights relating to real estate or facilities to be used in business activities conducted outside of Japan, mining rights, industrial property rights, or other rights; or other interests similar to the same (hereinafter referred to as "rights relating to real estate, etc.").

1 7 この法律において「海外事業資金貸付」とは、本邦法人又は本邦人が行う外国政

府等、外国法人若しくは外国人に対する本邦外において行う事業に必要な長期資金に充てられる長期貸付金に係る債権若しくは当該資金を調達するために発行される外国政府等若しくは外国法人の公債、社債（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）第六十六条第一号に規定する短期社債を除く。以下この項において同じ。）その他これらに準ずる債券（以下「貸付金債権等」という。）の取得又は当該資金に充てられる外国政府等、外国法人若しくは外国人の長期借入金若しくは当該資金を調達するために発行される外国政府等若しくは外国法人の公債、社債その他これらに準ずる債券に係る保証債務（保証債務を履行した場合に、その履行した者がその履行した金額につき主たる債務者に対する求償権を取得するものとされるものに限る。）の負担をいう。

(17) The term "overseas untied loan," as used in this Act, shall mean the acquisition of claims pertaining to long-term loans appropriated to long-term funds necessary for the conducting by a foreign government, etc., foreign juridical person or foreign citizen of business activities outside of Japan, or of government bonds, company bonds (excluding the short-term company bonds prescribed in Article 66, item (i) of the Act on Transfer of Bonds, Shares, etc. (Act No. 75 of 2001); the same shall apply hereafter in this paragraph), or other equivalent bond certificates (hereinafter referred to as "loan receivables") by a foreign government, etc. or a foreign juridical person, that are issued for the purpose of procuring said funds; or the defrayment of long-term debts of a foreign government, etc., foreign juridical person, or foreign citizen appropriated to said funds, or of guarantee obligations (in cases in which guarantee obligations have been performed, this is limited to those for which it was specified that the person performing those obligations should acquire the right to reimbursement for the amount of the performance from the principal obligor) pertaining to government bonds, company bonds, or other equivalent bond certificates in a foreign government, etc., or a foreign juridical person, that are issued for the purpose of procuring said funds, by a Japanese juridical person or Japanese citizen.

第二章 独立行政法人日本貿易保険

Chapter II The Incorporated Administrative Agency Nippon Export and Investment Insurance

第一節 総則

Section 1 General Provisions

(目的)

(Purpose)

第三条 独立行政法人日本貿易保険の名称、目的、業務の範囲等に関する事項については、この章の定めるところによる。

Article 3 Matters relating to the name, purpose, and the scope of business

operations of the Incorporated Administrative Agency Nippon Export and Investment Insurance shall be governed by the provisions of this Chapter.

(名称)

(Name)

第四条 この法律及び独立行政法人通則法（平成十一年法律第百三号。以下「通則法」という。）の定めるところにより設立される通則法第二条第一項に規定する独立行政法人の名称は、独立行政法人日本貿易保険とする。

Article 4 The name of the Incorporated Administrative Agency established pursuant to the provisions of this Act and the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999; hereafter referred to as the "Act on General Rules") and provided for by Article 2, paragraph (1) of the Act on General Rules shall be the Incorporated Administrative Agency Nippon Export and Investment Insurance.

(日本貿易保険の目的)

(Purpose of Nippon Export and Investment Insurance)

第五条 独立行政法人日本貿易保険（以下「日本貿易保険」という。）は、対外取引において生ずる通常の保険によつて救済することができない危険を保険する事業を効率的かつ効果的に行うことを目的とする。

Article 5 The purpose of The Incorporated Administrative Agency Nippon Export and Investment Insurance (hereafter referred to as "NEXI") shall be the efficient and effective conducting of business activities for insurance against risks arising in external transactions for which ordinary insurance cannot provide relief.

(事務所)

(Offices)

第六条 日本貿易保険は、主たる事務所を東京都に置く。

Article 6 The principal office of NEXI shall be located in the Tokyo Metropolis.

(資本金)

(Stated Capital)

第七条 日本貿易保険の資本金は、貿易保険法の一部を改正する法律（平成十一年法律第二百二号）附則第七条第二項の規定により政府から出資があつたものとされた金額とする。

Article 7 (1) The stated capital of NEXI shall be the amount determined as that to be contributed by the government pursuant to the provisions of Article 7, paragraph (2) of the supplementary provisions to the Act Revising a Section of the Trade Insurance and Investment Act (Act No. 202 of 1999).

2 政府は、必要があると認めるときは、予算で定める金額の範囲内において、日本貿

易保険に追加して出資することができる。

(2) The government may contribute additional capital to NEXI, within the scope of the amount determined in its budget, when considered to be necessary.

3 日本貿易保険は、前項の規定による政府の出資があつたときは、その出資額により資本金を増加するものとする。

(3) When a contribution by the government pursuant to the provisions of the preceding paragraph has been made, the stated capital of NEXI shall be increased by the amount of that contribution.

第二節 役員及び職員

Section 2 Officers and Employees

(役員)

(Officers)

第八条 日本貿易保険に、役員として、その長である理事長及び監事二人を置く。

Article 8 (1) NEXI shall have as its officers one chairman and CEO as its head, and two auditors.

2 日本貿易保険に、役員として、理事三人以内を置くことができる。

(2) A maximum of three vice chairmen may be assigned to NEXI as officers.

(理事の職務及び権限等)

(Duties and Authority of Vice Chairmen)

第九条 理事は、理事長の定めるところにより、理事長を補佐して日本貿易保険の業務を掌理する。

Article 9 (1) Vice Chairmen shall, under the direction of the Chairman and CEO, assist the Chairman and CEO in administering the business operations of NEXI.

2 通則法第十九条第二項の個別法で定める役員は、理事とする。ただし、理事が置かれていないときは、監事とする。

(2) The officer prescribed by the individual method set forth in Article 19, paragraph (2) of the Act on General Rules shall be a vice chairman; provided, however, that it shall be an auditor when there is no vice chairman.

3 前項ただし書の場合において、通則法第十九条第二項の規定により理事長の職務を代理し又はその職務を行う監事は、その間、監事の職務を行つてはならない。

(3) In the case set forth in the proviso of the preceding paragraph, an auditor performing duties on behalf of the Chairman and CEO pursuant to Article 19, paragraph (2) of the Act on General Rules shall not perform the duties of an auditor during that period.

(役員任期)

(Officers' Term of Office)

第十条 役員の任期は、二年とする。

Article 10 The term of office of officers shall be two years.

(秘密保持義務)

(Obligation to Maintain Confidentiality)

第十一条 日本貿易保険の役員若しくは職員又はこれらの職にあつた者は、その職務上
知ることができた秘密を漏らし、又は盗用してはならない。

Article 11 Officers and employees of NEXI and those who were formally in such
positions shall not divulge or appropriate any confidential information they
have become aware of during the course of their duties.

(役員及び職員の地位)

(Status of Officers and Employees)

第十二条 日本貿易保険の役員及び職員は、刑法（明治四十年法律第四十五号）その他
の罰則の適用については、法令により公務に従事する職員とみなす。

Article 12 The officers and employees of NEXI shall be deemed to be employees
engaged in public service, pursuant to the applicable Ordinance of the Ministry
of Justice, with respect to the application of the Penal Code (Act No. 45 of
1907) and other penal provisions.

第三節 業務等

Section 3 Business Operations

(業務の範囲等)

(Scope of Business Operations)

第十三条 日本貿易保険は、第五条の目的を達成するため、次の業務を行う。

Article 13 (1) In order to achieve the purpose set forth in Article 5, NEXI shall
conduct the following business operations.

一 次章の規定による貿易保険の事業を行うこと。

(i) The conducting of trade insurance business activities pursuant to the
provisions of the following Chapter.

二 前号の業務に附帯する業務を行うこと。

(ii) The conducting of business operations incidental to the business operations
set forth in the preceding item.

2 日本貿易保険は、前項の業務のほか、同項の業務の遂行に支障のない範囲内で、貿易保険によりてん補される損失と同種の損失についての保険（再保険を含む。）の事業を行う国際機関、外国政府等又は外国法人を相手方として、これらの者が負う保険責任につき再保険を引き受けることができる。

(2) NEXI may, in addition to the business operations set forth in the preceding
paragraph, and insofar as it will not cause any hindrance to the business
operations set forth in the same paragraph, underwrite reinsurance of

insurance liabilities incurred by international organizations, foreign governments, etc., and foreign juridical persons conducting insurance business activities (including reinsurance) with respect to losses covered by trade insurance or other similar types of losses taken as counterparties.

3 前項の規定により日本貿易保険が引き受ける再保険の再保険料率は、第一項の業務の健全な運営に支障を生ずることのないように定めなければならない。

(3) The reinsurance premium rate for reinsurance underwritten by NEXI pursuant to the provisions of the preceding paragraph shall be determined so as not to cause any hindrance to the sound operation of the business operations set forth in paragraph (1).

第十四条 日本貿易保険は、第四章の規定による政府を相手方とする再保険のほか、貿易保険によりてん補される損失と同種の損失についての保険（再保険を含む。）の事業を行う国際機関、外国政府等又は外国法人を相手方として、この法律により日本貿易保険が負う保険責任につき再保険を行うことができる。

Article 14 NEXI may, in addition to reinsurance taking the government as a counterparty pursuant to the provisions of Chapter IV, perform reinsurance of the insurance liabilities it incurs pursuant to this Act, taking an international organization, foreign government, etc., or foreign juridical person conducting insurance business activities (including reinsurance) with respect to losses covered by trade insurance or other similar types of losses as a counterparty.

（業務の委託）

(Entrustment of Business Operations)

第十五条 日本貿易保険は、経済産業大臣の認可を受けて、金融機関に対し、第十三条第一項第一号の業務（保険契約の締結を除く。）の一部を委託することができる。

Article 15 (1) NEXI may entrust part of the business operations (excluding the conclusion of insurance contracts) set forth in item (i) of Article 13, paragraph (1), to a financial institution, subject to the authorization of the Minister for Economy, Trade and Industry.

2 金融機関は、他の法律の規定にかかわらず、前項の規定による委託を受け、当該業務を行うことができる。

(2) Financial institutions may, notwithstanding the provisions of other Acts, receive entrustment pursuant to the provisions of the preceding paragraph, and conduct said business operations.

3 第一項の規定により業務の委託を受けた金融機関（以下「受託金融機関」という。）の役員及び職員であつて当該委託業務に従事するものは、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(3) Officers and those employees of a financial institution which has received the entrustment of business operations pursuant to the provisions of paragraph (1) (hereafter referred to as an "entrusted financial institution") who are engaged

in the relevant business operations shall be deemed to be employees engaged in public service, pursuant to the applicable Ordinance of the Ministry of Justice, with respect to the application of the Penal Code and other penal provisions.

(利益及び損失の処理の特例等)

(Special Provisions on the Disposition of Profit and Loss)

第十六条 日本貿易保険は、通則法第二十九条第二項第一号に規定する中期目標の期間（以下この項において「中期目標の期間」という。）の最後の事業年度に係る通則法第四十四条第一項本文又は第二項の規定による整理（以下この項において「整理」という。）を行つた後、同条第一項の規定による積立金（以下この項において「積立金」という。）がある場合において、次の各号のいずれかに該当するときは、当該各号に定める金額について経済産業省令で定める基準により計算した額を国庫に納付しなければならない。

Article 16 (1) NEXI shall, after performing arrangements pursuant to the provisions of the main clause of Article 44, paragraph (1) or of paragraph (2) of the Act on General Rules (hereafter in this paragraph referred to as "the arrangements") pertaining to the final business year in the period for the mid-term target prescribed in item (i) of Article 29, paragraph (2) of the Act on General Rules (hereafter in this paragraph referred to as the "period for mid-term target"), in cases in which there are reserve funds pursuant to the provisions of paragraph (1) of Article 44 of that Act (hereafter in this paragraph referred to as "reserve funds"), at any time falling under the following items, with respect to the amounts prescribed in each respective item, make payment to the national treasury of an amount calculated pursuant to the standards prescribed by the applicable Ordinance of the Ministry for Economy, Trade and Industry.

一 当該中期目標の期間（以下この項において「当該期間」という。）の直前の中期目標の期間（次号において「前期間」という。）の最後の事業年度に係る整理を行つた後積立金がなかつたとき 当該期間の最後の事業年度に係る整理を行つた後の積立金の額に相当する金額

(i) When there were no reserve funds after the arrangements pertaining to the final business year in the period for mid-term target (in the next item referred to as the "previous period") immediately prior to the relevant period for mid-term target (hereafter in this paragraph referred to as the "relevant period") had been performed: An amount equivalent to the amount of reserve funds after the performing of arrangements pertaining to the final business year in the relevant period.

二 前期間の最後の事業年度に係る整理を行つた後積立金があつた場合であつて、当該期間の最後の事業年度に係る整理を行つた後の積立金の額に相当する金額が前期間の最後の事業年度に係る整理を行つた後の積立金の額（当該前期間の最後の事業年度においてこの項の規定により国庫に納付した場合にあつては、その納付した額

を控除した残額)に相当する金額を超えるとき その超える額に相当する金額
(ii) When, in cases in which there were reserve funds after the arrangements pertaining to the final business year in the previous period had been performed, an amount equivalent to the amount of reserve funds after the arrangements pertaining to the final business year in the relevant period have been performed exceeds the amount of reserve funds after the arrangements pertaining to the final business year in the previous period had been performed (in cases in which a payment to the national treasury has been made pursuant to the provisions of this paragraph for the final business year in said previous period, the amount remaining after subtracting the amount of that payment): An amount equivalent to that excess amount.

2 日本貿易保険の通則法第三十条第一項に規定する中期計画に関する同条第二項の規定の適用については、同項中「六 剰余金の使途 七 その他主務省令で定める業務運営に関する事項」とあるのは、「六 その他主務省令で定める業務運営に関する事項」とする。

(2) With respect to the application of the provisions of Article 30, paragraph (2) of the Act on General Rules relating to the mid-term objectives for NEXI prescribed in paragraph (1) of the same Article, the term "(vi) Use of Surplus (vii) Other matters relating to the operation of business specified in other applicable Ordinances of the competent ministry" in paragraph (2) shall be deemed to be replaced with "(vi) Other matters relating to the operation of business specified in other applicable Ordinances of the competent ministry."

3 日本貿易保険については、通則法第四十四条第一項ただし書、第三項及び第四項の規定は、適用しない。

(3) The provisions of the proviso of paragraph (1), and of paragraph (3) and paragraph (4) of Article 44 of the Act on General Rules shall not apply to NEXI.

4 日本貿易保険の最初の中期目標の期間については、第一項第一号中「なかつたとき」とあるのは、「なかつたとき又は当該期間が最初の中期目標の期間であるとき」とする。

(4) With respect to the first period for mid-term target for NEXI, the term "there were no reserve funds" in item (i) of paragraph (1) shall be deemed to be replaced with "there were no reserve funds, or the relevant period was the first period for mid-term target."

5 前各項に定めるもののほか、納付金の納付の手續その他積立金の処分に関し必要な事項は、政令で定める。

(5) In addition to what is provided in each of the preceding paragraphs, payment procedures and other necessary matters related to the appropriation of reserve funds shall be provided for by Cabinet Order.

(長期借入金及び貿易保険債券)

(Long-term Borrowings and Trade Insurance Bonds)

第十七条 日本貿易保険は、経済産業大臣の認可を受けて、長期借入金をし、又は貿易保険債券を発行することができる。

Article 17 (1) NEXI may, subject to authorization from the Minister of the Economy, Trade and Industry, undertake long-term borrowings or issue trade insurance bonds.

2 経済産業大臣は、前項の規定による認可をしようとするときは、あらかじめ、経済産業省の独立行政法人評価委員会の意見を聴かなければならない。

(2) When the Minister of the Economy, Trade and Industry is to give his or her authorization pursuant to the provisions of the preceding paragraph, he or she shall hear the opinions of the Ministry of Economy, Trade and Industry's Evaluation Committee for Incorporated Administrative Agencies in advance.

3 第一項の規定による貿易保険債券の債権者は、日本貿易保険の財産について他の債権者に先立つて自己の債権の弁済を受ける権利を有する。

(3) Creditors holding trade insurance bonds pursuant to the provisions of paragraph (1) shall have the right to receive performance of their own claims in preference to other creditors, with respect to the assets of NEXI.

4 前項の先取特権の順位は、民法（明治二十九年法律第八十九号）の規定による一般の先取特権に次ぐものとする。

(4) The order of statutory liens set forth in the preceding paragraph shall come after general statutory liens pursuant to the provisions of the Civil Code (Act No. 89 of 1896).

5 日本貿易保険は、経済産業大臣の認可を受けて、貿易保険債券の発行に関する事務の全部又は一部を銀行又は信託会社に委託することができる。

(5) NEXI may, subject to authorization from the Minister of Economy, Trade and Industry, entrust all or part of affairs relating to the issuing of trade insurance bonds to a bank or trust company.

6 会社法（平成十七年法律第八十六号）第七百五条第一項及び第二項並びに第七百九条の規定は、前項の規定により委託を受けた銀行又は信託会社について準用する。

(6) The provisions of Article 705, paragraphs (1) and (2), and Article 709 of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis with respect to banks or trust companies receiving entrustment pursuant to the provisions of the preceding paragraph.

7 前各項に定めるもののほか、貿易保険債券に関し必要な事項は、政令で定める。

(7) In addition to what is provided in each of the preceding paragraphs, necessary matters relating to trade insurance bonds shall be provided for by Cabinet Order.

(償還計画)

(Reimbursement Plans)

第十八条 日本貿易保険は、毎事業年度、長期借入金及び貿易保険債券の償還計画を立

てて、経済産業大臣の認可を受けなければならない。

Article 18 (1) NEXI shall create a reimbursement plan for its long-term borrowings and trade insurance bonds every business year, and receive the authorization of the Minister of Economy, Trade and Industry.

2 経済産業大臣は、前項の規定による認可をしようとするときは、あらかじめ、経済産業省の独立行政法人評価委員会の意見を聴かなければならない。

(2) When the Minister of the Economy, Trade and Industry is to give his or her authorization pursuant to the provisions of the preceding paragraph, he or she shall hear the opinions of the Ministry of Economy, Trade and Industry's Evaluation Committee for Incorporated Administrative Agencies in advance.

第四節 雑則

Section 4 Miscellaneous Provisions

(報告及び検査)

(Reports and Inspection)

第十九条 経済産業大臣は、この法律を施行するため必要があると認めるときは、受託金融機関に対し、その委託を受けた業務に関し報告をさせ、又はその職員に、受託金融機関の事務所に立ち入り、その委託を受けた業務に関し業務の状況若しくは帳簿、書類その他の物件を検査させることができる。

Article 19 (1) The Minister of Economy, Trade and Industry may, when it is considered necessary for the enforcement of this Act, have reports made by an entrusted financial institution regarding its entrusted business operations; or send an official to enter the office of an entrusted business operation and perform an inspection of the status of entrusted business operations, or of accounting books, written documents or other items.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者にこれを提示しなければならない。

(2) Officials performing on-site inspections pursuant to the provisions of the preceding paragraph shall carry a certificate of identification and show it to those concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to perform on-site inspections pursuant to the provisions of paragraph (1) shall not be construed as being approved for the purposes of criminal investigation.

(財務大臣との協議)

(Consultation with the Minister of Finance)

第二十条 経済産業大臣は、次の場合には、財務大臣に協議しなければならない。

Article 20 The Minister of Economy, Trade and Industry shall consult with the

Minister of Finance in the following cases.

一 第十五条第一項、第十七条第一項若しくは第五項又は第十八条第一項の認可をしようとするとき。

(i) When the authorization set forth in Article 15, paragraph (1), Article 17, paragraph (1) or (5), or Article 18, paragraph (1) is to be granted.

二 第十六条第一項の経済産業省令を定めようとするとき。

(ii) When the applicable Ordinance of the Ministry for Economy, Trade and Industry set forth in Article 16 of paragraph (1) is to be formulated.

(主務大臣等)

(Competent Minister, etc.)

第二十一条 日本貿易保険に係る通則法における主務大臣、主務省及び主務省令は、それぞれ経済産業大臣、経済産業省及び経済産業省令とする。

Article 21 The competent minister, competent ministry and ordinance of the competent ministry contained in the Act on General Rules as they pertain to NEXI shall be the Minister of Economy, Trade and Industry, the Ministry of Economy, Trade and Industry, and Ordinances of the Ministry of Economy, Trade and Industry respectively.

第三章 貿易保険

Chapter III Trade Insurance

第一節 総則

Section 1 General Provisions

(貿易保険の種類)

(Kinds of Trade Insurance)

第二十二条 貿易保険は、普通輸出保険、輸出代金保険、為替変動保険、輸出手形保険、輸出保証保険、前払輸入保険、仲介貿易保険、海外投資保険及び海外事業資金貸付保険とする。

Article 22 Trade insurance shall consist of general export insurance, export payments insurance, exchange risk insurance, export bill insurance, export bond insurance, prepayment import insurance, intermediary trade insurance, overseas investment insurance, and overseas untied loan insurance.

(引受条件)

(Cover Conditions)

第二十三条 日本貿易保険は、貿易保険の保険料率その他の引受けに関する条件（以下「引受条件」という。）を定め、経済産業省令で定めるところにより、経済産業大臣に届け出なければならない。これを変更しようとするときも、同様とする。

Article 23 (1) NEXI shall prescribe conditions relating to premium rates for trade insurance and other conditions (hereafter referred to as "cover

conditions"), and shall notify the Minister of Economy, Trade and Industry pursuant to the provisions of the applicable Ordinance of the Ministry of Economy, Trade and Industry. This shall also apply when changes are to be made.

2 経済産業大臣は、前項の規定による届出に係る引受条件が次の各号のいずれかに該当しないと認めるときは、日本貿易保険に対し、期限を定めてその引受条件を変更すべきことを命ずることができる。

(2) When the Minister of Economy, Trade and Industry considers that a cover condition contained in a notification pursuant to the preceding paragraph does not fall under any of the following items, he may order NEXI to change such cover condition by a set date.

一 保険料率が保険契約者の負担の観点から著しく不適切なものでないこと。

(i) The premium rate is not significantly inappropriate from the perspective of the burden of the policyholders.

二 特定の者に対して不当な差別的取扱いをするものでないこと。

(ii) Certain persons are not treated in an unfair or discriminatory manner.

三 対外取引の健全な発達を阻害するものでないこと。

(iii) No harm will be done to the sound development of external transactions.

3 日本貿易保険は、第一項の規定による届出をした引受条件以外の引受条件により、貿易保険を引き受けてはならない。

(3) NEXI shall not underwrite trade insurance under cover conditions other than those for which notification has been provided pursuant to the provisions of paragraph (1).

(契約の解除等)

(Cancellation of Contracts)

第二十四条 日本貿易保険は、貿易保険の保険契約の保険契約者、被保険者又は保険金を受け取るべき者がこの法律（これに基づく命令を含む。）の規定又は貿易保険の保険契約の条項に違反したときは、当該保険契約に基づく保険金の全部若しくは一部を支払わず、若しくは保険金の全部若しくは一部を返還させ、又は将来にわたって当該保険契約を解除することができる。

Article 24 NEXI may, when a policyholder to a trade insurance contract, an insured person, or a person who is to receive an insurance payment has violated the provisions of this Act (including orders based on it), or has violated a trade insurance contract, decide not to pay all or part of any insurance claim payment based on the relevant insurance contract, or have all or part of any insurance claim payment returned, or cancel the relevant insurance contract into the future.

(代位)

(Subrogation)

第二十五条 日本貿易保険は、普通輸出保険、輸出代金保険、輸出保証保険、前払輸入保険、仲介貿易保険、海外投資保険若しくは海外事業資金貸付保険について第二十七条第二項、第三十条第二項、第四十二条第二項、第四十六条第二項、第四十九条第二項、第五十二条第二項若しくは第五十四条第二項に規定する損失が生じた場合又は輸出手形保険について第三十七条第一項に規定する銀行等が荷為替手形の満期において支払を受けることができなかつた場合若しくは荷為替手形につきそ求を受けて支払つた場合において、被保険者又は保険金を受け取るべき者に対して保険金を支払つたときは、当該保険金の額に相当する金額を限度として、保険契約者又は被保険者が第三者に対して有する権利を取得する。

Article 25 When, in cases in which the losses prescribed in Article 27 paragraph (2), Article 30 paragraph (2), Article 42 paragraph (2), Article 46 paragraph (2), Article 49 paragraph (2), Article 52 paragraph (2) or Article 54 paragraph (2) with respect to general export insurance, export payments insurance, export bond insurance, prepayment import insurance, intermediary trade insurance, overseas investment insurance, or overseas untied loan insurance have arisen; or cases in which the bank, etc. prescribed in Article 37, paragraph (1) could not receive payment upon maturity of a bill of exchange, or has paid a bill of exchange upon receiving a request for recourse, and NEXI has made an insurance payment to an insured person or a person who is to receive an insurance payment, NEXI shall acquire any rights held by the policyholders or insured persons against third parties, taking as a limit an amount equivalent to the amount of the relevant insurance payment.

(二以上の契約に該当する場合の取扱い)

(Handling of Cases in which there are Two or More Contracts)

第二十六条 一の契約が、次項に規定する場合を除き、輸出契約及び技術提供契約のいずれにも該当する場合、輸出契約及び仲介貿易契約のいずれにも該当する場合又は技術提供契約及び仲介貿易契約のいずれにも該当する場合には、当該一の契約は、当該契約に基づく輸出貨物の代金の額又は賃貸料の合計額（以下「輸出代金等」という。）が当該契約に基づく技術の提供若しくはこれに伴う労務の提供の対価の額（以下「技術提供対価等」という。）に等しく若しくはこれを超え、又は当該契約に基づく仲介貿易貨物の代金の額若しくは賃貸料の合計額（以下「仲介貿易代金等」という。）に等しく若しくはこれを超えるときは輸出契約と、技術提供対価等が輸出代金等を超え、又は仲介貿易代金等に等しく若しくはこれを超えるときは技術提供契約と、仲介貿易代金等が輸出代金等又は技術提供対価等を超えるときは仲介貿易契約とみなす。

Article 26 (1) In cases in which a given contract falls under the definition of an export contract and a technical cooperation contract, or an export contract and an intermediary trade contract, or a technical cooperation contract and an intermediary trade contract, except for the cases prescribed in the following paragraphs, said given contract shall be deemed to be an intermediary trade

contract when the amount of purchase monies for exported trade goods or the total sum of lease fees based on said contract (hereafter referred to as "export payments") exceeds the amount of the consideration for the provision of technologies or of services associated with the same based on said contract (hereafter referred to as "technical cooperation consideration"), or when the amount of purchase monies for intermediary trade goods or the total sum of lease fees based on said contract (hereafter referred to as "intermediary trade payments") is equal to or exceeds said amount of consideration; a technical cooperation contract when the technical cooperation consideration exceeds the export payments or the intermediary trade payments are equal to or exceed such export payments; or an intermediary trade contract when the intermediary trade payments exceed the export payments or the technical cooperation consideration.

2 一の契約が輸出契約、技術提供契約及び仲介貿易契約のいずれにも該当する場合には、当該一の契約は、技術提供対価等が輸出代金等を超え、かつ、仲介貿易代金等に等しく又はこれを超えるときは技術提供契約と、仲介貿易代金等が輸出代金等及び技術提供対価等を超えるときは仲介貿易契約と、その他のときは輸出契約とみなす。

(2) In cases in which a given contract falls under the definition of an export contract, a technical cooperation contract, and an intermediary trade contract, said given contract shall be deemed to be a technical cooperation contract when the technical cooperation consideration exceeds the export payments and is equal to or exceeds the intermediary trade payments; an intermediary trade contract when the intermediary trade payments exceed the export payments and the technical cooperation consideration; and an export contract at all other times.

3 前二項の規定により輸出契約とみなされる一の契約の当事者であつて、貨物の輸出及び技術の提供若しくはこれに伴う労務の提供又は仲介貿易貨物の販売若しくは賃貸をするものは、輸出者とみなす。

(3) Persons who are parties to a given contract deemed to be an export contract pursuant to the provisions of the preceding two paragraphs and who export trade goods and engage in the provision of technologies or services associated with the same, or who engage in the sale or lease of intermediary trade goods, shall be deemed to be exporters.

4 第一項又は第二項の規定により一の契約が輸出契約とみなされる場合には、第三節、第四節及び第六節の規定の適用については、当該契約に基づく技術の提供若しくはこれに伴う労務の提供又は仲介貿易貨物の販売若しくは賃貸及び当該技術の提供若しくはこれに伴う労務の提供の対価又はその仲介貿易貨物の代金若しくは賃貸料は、それぞれ、貨物（第三十条第二項、第三十四条第二項又は第四十二条第二項の規定を適用する場合にあつては、これらの項の政令で定める貨物）の輸出及びその輸出貨物の代金とみなす。

(4) In cases in which a given contract has been deemed to be an export contract

pursuant to the provisions of paragraph (1) or paragraph (2) with respect to the application of the provisions of Section 3, Section 4 and Section 6, the provision of technologies or services associated with the same, or the sale or lease of intermediary trade goods based on said contract, and the consideration for the provision of technologies or services associated with the same or purchase monies or lease fees for those intermediary trade goods shall be deemed to be the export of trade goods (in cases in which the provisions of Article 30, paragraph (2), Article 34, paragraph (2), or Article 42, paragraph (2) are applied, the trade goods provided for by Cabinet Order set forth in those paragraphs) and exported trade goods purchase monies respectively.

5 第一項又は第二項の規定により一の契約が技術提供契約とみなされる場合には、第三節、第四節及び第六節の規定の適用については、当該契約の当事者であつて技術の提供若しくはこれに伴う労務の提供及び貨物の輸出又は仲介貿易貨物の販売若しくは賃貸をするもの、当該契約に基づく貨物の輸出又は仲介貿易貨物の販売若しくは賃貸並びにその輸出貨物の代金若しくは賃貸料又はその仲介貿易貨物の代金若しくは賃貸料は、それぞれ、技術提供者、技術の提供又はこれに伴う労務の提供（第四十二条第二項の規定を適用する場合にあつては、外国における技術の提供又はこれに伴う労務の提供であつて同項の政令で定めるもの）及びこれらの対価とみなす。

(5) In cases in which a given contract has been deemed to be a technical cooperation contract pursuant to the provisions of paragraph (1) or paragraph (2), with respect to the application of the provisions of Section 3, Section 4 and Section 6, those persons who are parties to said contract and who engage in the provision of technologies or services associated with the same, and who export trade goods or engage in the sale or lease of intermediary trade goods; and the export of trade goods or the sale or lease of intermediary trade goods based on said contract; and purchase monies or lease fees for those exported trade goods or purchase monies or lease fees for those intermediary trade goods shall be deemed to be technological providers; the provision of technologies or services associated with the same (in cases in which the provisions of Article 42, paragraph (2) are applied, that provision of technologies or services associated with the same in a foreign country which is provided for by Cabinet Order set forth in the same paragraph); and the consideration for them, respectively.

6 第一項又は第二項の規定により一の契約が仲介貿易契約とみなされる場合には、第八節の規定の適用については、当該契約の当事者であつて仲介貿易貨物の販売若しくは賃貸及び貨物の輸出又は技術の提供若しくはこれに伴う労務の提供をするもの並びにその輸出貨物の代金若しくは賃貸料又は当該技術の提供若しくはこれに伴う労務の提供の対価は、それぞれ、仲介貿易者及びその仲介貿易貨物の代金とみなす。

(6) In cases in which a given contract has been deemed to be an intermediary trade contract pursuant to the provisions of paragraph (1) or paragraph (2), with respect to the application of the provisions of Section 8, those persons who are parties to said contract and who engage in the sale or lease of intermediary

trade goods and who engage in the export of trade goods or the provision of technologies or services associated with the same; and purchase monies or lease fees for those exported trade goods or the consideration for said provision of technologies or services associated with the same shall be deemed to be trade intermediaries and purchase monies for those intermediary trade goods respectively.

第二節 普通輸出保険

Section 2 General Export Insurance

(保険契約)

(Insurance Contracts)

第二十七条 日本貿易保険は、普通輸出保険を引き受けることができる。

Article 27 (1) NEXI may underwrite general export insurance.

2 普通輸出保険は、輸出者（前条第一項又は第二項の規定により技術提供契約又は仲介貿易契約とみなされる契約の当事者であつて、貨物を輸出するものを含む。以下この節において同じ。）が保険契約の締結後生じた次の各号のいずれかに該当する事由によつて輸出契約（同条第一項又は第二項の規定により技術提供契約又は仲介貿易契約とみなされる契約を含む。以下この節において同じ。）に基づいて貨物を輸出することができなくなつたこと（第一号から第五号までのいずれかに該当する事由が生じたため当該貨物の輸出が著しく困難となつたと認められる場合において、輸出契約で定める船積期日から二月を経過した日まで当該貨物を輸出することができなかつたことを含む。）により受ける損失（輸出貨物について生じた損失を除く。）、輸出者が保険契約の締結後生じた第一号から第七号までのいずれかに該当する事由によつて輸出契約に基づいて輸出貨物の代金を回収することができなくなつたことにより受ける損失（輸出貨物について生じた損失を除く。）、輸出者がこれらの損失を受けたことによつて供給契約の当事者たる政令で定める貨物に係る生産者が供給契約に基づいて当該貨物を引き渡し、若しくは当該貨物の代金を回収することができなくなつたことにより受ける損失又は輸出者が保険契約の締結後生じた第一号から第七号までのいずれかに該当する事由による航海若しくは航路の変更により運賃若しくは保険料を新たに負担すべきこととなつたことにより受ける損失をてん補する貿易保険とする。

(2) General export insurance shall mean trade insurance indemnifying losses (including, in cases in which the export of the relevant trade goods could be considered extremely difficult due to the arising of any reason falling under items (i) to (v) below, cases in which the export of said trade goods had not taken place by a date on which two months had passed after the shipping date provided in the intermediary trade contract) incurred through the inability to export goods by an exporter (including any person who is a party to a contract which is deemed to be a technical cooperation contract or an intermediary trade contract pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, and who exports trade goods; the same shall apply

hereafter in this Section) based on an export contract (including a contract which is deemed to be a technical cooperation contract or an intermediary trade contract pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article; the same shall apply hereafter in this Section) due to any reason falling under the following arising after the conclusion of an insurance contract; losses (excluding losses arising in association with the exported trade goods themselves) incurred through the inability to collect purchase monies for exported trade goods based on an export contract due to any reason falling under the following items (i) to (vii) arising after the conclusion of an insurance contract; losses (excluding losses arising in association with the exported trade goods themselves) incurred through the inability to deliver or collect purchase monies based on a supply contract for the relevant trade goods by a producer of trade goods provided for by Cabinet Order who is a party to a supply contract, due to such losses being incurred by an exporter; or losses incurred by an exporter through newly defrayed transportation costs or insurance premiums owing to navigational or route changes, due to any reason falling under items (i) to (vii) below arising after the conclusion of the insurance contract.

一 外国において実施される為替取引の制限又は禁止

(i) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

二 仕向国において実施される輸入の制限又は禁止

(ii) Restrictions or prohibitions on imports conducted in a destination country.

三 外国における戦争、革命又は内乱による為替取引の途絶

(iii) Interruptions to exchange transactions due to war, revolution or insurrection occurring in a foreign country.

四 仕向国における戦争、革命又は内乱によりその国に輸入することができないこと。

(iv) Inability to import to a destination country due to war, revolution or insurrection occurring in that country.

五 本邦外において生じた事由による仕向国への輸送の途絶

(v) Interruptions to transportation to a destination country due to reasons arising outside of Japan.

六 前各号に掲げるもののほか、本邦外において生じた事由であつて、輸出契約の当事者の責めに帰することができないもの

(vi) In addition to what is listed in each of the preceding items, any reason which cannot be considered attributable to the parties to the export, and which arises outside of Japan.

七 外国為替及び外国貿易法（昭和二十四年法律第二百二十八号）による輸出の制限又は禁止（同法第二十五条の二又は第五十三条の規定による禁止を除く。）

(vii) Restrictions or prohibitions to the export of trade goods pursuant to the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1949) (excluding the

prohibitions prescribed in Article 25-2 and Article 53 of the same Act).

八 輸出契約の相手方が外国政府等である場合において、当該相手方が当該輸出契約を一方的に破棄したこと又は当該相手方の責めに帰すべき相当の事由により輸出者が当該輸出契約を解除したこと。

(viii) In cases where the counterparty to the export contract is a foreign government, etc., the unilateral dissolution of said export contract by said counterparty, or the cancellation of said export contract by an exporter on reasonable grounds attributable to said counterparty.

九 輸出契約の相手方についての破産手続開始の決定その他これに準ずる事由

(ix) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the counterparty to the export contract, or other reason equivalent to it.

(保険金)

(Insurance Claims)

第二十八条 輸出者を被保険者とする普通輸出保険において日本貿易保険がてん補すべき額は、輸出者が前条第二項各号のいずれかに該当する事由により輸出することができなくなつた貨物（同項第一号から第五号までのいずれかに該当する事由が生じたためその輸出が著しく困難となつたと認められる場合において、輸出契約で定める船積期日から二月を経過した日まで輸出することができなかつた貨物を含む。）の輸出契約に基づく代金の額若しくは輸出契約に基づく輸出貨物の代金の額のうち輸出者が同項第一号から第七号までのいずれかに該当する事由により回収することができなくなつた金額から次の各号に掲げる金額を控除した残額又は輸出者が同項第一号から第七号までのいずれかに該当する事由による航海若しくは航路の変更により新たに負担すべきこととなつた運賃若しくは保険料の増加額に、保険契約で定める一定の割合（以下「一定割合」という。）を乗じて得た額とする。

Article 28 (1) The amount of indemnity to be provided by NEXI with regard to general export insurance for which an exporter is an insured person shall be the amount obtained by multiplying the specific ratio prescribed in the insurance contract (hereafter referred to as the "specified ratio") by the amount remaining after subtracting the amounts listed in each of the following items from the amount of purchase monies based on the export contract for trade goods that the exporter was unable to export due to any reason falling under any of the items in paragraph (2) of the preceding Article (including, in cases in which the export of the relevant trade goods could be considered extremely difficult due to the arising of any reason falling under items (i) to (v) of the same paragraph, trade goods which had not been exported by a date on which two months had passed after the shipping date provided in the export contract), or from the amount that the exporter was unable to collect from among the amounts of purchase monies for exported trade goods based on the export contract due to any reason falling under item (i) to (vii) in paragraph (2) of the

preceding Article; or by the amount of increase of newly defrayed transportation costs or insurance premiums incurred by the exporter owing to navigational or route changes, due to any reason falling under items (i) to (vii) in the same paragraph arising after the conclusion of the insurance contract.

一 輸出貨物の処分その他損失を軽減するために必要な処置を講じて回収した金額又は回収し得べき金額

(i) The amount recovered, or amount that is expected to be recovered, after the appropriation of exported trade goods or after necessary measures have otherwise been taken for the reduction of losses.

二 当該事由の発生により支出を要しなくなつた金額

(ii) The amount which is no longer necessary to expend due to the arising of said reasons.

三 貨物の輸出によつて取得すべきであつた利益（当該貨物に係る部分に限る。）の額

(iii) The amount of profit (limited to the portion pertaining to the relevant trade goods) which was expected to be earned through the export of trade goods.

2 前項の規定は、前条第二項に規定する生産者を被保険者とする普通輸出保険において日本貿易保険がてん補すべき額に準用する。

(2) The provisions of the preceding paragraph shall apply mutatis mutandis to amounts that are to be indemnified by NEXI regarding general export insurance to which the producer prescribed in paragraph (2) of the preceding Article is an insured person.

（他契約に付随する輸出契約に関する特例）

(Special Provisions related to Export Contracts ancillary to Other Contracts)

第二十九条 輸出契約が、一の契約で当該契約に基づいて一の外国の地域から他の外国の地域に貨物が引き渡されるもの（以下この条において「貨物引渡契約」という。）の当事者であつて貨物を引き渡すものに当該契約に基づく債務の一部の履行に必要な貨物を輸出するもの（輸出貨物の代金の全部又は一部の決済期限が当該貨物引渡契約に基づく債務の履行の対価の全部又は一部の受領の日を基準として定められているものに限る。）である場合における第二十七条第二項の規定の適用については、同項第六号及び第九号中「輸出契約」とあるのは「輸出契約又は第二十九条の貨物引渡契約」と、同項第八号中「輸出契約の相手方」とあるのは「輸出契約又は第二十九条の貨物引渡契約の相手方（貨物引渡契約にあつては、その当事者であつて、貨物の引渡しを受けるものをいう。以下この号及び次号において同じ。）」と、「当該輸出契約」とあるのは「当該輸出契約若しくは貨物引渡契約」と、「輸出者」とあるのは「輸出者若しくは第二十九条の貨物引渡契約の当事者であつて貨物を引き渡すもの」とする。

Article 29 With respect to the application of the provisions of Article 27, paragraph (2) in cases in which an export contract is for the export of trade

goods necessary for the performance of obligations based on a given contract (hereafter referred to as a "trade goods delivery contract") for the delivery of traded goods from a given region of a foreign country to another region of a foreign country based on said export contract to that party to the trade goods delivery contract who delivers trade goods (limited to those export contracts for which the standard is specified that the reception date of all or part of the consideration for the performance of obligations based on said trade goods delivery contract is the settlement deadline for all or part of any purchase monies for the exported trade goods), the term "export contract" in item (vi) and item (ix) of the same paragraph shall be deemed to be replaced with "export contract or trade goods delivery contract set forth in Article 29"; the term "counterparty to the export contract" in item (viii) of the same paragraph shall be deemed to be replaced with "counterparty (for a trade goods delivery contract, the party which receives the delivery of trade goods; the same shall apply hereafter in this item and the following item) to the export contract or trade goods delivery contract set forth in Article 29," the term "said export contract" shall be deemed to be replaced with "said export contract or trade goods delivery contract," and the term "exporter" shall be deemed to be replaced with "exporter or the party to a trade delivery contract set forth in Article 29 who receives the delivery of trade goods."

第三節 輸出代金保険

Section 3 Export Payments Insurance

(保険契約)

(Insurance Contracts)

第三十条 日本貿易保険は、輸出代金保険を引き受けることができる。

Article 30 (1) NEXI may underwrite export payments insurance.

2 輸出代金保険は、輸出者が輸出契約に基づいて政令で定める貨物を輸出した場合に次の各号のいずれかに該当する事由によつて当該輸出貨物の代金若しくは賃貸料を回収することができないことにより受ける損失（仕向国における戦争、革命又は内乱により輸出貨物について生じた損失以外の輸出貨物について生じた損失を除く。）、技術提供者が技術提供契約に基づいて技術の提供若しくはこれに伴う労務の提供をした場合に次の各号のいずれかに該当する事由によつて当該技術若しくは労務の提供の対価を回収することができないことにより受ける損失又は輸出代金貸付者が輸出代金貸付契約に基づいて資金を貸し付けた場合に次の各号のいずれかに該当する事由によつて当該貸付金を回収することができないことにより受ける損失をてん補する貿易保険とする。

(2) Export payments insurance shall mean insurance indemnifying losses

(excluding losses arising with respect to exported trade goods other than those losses which arise with respect to exported trade goods through war, revolution

or insurrection occurring in the destination country) incurred through the inability of an exporter to collect purchase monies or lease fees for exported trade goods due to the arising of any reason falling under any of the following items in cases in which the relevant trade goods were provided for by Cabinet Order and exported based on an export contract; losses incurred through the inability of a technological provider to collect the consideration for the provision of technologies or of services associated with the same due to the arising of any reason falling under any of the following items in cases in which the relevant provision of technologies or of services associated with the same were provided based on a technical cooperation contract; or losses incurred through the inability of an export finance provider to collect a loan due to the arising of any reason falling under any of the following items in cases in which the relevant loan was issued based on an export finance contract.

一 外国において実施される為替取引の制限又は禁止

(i) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

二 外国における戦争、革命又は内乱

(ii) War, revolution or insurrection occurring in a foreign country.

三 前二号に掲げるもののほか、本邦外において生じた事由であつて、輸出契約、技術提供契約又は輸出代金貸付契約の当事者の責めに帰することができないもの

(iii) In addition to what is listed in the preceding two items, any reason which cannot be considered attributable to the parties to the export contract, technical cooperation contract, or export finance contract, and which arises outside of Japan.

四 輸出契約、技術提供契約又は輸出代金貸付契約の相手方についての破産手続開始の決定

(iv) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the counterparty to the export contract, technical cooperation contract, or export finance contract.

五 輸出契約、技術提供契約又は輸出代金貸付契約の相手方の三月以上の債務の履行遅滞（輸出者、技術提供者又は輸出代金貸付者の責めに帰することができないものに限る。）

(v) Three months or more delay in the performance of the obligations of the counterparty to the export contract, technical cooperation contract, or export finance contract (limited to delays which cannot be considered attributable to the exporter, technological provider, or export finance provider).

3 日本貿易保険は、保険契約の申込みを承諾したときは、保険証券を作成し、保険契約者に交付する。

(3) NEXI shall, when it has given consent to an application for an insurance contract, prepare and deliver an insurance policy to the policy holder.

(保険価額)

(Insurable Value)

第三十一条 輸出代金保険においては、輸出契約に基づく輸出貨物の代金若しくは賃貸料、技術提供契約に基づく技術若しくは労務の提供の対価又は輸出代金貸付契約に基づく貸付金（二以上の時期に分割して代金若しくは対価の決済又は貸付金の償還を受けるべきときは、一の時期において決済又は償還を受けるべき当該代金若しくは対価又は貸付金の部分）の額を保険価額とする。

Article 31 For the purposes of export payments insurance, the insurable value shall be the amount of purchase monies or lease fees for exported trade goods based on an export contract, the consideration for technologies or provision of services based on a technical cooperation contract, or loans issued based on an export finance contract (when settlement of purchase monies or consideration or reimbursement of a loan is to be received divided between two or more time periods, the portion of said loan or said consideration or purchase monies for which settlement or reimbursement is to take place in one time period).

(保険金)

(Insurance Claims)

第三十二条 輸出代金保険において日本貿易保険がてん補すべき額は、保険価額のうち第三十条第二項各号のいずれかに該当する事由により輸出者若しくは技術提供者又は輸出代金貸付者がそれぞれ決済期限又は償還期限（同項第五号に該当する事由による場合は、決済期限又は償還期限後三月を経過した時。以下この節において同じ。）までに回収することができない代金若しくは賃貸料若しくは対価又は貸付金の額から次の各号に掲げる金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。

Article 32 The amount of indemnity to be provided by NEXI with regard to export payments insurance shall be the amount obtained by multiplying the ratio of insurable value to insured amount by the amount remaining after subtracting the amounts listed in each of the following items from the amount of each purchase monies or lease fee or consideration, or loan, which could not be collected by the settlement deadline or reimbursement deadline by the exporter, technological provider or export finance provider respectively, due to a reason falling under any of the items in Article 30, paragraph (2) (in case of a reason falling under item (v) of the same paragraph, a time by which three months have passed after the settlement deadline or reimbursement deadline; the same shall apply hereafter in this Section).

一 当該事由の発生により支出を要しなくなつた金額

(i) The amount which is no longer necessary to expend due to the arising of said reasons.

二 決済期限又は償還期限後に回収した金額

(ii) The amount collected after the settlement deadline or reimbursement

deadline.

(他契約に付随する輸出契約等に関する特例)

(Special Provisions related to Export Contracts ancillary to Other Contracts)

第三十三条 輸出契約又は技術提供契約が、一の契約で当該契約に基づいて一の外国の地域から他の外国の地域に貨物が引き渡され又は技術若しくは労務が提供されるもの（以下この条において「貨物等提供契約」という。）の当事者であつて貨物を引き渡し又は技術若しくは労務を提供するものに当該契約に基づく債務の一部の履行に必要な貨物を輸出し、又は技術若しくは労務を提供するもの（輸出貨物の代金若しくは賃貸料又は技術若しくは労務の提供の対価の全部又は一部の決済期限が当該貨物等提供契約に基づく債務の履行の対価の全部又は一部の受領の日を基準として定められているものに限る。）である場合における第三十条第二項及び前条の規定の適用については、第三十条第二項第三号及び第五号中「又は輸出代金貸付契約」とあるのは「、輸出代金貸付契約又は第三十三条の貨物等提供契約」と、同項第四号中「又は輸出代金貸付契約の相手方」とあるのは「、輸出代金貸付契約又は第三十三条の貨物等提供契約の相手方（貨物等提供契約にあつては、その当事者であつて、貨物の引渡し又は技術若しくは労務の提供を受けるものをいう。次号において同じ。）」と、前条中「それぞれ決済期限」とあるのは「それぞれ決済期限（次条に規定する場合にあつては、同条の貨物等提供契約に基づく債務の履行の対価を受領すべき日を基準とする決済期限をいう。以下この条において同じ。）」とする。

Article 33 With respect to the application of the provisions of Article 30, paragraph (2) and the preceding Article in cases in which an export contract or technical cooperation contract is for the export of trade goods, or the provision of technologies or services necessary for the performance of obligations based on a given contract (hereafter referred to as a "trade goods and provision contract") for the delivery of traded goods or the provision of technologies or services from a given region of a foreign country to another region of a foreign country based on said export contract to that party to the trade goods and provision contract who delivers the trade goods or provides technologies or services (limited to those export contracts or technical cooperation contracts for which the standard is specified that the reception date of all or part of the consideration for the performance of obligations based on said trade goods and provision contract is the settlement deadline for all or part of any purchase monies or lease fees for the exported trade goods or consideration for technologies or services provided), the term "or export finance contract" in item (iii) and item (v) of paragraph (2) of Article 30 shall be deemed to be replaced with ", export finance contract or trade goods delivery contract set forth in Article 33"; the term "or counterparty to an export finance contract" in item (iv) of the same paragraph shall be deemed to be replaced with "or counterparty (for a trade goods and provision contract, the party which receives the delivery of trade goods or provision of technologies or services; the same shall apply in

the following item) to the export finance contract or trade goods and provision contract set forth in Article 33," and the term "corresponding settlement deadline" in the preceding Article shall be deemed to be replaced with "corresponding settlement deadline (in the cases prescribed in the following Article, this shall mean a settlement deadline using as a basis the date on which consideration for the performance of obligations based on the trade goods and provision contract set forth in the same Article was to be received; the same shall apply hereafter in this Article)."

第四節 為替変動保険

Section 4 Exchange Risk Insurance

(保険契約)

(Insurance Contracts)

第三十四条 日本貿易保険は、為替変動保険を引き受けることができる。

Article 34 (1) NEXI may underwrite exchange rate insurance.

2 為替変動保険は、輸出者が輸出契約（政令で定める貨物の輸出に係るものであつて、その貨物の代金又は賃貸料の全部又は一部が政令で定める外国通貨（以下「特定外国通貨」という。）をもつて表示されているものに限る。）に基づいて当該貨物を輸出した場合又は技術提供者が技術提供契約（技術又は労務の提供の対価の全部又は一部が特定外国通貨をもつて表示されているものに限る。）に基づいて技術の提供若しくはこれに伴う労務の提供をした場合に、第一号に掲げる外国為替相場が第二号に掲げる外国為替相場に対してその百分の三を超えて低落したことにより、当該輸出貨物の代金若しくは賃貸料又は当該技術若しくは労務の提供の対価のうち、特定外国通貨をもつて表示されている部分（決済期限が保険契約の締結の申込みがあつた日から政令で定める期間を経過するまでに満了するもの及び決済期限が保険契約の締結の申込みがあつた日から政令で定める期間を経過した後に満了するものを除く。以下「代金等」という。）について受ける損失をてん補する貿易保険とする。

(2) Exchange risk insurance shall mean, in cases in which an exporter exports trade goods based on an export contract (limited to those which pertain to the export of trade goods provided for by Cabinet Order, and for which all or part of the purchase monies and lease fees for those trade goods are expressed in a foreign currency provided for by Cabinet Order (hereafter referred to as a "specified foreign currency")), or a technological provider provides technologies or services associated with the same based on a technical cooperation contract (limited to those for which all or part of the consideration for the provision of technologies or services is expressed in a specified foreign currency), trade insurance indemnifying losses incurred with respect to any portion of purchase monies or lease fees for exported trade goods, or consideration for the provision of technologies or services that is expressed in a specified foreign currency (excluding those for which the settlement deadline expires between the date on

which the application for the conclusion of the insurance contract was made and the passage of a time period provided for by Cabinet Order, and those for which the settlement deadline expires between the date on which the application for the conclusion of the insurance contract was made and a time period provided for by Cabinet Order has passed; hereinafter referred to as "purchase monies, etc."), through a decline of three percent or greater in the exchange rate listed in item (i) versus the exchange rate listed in item (ii).

一 決済期限の満了の日の本邦における本邦通貨をもつて表示される当該特定外国通貨の外国為替相場（以下「特定外国為替相場」という。）。ただし、当該特定外国為替相場が代金等を回収した日の特定外国為替相場より低いときは、その日の特定外国為替相場

(i) The exchange rate for a specified foreign currency (hereafter referred to as a "specified foreign currency exchange rate") that is expressed in Japanese currency in Japan on the date on which the settlement date expires; provided, however, that when the specified foreign currency exchange rate on the date on which purchase monies, etc., were collected was higher than said specified foreign currency exchange rate, this shall mean the specified foreign currency exchange rate on that date.

二 保険契約の締結の申込みがあつた日の特定外国為替相場。ただし、当該特定外国為替相場が当該輸出契約又は技術提供契約を締結した日の特定外国為替相場より高いときは、その日の特定外国為替相場

(ii) The exchange rate on the date on which the application for the conclusion of the insurance contract was made; provided, however, that when the specified foreign currency exchange rate on the date on which the relevant export contract or technical cooperation contract was concluded was lower than said foreign currency exchange rate, this shall mean the specified foreign currency exchange rate on that date.

(保険金)

(Insurance Claims)

第三十五条 為替変動保険において日本貿易保険がてん補すべき額は、輸出者又は技術提供者が回収した代金等の当該特定外国通貨をもつて表示された額（以下「外国通貨表示額」という。）を前条第二項第二号に掲げる特定外国為替相場で本邦通貨に換算して得た金額（以下「本邦通貨表示額」という。）から、当該代金等の外国通貨表示額を同項第一号に掲げる特定外国為替相場で本邦通貨に換算して得た金額及び当該代金等の本邦通貨表示額に百分の三を乗じて得た金額の合計額を控除した残額（当該代金等の本邦通貨表示額に政令で定める割合を乗じて得た金額を超えるときは、その額）とする。

Article 35 The amount of indemnity to be provided by NEXI with regard to exchange risk insurance shall be the amount remaining after converting the amount of purchase monies, etc. collected by the exporter or technological

provider as expressed in the relevant specified foreign currency (hereafter referred to as the "amount of purchase monies, etc. expressed in foreign currency") into Japanese currency based on the specified foreign currency exchange rate listed in item (ii) of paragraph (2) of the preceding Article (hereafter referred to as the "amount of purchase monies, etc. expressed in Japanese currency"), and then subtracting from this the sum total of the amount of purchase monies, etc. expressed in foreign currency converted into Japanese currency based on the specified foreign exchange rate set forth in item (i) paragraph 2 of the preceding Article and the amount of purchase monies, etc. expressed in Japanese currency multiplied by three percent (where said amount remaining exceeds the amount obtained by multiplying the amount of purchase monies, etc. expressed in Japanese currency by the ratio provided for by Cabinet Order, that amount).

(為替差益の納付)

(Payment of Exchange Gains)

第三十六条 保険契約者は、代金等が回収された日の特定外国為替相場が第三十四条第二項第二号に掲げる特定外国為替相場に対してその百分の三を超えて高騰したときは、回収された代金等の外国通貨表示額を代金等が回収された日の特定外国為替相場で本邦通貨に換算して得た金額から、当該代金等の本邦通貨表示額に百分の百三を乗じて得た金額を控除した残額（当該代金等の本邦通貨表示額に前条の政令で定める割合を乗じて得た金額を超えるときは、その額）を日本貿易保険に納付しなければならない。

Article 36 When the specified foreign currency exchange rate on the date on which purchase monies, etc. are collected has made a steep gain exceeding three percent versus the specified foreign currency exchange rate listed in item (ii) of Article 34, paragraph (2), the policy holder shall pay to NEXI the amount remaining after subtracting the amount of purchase monies, etc. expressed in Japanese currency multiplied by one hundred and three percent, from the amount obtained by converting the collected amount of purchase monies, etc. expressed in foreign currency into Japanese currency based on the specified foreign currency exchange rate on the date of collection (where said amount remaining exceeds the amount obtained by multiplying the amount of purchase monies, etc. expressed in Japanese currency by the ratio provided for by Cabinet Order set forth in the preceding Article, that amount).

第五節 輸出手形保険

Section 5 Export Bill Insurance

(保険契約)

(Insurance Contracts)

第三十七条 日本貿易保険は、事業年度又はその半期ごとに、銀行法（昭和五十六年法

律第五十九号) 第二条第一項に規定する銀行その他政令で定める者(以下この節において「銀行等」という。)を相手方として、輸出手形保険の保険契約を締結することができる。

Article 37 (1) NEXI may conclude insurance contracts for export bill insurance taking as a counterparty a bank prescribed in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981) or a person provided for by Cabinet Order (hereafter referred to as a Bank, etc. in this Section), for every business year or semi-annual period.

2 輸出手形保険は、銀行等が輸出貨物の代金の回収のため振り出された荷為替手形をその振出人から買い取ったことを日本貿易保険に通知することにより、その買取りにつき日本貿易保険と銀行等との間に、銀行等が荷為替手形の満期において支払を受けることができなかつた金額又は荷為替手形につきそ求を受けて支払った金額をてん補すべき保険関係が成立する貿易保険とする。

(2) Export bill insurance shall mean trade insurance establishing insurance relations between NEXI and a Bank, etc. for the indemnification of amounts of payments which could not be received upon maturity of bills of exchange, or amounts for which payment was made on recourse demand for bills of exchange, by the Bank, etc., through notification to NEXI by the Bank, etc. that a bill of exchange issued for the collection of purchase monies for exported trade goods was negotiated from the issuer.

(保険価額)

(Insurable Value)

第三十八条 輸出手形保険においては、手形金額を保険価額とする。

Article 38 For the purposes of export bill insurance, the insurable value shall be the amount of the bill.

(保険金)

(Insurance Claims)

第三十九条 輸出手形保険の保険関係に基づいて日本貿易保険がてん補すべき額は、保険価額のうち銀行等が荷為替手形の満期において支払を受けることができなかつた金額又は荷為替手形につきそ求を受けて支払った金額から次に掲げる金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。

Article 39 The amount of indemnity to be provided by NEXI based on export bill insurance relations shall be the amount obtained by multiplying the ratio of insurable value to insured amount by the amount remaining after subtracting the amount listed below from the amount of a payment which could not be received upon maturity of a bill of exchange or the amount which was paid after receipt of a demand for recourse on a bill of exchange by a Bank, etc., from within the insurable value.

一 満期後に支払を受けた金額

(i) The amount of payment received after maturity.

二 附属貨物の処分その他附属貨物に関する権利の行使により回収した金額

(ii) The amount recovered through the appropriation of ancillary trade goods or otherwise through the exercise of rights pertaining to ancillary trade goods.

三 そ求権を行使して回収した金額

(iii) The amount recovered through exercise of the right of recourse.

(そ求権の不行使)

(Non-Exercise of Right of Recourse)

第四十条 日本貿易保険は、保険金を支払い、第二十五条の規定により、荷為替手形上の権利を取得した場合において、銀行等がその荷為替手形の満期において支払を受けることができず、又はその荷為替手形につきそ求を受けたことについて荷為替手形の振出人の責めに帰すべき事由がないときは、支払った保険金の額に相当する金額についてそ求権を行使しないものとする。

Article 40 NEXI shall not exercise the right of recourse with respect to amounts equivalent to insurance claims paid when a Bank, etc. has not received payment on maturity of a bill of exchange, or when the reasons regarding the receipt of a demand for recourse on a bill of exchange were not reasonably attributable to the issuer, in cases in which NEXI has made an insurance claim payment and acquired rights associated with said bill of exchange pursuant to the provisions of Article 25.

(保険関係の成立の制限)

(Limitations on the Establishment of Insurance Relations)

第四十一条 日本貿易保険は、取引上の危険が大であるとき、その他貿易保険の事業の経営上必要があるときは、将来にわたって、輸出手形保険の保険契約に基づく保険関係を成立させないことができる。

Article 41 When the risks associated with a transaction are very high, and it is necessary for the operation of other trade insurance business activities, NEXI need not undertake to establish insurance relations based on an insurance contract for export bill insurance.

第六節 輸出保証保険

Section 6 Export Bond Insurance

(保険契約)

(Insurance Contracts)

第四十二条 日本貿易保険は、輸出保証保険を引き受けることができる。

Article 42 (1) NEXI may underwrite export bond insurance.

2 輸出保証保険は、銀行法第二条第一項に規定する銀行その他政令で定める者（以下この節において「保証者」という。）が、入札をする者、輸出者又は技術提供者（以

下「入札者等」という。)の委託に基づき政令で定める貨物の輸出又は外国における技術の提供若しくはこれに伴う労務の提供であつて政令で定めるものに関してこれらの者のためにした輸出保証について、次の各号のいずれかに該当する場合において、保険契約の締結後に当該輸出保証の相手方から保証債務の履行の請求を受け、保証の条件に従いこれを履行したことにより受ける損失をてん補する貿易保険とする。

(2) Export bond insurance shall mean trade insurance indemnifying losses incurred through the performance, in accordance with the terms of a guarantee, of guarantee obligations upon receipt of a request from the counterparty to an export guarantee after the conclusion of an insurance contract, by a bank prescribed in Article 2, paragraph (1) of the Banking Act, or another person provided for by Cabinet Order (hereafter referred to in this Section as the "guarantor"), in any case falling under those set forth in the following items, with respect to export guarantees related to the export of trade goods provided for by Cabinet Order, or the provision of technologies in a foreign country or of services associated with the same provided for by Cabinet Order, issued to persons undertaking bids, exporters, or technological providers (hereafter referred to as a "bidder, etc.").

一 主たる債務者たる入札者等が入札又は輸出契約若しくは技術提供契約に基づく債務であつて第二条第九項第一号又は第二号に掲げる保証の対象とされるもの(以下「保証対象債務」という。)をその本旨に従つて履行したとき。

(i) When a bidder, etc. who is a principal obligor has performed an obligation that is subject to a guarantee listed in item (i) or (ii) of Article 2, paragraph (9) based on a bid, an export contract or technical cooperation contract (hereafter referred to as an "obligation subject to guarantee"), in accordance with its main purport.

二 主たる債務者たる入札者等が保証対象債務をその本旨に従つて履行せず、又は履行することができなかつた場合において、それが第二十七条第二項各号に掲げる事由その他の当該入札者等の責めに帰することができない事由のうち、当該入札者等が債務不履行の責任を負わないものとして当事者が定めたものによるものであるとき。

(ii) When, in cases in which a bidder, etc. who is a principal obligor does not perform an obligation subject to guarantee in accordance with its main purport, or could not do so, it is determined by the relevant parties that said bidder, etc. should not be liable for non-performance of obligation, for reasons among those listed in each item of Article 27, paragraph (2) or other reasons that could not be considered attributable to said bidder, etc.

(保険価額)

(Insurable Value)

第四十三条 輸出保証保険においては、輸出保証の保証金額を保険価額とする。

Article 43 The insurable value of export bond insurance shall be the amount of

guarantee of the export guarantee.

(保険金)

(Insurance Claims)

第四十四条 輸出保証保険において日本貿易保険がてん補すべき額は、保険価額のうち第四十二条第二項各号のいずれかに該当する場合において保証者が輸出保証の相手方から請求を受けて保証の条件に従い支払った金額（当該輸出保証が第二条第九項第一号又は第二号の保証である場合において、違約金その他これに類する金銭の支払に代えて主たる債務の全部又は一部を主たる債務者に代わって履行し、又は第三者に履行させたときは、そのために要した費用の額と違約金その他これに類する金銭の額とのいずれか少ない金額）から輸出保証の相手方から回収した金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。

Article 44 The amount of indemnity to be provided by NEXI with respect to export bond insurance shall be the amount obtained by multiplying the ratio of insurable value to insured amount by the amount remaining after the amount collected from the counterparty to the export guarantee (in cases in which said export guarantee is a guarantee set forth in item (i) or (ii) of Article 2, paragraph (9), when all or part of the principal obligations are performed in lieu of the payment of penalty fees or other similar monies on behalf of the principal obligor, or a third party has been made to perform the same, whichever is the smaller amount: the expenses required for said performance, or the penalty fees or other similar monies) has been subtracted from the amount paid from within the insurable value by the guarantor in accordance with the conditions of the guarantee after receipt of a demand from the counterparty to the export guarantee, in cases falling under any of those listed in each of the items of Article 42, paragraph (2).

(権利の不行使)

(Non-exercise of Rights)

第四十五条 日本貿易保険は、保険金を支払い、第二十五条の規定により、保証者が輸出保証の保証債務の履行により取得した主たる債務者たる入札者等に対する求償権又は第二条第九項第三号に掲げる保証を受けている場合における当該入札者等の賠償債務について保証した者に対する保証に係る金銭の支払請求権を取得した場合においては、これらを行使しないものとする。

Article 45 In cases in which an insurance claim payment has been made and it has acquired the right to obtain reimbursement from a bidder, etc. who is a principal obligor that was acquired by a guarantor through the performance of guarantee obligations to an export guarantee, or the right to demand payment of monies pertaining to a guarantee given by a person who has made a guarantee with respect to compensatory obligations of said bidder, etc. in cases in which a guarantee listed in item (iii) of Article 2, paragraph (9) has been

received, pursuant to the provisions of Article 25, NEXI shall not exercise those rights.

第七節 前払輸入保険

Section 7 Prepayment Import Insurance

(保険契約)

(Insurance Contracts)

第四十六条 日本貿易保険は、前払輸入保険を引き受けることができる。

Article 46 (1) NEXI may underwrite prepayment import insurance.

2 前払輸入保険は、前払輸入者が前払輸入契約に基づいて輸入貨物を輸入することができなくなつた場合に次の各号のいずれかに該当する事由によつて当該前払輸入契約に基づいて当該輸入貨物の船積期日前に支払つた代金又は賃借料（以下「前払金」という。）の返還を受けることができないことにより受ける損失をてん補する貿易保険とする。

(2) Prepayment import insurance shall mean trade insurance indemnifying losses incurred through the inability of an importer to receive the return of purchase monies or lease fees paid prior to the shipping date of imported trade goods (hereafter referred to as "advance payments") based on a prepayment import contract due to any reason falling under the following, in cases in which it was not possible to import said imported trade goods based on said prepayment import contract.

一 外国において実施される為替取引の制限又は禁止

(i) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

二 外国における戦争、革命又は内乱

(ii) War, revolution or insurrection occurring in a foreign country.

三 前二号に掲げるもののほか、本邦外において生じた事由であつて、前払輸入契約の当事者の責めに帰することができないもの

(iii) In addition to what is listed in the preceding two items, any reason which cannot be considered attributable to the parties to the prepayment import contract, and which arises outside of Japan.

四 前払輸入契約の相手方についての破産手続開始の決定

(iv) The issuing of a decision on commencement of bankruptcy proceedings with respect to the counterparty to the prepayment import contract.

五 前払輸入契約の相手方の前払金に係る債務の三月以上の履行遅滞（前払輸入者の責めに帰することができないものに限る。）

(v) Three months or more delay in the performance of obligations pertaining to the prior payments of the counterparty to the prepayment import contract (limited to cases in which this cannot be considered attributable to the prepaid importer).

(保険価額)

(Insurable Value)

第四十七条 前払輸入保険においては、前払金の額を保険価額とする。

Article 47 The insurable value of prepayment import insurance shall be the amount of the advance payment.

(保険金)

(Insurance Claims)

第四十八条 前払輸入保険において日本貿易保険がてん補すべき額は、保険価額のうち第四十六条第二項各号のいずれかに該当する事由により前払輸入者が前払金の返還の期限（同項第五号に該当する事由によるときは、前払金の返還の期限後三月を経過した時。第二号において同じ。）までに返還を受けることができない前払金の額から次の各号に掲げる金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。

Article 48 The amount of indemnity to be provided by NEXI for prepayment import insurance shall be the amount obtained by multiplying the ratio of insurable value to insured amount by the amount remaining after subtracting the amounts listed in each of the following items from the amount of advance payments whose return could not be received by the prepaid importer by the deadline for return of advance payments, due to any reason falling under those listed in each item of Article 46, paragraph (2) (when due to a reason falling under item (v) of the same paragraph, the time at which three months have passed after the deadline for return of advance payments; the same shall apply in item (ii)) from within the insurable value.

一 当該事由の発生により支出を要しなくなつた金額

(i) The amount which is no longer necessary to expend due to the arising of said reasons.

二 前払金の返還の期限後に回収した金額

(ii) The amount recovered after the deadline for return of advance payments.

第八節 仲介貿易保険

Section 8 Intermediary Trade Insurance.

(保険契約)

(Insurance Contracts)

第四十九条 日本貿易保険は、仲介貿易保険を引き受けることができる。

Article 49 (1) Nippon Export and Investment Insurance may underwrite Intermediary Trade Insurance.

2 仲介貿易保険は、次の各号のいずれかに該当する損失をてん補する貿易保険とする。

(2) Intermediary Trade Insurance shall mean trade insurance indemnifying

losses falling under any of the following items.

一 仲介貿易者（第二十六条第一項又は第二項の規定により輸出契約又は技術提供契約とみなされる契約の当事者であつて、仲介貿易貨物を販売し、又は賃貸するものを含む。以下この号及び第五十一条第一項において同じ。）が保険契約の締結後生じた次のいずれかに該当する事由によつて仲介貿易契約（第二十六条第一項又は第二項の規定により輸出契約又は技術提供契約とみなされる契約を含む。以下この号及び第五十一条第一項において同じ。）に基づいて仲介貿易貨物を販売し、若しくは賃貸することができなくなつたこと（イからホまでのいずれかに該当する事由が生じたため当該仲介貿易貨物の販売又は賃貸が著しく困難となつたと認められる場合において、仲介貿易契約で定める船積期日から二月を経過した日まで当該仲介貿易貨物を販売し、又は賃貸することができなかつたことを含む。）により受ける損失（仲介貿易貨物について生じた損失を除く。）又は仲介貿易者が保険契約の締結後生じたイからトまでのいずれかに該当する事由による航海若しくは航路の変更により運賃若しくは保険料を新たに負担すべきこととなつたことにより受ける損失

(i) Losses (excluding losses which arise with respect to intermediary trade goods themselves) incurred through the inability to sell or lease intermediary trade goods (including, in cases in which the sale or leasing of the relevant intermediary trade goods could be considered extremely difficult due to the arising of any reason falling under (a) to (e) below, cases in which the sale or leasing of said intermediary trade goods had not taken place by a date on which two months had passed after the shipping date provided in the intermediary trade contract) by a trade intermediary (including any person who is a party to a contract which is deemed to be an export contract or a technical cooperation contract pursuant to the provisions of Article 26 paragraph (1) or paragraph (2) of the Act, who sells or leases intermediary trade goods; the same shall apply hereafter in this item and in Article 51, paragraph (1)) based on an intermediary trade contract (including a contract which is deemed to be an export contract or a technical cooperation contract pursuant to the provisions of Article 26, paragraph (1) or paragraph (2); the same shall apply hereafter in this item and in Article 51, paragraph (1)), due to any reason falling under the following arising after the conclusion of the insurance contract; or losses incurred by a trade intermediary through newly defrayed transportation costs or insurance premiums owing to navigational or route changes, due to any reason falling under (a) to (g) below arising after the conclusion of the insurance contract;

イ 外国において実施される為替取引の制限又は禁止

(a) Restrictions or prohibitions on exchange transactions conducted in a foreign country;

ロ 仕向国において実施される輸入の制限又は禁止

(b) Restrictions or prohibitions on imports conducted in a destination country;

- ハ 外国における戦争、革命又は内乱による為替取引の途絶
- (c) Interruptions to exchange transactions due to war, revolution or insurrection occurring in a foreign country;
- ニ 仕向国における戦争、革命又は内乱によりその国に輸入することができないこと。
- (d) Inability to import to a destination country due to war, revolution or insurrection occurring in that country;
- ホ 本邦外において生じた事由による仕向国への輸送の途絶
- (e) Interruptions to transportation to a destination country due to reasons arising outside of Japan;
- ヘ イからホまでに掲げるもののほか、本邦外において生じた事由であつて、仲介貿易契約の当事者の責めに帰することができないもの
- (f) In addition to what is listed in (a) to (e) above, any reason which cannot be considered attributable to the parties to the intermediary trade contract, and which arises outside of Japan;
- ト 外国為替及び外国貿易法による仲介貿易貨物の販売又は賃貸の制限又は禁止（同法第二十五条の二の規定による禁止を除く。）
- (g) Restrictions or prohibitions to sales or leasing of intermediary trade goods pursuant to the Foreign Exchange and Foreign Trade Act (excluding the prohibitions prescribed in Article 25-2 of the same Act);
- チ 仲介貿易契約の相手方が外国政府等である場合において、当該相手方が当該仲介貿易契約を一方的に破棄したこと又は当該相手方の責めに帰すべき相当の事由により仲介貿易者が当該仲介貿易契約を解除したこと。
- (h) In cases where the other party to the intermediary trade contract is a foreign government, etc., the unilateral dissolution of said intermediary trade contract by said other party, or the cancellation of said intermediary trade contract by a trade intermediary on reasonable grounds attributable to said other party;
- リ 仲介貿易契約の相手方についての破産手続開始の決定その他これに準ずる事由
- (i) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the other party to the intermediary trade contract, or other reason equivalent to it.
- 二 仲介貿易者が仲介貿易契約に基づく仲介貿易貨物の販売若しくは賃貸（第二十六条第一項又は第二項の規定により仲介貿易契約とみなされる契約に基づく貨物の輸出又は技術の提供若しくはこれに伴う労務の提供を含む。）をした場合に次のいずれかに該当する事由によつて当該仲介貿易貨物の代金若しくは賃貸料を回収することができないことにより受ける損失（仕向国における戦争、革命又は内乱により仲介貿易貨物のうち第三十条第二項の政令で定める貨物について生じた損失以外の仲介貿易貨物について生じた損失を除く。）又は仲介貿易代金貸付者が仲介貿易代金貸付契約に基づいて資金を貸し付けた場合に次のいずれかに該当する事由によつて当該貸付金を回収することができないことにより受ける損失

(ii) Losses (excluding losses arising in the intermediary trade goods themselves that are not losses arising in trade goods among the intermediary trade goods that are provided for by Cabinet Order set forth in Article 30, paragraph (2) through war, revolution or insurrection occurring in the destination country) incurred through the inability to collect purchase monies or lease fees for intermediary trade goods by a trade intermediary, in cases in which said intermediary trade goods are sold or leased based on an intermediary trade contract (including the export of trade goods or the provision of technologies or services associated with the same based on a contract that is deemed to be an intermediary trade contract pursuant to the provisions of Article 26, paragraphs (1) and (2)), due to any reason falling under the following, or losses incurred through the inability to collect a loan by an intermediary trade payment loan provider, in cases in which said loan was provided based on an intermediary trade payment loan contract, due to any reason falling under the following.

イ 外国において実施される為替取引の制限又は禁止

(a) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

ロ 外国における戦争、革命又は内乱

(b) War, revolution or insurrection occurring in a foreign country.

ハ イ及びロに掲げるもののほか、本邦外において生じた事由であつて、仲介貿易契約又は仲介貿易代金貸付契約の当事者の責めに帰することができないもの

(c) In addition to what is listed in (a) and (b) above, any reason which cannot be considered attributable to the parties to the intermediary trade contract or intermediary trade payment loan contract, and which arises outside of Japan.

ニ 仲介貿易契約又は仲介貿易代金貸付契約の相手方についての破産手続開始の決定

(d) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the counterparty to the intermediary trade contract or intermediary trade payment loan contract.

ホ 仲介貿易契約又は仲介貿易代金貸付契約の相手方の三月以上の債務の履行遅滞（仲介貿易者又は仲介貿易代金貸付者の責めに帰することができないものに限る。）

(e) Three months or more delay in the performance of obligations of the counterparty to the intermediary trade contract or intermediary trade payment loan contract (limited to cases in which this cannot be considered attributable to the intermediary trader or intermediary trade payment loan provider).

(保険価額)

(Insurable Value)

第五十条 前条第二項第二号の損失に係る仲介貿易保険においては、仲介貿易契約に基づく仲介貿易貨物の代金若しくは賃貸料又は仲介貿易代金貸付契約に基づく貸付金（二以上の時期に分割して代金の決済又は貸付金の償還を受けるべきときは、一の時期において決済又は償還を受けるべき当該代金又は貸付金の部分）の額を保険価額とする。

Article 50 The insurable value of intermediary trade insurance pertaining to losses set forth in item (ii) of paragraph (2) of the preceding Article shall be the amount of the purchase monies or lease fees for intermediary trade goods based on the intermediary trade contract, or the amount of the loan based on the intermediary trade payment loan contract (when settlement of purchase monies or reimbursement for a loan is to be received divided between two or more time periods, the portion of said purchase monies or said loan for which settlement or reimbursement is to take place in one time period).

(保険金)

(Insurance Claims)

第五十一条 第四十九条第二項第一号の損失に係る仲介貿易保険において日本貿易保険がてん補すべき額は、仲介貿易者が同号イからリまでのいずれかに該当する事由により販売し、若しくは賃貸することができなくなつた仲介貿易貨物（同号イからホまでのいずれかに該当する事由が生じたためその販売又は賃貸が著しく困難となつたと認められる場合において、仲介貿易契約で定める船積期日から二月を経過した日まで販売し、又は賃貸することができなかつた仲介貿易貨物を含む。）の仲介貿易契約に基づく代金の額から次の各号に掲げる金額を控除した残額又は仲介貿易者が同号イからトまでのいずれかに該当する事由による航海若しくは航路の変更により新たに負担すべきこととなつた運賃若しくは保険料の増加額に、一定割合を乗じて得た金額とする。

Article 51 (1) The amount of indemnity to be provided by NEXI for intermediary trade insurance pertaining to the losses set forth in item (i) of Article 49, paragraph (2) shall be the amount obtained by multiplying the specified ratio by the amount remaining after subtracting the amounts listed in the following items from the amount of purchase monies based on the intermediary trade contract for intermediary trade goods which would not be sold or leased by a trade intermediary due to the arising of any reason falling under (a) to (i) of the same item (including, in cases in which the sale or leasing of the relevant intermediary trade goods could be considered extremely difficult due to the arising of any reason falling under (a) to (e) below, cases in which the sale or leasing of said intermediary trade goods had not taken place by a date on which two months had passed after the shipping date provided in the intermediary trade contract), or the amount of increase of newly defrayed transportation costs or insurance premiums owing to navigational or route changes due to any reason falling under (a) to (g) of the same item.

- 一 仲介貿易貨物の処分その他損失を軽減するために必要な処置を講じて回収した金額又は回収し得べき金額
- (i) The amount recovered, or the amount that is expected to be recovered, after the appropriation of intermediary trade goods or after necessary measures have otherwise been taken for the reduction of losses.
- 二 当該事由の発生により支出を要しなくなった金額
- (ii) The amount which is no longer necessary to expend due to the arising of said reasons.
- 三 仲介貿易貨物の販売又は賃貸によつて取得すべきであつた利益（当該仲介貿易貨物に係る部分に限る。）の額
- (iii) The amount of profit expected to be acquired through the sale or leasing of intermediary trade goods (limited to the portion pertaining to said intermediary trade goods).
- 2 第四十九条第二項第二号の損失に係る仲介貿易保険において日本貿易保険がてん補すべき額は、保険価額のうち同号イからホまでのいずれかに該当する事由により仲介貿易者又は仲介貿易代金貸付者がそれぞれ決済期限又は償還期限（同号ホに該当する事由によるときは、決済期限又は償還期限後三月を経過した時。第二号において同じ。）までに回収することができない代金若しくは賃貸料又は貸付金の額から次の各号に掲げる金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。
- (2) The amount of indemnity to be provided by NEXI for intermediary trade insurance pertaining to the losses set forth in item (ii) of Article 49, paragraph (2) shall be the amount obtained by multiplying the ratio of insurable value to insured amount by the amount remaining after the amounts listed in the following items are subtracted from the amount of purchase monies or lease fees, or loans, which could not be collected by the settlement date or reimbursement date (when due to a reason falling under (e) of the same item, the time at which three months have passed after the settlement deadline or reimbursement deadline; the same shall apply in item (ii)) by the trade intermediary or intermediary trade payment loan provider respectively, due to any reason falling under (a) to (e) in the same item, from within the insurable value.
- 一 当該事由の発生により支出を要しなくなった金額
- (i) The amount which is no longer necessary to expend due to the arising of said reasons.
- 二 決済期限又は償還期限後に回収した金額
- (ii) The amount recovered after the settlement deadline or reimbursement deadline.

第九節 海外投資保険

Section 9 Overseas Investment Insurance

(保険契約)

(Insurance Contracts)

第五十二条 日本貿易保険は、海外投資保険を引き受けることができる。

Article 52 (1) NEXI may underwrite overseas investment insurance.

2 海外投資保険は、海外投資を行つた者が次の各号のいずれかに該当する事由により受ける損失をてん補する貿易保険とする。

(2) Overseas investment insurance shall mean trade insurance indemnifying losses incurred through any reason falling under the following items by a party making an overseas investment.

一 株式等の元本（以下この節において「元本」という。）、株式等に対する配当金の支払請求権（以下「配当金請求権」という。）又は不動産に関する権利等を外国政府等により奪われたこと。

(i) The dispossession by a foreign government, etc. of the principal of shares, etc., (hereafter referred to as "principal" in this Section), the right to claim payment on dividends for shares, etc. (hereafter referred to as "dividend payment claims"), or rights relating to real estate, etc.

二 第二条第十六項第一号に掲げる海外投資の相手方が戦争、革命、内乱、暴動、騒乱その他本邦外において生じた事由であつて海外投資を行つた者若しくはその相手方の責めに帰することができないものにより損害を受け、又は不動産、設備、原材料その他の物に関する権利、鉱業権、工業所有権その他の権利若しくは利益であつて事業の遂行上特に重要なものを外国政府等によつて侵害されたことにより損害を受けて当該海外投資の相手方の事業の継続の不能その他政令で定める事由が生じたこと。

(ii) The impossibility of the continuation of the business activities of the counterparty to an overseas investment listed in item (i) of Article 2, paragraph (16), or another reason provided for by Cabinet Order, after said counterparty to an overseas investment incurs damages due to reasons which cannot be considered attributable to the party making the overseas investment or said counterparty and which are reasons of war, revolution, insurrection, violence, disturbances or other reasons arising outside of Japan, or incurs damages through the infringement by a foreign government, etc. on rights relating to real estate, equipment, raw materials or other items; mining rights; industrial property rights; or other rights or interests which are especially necessary for the operation of its business.

三 戦争、革命、内乱、暴動、騒乱その他本邦外において生じた事由であつて海外投資を行つた者の責めに帰することができないものにより不動産に関する権利等について損害を受けて当該不動産に関する権利等を事業の用に供することができなくなつたこと。

(iii) The inability to utilize rights relating to real estate, etc. for business activities after damages incurred with respect to said rights relating to real

estate, etc., due to reasons which cannot be considered attributable to the party making the overseas investment and which are reasons of war, revolution, insurrection, violence, disturbances, or other reasons arising outside of Japan.

四 元本の喪失（第一号、第二号又は次号の事由によるものを除く。）により取得した金額、株式等に対する配当金又は不動産に関する権利等の喪失（第一号又は前号の事由によるものを除く。）により取得した金額（以下「取得金等」という。）を次のいずれかに該当する事由により政令で定める期間以上の期間本邦に送金することができなかつたこと。

(iv) The inability to remit to Japan amounts acquired due to loss of principal (excluding where this is due to a reason set forth in item (i), (ii) or the next item), dividends on shares, etc., or amounts acquired due to the loss of rights relating to real estate, etc. (excluding where this is due to a reason set forth in item (i) or the preceding item; hereafter such amounts shall be referred to as "acquired amounts"), during a period equal to or greater than that provided for by Cabinet Order, due to a reason falling under any of the following.

イ 外国において実施される為替取引の制限又は禁止

(a) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

ロ 外国における戦争、革命又は内乱による為替取引の途絶

(b) Interruptions to exchange transactions due to war, revolution or insurrection occurring in a foreign country.

ハ 外国政府等による当該取得金等の管理

(c) The control of the relevant acquired amounts by a foreign government, etc.

ニ 当該取得金等の送金の許可の取消し又は外国政府等がその許可をすべきことをあらかじめ約していた場合においてその許可をしなかつたこと。

(d) The rescission of permission to remit the relevant acquired amounts, or the non-granting of permission in cases where a foreign government, etc. has promised in advance to grant that permission.

ホ イからニまでに掲げる事由の発生後における外国政府等による取得金等の没収

(e) The confiscation of acquired amounts by a foreign government, etc., after the arising of a reason listed in (a) to (d).

五 第二条第十六項第一号に掲げる海外投資について、海外投資の相手方についての破産手続開始の決定（第二号に掲げるものを除き、海外投資を行つた者の責めに帰することができないものに限る。）が生じたこと。

(v) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the counterparty to the overseas investment, with regard to the overseas investments listed in item (i) of Article 2, paragraph (16) (limited to instances where this could not be considered attributable to the party making the overseas investment, except for that listed in item (ii)).

3 海外投資保険の保険期間は、十年以上において政令で定める期間を超えてはならない。

(3) The insurance period for overseas investment insurance shall not exceed the period provided for by Cabinet Order by 10 years or more.

(保険金)

(Insurance Claims)

第五十三条 前条第二項第一号から第三号までのいずれかに該当する事由により受けた損失に係る海外投資保険において日本貿易保険がてん補すべき額は、元本に係る損失にあつては当該事由に係る元本について同項第一号の事由又は同項第二号の損害の発生直前に評価した額と当該元本の取得のための対価の額とのいずれか少ない金額から、配当金請求権に係る損失にあつては当該事由に係る配当金請求権について同項第一号の事由又は同項第二号の損害の発生直前に評価した額から、不動産に関する権利等に係る損失にあつては当該事由に係る不動産に関する権利等について同項第一号の事由又は同項第三号の損害の発生直前に評価した額と当該不動産に関する権利等の取得のための対価の額とのいずれか少ない金額から、次の各号に掲げる金額を控除した残額に、一定割合を乗じて得た金額とする。

Article 53 (1) The amount of indemnity to be provided by NEXI for overseas investment insurance pertaining to losses incurred due to any reason falling under items (i) to (iii) of paragraph (2) of the preceding Article shall be the amount obtained by multiplying the specified ratio by the amount remaining after subtracting the amounts listed in the following items from, for losses pertaining to the principal, whichever is the smaller: the amount appraised immediately prior to the arising of the reasons set forth in item (i) of the same paragraph with respect to the principal pertaining to said reasons or the arising of damages set forth in item (ii) of the same paragraph, or the amount of consideration for the acquirement of said principal; for losses pertaining to dividend payment claims, the amount appraised immediately prior to the arising of the reasons set forth in item (i) of the same paragraph with respect to the dividend payment claims pertaining to said reason or the arising of the damages set forth in item (ii) of the same paragraph; or for losses pertaining to rights relating to real estate, etc., whichever is the smaller: the amount appraised immediately prior to the arising of the reasons set forth in item (i) of the same paragraph with respect to rights relating to real estate, etc. pertaining to said reasons or the arising of the damages set forth in item (iii) of the same paragraph, or the amount of consideration for the acquirement of said rights relating to real estate, etc.

一 当該元本、配当金請求権又は不動産に関する権利等についてそれぞれ当該事由の発生直後に評価した額

(i) The amounts appraised immediately after the arising of the relevant reasons regarding the relevant principal, dividend payment claim, or right

relating to real estate, etc.

二 当該事由の発生により取得した金額又は取得し得べき金額

(ii) The amount acquired due to the arising of said reasons, or the amount that is expected to be acquired.

三 損失を軽減するために必要な処置を講じて回収した金額

(iii) The amount recovered after necessary measures have been taken for the reduction of losses.

2 前条第二項第四号の事由により受けた損失に係る海外投資保険において日本貿易保険がてん補すべき額は、元本又は不動産に関する権利等（以下「元本等」という。）の喪失により取得した金額に係る損失にあつては同号イからホまでのいずれかに該当する事由により同号の政令で定める期間以上の期間本邦に送金することができなかつた金額（その事由の発生前に本邦に送金し得べきであつた金額を除く。以下「送金不能額」という。）と当該元本等の取得のための対価の額とのいずれか少ない金額から、株式等に対する配当金に係る損失にあつては送金不能額から、次の各号に掲げる金額を控除した残額に、一定割合を乗じて得た金額とする。

(2) The amount of indemnity to be provided by NEXI for overseas investment insurance pertaining to losses incurred due to any reason set forth in item (iv) of paragraph (2) of the preceding Article shall be the amount obtained by multiplying the specified ratio by the amount remaining after subtracting the amounts listed in the following items from, for losses pertaining to amounts acquired due to loss of principal or rights relating to real estate, etc. (hereafter referred to as "principal, etc."), whichever is smaller: the amount that was not possible to remit to Japan during a period equal to or greater than the period provided for by Cabinet Order set forth in the same item due to any reason falling under (a) to (e) in the same item (excluding amounts which were to have been remitted to Japan before the arising of that reason; hereafter this shall be referred to as the "non-remitted amount"), or the amount of consideration for the acquirement of said principal, and for losses pertaining to dividends on shares, etc., the non-remitted amount.

一 当該事由の発生により支出を要しなくなつた金額

(i) The amount which is no longer necessary to expend due to the arising of said reasons.

二 当該送金不能額をもつて支出した金額

(ii) The amount expended including said non-remitted amount.

三 損失を軽減するために必要な処置を講じて回収した金額

(iii) The amount recovered after necessary measures have been taken for the reduction of losses.

3 前条第二項第五号に該当する事由により受けた損失に係る海外投資保険において日本貿易保険がてん補すべき額は、元本に係る損失にあつては当該事由に係る元本の取得のための対価の額から、配当金請求権に係る損失にあつては当該事由に係る配当金請求権に基づき取得し得べき配当金の額から、次の各号に掲げる金額を控除した残額

に、一定割合を乗じて得た金額とする。

(3) The amount of indemnity to be provided by NEXI for overseas investment insurance pertaining to losses incurred due to a reason falling under item (v) of paragraph (2) of the preceding Article shall be the amount obtained by multiplying the specified ratio by the amount remaining after subtracting from the amount listed in each of the following items, for losses pertaining to the principal, the amount of consideration for the acquirement of principal pertaining to said reason; and for losses pertaining to dividend payment claims, the amount of dividends expected to be acquired based on the dividend payment claim pertaining to said reason.

一 当該事由の発生により取得した金額又は取得し得べき金額

(i) The amount acquired due to the arising of said reasons, or the amount that is expected to be acquired.

二 損失を軽減するために必要な処置を講じて回収した金額

(ii) The amount recovered after necessary measures have been taken for the reduction of losses.

4 元本等について前三項の規定により算定した日本貿易保険がてん補すべき額又はその累計額が当該元本等の取得のための対価の額から次の各号に掲げる金額を控除した残額を超えるときは、日本貿易保険がてん補すべき額は、これらの規定にかかわらず、その残額とする。

(4) When the amount of indemnity to be provided by NEXI calculated pursuant to the provisions of the preceding three paragraphs with respect to the principal, etc., or its accumulated amount, exceeds the amount remaining after subtracting the amounts listed in the following items from the amount of consideration for the acquirement of said principal, etc., the amount of indemnity to be provided by NEXI shall, those provisions notwithstanding, be that remaining amount.

一 当該事由の発生前における当該元本等の喪失（前条第二項第一号から第三号まで又は第五号のいずれかに該当する事由によるものを除く。）により取得した金額又は取得し得べき金額（送金不能額が含まれる場合にあつては、これらの金額から当該送金不能額を控除した残額）とその喪失した元本等の取得のための対価の額とのいずれか多い金額

(i) Whichever is the larger: the amount acquired or expected to be acquired (in cases in which a non-remitted amount is included, the amount remaining after subtracting said non-remitted amount from those amounts) due to loss of the relevant principal, etc. (excluding where it is due to any reason falling under item (i) to (iii) or item (v) of paragraph (2) of the preceding Article) before the arising of the relevant reason, or the amount of consideration for the acquirement of the lost principal, etc.

二 当該事由発生前における前条第二項第一号から第三号まで又は第五号のいずれかに該当する事由の発生により取得した金額又は取得し得べき金額

(ii) Before the arising of the relevant reason, the amount acquired or expected to be acquired due to the arising of any reason falling under item (i) to (iii) or item (v) of paragraph (2) of the preceding Article.

三 第一項各号、第二項各号又は前項各号に規定する金額

(iii) The amounts prescribed in each item of paragraph (1), each item of paragraph (2), or each item of the preceding paragraph.

5 日本貿易保険は、第一項及び前二項の規定にかかわらず、前条第二項第一号から第三号まで又は第五号のいずれかに該当する事由の発生により取得した金額又は取得し得べき金額のうち次の各号のいずれかに該当する事由により本邦に送金することができない金額（その事由の発生前に本邦に送金し得べきであつた金額を除く。以下「送金不能取得額」という。）が生じたときは、第一項及び前二項の規定により算定した日本貿易保険がてん補すべき額のほか、その額と第一項第二号、第三項第一号又は前項第二号に規定する金額から送金不能取得額を控除した残額をそれぞれ第一項第二号、第三項第一号又は前項第二号に規定する金額とみなして第一項及び前二項の規定を適用して算定した日本貿易保険がてん補すべき額との差額をてん補しなければならない。

(5) NEXI shall, in addition to the amount of indemnity to be provided calculated pursuant to the provisions of paragraph (1) and the preceding two paragraphs, the provisions of paragraph (1) and the preceding two paragraphs notwithstanding, when there is an amount which was not possible to remit to Japan, due to the arising of any reasons falling under the following items (excluding amounts which were to have been remitted to Japan before the arising of that reason; hereafter this shall be referred to as the "non-remitted acquired amount"), from within the amount acquired or expected to be acquired due to the arising of any reason falling under items (i) to (iii) or item (v) of paragraph (2) of the preceding Article, provide indemnity for the difference between that amount and the amount of indemnity to be provided by it calculated under application of the provisions of paragraph (1) and the preceding two paragraphs deeming the amounts remaining after subtracting the non-remitted acquired amount from the amounts prescribed in item (ii) of paragraph (1), item (i) of paragraph (3) and item (ii) of the preceding paragraph to be the amounts prescribed in item (ii) of paragraph (1), item (i) of paragraph (3) and item (ii) of the preceding paragraph respectively.

一 外国政府等による没収

(i) Confiscation by a foreign government, etc.

二 外国政府等による管理（政令で定める期間以上の期間継続して行われたものに限る。）

(ii) Control by a foreign government, etc. (limited to that which continues over a period equal to or greater than that specified by Cabinet Order).

三 前二号に準ずる事由であつて、政令で定めるもの

(iii) Reasons equivalent to those contained in the preceding two items that are provided for by Cabinet Order.

第十節 海外事業資金貸付保険

Section 10 Overseas Untied Loan Insurance

(保険契約)

(Insurance Contracts)

第五十四条 日本貿易保険は、海外事業資金貸付保険を引き受けることができる。

Article 54 (1) NEXI may underwrite overseas untied loan insurance.

2 海外事業資金貸付保険は、海外事業資金貸付を行つた者が次の各号のいずれかに該当する事由により貸付金債権等の元本若しくは利子（以下「貸付金等」という。）を回収することができないことにより受ける損失又は第一号から第四号までのいずれかに該当する事由により保証債務に係る主たる債務者の債務の不履行が生じたことによつて保証債務を履行したことにより受ける損失若しくは保証債務に係る主たる債務者の債務の不履行（第一号から第四号までのいずれかに該当する事由によるものを除く。）が生じたことによつて保証債務を履行したことにより取得した求償権に基づき取得し得べき金額の回収ができないこと（保証債務を負担した者の責めに帰することができず、かつ、その状態が求償権の取得の日から三月を経過する日までの期間にわたるものに限る。）により受ける損失をてん補する貿易保険とする。

(2) Overseas untied loan insurance shall be trade insurance indemnifying losses incurred due to the inability to collect the principal or interest on loans receivable (hereafter referred to as "loans, etc.") due to any reason falling under the following items by a party issuing an overseas untied loan, or losses incurred through the performance of guarantee obligations owing to the non-performance of obligations of principal obligor pertaining to a guarantee obligation due to any reason falling under items (i) to (iv), or losses incurred through the inability (limited to where this could not be considered attributable to the party taking on the guarantee obligation, and that situation spans a period from the date of acquisition of the right to obtain reimbursement to the date on which three months have passed) to collect an amount expected to be acquired based on a right to obtain reimbursement acquired due to the performance of guarantee obligations owing to the non-performance (excluding where it is due to any reason falling under items (i) to (iv)) of obligations of a principal obligor pertaining to a guarantee obligation.

一 外国において実施される為替取引の制限又は禁止

(i) Restrictions or prohibitions on exchange transactions conducted in a foreign country.

二 外国における戦争、革命又は内乱

(ii) War, revolution or insurrection occurring in a foreign country.

三 前二号に掲げるもののほか、本邦外において生じた事由であつて、海外事業資金貸付（保証債務の負担を除く。以下この項において同じ。）を行つた者若しくはその相手方又は保証債務を負担した者若しくは保証債務に係る主たる債務者若しくは

債権者の責めに帰することができないもの

(iii) In addition to what is listed in the preceding two items, a reason arising outside of Japan, and which cannot be considered attributable to the party issuing the overseas untied loan (excluding the taking on of a guarantee obligation; the same shall apply hereafter in this paragraph) or its counterparties, or the party taking on the guarantee obligation, the principal obligor pertaining to the guarantee obligation, or the obligee.

四 海外事業資金貸付の相手方又は保証債務に係る主たる債務者についての破産手続開始の決定

(iv) The issuing of a decision on the commencement of bankruptcy proceedings with respect to the counterparty to the overseas untied loan, or the principal obligor pertaining to the guaranteed obligation.

五 海外事業資金貸付の相手方の三月以上の債務の履行遅滞（海外事業資金貸付を行った者の責めに帰することができないものに限る。）

(v) Three months or more delay in the performance of an obligation by the counterparty to the overseas untied loan (limited to where this cannot be considered attributable to the party issuing the overseas untied loan).

（保険価額）

(Insurable Value)

第五十五条 海外事業資金貸付保険においては、海外事業資金貸付に係る貸付金等又は保証債務（二以上の時期に分割して貸付金等の償還を受けるべきとき、又は保証債務を履行すべきときは、一の時期において償還を受けるべき当該貸付金等の部分又は履行すべき当該保証債務の部分）の額を保険価額とする。

Article 55 The insurable value of overseas untied loan insurance shall be the amount of loans, etc. or guarantee obligations pertaining to the overseas untied loan (when reimbursement for a loan, etc. or performance of a guarantee obligation is to be received divided between two or more time periods, the portion of said loan, etc. or performance of a guarantee obligation for which reimbursement or performance is to take place in one time period).

（保険金）

(Insurance Claims)

第五十六条 海外事業資金貸付保険において日本貿易保険がてん補すべき額は、保険価額のうち海外事業資金貸付を行った者が第五十四条第二項各号のいずれかに該当する事由により償還期限（同項第五号に該当する事由によるときは、償還期限後三月を経過した時。以下同じ。）までに回収することができない貸付金等の額又は同項第一号から第四号までのいずれかに該当する事由により保証債務に係る主たる債務者の債務の不履行が生じたことにより保証債務の履行として支払った額若しくは保証債務に係る主たる債務者の債務の不履行（同項第一号から第四号までのいずれかに該当する事由によるものを除く。）が生じたことによつて保証債務を履行したことにより取得し

た求償権に基づき取得し得べき金額について当該求償権の取得の日から三月を経過する日までに回収することができない金額（保証債務を負担した者の責めに帰すべき事由により回収することができない金額を除く。）から、次の各号に掲げる金額を控除した残額に、保険金額の保険価額に対する割合を乗じて得た金額とする。

Article 56 The amount of indemnity to be provided by NEXI for overseas untied loan insurance shall be the amount obtained by multiplying the ratio of insured amount to insurable value by the amount remaining after subtracting the amounts listed in each of the following items from the amount of loans, etc. which could not be collected by the reimbursement deadline due to any reason falling under each item of Article 54, paragraph (2) by the party issuing the overseas untied loan from within the insurable value (when due to a reason falling under item (v) of the same paragraph, a time at which three months have passed after the reimbursement deadline; the same shall apply hereafter); or the amount paid as performance of a guarantee obligation due to the non-performance of an obligation of a principal obligor pertaining to a guarantee obligation due to any reason falling under items (i) to (iv) of the same paragraph or the amount which could not be collected (excluding amounts which could not be collected due to reasons that could not be attributed to the party taking on the guarantee obligation) by a date on which three months had passed from the date of acquisition of a right to reimbursement with respect to amounts expected to be acquired based on said right to reimbursement acquired due to the performance of a guarantee obligation owing to the non-performance (excluding when it is due to any reason falling under items (i) to (iv) of the same paragraph) of an obligation of a principal obligor pertaining to a guarantee obligation.

一 当該事由の発生により支出を要しなくなつた金額

(i) The amount which is no longer necessary to expend due to the arising of said reasons.

二 償還期限後又は保証債務を履行した後若しくは求償権の取得の日から三月を経過した日後に回収した金額

(ii) The amount recovered after the reimbursement date, or after the performance of guarantee obligations or after a date on which three months have passed from the date of acquisition of the right to reimbursement.

第四章 政府の再保険

Chapter IV Government Reinsurance

(再保険の契約)

(Reinsurance Contracts)

第五十七条 政府は、会計年度ごとに、日本貿易保険を相手方として、日本貿易保険が輸出手形保険以外の貿易保険を引き受けることにより、当該貿易保険の種類ごとにそ

の保険金額の総額が一定の金額に達するまで、当該引受けによつて日本貿易保険が負う保険責任について、政府と日本貿易保険との間に再保険関係が成立する旨を定める契約を締結することができる。

Article 57 (1) The government may conclude contracts providing for the establishment of reinsurance relations between itself and NEXI, taking NEXI as a counterparty, each fiscal year, with respect to insurance liabilities assumed by NEXI through its underwriting of trade insurance other than export bill insurance, until the total insured amount for each type of said trade insurance has reached a set amount.

2 政府は、会計年度又はその半期ごとに、日本貿易保険を相手方として、輸出手形保険の保険関係が成立することにより、当該保険関係の保険金額の総額が一定の金額に達するまで、当該保険関係によつて日本貿易保険が負う保険責任について、政府と日本貿易保険との間に再保険関係が成立する旨を定める契約を締結することができる。

(2) The government may conclude contracts providing for the establishment of reinsurance relations between itself and NEXI, taking NEXI as a counterparty, each fiscal year or half of such period, with respect to insurance liabilities assumed by NEXI through an insurance relationship established for export bill insurance, until the total insured amount for said insurance relationship has reached a set amount.

3 政府は、第十三条第二項に規定する再保険の引受けによつて日本貿易保険が負う再保険責任について、再保険を引き受けることができる。

(3) The government may underwrite reinsurance with respect to reinsurance liabilities assumed by NEXI through the underwriting of reinsurance prescribed in paragraph (2) of Article 13.

(再保険の契約の限度)

(Limits on Reinsurance Contracts)

第五十八条 政府は、次の各号に掲げる金額がそれぞれ会計年度ごとに国会の議決を経た金額を超えない範囲内において、再保険の契約を締結するものとする。

Article 58 The government shall conclude reinsurance contracts within a scope in which the amounts listed in the following items each do not exceed the amount decided by the Diet for each fiscal year.

一 一会計年度内に締結する貿易保険に係る再保険の契約に基づいて成立する再保険関係の再保険金額の貿易保険の種類ごとの総額

(i) The total amount, for each type of trade insurance, of the reinsurance amounts for reinsurance relations established based on a contract for reinsurance pertaining to trade insurance concluded within that fiscal year.

二 一会計年度内に引き受ける前条第三項の再保険の再保険金額の総額

(ii) The total amount of the reinsurance amounts for reinsurance set forth in paragraph (3) of the preceding Article underwritten within that fiscal year.

(再保険金)

(Reinsurance Claim Payment)

第五十九条 第五十七条の再保険において政府がてん補すべき額は、日本貿易保険が支払うべき貿易保険の保険金の額又は第十三条第二項に規定する再保険の再保険金の額から回収した金額を控除した残額に、経済産業大臣が定める割合を乗じて得た金額とする。

Article 59 The amount of indemnity to be provided by the government for reinsurance set forth in Article 57 shall be the amount obtained by multiplying the ratio prescribed by the Minister for Economy, Trade and Industry by the amount remaining after subtracting the amounts collected from the amount of insurance payments for trade insurance or the amount of reinsurance payments for reinsurance prescribed in Article 13, paragraph (2) to be paid by NEXI.

(再保険料率)

(Reinsurance Premium Rates)

第六十条 第五十七条の再保険の再保険料率は、政府の再保険事業の収入が支出を償うように、経済産業大臣が財務大臣と協議して定める。

Article 60 The reinsurance premium rates for reinsurance set forth in Article 57 shall be provided on consultation between the Minister of Economy, Trade and Industry and the Minister of Finance, in order to expiate expenditures with income from the government's reinsurance business activities.

(回収金の納付)

(Refund of Recovery)

第六十一条 日本貿易保険は、第五十七条の再保険の再保険金の支払の請求をした後回収した金額に支払を受けた再保険金の額の第五十九条に規定する残額に対する割合を乗じて得た金額を政府に納付しなければならない。

Article 61 (1) NEXI shall pay to the government the amount obtained by multiplying the ratio of amount of insurance payment received to remaining amount prescribed by Article 59 by the amount recovered after a demand for payment of reinsurance payment for the reinsurance set forth in Article 57 has been made.

2 日本貿易保険は、第三十六条の規定による納付を受けたときは、当該納付を受けた金額に第五十九条の経済産業大臣が定める割合を乗じて得た金額を政府に納付しなければならない。

(2) NEXI shall, when it has received payment pursuant to the provisions of Article 36, pay to the government the amount obtained by multiplying the ratio provided by the Minister of Economy Trade and Industry set forth in Article 59 by the amount of said payment received.

第五章 罰則

Chapter V Penal Provisions

第六十二条 第十一条の規定に違反して秘密を漏らし、又は盗用した者は、一年以下の懲役又は三十万円以下の罰金に処する。

Article 62 Persons who have divulged or appropriated confidential information in violation of the provisions of Article 11 shall be punished by imprisonment for not more than one year, or a fine of not more than 300,000 yen.

第六十三条 第十九条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした受託金融機関の役員又は職員は、二十万円以下の罰金に処する。

Article 63 In cases in which a report pursuant to Article 19, paragraph (1) is not made, or a false report is given; or an inspection pursuant to the same paragraph is refused, impeded or avoided, the officers or employees of the entrusted financial institution committing such violations shall be punished by a fine of not more than 200,000 yen.

第六十四条 次の各号のいずれかに該当する場合には、その違反行為をした日本貿易保険の役員は、二十万円以下の過料に処する。

Article 64 In cases falling under any of the following items, officers of NEXI committing such violations shall be punished by a non-criminal fine of not more than 200,000 yen.

一 この法律の規定により経済産業大臣の認可を受けなければならない場合において、その認可を受けなかつたとき。

(i) When, in cases in which it is necessary to receive the authorization of the Minister of Economy, Trade and Industry pursuant to the provisions of this Act, it fails to receive that authorization.

二 第十三条第一項及び第二項に規定する業務以外の業務を行つたとき。

(ii) When business operations other than those business operations prescribed in Article 13, paragraph (1) and paragraph (2) are carried out.

三 第二十三条第二項の規定による命令に違反したとき。

(iii) When an order pursuant to the provisions of Article 23, paragraph (2) is violated.

四 第二十三条第三項の規定に違反して貿易保険を引き受けたとき。

(iv) When trade insurance is underwritten in violation of the provisions of Article 23, paragraph (3).

附 則 [抄]

Supplementary Provisions [Extract]

1 この法律は、公布の日から施行する。

(1) This Act shall become effective from the date of promulgation.

附 則 〔昭和二十六年六月一日法律第百七十六号〕〔抄〕

Supplementary Provisions [Act No. 176 of June 1, 1951] [Extract]

1 この法律は、公布の日から施行する。

(1) This Act shall become effective from the date of promulgation.

附 則 〔昭和二十六年十一月三十日法律第二百八十一号〕

Supplementary Provisions [Act No. 281 of November 30, 1951]

この法律は、昭和二十六年十二月一日から施行する。

This Act shall become effective from December 1, 1951.

附 則 〔昭和二十七年三月三十一日法律第三十三号〕〔抄〕

Supplementary Provisions [Act No. 33 of March 31, 1952] [Extract]

1 この法律は、昭和二十七年四月一日から施行する。

(1) This Act shall become effective from April 1, 1952.

2 この法律の施行前に保険会社が引き受けた甲種保険については、なお従前の例による。

(2) With respect to Class-A insurance underwritten by insurance companies prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔昭和二十七年七月三十一日法律第二百七十六号〕〔抄〕

Supplementary Provisions [Act No. 276 of July 31, 1952] [Extract]

1 この法律は、昭和二十七年八月一日から施行する。

(1) This Act shall become effective from August 1, 1952.

附 則 〔昭和二十八年七月二十四日法律第七十九号〕〔抄〕

Supplementary Provisions [Act No. 79 of July 24, 1953] [Extract]

1 この法律は、昭和二十八年八月一日から施行する。

(1) This Act shall become effective from August 1, 1953.

2 輸出補償法（昭和五年法律第六号）は、廃止する。

(2) The Export Indemnification Act (Act No. 6 of 1930) shall be abolished.

7 この法律の施行前に保険会社が引き受けた甲種保険並びにこの法律の施行前に成立した甲種保険の再保険及び丙種保険の保険関係については、なお従前の例による。

- (7) With respect to Class-A insurance underwritten by insurance companies prior to the enforcement of this Act; and reinsurance of Class-A insurance and insurance relations for Class-C insurance established prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔昭和二十九年三月二十九日法律第十三号〕
Supplementary Provisions [Act No. 13 of March 29, 1954]

この法律は、昭和二十九年四月一日から施行する。
This Act shall become effective from April 1, 1954.

附 則 〔昭和二十九年四月十日法律第六十七号〕〔抄〕
Supplementary Provisions [Act No. 67 of April 10, 1954] [Extract]

- 1 この法律は、公布の日から施行する。
(1) This Act shall become effective from the date of promulgation.

附 則 〔昭和三十一年四月十六日法律第七十三号〕
Supplementary Provisions [Act No. 73 of April 16, 1956]

この法律は、公布の日から施行する。
This Act shall become effective from the date of promulgation.

附 則 〔昭和三十三年五月二日法律第九十六号〕〔抄〕
Supplementary Provisions [Act No. 96 of May 2, 1957] [Extract]

- 1 この法律は、公布の日から施行する。
(1) This Act shall become effective from the date of promulgation.
2 この法律の施行前に政府が引き受けた海外投資保険については、なお従前の例による。ただし、改正後の第十四条の二及び第十四条の三の規定の適用については、この限りでない。
(2) With respect to overseas investment insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable; provided, however, that this shall not apply with respect to the application of the provisions of Article 14-2 and Article 14-3 after revision.

附 則 〔昭和三十三年四月十五日法律第五十九号〕〔抄〕
Supplementary Provisions [Act No. 59 of April 15, 1958] [Extract]

- 1 この法律は、公布の日から起算して六月をこえない範囲内で政令で定める日から施

行する。

- (1) This Act shall become effective from a date provided for by Cabinet Order within a period not exceeding six months from the date of promulgation.
- 2 保険会社は、この法律の施行後は、政府が当該保険会社を相手方として締結する当該保険会社が昭和三十三年度内に引き受ける普通輸出保険を再保険する契約に基いて再保険関係が成立する普通輸出保険を引き受けることができない。
- (2) An insurance company may not, after the enforcement of this Act, underwrite general export insurance establishing reinsurance relations based on a contract concluded by the government's taking of said insurance company as the counterparty, for the reinsurance of ordinary export insurance underwritten during 1958 by said insurance company.
- 3 この法律の施行前に保険会社が引き受けた普通輸出保険（以下「旧保険」という。）及びこの法律の施行前に成立した旧保険の再保険の保険関係については、なお従前の例による。
- (3) With respect to general export insurance underwritten by an insurance company prior to the enforcement of this Act (hereafter referred to as "old insurance") and insurance relations for reinsurance of old insurance established prior to the enforcement of this Act, the provisions then in force shall remain applicable.
- 4 政府は、政令で定めるところにより、保険会社との間に、当該保険会社が旧保険の保険契約に基いて有する権利及び義務を承継することを定める契約を締結することができる。
- (4) The government may, pursuant to the provisions of Cabinet Order, conclude a contract with an insurance company providing for the succession of said insurance company to rights and duties based on an insurance contract for old insurance.

附 則 〔昭和三十七年五月二日法律第百三号〕

Supplementary Provisions [Act No. 103 of May 2, 1962]

この法律は、公布の日から起算して三十日を経過した日から施行する。

This Act shall become effective from a date on which 30 days have passed from the day of promulgation.

附 則 〔昭和三十七年九月十五日法律第百六十一号〕 〔抄〕

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

1 この法律は、昭和三十七年十月一日から施行する。

(1) This Act shall become effective from October 1, 1962.

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不

作為その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) The provisions of this Act after revision shall also apply, except in cases where there are special provisions within these supplementary provisions, to disposition of administrative agencies prior to the enforcement of this Act, inaction of administrative agencies pertaining to applications made prior to the enforcement of this Act, and other matters arising prior to the enforcement of this Act; provided, however, that this shall not obstruct effects arising pursuant to the provisions of this Act prior to revision.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。

(3) With respect to petitions, applications for examination, objections or other appeals filed prior to the enforcement of this Act (hereafter referred to as "petitions, etc."), the provisions then in force shall also remain applicable after the enforcement of this Act. This shall also apply with respect to determinations, decisions, and other dispositions (hereafter referred to as "determinations, etc.") on petitions, etc. filed prior to the enforcement of this Act, or petitions, etc. filed prior to the enforcement of this Act regarding which determinations, etc. issued after the enforcement of this Act are objected to.

4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。

(4) Petitions etc. prescribed in the preceding paragraph which pertain to dispositions on which an appeal may be made pursuant to the Administrative Appeal Act after the enforcement of this Act, shall be deemed to be appeals made pursuant to the Administrative Appeal Act with respect to the application of laws other than that Act.

5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。

(5) With respect to determinations, etc. on applications for examination, objections or other appeals made prior to the enforcement of this Act pursuant to the provisions of paragraph (3), appeals may not be made pursuant to the Administrative Appeal Act.

6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てをすることができる期間は、この法律の施行の日から起算する。

(6) With respect to the disposition of administrative agencies prior to the enforcement of this Act on which it has been deemed that petitions, etc. may be made pursuant to the provisions of this Act prior to revision and for which a period of validity has not been provided, the period in which an appeal may be made pursuant to the Administrative Appeal Act shall be counted from the date of the enforcement of this Act.

8 この法律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。

(8) With respect to the application of penal provisions for acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

(9) In addition to what is provided in the preceding 8 paragraphs, necessary transitional measures concerning the enforcement of this Act shall be provided for by Cabinet Order.

附 則 〔昭和三十九年六月一日法律第九十号〕

Supplementary Provisions [Act No. 90 of June 1, 1964]

この法律は、公布の日から起算して三十日を経過した日から施行する。

This Act shall become effective from the date on which 30 days have passed from the date of promulgation.

附 則 〔昭和四十年三月三十一日法律第十七号〕 〔抄〕

Supplementary Provisions [Act No. 17 of March 31, 1965] [Extract]

1 この法律は、昭和四十年四月一日から施行する。

(1) This Act shall become effective from April 1, 1965.

附 則 〔昭和四十五年五月十五日法律第五十七号〕

Supplementary Provisions [Act No. 57 of May 15, 1970]

1 この法律は、公布の日から施行する。

(1) This Act shall become effective from the date of promulgation.

2 この法律の施行前に政府が引き受けた海外投資元本保険及び海外投資利益保険については、その海外投資元本保険又は海外投資利益保険の保険契約が更改により海外投資保険の保険契約とされた場合を除き、なお従前の例による。

(2) With respect to overseas investment principal insurance and overseas investment profit insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable, except in cases in which the insurance contract for that overseas investment

principal insurance or overseas investment profit insurance has been deemed to be an insurance contract for overseas investment insurance due to novation.

附 則 〔昭和四十七年一月二十日法律第二号〕
Supplementary Provisions [Act No. 2 of January 20, 1972]

この法律は、公布の日から施行する。

This Act shall become effective from the date of promulgation.

附 則 〔昭和四十八年七月二十五日法律第六十六号〕 〔抄〕
Supplementary Provisions [Act No. 66 of July 25, 1973] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から施行する。

(1) This Act shall become effective from the date of promulgation.

附 則 〔昭和四十九年五月三十日法律第六十一号〕 〔抄〕
Supplementary Provisions [Act No. 61 of May 30, 1974] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

(1) This Act shall become effective from a date provided for by Cabinet Order within a period not exceeding six months counting from the date of promulgation.

(設備等輸出為替損失補償法の廃止)

(Abolishment of the Equipment Export Exchange Losses Act)

3 設備等輸出為替損失補償法（昭和二十七年法律第百六十一号）は、廃止する。

(3) The Equipment Export Exchange Losses Act (Act No. 61 of 1952) shall be abolished.

附 則 〔昭和五十二年四月二十二日法律第二十一号〕 〔抄〕
Supplementary Provisions [Act No. 21 of April 22, 1977] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

(1) This Act shall become effective from a date provided for by Cabinet Order within a period not exceeding six months counting from the date of promulgation.

附 則 〔昭和五十三年五月二十三日法律第五十五号〕 〔抄〕
Supplementary Provisions [Act No. 55 of May 23, 1978] [Extract]

(施行期日等)

(Effective Date, etc.)

1 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

(1) This Act shall become effective from the date of promulgation; provided, however, that the provisions listed in each of the following items shall become effective from the date prescribed in each respective item.

一 第四十九条中精神衛生法第十六条の三第三項及び第四項の改正規定並びに第五十九条中森林法第七十条の改正規定 公布の日から起算して六月を経過した日

(i) The provisions in Article 49 to revise Article 16-3, paragraph (3) and paragraph (4) of the Mental Health Act, and the provisions in Article 59 to revise Article 70 of the Forest Act: The date on which six months have passed counting from the date of promulgation.

二 第一条（台風常襲地帯対策審議会に係る部分を除く。）及び第六条から第九条までの規定、第十条中奄美群島振興開発特別措置法第七条第一項の改正規定並びに第十一条、第十二条及び第十四条から第三十二条までの規定 昭和五十四年三月三十一日までの間において政令で定める日

(ii) The provisions of Article 1 (excluding the portion pertaining to the Council for Measures for Typhoon-Susceptible Areas) and of Article 6 to Article 9, the provisions in Article 10 to revise Article 7, paragraph (1) of the Act on Special Measures Concerning Promotion and Development of the Amami Islands, and the provisions of Article 11, Article 12 and of Article 14 to Article 32: A date provided for by Cabinet Order within a period up to March 31, 1979.

附 則 〔昭和五十六年五月六日法律第三十五号〕 〔抄〕
Supplementary Provisions [Act No. 35 of May 6, 1981] [Extract]

(施行期日)

(Effective Date) [Extract]

1 この法律は、昭和五十六年十月一日から施行する。

(1) This Act shall become effective from October 1, 1981.

(経過措置)

(Transitional Measures)

- 2 この法律の施行前に政府が引き受けた輸出保険については、なお従前の例による。
- (2) With respect to export insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 [昭和五十八年十二月二日法律第七十八号]

Supplementary Provisions [Act No. 78 of December 2, 1983]

- 1 この法律（第一条を除く。）は、昭和五十九年七月一日から施行する。
- (1) This Act (excluding Article 1) shall become effective from July 1, 1984.
- 2 この法律の施行の日の前日において法律の規定により置かれている機関等で、この法律の施行の日以後は国家行政組織法又はこの法律による改正後の関係法律の規定に基づく政令（以下「関係政令」という。）の規定により置かれることとなるものに関し必要となる経過措置その他この法律の施行に伴う関係政令の制定又は改廃に関し必要となる経過措置は、政令で定めることができる。
- (2) Necessary transitional measures regarding bodies that are in existence pursuant to the provisions of an Act in force on the day preceding the date on which this Act comes into effect, and which are to exist on and after the date on which this Act comes into effect pursuant to the provisions of a Cabinet Order based on the provisions of the National Government Organization Act or related Acts after revision pursuant to this Act (hereafter referred to as a "related Cabinet Order"), or other necessary transitional measures regarding the establishment, revision or abolition of a related Cabinet Order accompanying the enforcement of this Act, may be provided for by Cabinet Order.

附 則 [昭和五十九年五月十八日法律第三十二号]

Supplementary Provisions [Act No. 32 of May 18, 1984]

(施行期日)

(Effective Date)

- 1 この法律は、公布の日から施行する。ただし、第一条中輸出保険法第五条の三第二項、第五条の八及び第五条の九の改正規定は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。
- (1) This Act shall become effective from the date of promulgation; provided, however, that the provisions in Article 1 to revise Article 5-3, paragraph (2), Article 5-8, and Article 5-9 of the Export Insurance Act shall come into effect on a date provided for by Cabinet Order within a period not exceeding six months counting from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行前に政府が引き受けた委託販売輸出保険及び海外広告保険については、なお従前の例による。

(2) With respect to consignment sales export insurance and overseas advertising insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔昭和六十二年三月三十日法律第三号〕 〔抄〕

Supplementary Provisions [Act No. 3 of March 30, 1987] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、昭和六十二年十月一日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act shall become effective from October 1, 1987; provided, however, that the provisions listed in each of the following items shall become effective from the date prescribed in each respective item.

一 題名の改正規定、目次の改正規定中第七章に係る部分、第一条の改正規定、第一条の三の見出しの改正規定、同条の改正規定中「輸出保険」を「貿易保険」に改める部分、第一条の四の改正規定、第一条の五の改正規定、第一条の七及び第三条の改正規定中「輸出保険」を「貿易保険」に改める部分、第五条の二第二項の改正規定、第五条の六の二第二項の改正規定、第五条の七第二項の改正規定、第十条の二第二項の改正規定、第十四条の二第二項の改正規定中「輸出保険」を「貿易保険」に改める部分、第七章の章名の改正規定、第十六条第一項の改正規定、同条第二項の改正規定中「輸出保険」を「貿易保険」に改める部分、次条第一項の規定、附則第四条の規定（輸出保険特別会計法（昭和二十五年法律第六十八号）の題名の改正規定、同法第一条の改正規定及び同法附則第三項第一号の改正規定に限る。）、附則第五条の規定、附則第六条の規定並びに附則第七条の規定（通商産業省設置法（昭和二十七年法律第二百七十五号）第四条第十六号及び第五条第一項第十一号の改正規定中「輸出保険」を「貿易保険」に改める部分並びに同法第十一条第四号の改正規定に限る。） 昭和六十二年四月一日

(i) The revised provisions of the Title, the portion of the revised provisions of the Purpose pertaining to Chapter VII, the revised provisions of Article 1, the revised provisions of the Title of Article 1-3, the portion within the revised provisions of the same Article replacing "export insurance" with "trade insurance," the revised provisions of Article 1-4, the revised provisions of Article 1-5, the portion within the revised provisions of Article 1-7 and Article 3 replacing "export insurance" with "trade insurance," the revised provisions of Article 5-2, paragraph (2), the revised provisions of Article 5-6-2, paragraph (2), the revised provisions of Article 5-7. paragraph (2), the revised provisions of Article 10-2, paragraph (2), the portion within the

revised provisions of Article 14-2, paragraph (2) replacing "export insurance" with "trade insurance," the revised provisions of the Title of Chapter VII, the revised provisions of Article 16, paragraph (1), the portion within the revised provisions of paragraph (2) of the same Article replacing "export insurance" with "trade insurance," the provisions of paragraph (1) of the following Article, the provisions of Article 4 of the Supplementary Provisions (limited to the revised provisions of the Title of the Export Insurance Special Accounting Act (Act No. 68 of 1950), the revised provisions of Article 1 of the same Act, and the revised provisions of item (i) of paragraph (3) of the Supplementary Provisions to the same Act), the provisions of Article 5 of the Supplementary Provisions, the provisions of Article 6 of the Supplementary Provisions, and the provisions of Article 7 of the Supplementary Provisions (limited to the portions within the revised provisions of Article 4, item (xvi) and item (xi) of Article 5, paragraph (1) of the Act for Establishment of the Ministry of International Trade and Industry (Act No. 275 of 1952) replacing "export insurance" with "trade insurance," and the revised provisions of item (iv) of Article 11 of the same Act.): April 1, 1987.

二 目次の改正規定中第四章に係る部分、第一条の三の改正規定中「輸出金融保険」を削る部分、第一条の六の改正規定、第一条の七の改正規定中第四号を削り、第三号を第四号とし、第二号の二を第三号とする部分、第四章の改正規定、次条第二項の規定及び附則第四条のうち輸出保険特別会計法第四条第一項の改正規定中「第十条」を削る部分 昭和六十三年四月一日

(ii) The portion of the revised provisions of the Purpose pertaining to Chapter IV, the portion within the revised provisions of Article 1-3 deleting ", export finance insurance," the revised provisions of Article 1-6, the portion within the revised provisions of Article 1-7 deleting item (iv) and making item (iii) item (iv) and item (ii)-2 item (iii), the revised provisions of Chapter IV, and the portion within the provisions of paragraph (2) of the following Article and Article 4 of the Supplementary Provisions deleting ", Article 10" from the provisions of Article 4, paragraph (1) of the Export Insurance Special Accounting Act: April 1, 1988.

(経過措置等)

(Transitional Measures, etc.)

第二条 前条ただし書第一号に定める日から昭和六十三年三月三十一日までの間におけるこの法律による改正後の貿易保険法第六条第二項の規定の適用については、同項中「輸出保険」とあるのは、「貿易保険」とする。

Article 2 (1) With respect to the application of the provisions of Article 6, paragraph (2) of the Trade Insurance and Investment Act after revision pursuant to this Act during the period from the date provided in item (i) of the proviso for the preceding Article until March 31, 1988, the term "export

insurance" in that paragraph shall be deemed to be replaced with "trade insurance."

2 前条ただし書第二号に定める日前に成立した輸出金融保険の保険関係については、なお従前の例による。

(2) With respect to insurance relations for export finance insurance established prior to the date provided in item (ii) of the proviso for the preceding Article, the provisions then in force shall remain applicable.

第三条 この法律の施行前に政府が引き受けた海外投資保険については、なお従前の例による。

Article 3 With respect to overseas investment insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔昭和六十二年九月十一日法律第八十九号〕 〔抄〕

Supplementary Provisions [Act No. 89 of September 11, 1987] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act shall become effective from a date provided for by Cabinet Order from within a period not exceeding two months counting from the date of promulgation.

附 則 〔平成五年五月六日法律第三十六号〕 〔抄〕

Supplementary Provisions [Act No. 36 of May 6, 1993] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

(1) This Act shall become effective from a date provided for by Cabinet Order from within a period not exceeding six months counting from the date of promulgation.

(経過措置)

(Transitional Measures)

2 この法律の施行前に政府が引き受けた海外投資保険については、なお従前の例による。

(2) With respect to overseas investment insurance underwritten by the

government prior to the enforcement of this Act, the provisions then in force shall remain applicable.

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act shall become effective from the date the Administrative Procedure Act (Act No. 88 of 1993) comes into effect.

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures regarding Appealed Adverse Dispositions)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 In cases in which an appeal is made to undertake procedures for a hearing or opportunity for explanation, or procedures equivalent to those for other opinion statements, prescribed by Article 13 of the Administrative Procedure Act, towards a council or other collegiate body, based on a Ministerial Ordinance prior to the enforcement of this Act, or another similar demand has been made, the provisions then in force shall remain applicable, notwithstanding the provisions of related Acts after revision pursuant to this Act, with regard to procedures for adverse dispositions pertaining to said appeal or other similar demand.

(罰則に関する経過措置)

(Transitional Measures regarding Penal Provisions)

第十三条 この法律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 13 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures accompanying Arrangements set forth in Provisions on Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会

(不利益処分に係るものを除く。)又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 Hearings, consultations and hearing panels (excluding those pertaining to adverse dispositions) that took place pursuant to the provisions of an Act prior to the enforcement of this Act, or procedures associated with the same, shall be deemed to have taken place pursuant to corresponding provisions in related Acts after revision pursuant to this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 In addition to what is provided in Article 2 to the preceding Article of the Supplementary Provisions, necessary transitional measures concerning the enforcement of this Act shall be provided for by Cabinet Order.

附 則 〔平成九年五月二十三日法律第五十九号〕〔抄〕

Supplementary Provisions [Act No. 59 of May 23, 1997] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十年四月一日から施行する。

Article 1 This Act shall become effective from April 1, 1998.

附 則 〔平成十一年七月十六日法律第百二号〕〔抄〕

Supplementary Provisions [Act No. 102 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、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）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall become effective from the date the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999) comes into effect; provided, however, that the provisions listed in each of the following items shall become effective from the date prescribed in each respective item.

二 附則第十条第一項及び第五項、第十四条第三項、第二十三条、第二十八条並びに第三十条の規定 公布の日

(ii) The provisions of Article 10, paragraph (1) and paragraph (5), Article 14, paragraph (3), Article 23, Article 28 and Article 30 of the Supplementary Provisions: The date of promulgation.

(職員の身分引継ぎ)

(Succession of Status of Officials)

第三条 この法律の施行の際現に従前の総理府、法務省、外務省、大蔵省、文部省、厚生省、農林水産省、通商産業省、運輸省、郵政省、労働省、建設省又は自治省（以下この条において「従前の府省」という。）の職員（国家行政組織法（昭和二十三年法律第二十号）第八条の審議会等の会長又は委員長及び委員、中央防災会議の委員、日本工業標準調査会の会長及び委員並びにこれらに類する者として政令で定めるものを除く。）である者は、別に辞令を発せられない限り、同一の勤務条件をもって、この法律の施行後の内閣府、総務省、法務省、外務省、財務省、文部科学省、厚生労働省、農林水産省、経済産業省、国土交通省若しくは環境省（以下この条において「新府省」という。）又はこれに置かれる部局若しくは機関のうち、この法律の施行の際現に当該職員が属する従前の府省又はこれに置かれる部局若しくは機関の相当の新府省又はこれに置かれる部局若しくは機関として政令で定めるものの相当の職員となるものとする。

Article 3 Persons who are employees (excluding the president or chairperson and members of a council, etc. set forth in Article 8 of the National Administrative Organization Act (Act No. 120 of 1948), members of the Central Disaster Prevention Council, the chairperson and members of the Japanese Industrial Standards Committee, and those provided for by Cabinet Order as similar persons) of the Prime Minister's Office, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Finance, Ministry of Education, Ministry of Health and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of International Trade and Industry, Ministry of Transport, Ministry of Posts and Telecommunications, Ministry of Labour, Ministry of Construction, or Ministry of Home Affairs (hereafter referred to in this Article as "previous ministries") prior to the enforcement of this Act, shall, unless their appointment is announced separately, become employees, with the same working conditions, of the corresponding previous ministry or new ministry corresponding to a department or organ within it, or body provided for by Cabinet Order to be a department or organ within that new ministry, from within the Cabinet Office, Ministry of Internal Affairs and Communications, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Education, Culture, Sports, Science and Technology, Ministry of Health, Labour and Welfare, Ministry of Agriculture, Forestry and Fisheries, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism, and Ministry of the Environment (referred to above as "new ministries") or department or organ within them.

(別に定める経過措置)

(Transitional Measures Separately Provided)

第三十条 第二条から前条までに規定するもののほか、この法律の施行に伴い必要となる経過措置は、別に法律で定める。

Article 30 In addition to what is prescribed in Article 2 to the preceding Article, necessary transitional measures accompanying the enforcement of this Act shall be provided in separate Acts.

附 則 〔平成十一年十二月二十二日法律第百六十号〕〔抄〕

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。

Article 1 This Act (excluding Article 2 and Article 3) shall become effective from January 6, 2001.

附 則 〔平成十一年十二月二十二日法律第二百二号〕〔抄〕

Supplementary Provisions [Act No. 202 of December 22, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十三年一月六日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に掲げる日から施行する。

Article 1 This Act shall become effective from a date provided for by Cabinet Order from within a period not exceeding six months counting from January 6, 2001; provided, however, that the provisions listed in each of the following items shall become effective from the date prescribed in each respective item.

一 第三条の次に四条、三節、章名及び節名を加える改正規定（第二十一条に係る部分に限る。）並びに附則第七条及び第八条の規定 平成十三年一月六日

(i) The revised provisions (limited to the portion pertaining to Article 21) adding four Articles, three Sections, Chapter Titles and Section Titles after Article 3, and the provisions of Article 7 and Article 8 of the Supplementary Provisions: January 6, 2001.

二 附則第十一条及び第十五条の規定 公布の日

(ii) The provisions of Article 11 and Article 15 of the Supplementary Provisions: The date of promulgation.

(職員の引継ぎ等)

(Succession of Officials, etc.)

第二条 日本貿易保険の成立の際現に経済産業省の部局又は機関で政令で定めるものの職員である者は、経済産業大臣が指名する者を除き、別に辞令を發せられない限り、

日本貿易保険の成立の日において、日本貿易保険の職員となるものとする。

Article 2 Persons who are employees of departments or organs of the Ministry of Economy, Trade and Industry provided for by Cabinet Order upon the establishment of NEXI shall, except for those persons designated by the Minister of Economy, Trade and Industry, and unless their employment is announced separately, become employees of NEXI on the date of its establishment.

第三条 前条の規定により日本貿易保険の職員となった者に対する国家公務員法（昭和二十二年法律第二十号）第八十二条第二項の規定の適用については、日本貿易保険の職員を同項に規定する特別職国家公務員等と、前条の規定により国家公務員としての身分を失ったことを任命権者の要請に応じ同項に規定する特別職国家公務員等となるため退職したこととみなす。

Article 3 With respect to the application of the provisions of Article 82, paragraph (2) of the National Public Service Act (Act No. 120 of 1947) to persons who have become employees of NEXI pursuant to the provisions of the preceding Article, employees of NEXI shall be deemed to have retired so as to become national public servants in the special service, etc. prescribed in the same paragraph, and the loss of their position as a national public servant pursuant to the provisions of the preceding Article shall be deemed to be retirement to become a national public servant in the special service, etc. on request of an appointer prescribed in the same paragraph.

第四条 附則第二条の規定により経済産業省の職員が日本貿易保険の職員となる場合には、その者に対しては、国家公務員退職手当法（昭和二十八年法律第八十二号）に基づく退職手当は、支給しない。

Article 4 (1) In cases in which an employee of the Ministry of Economy, Trade and Industry becomes an employee of NEXI pursuant to the provisions of Article 2 of the Supplementary Provisions, retirement allowance based on the National Public Service Retirement Allowance Act (Act No. 182 of 1953) shall not be paid to that person.

2 日本貿易保険は、前項の規定の適用を受けた日本貿易保険の職員の退職に際し、退職手当を支給しようとするときは、その者の国家公務員退職手当法第二条第一項に規定する職員（同条第二項の規定により職員とみなされる者を含む。）としての引き続きいた在職期間を日本貿易保険の職員としての在職期間とみなして取り扱うべきものとする。

(2) When NEXI intends to pay retirement allowance upon the retirement of one of its employees after receiving the application of the provisions of the preceding paragraph, the continuing period of service for that person as an employee prescribed by Article 2, paragraph (1) of the National Public Service Retirement Allowance Act (including persons deemed to be employees pursuant

to the provisions of paragraph (2) of the same Article) shall be deemed to be their period of service as an employee of NEXI, and handled as such.

- 3 日本貿易保険の成立の日の前日に経済産業省の職員として在職する者が、附則第二条の規定により引き続いて日本貿易保険の職員となり、かつ、引き続き日本貿易保険の職員として在職した後引き続いて国家公務員退職手当法第二条第一項に規定する職員となった場合におけるその者の同法に基づいて支給する退職手当の算定の基礎となる勤続期間の計算については、その者の日本貿易保険の職員としての在職期間を同項に規定する職員としての引き続いた在職期間とみなす。ただし、その者が日本貿易保険を退職したことにより退職手当（これに相当する給付を含む。）の支給を受けているときは、この限りでない。

(3) Regarding calculations of length of service to be used as the basis for calculating retirement allowance paid based on the National Public Service Retirement Allowance Act to persons working as employees of the Ministry of Economy, Trade and Industry on the day prior to the date of establishment of NEXI, in cases in which said persons have continued as employees of NEXI pursuant to the provisions of Article 2 of the Supplementary Provisions, and have become employees prescribed in Article 2, paragraph (1) of the same Act continuing after their employment by NEXI, the period of service of said persons as employees of NEXI shall be deemed to be their continued period of service prescribed in the same paragraph; provided, however, that this shall not apply when said persons are receiving retirement allowance (including payments equivalent to it) through retirement from NEXI.

- 4 日本貿易保険は、日本貿易保険の成立の日の前日に経済産業省の職員として在職し、附則第二条の規定により引き続いて日本貿易保険の職員となった者のうち日本貿易保険の成立の日から雇用保険法（昭和四十九年法律第百十六号）による失業給付の受給資格を取得するまでの間に日本貿易保険を退職したものであって、その退職した日まで経済産業省の職員として在職したものとしたならば国家公務員退職手当法第十条の規定による退職手当の支給を受けることができるものに対しては、同条の規定の例により算定した退職手当の額に相当する額を退職手当として支給するものとする。

(4) NEXI shall pay as retirement allowance an amount equivalent to the amount of retirement allowance calculated by the same rules as the provisions of Article 10 of the National Public Service Retirement Allowance Act, to persons among those who were working as employees of the Ministry of Economy, Trade and Industry on the day prior to establishment of NEXI and have continued as employees of NEXI pursuant to the provisions of Article 2 of the Supplementary Provisions, who have retired from NEXI within a period starting from the date of establishment of NEXI to the acquirement of eligibility for unemployment benefits pursuant to the Employment Insurance Act (Act No. 116 of 1976), and who, if they had been employees of the Ministry of Economy, Trade and Industry until the day of retirement, would have been able to receive payment of retirement allowance pursuant to the provisions of

the same Article.

第五条 附則第二条の規定により日本貿易保険の職員となった者であつて、日本貿易保険の成立の日の前日において経済産業大臣又はその委任を受けた者から児童手当法（昭和四十六年法律第七十三号）第七条第一項（同法附則第六条第二項において準用する場合を含む。以下この条において同じ。）の規定による認定を受けているものが、日本貿易保険の成立の日において児童手当又は同法附則第六条第一項の給付（以下この条において「特例給付」という。）の支給要件に該当するときは、その者に対する児童手当又は特例給付の支給に関しては、日本貿易保険の成立の日において同法第七条第一項の規定による市町村長（特別区の区長を含む。）の認定があつたものとみなす。この場合において、その認定があつたものとみなされた児童手当又は特例給付の支給は、同法第八条第二項（同法附則第六条第二項において準用する場合を含む。）の規定にかかわらず、日本貿易保険の成立の日の前日の属する月の翌月から始める。

Article 5 When a person who has become an employee of NEXI pursuant to the provisions of Article 2 of the Supplementary Provisions and is receiving recognition pursuant to the provisions of Article 7, paragraph (1) of the Child Allowance Act (Act No. 73 of 1971) (including cases where it is applied mutatis mutandis pursuant to Article 6, paragraph (2) of the Supplementary Provisions to the same Act) from the Minister of Economy, Trade and Industry or a person delegated by him or her on the day prior to the date of establishment of NEXI is eligible for child allowance or requests for payment (hereafter referred to as "special payments") set forth in Article 6, paragraph (1) of the Supplementary Provisions of the same Act on the day of establishment of NEXI, then regarding payments of child allowance or special payments to that person, recognition by the mayor (including mayors of special wards) pursuant to Article 7, paragraph (1) of the same Act shall be deemed to have been given on the date of establishment of NEXI. In such cases, payments of child allowance or special payments which are deemed to have been recognized shall begin the month after the month in which the day prior to the date of establishment of NEXI falls, notwithstanding the provisions of Article 8, paragraph (2) of the same Act (including cases where it is applied mutatis mutandis pursuant to the provisions of Article 6, paragraph (2) of the Supplementary Provisions).

（日本貿易保険の職員となる者の職員団体についての経過措置）

**(Transitional Measures with respect to Employee Organizations of Persons
Becoming Employees of NEXI)**

第六条 日本貿易保険の成立の際現に存する国家公務員法第百八条の二第一項に規定する職員団体であつて、その構成員の過半数が附則第二条の規定により日本貿易保険に引き継がれる者であるものは、日本貿易保険の成立の際労働組合法（昭和二十四年法律第七十四号）の適用を受ける労働組合となるものとする。この場合において、当該職員団体が法人であるときは、法人である労働組合となるものとする。

Article 6 (1) Employee organizations prescribed in Article 108-2, paragraph (1) of the National Public Service Act existing at the time of establishment of NEXI, the majority of whose membership is to pass on to NEXI pursuant to the provisions of Article 2 of the Supplementary Provisions, shall become labor unions to which the Labor Union Act (Act No. 174 of 1949) applies, upon the establishment of NEXI. In such cases, when said employee organization is a juridical person, it shall become a labor union which is a juridical person.

2 前項の規定により法人である労働組合となったものは、日本貿易保険の成立の日から起算して六十日を経過する日までに、労働組合法第二条及び第五条第二項の規定に適合する旨の労働委員会の証明を受け、かつ、その主たる事務所の所在地において登記しなければ、その日の経過により解散するものとする。

(2) Bodies which have become labor unions which are juridical persons pursuant to the provisions of the preceding paragraph shall, by a date on which 60 days have passed, counting from the date of establishment of NEXI, receive certification from the Labor Relations Commission in compliance with the provisions of Article 2 and Article 5, paragraph (2) of the Labor Union Act, and shall be dissolved from that date if they are not at the location of their principal office.

3 第一項の規定により労働組合となったものについては、日本貿易保険の成立の日から起算して六十日を経過する日までは、労働組合法第二条ただし書（第一号に係る部分に限る。）の規定は、適用しない。

(3) With respect to bodies which have become labor unions pursuant to the provisions of paragraph (1), the provisions of the proviso of Article 2 of the Labor Union Act (limited to the portion pertaining to item (i)) shall not apply from the date of establishment of NEXI to a date on which 60 days have passed.

（権利義務の承継等）

(Succession to Rights and Obligations, etc.)

第七条 日本貿易保険の成立の際、改正前の貿易保険法（以下「旧法」という。）による保険事業に関し、現に国が有する権利及び義務は、次に掲げるものを除き、日本貿易保険の成立の時に於いて日本貿易保険が承継する。

Article 7 (1) Upon the establishment of NEXI, regarding insurance business activities pursuant to the Trade Insurance and Investment Act prior to revision (hereafter referred to as the Old Act), NEXI shall succeed to the rights and obligations held by the State at the time of its establishment, except for those listed below.

一 貿易保険特別会計に所属する現金及び預金に係る権利

(i) Rights pertaining to cash and deposits under trade insurance special accounting.

二 旧法による貿易保険の保険金の支払に関して取得した外国の政府、地方公共団体若しくはこれらに準ずる者、外国法人又は外国人に対する債権

(ii) Claims toward foreign governments, local governments or bodies equivalent to them, foreign juridical persons, or foreign persons, acquired with regard to insurance claim payments for trade insurance pursuant to the Old Act.

三 貿易保険特別会計の資金運用部からの負債

(iii) Liabilities from the Trust Fund Bureau for trade insurance special accounting.

四 その他政令で定める権利及び義務

(iv) Other rights and obligations provided for by Cabinet Order.

2 前項の規定により日本貿易保険が国の有する権利及び義務を承継したときは、その承継の際、承継される権利に係る財産で政令で定めるものの価額の合計額に相当する金額は、政府から日本貿易保険に対し出資されたものとする。

(2) When NEXI has succeeded to rights and obligations held by the State pursuant to the provisions of the preceding paragraph, an amount corresponding to the total value of properties provided for by Cabinet Order pertaining to the rights succeeded to shall be deemed to have been contributed to NEXI by the government upon succession.

3 前項の規定により政府から出資があったものとされる同項の財産の価額は、日本貿易保険の成立の日現在における時価を基準として評価委員が評価した価額とする。

(3) The value of properties set forth in the preceding paragraph which have been deemed to have been contributed by the government pursuant to the provisions of the same paragraph shall be appraised by the evaluators using as a basis the market value of NEXI on the date of its establishment.

4 前項の評価委員その他評価に関し必要な事項は、政令で定める。

(4) The evaluators set forth in the preceding paragraph and other necessary matters regarding appraisal shall be provided for by Cabinet Order.

(国有財産の無償使用)

(Use of National Property Without Charge)

第八条 国は、日本貿易保険の成立の際現に経済産業省の部局又は機関で政令で定めるものに使用されている国有財産であって政令で定めるものを、政令で定めるところにより、日本貿易保険の用に供するため、日本貿易保険に無償で使用させることができる。

Article 8 The State may, pursuant to where provided for by Cabinet Order, and for the usage of NEXI, allow NEXI to use without charge national property which is provided for by Cabinet Order and which is used by departments or organs of the Ministry of Economy Trade and Industry provided for by Cabinet Order, upon the establishment of NEXI.

(政府が引き受けた貿易保険等に関する経過措置)

(Transitional Measures regarding Trade Insurance, etc. underwritten by the Government)

第九条 この法律の施行前に政府が引き受けた輸出手形保険以外の貿易保険については、なお従前の例による。この場合において、なお従前の例によることとされる旧法の規定中「政府」とあるのは、「日本貿易保険」とする。

Article 9 (1) With respect to trade insurance other than export bill insurance underwritten by the government prior to the enforcement of this Act, the provisions then in force shall remain applicable. In such cases, the term "government" in the provisions of the Old Act deemed to remain in force shall be deemed to be replaced with "NEXI."

2 この法律の施行前に成立した輸出手形保険の保険関係については、なお従前の例による。この場合において、なお従前の例によることとされる旧法の規定中「政府」とあるのは、「日本貿易保険」とする。

(2) With respect to insurance relations for export bill insurance established prior to the enforcement of this Act, the provisions then in force shall remain applicable. In such cases, the term "government" in the provisions of the Old Act deemed to remain in force shall be deemed to be replaced with "NEXI."

(再保険に関する経過措置)

(Transitional Measures regarding Reinsurance)

第十条 附則第七条第一項の規定により日本貿易保険がこの法律の施行前に政府が負った保険責任又は再保険責任を承継したときは、当該保険責任又は再保険責任について、政府と日本貿易保険との間に再保険関係が成立するものとする。

Article 10 (1) When NEXI has succeeded to insurance liabilities or reinsurance liabilities defrayed by the government prior to the enforcement of this Act, pursuant to the provisions of Article 7, paragraph (1) of the Supplementary Provisions, with respect to said insurance liabilities or reinsurance liabilities, a reinsurance relationship shall be established between the government and NEXI.

2 前項の再保険において政府がてん補すべき額は、日本貿易保険が支払うべき保険金又は再保険金の額から回収した金額を控除した残額とする。

(2) The amount of indemnity to be provided by the government for the reinsurance set forth in the preceding paragraph shall be the amount remaining after subtracting the amount collected from the amount of insurance payment or reinsurance payment to be paid by NEXI.

3 日本貿易保険は、前項の規定により再保険金の支払を受けたときは、当該再保険金の支払の請求をした後回収した金額を政府に納付しなければならない。

(3) When NEXI has received payment of reinsurance pursuant to the provisions of the preceding paragraph, it shall pay to the government the amount recovered after a demand for payment of said reinsurance.

4 日本貿易保険は、前条第一項の規定によりなお従前の例によることとされた旧法第二十二條の規定による納付を受けたときは、当該納付を受けた金額を政府に納付しなければならない。

- (4) When NEXI has received payment pursuant to the provisions of Article 22 of the Old Act deemed to remain in force pursuant to paragraph (1) of the preceding Article, it shall pay to the government the amount of said payment received.
- 5 前三項に定めるもののほか、第一項の再保険関係に関し必要な事項は、経済産業省令で定める。
- (5) In addition to what is provided in the preceding three paragraphs, other necessary matters regarding the reinsurance relations set forth in paragraph (1) shall be provided by Ordinance of the Ministry of Economy, Trade and Industry.
- 6 第一項の規定により政府の再保険事業が行われる場合には、特別会計に関する法律（平成十九年法律第二十三号）第百八十二条中「再保険」とあるのは「再保険及び貿易保険法の一部を改正する法律（平成十一年法律第二百二号）附則第十条第一項の再保険」と、同法第百八十四条第一号イ及び第二号イ中「再保険の」とあるのは「再保険及び貿易保険法の一部を改正する法律附則第十条第一項の再保険の」と、同条第一号ロ中「第六十一条第一項」とあるのは「第六十一条第一項及び貿易保険法の一部を改正する法律附則第十条第三項」と、同号チ中「第六十一条第二項」とあるのは「第六十一条第二項並びに貿易保険法の一部を改正する法律附則第十条第四項」と、同法第百八十六条第一項第三号中「及び貿易保険法による政府の再保険」とあるのは「並びに貿易保険法による政府の再保険及び貿易保険法の一部を改正する法律附則第十条第一項の再保険」と、同法第百九十一条第二項中「及び貿易保険法第六十一条第二項」とあるのは「並びに貿易保険法第六十一条第二項及び貿易保険法の一部を改正する法律附則第十条第四項」とする。
- (6) In cases in which government reinsurance business activities are to take place pursuant to paragraph (1), the term "reinsurance" in Article 182 of the Act on Special Accounts (Act No. 23 of 2007) shall be deemed to be replaced with "reinsurance and reinsurance set forth in Article 10, paragraph (1) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act (Act No. 202 of 1999)"; the term "of reinsurance" in Article 184, item (i) (a) and item (ii) (d) of the same Act shall be deemed to be replaced with "of reinsurance and reinsurance set forth in Article 10. paragraph (1) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act"; the term "Article 61, paragraph (1)" in item (i) (b) of the same Article shall be deemed to be replaced with "Article 61, paragraph (1) and Article 10, paragraph (3) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act"; the term "Article 61, paragraph (2)" in (h) of the same item shall be deemed to be replaced with "Article 61, paragraph (2) and Article 10, paragraph (4) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act"; the term "and government reinsurance set forth in the Trade Insurance and Investment Act" in item (iii) of Article 186, paragraph (1) of the same Act

shall be deemed to be replaced with "and government reinsurance set forth in the Trade Insurance and Investment Act, and reinsurance set forth in Article 10, paragraph (1) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act"; and the term "and Article 61, paragraph (2) of the Trade Insurance and Investment Act" in Article 191, paragraph (2) of the same Act shall be deemed to be replaced with "and Article 61, paragraph (2) of the Trade Insurance and Investment Act and Article 10, paragraph (4) of the Supplementary Provisions to the Act Revising Part of the Trade Insurance and Investment Act."

(政府が有する債権の免除)

(Exemption from Claims held by the Government)

第十一条 政府は、この法律の施行前に貿易保険の保険金の支払に関して取得した債権であって、対外債務を履行することが著しく困難であると認められる国として政令で定めるものの政府、地方公共団体若しくはこれらに準ずる者又は当該国の法人若しくは人に対して有するものについては、国際約束で定めるところにより、当該債権の全部又は一部を免除することができる。

Article 11 The government may, with respect to claims acquired regarding trade insurance payments prior to the enforcement of this Act and held toward governments, local governments or bodies equivalent to the same, or juridical persons or citizens, of a State provided for by Cabinet Order as one in which the performance of external obligations can be considered extremely difficult, exempt all or part of said claims pursuant to where it is provided by international treaty.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から第十条まで及び第十三条に定めるもののほか、日本貿易保険の設立に伴い必要な経過措置その他この法律の施行に関し必要な経過措置は、政令で定める。

Article 15 In addition to what is provided in Article 2 to Article 10 and in Article 13 of the Supplementary Provisions, necessary transitional measures accompanying the establishment of NEXI, and other necessary transitional measures regarding the enforcement of this Act, shall be provided for by Cabinet Order.

附 則 〔平成十二年五月二十六日法律第八十四号〕 〔抄〕

Supplementary Provisions [Act No. 84 of May 26, 2000] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年六月一日から施行する。

Article 1 This Act shall become effective from June 1, 2000.

附 則 〔平成十三年六月二十七日法律第七十五号〕 〔抄〕

Supplementary Provisions [Act No. 75 of June 27, 2001] [Extract]

(施行期日等)

(Effective Date, etc.)

第一条 この法律は、平成十四年四月一日（以下「施行日」という。）から施行し、施行日以後に発行される短期社債等について適用する。

Article 1 This Act shall become effective from April 1, 2002 (hereafter referred to as the "effective date"), and shall apply with respect to short term company bonds, etc. issued after the effective date.

(罰則の適用に関する経過措置)

(Transitional Measures regarding the Application of Penal Provisions)

第七条 施行日前にした行為及びこの附則の規定によりなおその効力を有す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 7 With respect to the application of penal provisions for acts committed prior to the effective date, and acts committed after the effective date in cases in which provisions previously in force are remaining applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of other Transitional Measures to the Government)

第八条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 8 In addition to what is prescribed in these Supplementary Provisions, other necessary transitional measures concerning the enforcement of this Act shall be provided for by Cabinet Order.

(検討)

(Reviewing)

第九条 政府は、この法律の施行後五年を経過した場合において、この法律の施行状況、社会経済情勢の変化等を勘案し、振替機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を構ずるものとする。

Article 9 The government shall, in cases in which five years have passed after enforcement, and taking into consideration the state of enforcement and changes in the relevant socioeconomic factors, perform a review with respect to

the systems pertaining to transfer institutions, and when it considers it necessary enact necessary measures based on the results.

附 則 〔平成十四年六月十二日法律第六十五号〕 〔抄〕

Supplementary Provisions [Act No. 65 of June 12, 2002] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十五年一月六日から施行する。

Article 1 This Act shall become effective from January 6, 2003.

(罰則の適用に関する経過措置)

(Transitional Measures regarding Application of Penal Provisions)

第八十四条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行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この法律の施行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 84 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act (for the provisions listed in each item of Article 1 of the Supplementary Provisions, said provisions; the same shall apply hereafter in this Article), and acts committed after the enforcement of this Act in cases in which provisions previously in force are remaining applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of other Transitional Measures to Cabinet Order)

第八十五条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 85 In addition to what is prescribed in these Supplementary Provisions, other necessary transitional measures regarding the enforcement of this Act shall be provided for by Cabinet Order.

(検討)

(Reviews)

第八十六条 政府は、この法律の施行後五年を経過した場合において新社債等振替法、金融商品取引法の施行状況、社会経済情勢の変化等を勘案し、新社債等振替法第二条第十一項に規定する加入者保護信託、金融商品取引法第二条第二十九項に規定する金融商品取引清算機関に係る制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 86 The government shall, in cases in which five years have passed after

enforcement, and taking into consideration the state of enforcement of the New Act on the Transfer of company Bonds and the Financial Instruments and Exchange Act, and changes in the relevant socioeconomic factors, perform a review of the system pertaining to protective trusts prescribed in Article 2, paragraph (11) of the New Act on the Transfer of company Bonds and the system pertaining to financial commodity clearing organizations prescribed in Article 2, paragraph (29) of the Financial Instruments and Exchange Act, and when it considers it necessary enact necessary measures based on the results.

附 則 〔平成十五年五月三十日法律第五十四号〕 〔抄〕

Supplementary Provisions [Act No. 54 of May 30, 2003] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十六年四月一日から施行する。

Article 1 This Act shall become effective from April 1, 2004.

(罰則の適用に関する経過措置)

(Transitional Measures regarding the Application of Penal Provisions)

第三十八条 この法律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 38 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of other Transitional Measures to Cabinet Order)

第三十九条 この法律に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 39 In addition to what is prescribed in this Act, other necessary transitional measures regarding the enforcement of this Act shall be provided for by Cabinet Order.

(検討)

(Reviews)

第四十条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の金融諸制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 40 The government shall, in cases in which five years have passed after enforcement, and taking into consideration the state of execution of the

provisions of this Act after revision and changes in the relevant socioeconomic factors, perform a review of the financial systems after revision of this Act, and when it considers it necessary, enact necessary measures based on the results.

附 則 〔平成十六年六月二日法律第七十六号〕〔抄〕

Supplementary Provisions [Act No. 76 of June 2, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、破産法（平成十六年法律第七十五号。次条第八項並びに附則第三条第八項、第五条第八項、第十六項及び第二十一項、第八条第三項並びに第十三条において「新破産法」という。）の施行の日から施行する。

Article 1 This Act shall become effective from the date on which the Bankruptcy Act (Act No. 75 of 2004; referred to in paragraph (8) of the next Article; Article 3, paragraph (8); Article 5, paragraph (8), paragraph (16) and paragraph (21); Article 8, paragraph (3); and Article 13 of the Supplementary Provisions as the "New Bankruptcy Act") comes into effect.

(政令への委任)

(Delegation to Cabinet Order)

第十四条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 14 In addition to what is prescribed in Article 2 to the preceding Article of the Supplementary Provisions, other necessary transitional measures regarding the enforcement of this Act shall be provided for by Cabinet Order.

附 則 〔平成十六年六月九日法律第八十八号〕〔抄〕

Supplementary Provisions [Act No. 88 of June 9, 2004] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して五年を超えない範囲内において政令で定める日（以下「施行日」という。）から施行する。

Article 1 This Act shall become effective from a date provided for by Cabinet Order (hereafter referred to as the "effective date") within a period not exceeding five years counting from the date of promulgation.

(罰則の適用に関する経過措置)

(Transitional Measures Regarding the Application of Penal Provisions)

第三百三十五条 この法律の施行前にした行為並びに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及びなおその効力を有することとされる場合におけるこの法

律の施行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 135 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act and acts committed after the effective date in cases in which provisions previously in force remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of other Transitional Measures to the Government)

第三百三十六条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 136 In addition to what is prescribed in this Act, other necessary transitional measures concerning the enforcement of this Act shall be provided for by Cabinet Order.

(検討)

(Reviews)

第三百三十七条 政府は、この法律の施行後五年を経過した場合において、この法律による改正後の規定の実施状況、社会経済情勢の変化等を勘案し、この法律による改正後の株式等の取引に係る決済制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 137 The government shall, in cases in which five years have passed after enforcement, and taking into consideration the state of execution of the provisions of this Act after revision and changes in the relevant socioeconomic factors, perform a review of the settlement system pertaining to transactions of shares, etc. after revision of this Act, and when it considers it necessary, enact necessary measures based on the results.

附 則 〔平成十七年七月二十六日法律第八十七号〕 〔抄〕

Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

この法律は、会社法の施行の日から施行する。

This Act shall become effective from the date on which the Companies Act comes into effect.

附 則 〔平成十九年三月三十一日法律第二十三号〕 〔抄〕

Supplementary Provisions [Act No. 23 of March 31, 2007] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十九年四月一日から施行し、平成十九年度の予算から適用す

る。ただし、次の各号に掲げる規定は、当該各号に定める日から施行し、第二条第一項第四号、第十六号及び第十七号、第二章第四節、第十六節及び第十七節並びに附則第四十九条から第六十五条までの規定は、平成二十年度の予算から適用する。

Article 1 This Act shall become effective from April 1, 2007, and apply from the 2007 budget; provided, however, that the provisions listed in each of the following items shall become effective from the date provided in each said item, and the provisions of item (iv), item (xvi) and item (xvii) of paragraph (1) of Article 2, Section 4, Section 16 and Section 17 of Chapter II, and Article 49 to Article 65 of the Supplementary Provisions, shall apply from the 2008 budget.

(罰則に関する経過措置)

(Transitional Measures regarding Penal Provisions)

第三百九十一条 この法律の施行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この法律の施行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 391 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act, and acts committed after the enforcement of this Act in cases in which provisions previously in force are remaining applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force shall remain applicable.

(その他の経過措置の政令への委任)

(Delegation of other Transitional Measures to Cabinet Order)

第三百九十二条 附則第二条から第六十五条まで、第六十七条から第二百五十九条まで及び第三百八十二条から前条までに定めるもののほか、この法律の施行に関し必要となる経過措置は、政令で定める。

Article 392 In addition to what is prescribed in Article 2 to Article 65, Article 67 to Article 259, and Article 382 to the preceding Article of the Supplementary Provisions, other necessary transitional measures concerning the enforcement of this Act shall be provided for by Cabinet Order.

附 則 [平成二十年六月六日法律第五十七号]

Supplementary Provisions [Act No. 57 of June 6, 2008]

この法律は、保険法の施行の日から施行する。

This Act shall become effective from the date on which the Insurance Act comes into effect.