

資金決済に関する法律 Payment Services Act

(平成二十一年六月二十四日法律第五十九号)
(Act No. 59 of June 24, 2009)

第一章 総則 (第一条・第二条)

Chapter I General Provisions (Article 1 - Article 2)

第二章 前払式支払手段

Chapter II Prepaid Payment Instruments

第一節 総則 (第三条・第四条)

Section 1 General Provisions (Article 3 - Article 4)

第二節 自家型発行者 (第五条・第六条)

Section 2 Issuer of Prepaid Payment Instruments for Own Business (Article 5 - Article 6)

第三節 第三者型発行者 (第七条—第十二条)

Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business (Article 7 - Article 12)

第四節 表示、発行保証金の供託その他の義務 (第十三条—第二十一条)

Section 4 Indication, Making of Security Deposits for Issuance, and Other Obligations (Article 13 - Article 21)

第五節 監督 (第二十二条—第二十九条)

Section 5 Supervision (Article 22 - Article 29)

第六節 雑則 (第三十条—第三十六条)

Section 6 Miscellaneous Provisions (Article 30 - Article 36)

第三章 資金移動

Chapter III Fund Transfers

第一節 総則 (第三十七条—第四十二条)

Section 1 General Provisions (Article 37 - Article 42)

第二節 業務 (第四十三条—第五十一条の二)

Section 2 Business (Article 43 - Article 51-2)

第三節 監督 (第五十二条—第五十八条)

Section 3 Supervision (Article 52 - Article 58)

第四節 雑則 (第五十九条—第六十三条)

Section 4 Miscellaneous Provisions (Article 59 - Article 63)

第四章 資金清算

Chapter IV Clearing for Fund Transfer Transactions

第一節 総則 (第六十四条—第六十八条)

Section 1 General Provisions (Article 64 - Article 68)

第二節 業務 (第六十九条—第七十五条)

Section 2 Business (Article 69 - Article 75)

第三節 監督 (第七十六条—第八十二条)

Section 3 Supervision (Article 76 - Article 82)

第四節 雑則 (第八十三条—第八十六条)

Section 4 Miscellaneous Provisions (Article 83 - Article 86)

第五章 認定資金決済事業者協会 (第八十七条—第九十八条)

Chapter V Certified Association for Payment Service Providers (Article 87 - Article 98)

第六章 指定紛争解決機関 (第九十九条—第一百一条)

Chapter VI Designated Dispute Resolution Organization (Article 99 - Article 101)

第七章 雑則 (第一百二条—第一百六条)

Chapter VII Miscellaneous Provisions (Article 102 - Article 106)

第八章 罰則 (第一百七条—第一百八条)

Chapter VIII Penal Provisions (Article 107 - Article 118)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、資金決済に関するサービスの適切な実施を確保し、その利用者等を保護するとともに、当該サービスの提供の促進を図るため、前払式支払手段の発行、銀行等以外の者が行う為替取引及び銀行等の中で生じた為替取引に係る債権債務の清算について、登録その他の必要な措置を講じ、もって資金決済システムの安全性、効率性及び利便性の向上に資することを目的とする。

Article 1 The purpose of this Act is to enforce registration and other necessary measures with respect to the issuance of Prepaid Payment Instruments, exchange transactions carried out by persons other than Deposit-taking Institutions, and the clearing of exchange transactions between Deposit-taking Institutions, in order to ensure the proper provision and conducting of payment services, and protection of the users, etc. thereof, and to promote the provision of said services, thereby contributing to the improvement of the safety, efficiency, and convenience of the payment and settlement system.

(定義)

(Definitions)

第二条 この法律において「前払式支払手段発行者」とは、次条第六項に規定する自家型発行者及び同条第七項に規定する第三者型発行者をいう。

Article 2 (1) The term "Issuer of Prepaid Payment Instruments" as used in this Act means an Issuer of Prepaid Payment Instruments for Own Business as prescribed in Article 3 (6) and an Issuer of Prepaid Payment Instruments for Third-Party Business as prescribed in Article 3 (7).

2 この法律において「資金移動業」とは、銀行等以外の者が為替取引（少額の取引として政令で定めるものに限る。）を業として営むことをいう。

(2) The term "Funds Transfer Service" as used in this Act means exchange transactions (limited to those specified by Cabinet Order as small sum transactions) carried out by persons other than Banks, etc. in the course of trade.

3 この法律において「資金移動業者」とは、第三十七条の登録を受けた者をいう。

(3) The term "Funds Transfer Service Provider" as used in this Act means a person registered under Article 37.

4 この法律において「外国資金移動業者」とは、この法律に相当する外国の法令の規定により当該外国において第三十七条の登録と同種類の登録（当該登録に類する許可その他の行政処分を含む。）を受けて為替取引を業として営む者をいう。

(4) The term "Foreign Funds Transfer Service Provider" as used in this Act means a person who carries out exchange transactions in the course of trade in a foreign state under registration which is the same as the registration under Article 37 pursuant to the provisions of laws and regulations of said foreign state equivalent to this Act (including permission or other administrative dispositions similar to said registration).

5 この法律において「資金清算業」とは、為替取引に係る債権債務の清算のため、債務の引受け、更改その他の方法により、銀行等の間で生じた為替取引に基づく債務を負担することを業として行うことをいう。

(5) The term "Clearing Services for Interbank Funds Transfer" as used in this Act means acts of bearing obligations under exchange transactions arising between Banks, etc. in the course of trade by way of the assumption of an obligation, novation or otherwise for the purpose of clearing claims and debts relating to the exchange transactions.

6 この法律において「資金清算機関」とは、第六十四条第一項の免許を受けた者をいう。

(6) The term "Clearing Institution for Interbank Funds Transfer" as used in this Act means a person who has obtained the license under Article 64 (1).

7 この法律において「認定資金決済事業者協会」とは、第八十七条の規定による認定を受けた一般社団法人をいう。

(7) The term "Certified Association for Payment Service Providers" as used in this Act means a general incorporated association that has been granted the certification under Article 87.

8 この法律において「指定紛争解決機関」とは、第九十九条第一項の規定による指定を受けた者をいう。

(8) The term "Designated Dispute Resolution Organization" as used in this Act means a person who has been designated as such under Article 99 (1).

9 この法律において「信託会社等」とは、信託業法（平成十六年法律第百五十四号）第三条若しくは第五十三条第一項の免許を受けた信託会社若しくは外国信託会社又は金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。

(9) The term "Trust Company, etc." as used in this Act means a trust company or a foreign trust company that has obtained the license under Article 3 or Article 53 (1) of the Trust Business Act (Act No. 154 of 2004) or a financial institution that has obtained the authorization under Article 1 (1) of the Act on Concurrent Operation of Trust Business by a Financial Institution (Act No. 43 of 1943).

10 この法律において「銀行等」とは、次に掲げる者をいう。

(10) The term "Banks, etc." as used in this Act means any of the following persons:

一 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

(i) A bank prescribed in Article 2 (1) of the Banking Act (Act No. 59 of 1981);

二 長期信用銀行法（昭和二十七年法律第百八十七号）第二条に規定する長期信用銀行

(ii) A long-term credit bank prescribed in Article 2 of the Long-term Credit Bank Act (Act No. 187 of 1952);

三 信用金庫

(iii) A shinkin bank;

四 信用金庫連合会

(iv) A federation of shinkin banks;

五 労働金庫

(v) A labor bank;

六 労働金庫連合会

(vi) A federation of labor banks;

七 信用協同組合

(vii) A credit cooperative;

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

(viii) A federation of credit cooperatives that engages in the business set forth in Article 9-9 (1) (i) of the Small and Medium Sized Enterprises, etc.

Cooperatives Act (Act No. 181 of 1949);

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

(ix) An agricultural cooperative that engages in the business set forth in

Article 10 (1) (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947);

十 農業協同組合法第十条第一項第三号の事業を行う農業協同組合連合会

(x) A federation of agricultural cooperatives that engages in the business set forth in Article 10 (1) (iii) of the Agricultural Cooperatives Act;

十一 水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条第一項第四号の事業を行う漁業協同組合

(xi) A fisheries cooperative that engages in the business set forth in Article 11 (1) (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948);

十二 水産業協同組合法第八十七条第一項第四号の事業を行う漁業協同組合連合会

(xii) A federation of fisheries cooperatives that engages in the business set forth in Article 87 (1) (iv) of the Fisheries Cooperatives Act;

十三 水産業協同組合法第九十三条第一項第二号の事業を行う水産加工業協同組合

(xiii) A fishery processing cooperative that engages in the business set forth in Article 93 (1) (ii) of the Fisheries Cooperatives Act;

十四 水産業協同組合法第九十七条第一項第二号の事業を行う水産加工業協同組合連合会

(xiv) A federation of fishery processing cooperatives that engages in the business set forth in Article 97 (1) (ii) of the Fisheries Cooperatives Act;

十五 農林中央金庫

(xv) The Norinchukin Bank; and

十六 株式会社商工組合中央金庫

(xvi) The Shoko Chukin Bank Limited.

1 1 この法律において「破産手続開始の申立て等」とは、破産手続開始の申立て、再生手続開始の申立て、更生手続開始の申立て、特別清算開始の申立て又は外国倒産処理手続の承認の申立て（外国の法令上これらに相当する申立てを含む。）をいう。

(11) The term "Petition for Commencement of Bankruptcy Proceedings, etc." as used in this Act means a petition for commencement of bankruptcy proceedings, rehabilitation proceedings, reorganization proceedings or special liquidation, or a petition for recognition of foreign insolvency proceedings (including filing of a petition equivalent thereto under laws and regulations of a foreign state).

1 2 この法律において「銀行法等」とは、銀行法、長期信用銀行法、信用金庫法（昭和二十六年法律第二百三十八号）、労働金庫法（昭和二十八年法律第二百二十七号）、中小企業等協同組合法、協同組合による金融事業に関する法律（昭和二十四年法律第百八十三号）、農業協同組合法、水産業協同組合法、農林中央金庫法（平成十三年法律第九十三号）又は株式会社商工組合中央金庫法（平成十九年法律第七十四号）をいう。

(12) The term "Banking Act, etc." as used in this Act means any of the following: the Banking Act, the Long-term Credit Bank Act, the Shinkin Bank Act (Act No. 238 of 1951), the Labor Bank Act (Act No. 227 of 1953), the Small and Medium Sized Enterprises, etc. Cooperatives Act, the Act on Financial Businesses by Cooperative (Act No. 183 of 1949), the Agricultural Cooperatives Act, the Fisheries Cooperatives Act, the Norinchukin Bank Act (Act No. 93 of 2001) and the Shoko Chukin Bank Limited Act (Act No. 74 of 2007).

第二章 前払式支払手段

Chapter II Prepaid Payment Instruments

第一節 総則

Section 1 General Provisions

(定義)

(Definitions)

第三条 この章において「前払式支払手段」とは、次に掲げるものをいう。

Article 3 (1) The term "Prepaid Payment Instruments" as used in this Chapter means any of the following:

一 証票、電子機器その他の物（以下この章において「証票等」という。）に記載され、又は電磁的方法（電子的方法、磁気的方法その他の人の知覚によって認識することができない方法をいう。以下この項において同じ。）により記録される金額（金額を度その他の単位により換算して表示していると認められる場合の当該単位数を含む。以下この号及び第三項において同じ。）に应ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証票等に記録される金額に应ずる対価を得て当該金額の記録の加算が行われるものを含む。）であって、その発行する者又は当該発行する者が指定する者（次号において「発行者等」という。）から物品を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために提示、交付、通知その他の方法により使用することができるもの

(i) Certificates, electronic devices, or other items (hereinafter referred to as "Certificates, etc." in this Chapter) or numbers, markings, or other signs (including additions to the amount recorded in the Certificate, etc. by electromagnetic means in exchange for the receipt of consideration corresponding to the additional amount recorded) issued in exchange for the receipt of consideration corresponding to the amount (in cases where such amount is found to be each time converted to and indicated as a number in another unit, including a number in said unit; the same shall apply hereinafter in this item and in paragraph (3)) recorded in the Certificate, etc. or recorded using electromagnetic means (meaning in electronic form, magnetic form, or any other form that is impossible to perceive through the human senses alone; the same shall apply hereinafter in this paragraph) which can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services from the issuer or the person designated by the issuer (referred to as the "Issuer, etc." in the following item) by way of presentation, delivery, notification, or other methods.

二 証票等に記載され、又は電磁的方法により記録される物品又は役務の数量に应ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証

票等に記録される物品又は役務の数量に応ずる対価を得て当該数量の記録の加算が行われるものを含む。) であって、発行者等に対して、提示、交付、通知その他の方法により、当該物品の給付又は当該役務の提供を請求することができるもの

(ii) Certificates, etc. or numbers, markings, or other signs issued in exchange for the receipt of consideration corresponding to the quantity of goods or services recorded in the Certificate, etc. or recorded using electromagnetic means (including additions to the quantity of goods or services recorded in the Certificate, etc. by electromagnetic means in exchange for the receipt of consideration corresponding to the additional quantity recorded) which can be used for the purpose of claiming the delivery or provision of said goods or services from the Issuer, etc. by way of presentation, delivery, notification, or other methods.

2 この章において「基準日未使用残高」とは、前払式支払手段を発行する者が毎年三月三十一日及び九月三十日（以下この章において「基準日」という。）までに発行したすべての前払式支払手段の当該基準日における未使用残高（次の各号に掲げる前払式支払手段の区分に応じ当該各号に定める金額をいう。）の合計額として内閣府令で定めるところにより算出した額をいう。

(2) The term "Unused Base Date Balance" as used in this Chapter means the amount calculated in accordance with a method specified by Cabinet Office Ordinance as the total of the unused balances arising from all the Prepaid Payment Instruments issued by an issuer thereof by March 31 and September 30 (hereinafter referred to as "Base Date" in this Chapter) every year and outstanding as of the respective Base Date (meaning the amount prescribed in each of the following items for the category of Prepaid Payment Instruments specified therein):

一 前項第一号の前払式支払手段 当該基準日において代価の弁済に充てることのできる金額

(i) Prepaid Payment Instruments prescribed in item (i) of the preceding paragraph: The amount that can be used for the payment of consideration as of said Base Date; and

二 前項第二号の前払式支払手段 当該基準日において給付又は提供を請求することができる物品又は役務の数量を内閣府令で定めるところにより金銭に換算した金額

(ii) Prepaid Payment Instruments prescribed in item (ii) of the preceding paragraph: The monetary amount converted from the quantity of goods or services that can be claimed as of said Base Date in accordance with a method specified by Cabinet Office Ordinance.

3 この章において「支払可能金額等」とは、第一項第一号の前払式支払手段にあってはその発行された時において代価の弁済に充てることのできる金額をいい、同項第二号の前払式支払手段にあってはその発行された時において給付又は提供を請求することができる物品又は役務の数量をいう。

(3) The term "Amount Available for Payment, etc." as used in this Chapter means

the amount that can be used for the payment of consideration at issuance of the Prepaid Payment Instruments prescribed in paragraph (1) (i) or the quantity of goods or services that can be claimed at issuance of the Prepaid Payment Instruments prescribed in paragraph (1) (ii).

4 この章において「自家型前払式支払手段」とは、前払式支払手段を発行する者（当該発行する者と政令で定める密接な関係を有する者（次条第五号及び第三十二条において「密接関係者」という。）を含む。以下この項において同じ。）から物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合に限り、これらの代価の弁済のために使用することができる前払式支払手段又は前払式支払手段を発行する者に対してのみ、物品の給付若しくは役務の提供を請求することができる前払式支払手段をいう。

(4) The term "Prepaid Payment Instruments for Own Business" as used in this Chapter means Prepaid Payment Instruments that can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services only from the issuer of Prepaid Payment Instruments (including persons who have a close relationship specified by Cabinet Office Ordinance with said issuer (hereinafter referred to as "Closely Related Persons" in item (v) of the following Article and Article 32); the same shall apply in this paragraph) or those Prepaid Payment Instruments that can be used for the purpose of claiming the delivery or provision of said goods or services only from the issuer of Prepaid Payment Instruments.

5 この章において「第三者型前払式支払手段」とは、自家型前払式支払手段以外の前払式支払手段をいう。

(5) The term "Prepaid Payment Instruments for Third-Party Business" as used in this Chapter means Prepaid Payment Instruments other than Prepaid Payment Instruments for Own Business.

6 この章において「自家型発行者」とは、第五条第一項の届出書を提出した者（第三十三条第一項の規定による発行の業務の全部の廃止の届出をした者であって、第二十条第一項の規定による払戻しを完了した者を除く。）をいう。

(6) The term "Issuer of Prepaid Payment Instruments for Own Business" as used in this Chapter means a person who has submitted the written notice prescribed in Article 5 (1) (excluding those who have submitted a written notice of discontinuation of the entire issuance business pursuant to the provisions of Article 33 (1) and have completed the refund prescribed in Article 20 (1)).

7 この章において「第三者型発行者」とは、第七条の登録を受けた法人をいう。

(7) The term "Issuer of Prepaid Payment Instruments for Third-Party Business" as used in this Chapter means a corporation registered under Article 7.

8 この章において「基準期間」とは、基準日の翌日から次の基準日までの期間をいう。

(8) The term "Record Period" as used in this Chapter means a period from and including the day immediately following a Base Date to and including the

following Base Date.

(適用除外)

(Exclusion from Application)

第四条 次に掲げる前払式支払手段については、この章の規定は、適用しない。

Article 4 The provisions of this Chapter shall not apply to the following Prepaid Payment Instruments:

一 乗車券、入場券その他これらに準ずるものであって、政令で定めるもの

(i) Passenger tickets, admission tickets, and other tickets specified by Cabinet Order as being equivalent thereto;

二 発行の日から政令で定める一定の期間内に限り使用できる前払式支払手段

(ii) Prepaid Payment Instruments that can be used only during a certain period specified by Cabinet Order from the date of issuance;

三 国又は地方公共団体（次号において「国等」という。）が発行する前払式支払手段

(iii) Prepaid Payment Instruments issued by the State or local public entities (hereinafter referred to as "the State, etc." in the following item);

四 法律により直接に設立された法人、特別の法律により特別の設立行為をもって設立された法人又は特別の法律により地方公共団体が設立者となって設立された法人であって、その資本金又は出資の額の全部が国等からの出資によるものその他の国等に準ずるものとして政令で定める法人が発行する前払式支払手段

(iv) Prepaid Payment Instruments issued by corporations specified by Cabinet Order as being equivalent to the State, etc., including corporations directly established pursuant to an Act, corporations established by a special act of incorporation pursuant to a special Act, or corporations established by a local public entity pursuant to a special Act that are wholly owned by the State, etc.;

五 専ら発行する者（密接関係者を含む。）の従業員に対して発行される自家型前払式支払手段（専ら当該従業員が使用することとされているものに限る。）その他これに類するものとして政令で定める前払式支払手段

(v) Prepaid Payment Instruments for Own Business issued only to the employees of the issuer (including Closely Related Persons) (limited to those designed to be used only by said employees) and other Prepaid Payment Instruments specified by Cabinet Order as being equivalent thereto;

六 割賦販売法（昭和三十六年法律第百五十九号）その他の法律の規定に基づき前受金の保全のための措置が講じられている取引に係る前払式支払手段として政令で定めるもの

(vi) Prepaid Payment Instruments specified by Cabinet Order as being those pertaining to transactions that are subject to measures to protect advances pursuant to the provisions of the Installment Sales Act (Act No. 159 of 1961) and other Acts; and

七 その利用者のために商行為となる取引においてのみ使用することとされている前払式支払手段

(vii) Prepaid Payment Instruments that are designed to be used only in a transaction that constitutes a commercial transaction for the users of the Prepaid Payment Instruments.

第二節 自家型発行者

Section 2 Issuer of Prepaid Payment Instruments for Own Business

(自家型発行者の届出)

(Notification of Issuer of Prepaid Payment Instruments for Own Business)

第五条 前払式支払手段を発行する法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。）又は個人のうち、自家型前払式支払手段のみを発行する者は、基準日においてその自家型前払式支払手段の基準日未使用残高がその発行を開始してから最初に基準額（第十四条第一項に規定する基準額をいう。）を超えることとなったときは、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。自家型前払式支払手段の発行の業務の全部を廃止した後再びその発行を開始したときも、同様とする。

Article 5 (1) A corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated) or an individual who issues Prepaid Payment Instruments all of which are Prepaid Payment Instruments for Own Business shall, pursuant to the Cabinet Office Ordinance provisions, submit a written notice containing the following particulars to the Prime Minister when the Unused Base Date Balance of its Prepaid Payment Instruments for Own Business as of a Base Date has exceeded the standard amount (meaning the standard amount prescribed in Article 14 (1)) for the first time since the commencement of the issuance of Prepaid Payment Instruments for Own Business. The same shall apply to cases in which such corporation restarted the issuance of Prepaid Payment Instruments for Own Business after discontinuing the whole of the business of issuing Prepaid Payment Instruments for Own Business:

一 氏名、商号又は名称及び住所

(i) Name, trade name or other name and address;

二 法人にあつては、資本金又は出資の額

(ii) In the case of a corporation, the amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) Name and location of the business office or office pertaining to the business of issuing Prepaid Payment Instruments;

四 法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。）にあつては、その代表者又は管理人の氏名

(iv) In the case of a corporation (including an association or foundation without

- juridical personality for which the representative person or administrator has been designated), name of the representative person or administrator;
- 五 当該基準日における基準日未使用残高
(v) Unused Base Date Balance as of the relevant Base Date;
- 六 前払式支払手段の種類、名称及び支払可能金額等
(vi) The type, the name, and the Amount Available for Payment, etc. of the Prepaid Payment Instruments;
- 七 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限
(vii) In cases where the Prepaid Payment Instruments have a specified period or expiration date during or by which they can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services or for the purpose of claiming the delivery or provision of said goods or services, said period or expiration date;
- 八 前払式支払手段の発行の業務の内容及び方法
(viii) Content and methods of the business of issuing Prepaid Payment Instruments;
- 九 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先
(ix) Location and contact address of the business office or office that handles complaints or inquiries from the users about the issuance and use of Prepaid Payment Instruments; and
- 十 その他内閣府令で定める事項
(x) Other particulars specified by Cabinet Office Ordinance.
- 2 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。
- (2) Documents concerning finance and other documents specified by Cabinet Office Ordinance must be attached to the written notice under the preceding paragraph.
- 3 自家型発行者は、第一項各号（第五号を除く。）に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。
- (3) When there has been a change in any of the particulars set forth in the items of paragraph (1) (excluding item (v)), the Issuer of Prepaid Payment Instruments for Own Business must notify the Prime Minister to that effect without delay.

(自家型発行者名簿)

(Register of Issuers of Prepaid Payment Instruments for Own Business)

第六条 内閣総理大臣は、自家型発行者について、自家型発行者名簿を作成し、これを公衆の縦覧に供しなければならない。

Article 6 The Prime Minister must create a register of Issuers of Prepaid Payment Instruments for Own Business and make it available for public inspection.

第三節 第三者型発行者

Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business

(第三者型発行者の登録)

(Registration of Issuer of Prepaid Payment Instruments for Third-Party Business)

第七条 第三者型前払式支払手段の発行の業務は、内閣総理大臣の登録を受けた法人でなければ、行ってはならない。

Article 7 No person may engage in the business of issuing Prepaid Payment Instruments for Third-Party Business unless the person is a corporation who is registered with the Prime Minister.

(登録の申請)

(Application for Registration)

第八条 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 8 (1) A person who intends to obtain registration under the preceding Article must, pursuant to the Cabinet Office Ordinance provisions, submit a written application for registration containing the following particulars to the Prime Minister:

一 商号又は名称及び住所

(i) Trade name or other name, and address;

二 資本金又は出資の額

(ii) The amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) Name and location of the business office or office pertaining to the business of issuing Prepaid Payment Instruments;

四 役員の名又は名称

(iv) Names of officers;

五 前払式支払手段の種類、名称及び支払可能金額等

(v) The type, the name, and the Amount Available for Payment, etc. of the Prepaid Payment Instruments;

六 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(vi) In cases where the Prepaid Payment Instruments have a specified period

or expiration date during or by which they can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services or for the purpose of claiming the delivery or provision of said goods or services, said period or expiration date;

七 前払式支払手段の発行の業務の内容及び方法

(vii) Content and methods of the business of issuing Prepaid Payment Instruments;

八 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(viii) Location and contact address of the business office or office that handles complaints or inquiries from the users about the issuance and use of Prepaid Payment Instruments; and

九 その他内閣府令で定める事項

(ix) Other particulars specified by Cabinet Office Ordinance.

2 前項の登録申請書には、第十条第一項各号に該当しないことを誓約する書面、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) A written statement that the applicant does not fall under any of the items of Article 10 (1), documents concerning finance, and other documents specified by Cabinet Office Ordinance must be attached to the application for registration under the preceding paragraph.

(第三者型発行者登録簿)

(Registry of Issuers of Prepaid Payment Instruments for Third-Party Business)

第九条 内閣総理大臣は、第七条の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を第三者型発行者登録簿に登録しなければならない。

Article 9 (1) The Prime Minister must, when an application for registration was made under Article 7, register the following particulars to the registry of Issuers of Prepaid Payment Instruments for Third-Party Business, except when the Prime Minister refuses such registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) Particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) Date of registration and registration number.

2 内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) When the Prime Minister has made registration under the provisions of the preceding paragraph, the Prime Minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、第三者型発行者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the registry of Issuers of Prepaid Payment Instruments for Third-Party Business available for public inspection.

(登録の拒否)

(Refusal of Registration)

第十条 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 10 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or documents attached thereto contains a false statement about important particulars, or lacks a statement about important particulars:

一 法人でないもの（外国の法令に準拠して設立された法人で国内に営業所又は事務所を有しないものを含む。）

(i) A person other than a corporation (including a corporation established under the laws and regulations of a foreign state who does not have a business office or office in Japan);

二 次のいずれにも該当しない法人

(ii) A corporation who does not fall under any of the following:

イ 純資産額が、発行する前払式支払手段の利用が可能な地域の範囲その他の事情に照らして政令で定める金額以上である法人

(a) A corporation whose amount of net assets exceeds the amount of money specified by Cabinet Order as necessary and appropriate in light of the geographical scope within which the Prepaid Payment Instruments issued by the corporation can be used and other circumstances; or

ロ 営利を目的としない法人で政令で定めるもの

(b) A not-for-profit corporation specified by Cabinet Order;

三 前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品又は提供を受けることができる役務が、公の秩序又は善良の風俗を害し、又は害するおそれがあるものでないことを確保するために必要な措置を講じていない法人

(iii) A corporation who has not taken necessary measures for ensuring that goods or services that one can purchase or lease or of which one can receive the delivery or provision of by using Prepaid Payment Instruments, will not be dangerous to or pose any risk of being dangerous to public order or morals;

四 加盟店（前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品の販売者若しくは貸出人又は提供を受けることができる役務の提供者をいう。第三十二条において同じ。）に対する支払を適切に行うために必要な体制の整備が行われていない法人

(iv) A corporation which has not established a system that is necessary for

making payments to member shops (meaning a seller or lessor of goods that one can purchase or lease or of which one can receive the delivery by using Prepaid Payment Instruments or a provider of services of which one can receive the provision by using Prepaid Payment Instruments; the same shall apply in Article 32) appropriately;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) A corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 他の第三者型発行者が現に用いている商号若しくは名称と同一の商号若しくは名称又は他の第三者型発行者と誤認されるおそれのある商号若しくは名称を用いようとする法人

(vi) A corporation which intends to use a trade name or other name that is identical to the one currently used by another Issuer of Prepaid Payment Instruments for Third-Party Business or that may be misidentified as another Issuer of Prepaid Payment Instruments for Third-Party Business;

七 第二十七条第一項若しくは第二項の規定により第七条の登録を取り消され、又はこの法律（この章の規定及び当該規定に係る第八章の規定に限る。以下この項において同じ。）に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。第九号ホにおいて同じ。）を取り消され、その取消しの日から三年を経過しない法人

(vii) A corporation who had its registration under Article 7 rescinded pursuant to the provisions of Article 27 (1) or (2) and for whom three years have not passed since the date of the rescission, or a corporation who had obtained registration of the same kind in a foreign state under the provisions of laws and regulations of said foreign state equivalent to this Act (limited to the provisions of this Chapter and the provisions of Chapter VIII that are related thereto; hereinafter the same shall apply in this paragraph) and had the registration (including permission or other administrative dispositions similar to said registration; the same shall apply in item (ix) (e)) rescinded, and for whom three years have not passed since the date of the rescission;

八 この法律又はこの法律に相当する外国の法令の規定により罰金の刑（これに相当する外国の法令による刑を含む。次号ニにおいて同じ。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない法人

(viii) A corporation who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this; the same shall apply in (d) of the following item) pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for whom three years have not passed since the day when the execution of the punishment terminated or the corporation became free from the execution of the punishment;

九 役員のうち次のいずれかに該当する者のある法人

(ix) A corporation whose officers include a person who falls under any of the following items;

イ 成年被後見人若しくは被保佐人又は外国の法令上これらに相当する者

(a) A person who is an adult ward or a person under curatorship, or a person equivalent thereto under laws and regulations of a foreign state;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) A person who has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(c) A person who has received punishment that is heavier than imprisonment without labor (including an equivalent punishment under laws and regulations of a foreign state), and for whom three years have not passed since either execution of the sentence or the cessation of being subject to its execution;

ニ この法律又はこの法律に相当する外国の法令の規定により罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(d) A person who has been punished by a fine pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for whom three years have not passed since the day when the execution of the punishment terminated or the person became free from the execution of the punishment;

ホ 第三者型発行者が第二十七条第一項若しくは第二項の規定により第七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録を取り消された場合において、その取消しの日前三十日以内にこれらの法人の役員であった者で、当該取消の日から三年を経過しない者その他これに準ずるものとして政令で定める者

(e) In cases where an Issuer of Prepaid Payment Instruments for Third-Party Business had its registration under Article 7 rescinded pursuant to the provisions of Article 27 (1) or (2) or a corporation had its registration of the same kind rescinded that had been granted in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to this Act, a person who had been an officer of such corporation at any time during the thirty days prior to the date of the rescission and for whom three years have not passed since that date or a person specified by Cabinet Order as similar thereto.

2 内閣総理大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) When the Prime Minister has refused the registration pursuant to the provisions of the preceding paragraph, the Prime Minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第十一条 第三者型発行者は、第八条第一項各号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 11 (1) When there has been a change in any of the particulars set forth in the items of Article 8 (1), the Issuer of Prepaid Payment Instruments for Third-Party Business must notify the Prime Minister to that effect without delay.

2 内閣総理大臣は、前項の規定による届出を受理したときは、届出があった事項を第三者型発行者登録簿に登録しなければならない。

(2) When the Prime Minister accepts a notification under the preceding paragraph, the Prime Minister must register the notified particulars in the register of Issuers of Prepaid Payment Instruments for Third-Party Business.

(名義貸しの禁止)

(Prohibition of Name Lending)

第十二条 第三者型発行者は、自己の名義をもって、他人に第三者型前払式支払手段の発行の業務を行わせてはならない。

Article 12 An Issuer of Prepaid Payment Instruments for Third-Party Business must not have another person engage in the business of issuing Prepaid Payment Instruments for Third-Party Business in the name of the Issuer of Prepaid Payment Instruments for Third-Party Business.

第四節 表示、発行保証金の供託その他の義務

Section 4 Indication, Making of Security Deposits for Issuance, and Other Obligations

(表示又は情報の提供)

(Indication or Provision of Information)

第十三条 前払式支払手段発行者は、前払式支払手段を発行する場合（当該前払式支払手段に係る証票等又は当該前払式支払手段と一体となっている書面その他の物を利用者に対し交付することがない場合を除く。）には、その発行する前払式支払手段（当該前払式支払手段と一体となっている書面その他の物を含む。）に、内閣府令で定めるところにより、次に掲げる事項を表示しなければならない。

Article 13 (1) When issuing Prepaid Payment Instruments (excluding cases where no Certificates, etc. pertaining to said Prepaid Payment Instruments or

documents or other materials that are integral part of said Prepaid Payment Instruments are delivered to the user), an Issuer of Prepaid Payment Instruments must, pursuant to the Cabinet Office Ordinance provisions, indicate the following particulars on the Prepaid Payment Instruments to be issued (including documents or other materials that are integral part of said Prepaid Payment Instruments):

一 氏名、商号又は名称

(i) Name, trade name or other name;

二 前払式支払手段の支払可能金額等

(ii) Amount Available for Payment, etc. of the Prepaid Payment Instruments;

三 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(iii) In cases where the Prepaid Payment Instruments have a specified period or expiration date during or by which they can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services or for the purpose of claiming the delivery or provision of said goods or services, said period or expiration date;

四 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(iv) Location and contact address of the business office or office that handles complaints or inquiries from the users about the issuance and use of Prepaid Payment Instruments; and

五 その他内閣府令で定める事項

(v) Other particulars specified by Cabinet Office Ordinance.

2 前払式支払手段発行者は、前払式支払手段を発行する場合（当該前払式支払手段に係る証票等又は当該前払式支払手段と一体となっている書面その他の物を利用者に対し交付することがない場合に限る。）には、内閣府令で定める方法により、前項各号に掲げる事項に関する情報を利用者へ提供しなければならない。

(2) When issuing Prepaid Payment Instruments (limited to cases where no Certificates, etc. pertaining to said Prepaid Payment Instruments or documents or other materials that are an integral part of said Prepaid Payment Instruments are delivered to the user), an Issuer of Prepaid Payment Instruments must, by the method specified by Cabinet Office Ordinance, provide the user with information about the particulars listed in the items of the preceding paragraph.

3 第一項の場合において、前払式支払手段発行者が加入する認定資金決済事業者協会が当該前払式支払手段発行者に係る同項第四号及び第五号に掲げる事項を前払式支払手段の利用者に周知する場合その他の内閣府令で定める場合には、当該前払式支払手段発行者は、当該事項を表示しないことができる。

(3) In the case referred to in paragraph (1), in cases where the Certified

Association for Payment Service Providers of which the Issuer of Prepaid Payment Instruments is a member makes public to the users of Prepaid Payment Instruments the particulars listed in items (iv) and (v) of said paragraph pertaining to said Issuer of Prepaid Payment Instruments or in other cases specified by Cabinet Office Ordinance, the Issuer of Prepaid Payment Instruments may choose not to indicate said particulars.

(発行保証金の供託)

(Making of Security Deposits for Issuance)

第十四条 前払式支払手段発行者は、基準日未使用残高が政令で定める額（以下この章において「基準額」という。）を超えるときは、当該基準日未使用残高の二分の一の額（以下この章において「要供託額」という。）以上の額に相当する額の発行保証金を、内閣府令で定めるところにより、主たる営業所又は事務所の最寄りの供託所に供託しなければならない。

Article 14 (1) When the Unused Base Date Balance exceeds the amount specified by Cabinet Order (hereinafter referred to as the "Standard Amount" in this Chapter), an Issuer of Prepaid Payment Instruments must, pursuant to the provisions of Cabinet Office Ordinance, make a security deposit for issuance to the official depository nearest to its principal business office or office in an amount equivalent to not less than half the amount of said Unused Base Date Balance (hereinafter referred to as the "Required Amount of Deposit" in this Chapter).

2 前払式支払手段発行者は、第三十一条第一項の権利の実行の終了その他の事実の発生により、発行保証金の額（次条に規定する保全金額及び第十六条第一項に規定する信託財産の額の合計額を含む。第十八条第二号及び第二十三条第一項第三号において同じ。）がその事実が発生した日の直前の基準日における要供託額（第二十条第一項の規定による払戻しの手続又は第三十一条第一項の権利の実行の手続が終了した日の直前の基準日にあつては、これらの手続に係る前払式支払手段がないものとみなして内閣府令で定める方法により計算された額）に不足することとなったときは、内閣府令で定めるところにより、その不足額について供託を行い、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) When, due to completion of the procedure for the execution of the right set forth in Article 31 (1) or the occurrence of other facts, the amount of a security deposit for issuance (including the total amount of the secured amount prescribed in the following Article and the amount of trust property prescribed in Article 16 (1); the same shall apply in Article 18 (ii) and Article 23 (1) (iii)) becomes short of the Required Amount of Deposit as of the Base Date immediately preceding the day on which such fact occurred (or the amount calculated as if the Prepaid Payment Instruments pertaining to said procedures did not exist in accordance with the method specified by Cabinet Office Ordinance as of the Base Date immediately preceding the day on which

the refund procedure prescribed in Article 20 (1) or the procedure for the execution of the right set forth in Article 31 (1) was completed), an Issuer of Prepaid Payment Instruments must, pursuant to Cabinet Office Ordinance provisions, deposit the shortfall and notify the Prime Minister to that effect without delay.

3 発行保証金は、国債証券、地方債証券その他の内閣府令で定める債券（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）第二百七十八条第一項に規定する振替債を含む。第十六条第三項において同じ。）をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) National government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Ordinance (including transfer bonds prescribed in Article 278 (1) of the Act on Transfer of Bonds, Shares, etc. (Act No. 75 of 2001); the same shall apply in Article 16 (3)) may be deposited to fulfill the security deposit for issuance requirement. In this case, the appraised value of such bond certificates shall be determined pursuant to Cabinet Office Ordinance the provisions.

（発行保証金保全契約）

(Guarantee Contract of Security Deposit for Issuance)

第十五条 前払式支払手段発行者は、政令で定めるところにより、発行保証金保全契約（政令で定める要件を満たす銀行等その他政令で定める者が前払式支払手段発行者のために内閣総理大臣の命令に応じて発行保証金を供託する旨の契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該発行保証金保全契約の効力の存する間、保全金額（当該発行保証金保全契約において供託されることとなっている金額をいう。第十七条において同じ。）につき、発行保証金の全部又は一部の供託をしないことができる。

Article 15 When an Issuer of Prepaid Payment Instruments has concluded a guarantee contract of security deposit for issuance (meaning a contract in which a Deposit-taking Institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that a security deposit for issuance will be made on behalf of the Issuer of Prepaid Payment Instruments in response to the order of the Prime Minister; the same shall apply in this Chapter) and has notified the Prime Minister to that effect, pursuant to the provisions of a Cabinet Order, it may choose not to deposit all or part of the security deposit for issuance with regard to the secured amount (meaning the amount of money to be deposited under said guarantee contract of security deposit for issuance; the same shall apply in Article 17) limited to the period during which said contract remains in force.

（発行保証金信託契約）

(Trust Contract of Security Deposit for Issuance)

第十六条 前払式支払手段発行者は、信託会社等との間で、発行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を発行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、内閣総理大臣の承認を受けたときは、当該発行保証金信託契約に基づき信託財産が信託されている間、当該信託財産の額につき、発行保証金の全部又は一部の供託をしないことができる。

Article 16 (1) When an Issuer of Prepaid Payment Instruments has concluded with a Trust Company, etc. a trust contract of security deposit for issuance (meaning a trust contract the purpose of which is to apply the trust property to assign a security deposit for issuance in response to the order of the Prime Minister and the provisions of which prescribe that said Trust Company, etc. shall carry out necessary acts including the management of said trust property for the achievement of said trust purpose; the same shall apply hereinafter in this Chapter) and has obtained the relevant approval of the Prime Minister, it may choose not to deposit all or part of the security deposit for issuance with regard to the amount of the trust property under said trust contract limited to the period during which such trust property remains in existence pursuant to said trust contract.

2 発行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust contract of a security deposit for issuance must prescribe the following particulars:

一 発行保証金信託契約を締結する前払式支払手段発行者が発行する前払式支払手段の保有者を受益者とする事。

(i) The beneficiaries of the trust contract of security deposit for issuance shall be the holders of Prepaid Payment Instruments issued by the Issuer of Prepaid Payment Instruments who is the party to said trust contract of security deposit for issuance;

二 受益者代理人を置いている事。

(ii) An agent of the beneficiaries shall be appointed;

三 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(iii) A Trust Company, etc. shall realize the trust property and deposit the proceeds thereof in response to the order of the Prime Minister; and

四 その他内閣府令で定める事項

(iv) Other particulars specified by Cabinet Office Ordinance.

3 発行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金（内閣府令で定めるものに限る。）又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The type of trust property entrusted pursuant to a trust contract of security deposit for issuance shall be limited to money, bank deposits and savings

(limited to those specified by Cabinet Office Ordinance), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Ordinance. In this case, the appraised value of such bond certificates shall be determined pursuant to Cabinet Office Ordinance the provisions.

(供託命令)

(Deposit Order)

第十七条 内閣総理大臣は、前払式支払手段の利用者の利益の保護のために必要があると認めるときは、発行保証金保全契約若しくは発行保証金信託契約を締結した前払式支払手段発行者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 17 When the Prime Minister finds it necessary for the protection of the interests of users of Prepaid Payment Instruments, the Prime Minister may order an Issuer of Prepaid Payment Instruments who has concluded a guarantee contract of security deposit for issuance or a trust contract of security deposit for issuance or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from realizing the trust property.

(発行保証金の取戻し等)

(Recovery of Security Deposits for Issuance)

第十八条 発行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 18 All or part of a security deposit for issuance may be recovered, pursuant to Cabinet Order provisions, if any of the conditions specified in the following items are satisfied:

一 基準日未使用残高が基準額以下であるとき。

(i) When the Unused Base Date Balance is not more than the Standard Amount;

二 発行保証金の額が要供託額を超えるとき。

(ii) When the amount of the security deposit for issuance exceeds the Required Amount of Deposit;

三 第三十一条第一項の権利の実行の手續が終了したとき。

(iii) When the procedure for the execution of the right set forth in Article 31 (1) has been completed; and

四 前三号に掲げるもののほか、前払式支払手段の利用者の利益の保護に支障がない場合として政令で定める場合

(iv) In addition to the cases listed in the preceding three items, when, as specified by Cabinet Order, the protection of the interests of users of Prepaid Payment Instruments is not hindered.

(発行保証金の保管替えその他の手続)

(Change in the Custody of Security Deposits for Issuance and Other Procedures)

第十九条 この節に規定するもののほか、前払式支払手段発行者の主たる営業所又は事務所の所在地の変更に伴う発行保証金の保管替えその他発行保証金の供託に関し必要な事項は、内閣府令・法務省令で定める。

Article 19 In addition to what is provided for in this Section, a change in the custody of security deposits for issuance are due to a change in the principal business office or office of an Issuer of Prepaid Payment Instruments and other particulars necessary for the making of security deposits for issuance shall be prescribed by Cabinet Office Ordinance and an Ordinance of the Ministry of Justice.

(保有者に対する前払式支払手段の払戻し)

(Refunds to the Holders of Prepaid Payment Instruments)

第二十条 前払式支払手段発行者は、次の各号のいずれかに該当するときは、前払式支払手段の保有者に、当該前払式支払手段の残高として内閣府令で定める額を払い戻さなければならない。

Article 20 (1) An Issuer of Prepaid Payment Instruments falling under any of the following items must refund to the holders of Prepaid Payment Instruments an amount of the outstanding balance of said Prepaid Payment Instruments as specified by Cabinet Office Ordinance:

一 前払式支払手段の発行の業務の全部又は一部を廃止した場合（相続又は事業譲渡、合併若しくは会社分割その他の事由により当該業務の承継が行われた場合を除く。）

(i) When the Issuer of Prepaid Payment Instruments has discontinued all or part of the business of issuing Prepaid Payment Instruments (excluding cases where said business has been succeeded by way of inheritance, assignment of business, a merger or company split, or for other reasons);

二 当該前払式支払手段発行者が第三者型発行者である場合において、第二十七条第一項又は第二項の規定により第七条の登録を取り消されたとき。

(ii) In cases where the Issuer of Prepaid Payment Instruments is an Issuer of Prepaid Payment Instruments for Third-Party Business, when it has had its registration under Article 7 rescinded pursuant to the provisions of Article 27 (1) or (2); or

三 その他内閣府令で定める場合

(iii) Other cases specified by Cabinet Office Ordinance.

2 前払式支払手段発行者は、前項各号に掲げる場合を除き、その発行する前払式支払手段について、保有者に払戻しをしてはならない。ただし、払戻金額が少額である場合その他の前払式支払手段の発行の業務の健全な運営に支障が生ずるおそれがない場

合として内閣府令で定める場合は、この限りでない。

(2) An Issuer of Prepaid Payment Instruments must not make any refund with regard to the Prepaid Payment Instruments that it issues to the holders thereof except in the cases specified in the items of the preceding paragraph. However, this shall not apply to cases where the amount to be refunded is small or other cases where the sound management of the business of issuing Prepaid Payment Instruments is not hindered, as specified by Cabinet Office Ordinance.

(情報の安全管理)

(Information Security Management)

第二十一条 前払式支払手段発行者は、内閣府令で定めるところにより、その発行の業務に係る情報の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 21 An Issuer of Prepaid Payment Instruments must, pursuant to the Cabinet Office Ordinance provisions, take necessary measures for preventing leakage, loss, or damage of information pertaining to the business of issuing Prepaid Payment Instruments and otherwise ensuring safe control of the handling of said information.

第五節 監督

Section 5 Supervision

(帳簿書類)

(Books and Documents)

第二十二条 前払式支払手段発行者は、内閣府令で定めるところにより、その前払式支払手段の発行の業務に関する帳簿書類を作成し、これを保存しなければならない。

Article 22 An Issuer of Prepaid Payment Instruments must, pursuant to the Cabinet Office Ordinance provisions, prepare and maintain the books and documents on its business of issuing Prepaid Payment Instruments.

(報告書)

(Reports)

第二十三条 前払式支払手段発行者は、基準日ごとに、内閣府令で定めるところにより、次に掲げる事項を記載した前払式支払手段の発行の業務に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 23 (1) An Issuer of Prepaid Payment Instruments must, pursuant to the Cabinet Office Ordinance provisions, prepare a written report on the business of issuing Prepaid Payment Instruments containing the following particulars at every Base Date, and submit it to the Prime Minister:

一 当該基準日を含む基準期間において発行した前払式支払手段の発行額

- (i) The amount of Prepaid Payment Instruments issued during the Record Period including the relevant Base Date;
二 当該基準日における前払式支払手段の基準日未使用残高
- (ii) The Unused Base Date Balance of Prepaid Payment Instruments as of the relevant Base Date;
三 当該基準日未使用残高に係る発行保証金の額
- (iii) The amount of the security deposit for issuance pertaining to said Unused Base Date Balance; and
四 その他内閣府令で定める事項
- (iv) Other particulars specified by Cabinet Office Ordinance.
- 2 前項の報告書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。
- (2) Documents concerning finance and other documents specified by Cabinet Office Ordinance must be attached to the written report under the preceding paragraph.
- 3 自家型発行者については、基準日未使用残高が基準額以下となった基準日の翌日から当該基準日以後の基準日であって再び基準日未使用残高が基準額を超えることとなった基準日の前日までの間の基準日については、第一項の規定は、適用しない。
- (3) With regard to Issuers of Prepaid Payment Instruments for Own Business, the provisions of paragraph (1) shall not apply to Base Dates falling within a period from the day immediately following the Base Date on which the Unused Base Date Balance decreased to the Standard Amount or less to the day immediately preceding the subsequent Base Date on which the Unused Base Date Balance again exceeded the Standard Amount.

(立入検査等)

(On-site Inspections, etc.)

第二十四条 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するために必要があると認めるときは、当該前払式支払手段発行者に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者の営業所、事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、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 24 (1) When the Prime Minister finds it necessary for ensuring sound and appropriate management of the business of issuing Prepaid Payment Instruments of an Issuer of Prepaid Payment Instruments, the Prime Minister may order said Issuer of Prepaid Payment Instruments to submit reports or materials that will be helpful for understanding its business or property, or have officials enter the business office, office or other establishment of said Issuer of Prepaid Payment Instruments, inquire about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するため特に必要があると認めるときは、その必要の限度において、当該前払式支払手段発行者から業務の委託を受けた者に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者から業務の委託を受けた者の施設に立ち入らせ、当該前払式支払手段発行者の業務若しくは財産の状況に関して質問させ、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。

(2) When and to the extent that the Prime Minister finds it particularly necessary for ensuring sound and appropriate management of the business of issuing Prepaid Payment Instruments of an Issuer of Prepaid Payment Instruments, the Prime Minister may, to the extent necessary, order a person to whom business has been entrusted by said Issuer of Prepaid Payment Instruments to submit reports or materials that will be helpful for understanding the business or property of said Issuer of Prepaid Payment Instruments, or have officials enter the business office, office or other establishment of said person to whom business has been entrusted by said Issuer of Prepaid Payment Instruments, inquire about the status of its business or property of said Issuer of Prepaid Payment Instruments or inspect its books and documents or other items.

3 前項の前払式支払手段発行者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by an Issuer of Prepaid Payment Instruments referred to in the preceding paragraph may, if there are justifiable grounds, refuse the submission of reports or materials, or the inquiry or inspection pursuant to the provision of said paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第二十五条 内閣総理大臣は、前払式支払手段発行者の前払式支払手段の発行の業務の運営に関し、前払式支払手段の利用者の利益を害する事実があると認めるときは、その利用者の利益の保護のために必要な限度において、当該前払式支払手段発行者に対し、当該業務の運営の改善に必要な措置をとるべきことを命ずることができる。

Article 25 When the Prime Minister finds, with regard to the business of issuing Prepaid Payment Instruments of an Issuer of Prepaid Payment Instruments, any fact that might harm the interests of users of Prepaid Payment Instruments, the Prime Minister may, within limit necessary for the protection of the interests of these users, order said Issuer of Prepaid Payment Instruments to take necessary measures to improve the operations of said business.

(自家型発行者に対する業務停止命令)

(Order for Issuers of Prepaid Payment Instruments for Own Business to Suspend Business)

第二十六条 内閣総理大臣は、自家型発行者が次の各号のいずれかに該当するときは、六月以内の期間を定めてその発行の業務の全部又は一部の停止を命ずることができる。

Article 26 When an Issuer of Prepaid Payment Instruments for Own Business falls under any of the following items, the Prime Minister may order the Issuer of Prepaid Payment Instruments for Own Business to suspend all or part of its business of issuing Prepaid Payment Instruments specifying a period of suspension not exceeding six months:

一 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(i) When the Issuer of Prepaid Payment Instruments for Own Business has violated this Act or an order issued pursuant to this Act, or a disposition given pursuant thereto; or

二 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるおそれがある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

(ii) In cases where the right provided for in Article 31 (1) pertaining to the Prepaid Payment Instruments issued by the Issuer of Prepaid Payment Instruments for Own Business is likely to be exercised, when the Prime Minister finds it necessary to prevent the spread of damage of the users of said Prepaid Payment Instruments.

(第三者型発行者に対する登録の取消し等)

(Rescission of Registration of Issuers of Prepaid Payment Instruments for Third-Party Business, etc.)

第二十七条 内閣総理大臣は、第三者型発行者が次の各号のいずれかに該当するときは、第七条の登録を取り消し、又は六月以内の期間を定めてその第三者型前払式支払手段の発行の業務の全部若しくは一部の停止を命ずることができる。

Article 27 (1) When an Issuer of Prepaid Payment Instruments for Third-Party Business falls under any of the following items, the Prime Minister may rescind its registration under Article 7 or order the Issuer of Prepaid Payment Instruments for Third-Party Business to suspend all or part of its business of issuing Prepaid Payment Instruments for Third-Party Business specifying a period of suspension not exceeding six months:

一 第十条第一項各号に該当することとなったとき。

(i) When the Issuer of Prepaid Payment Instruments for Third-Party Business comes to fall under any of the items of Article 10 (1);

二 不正の手段により第七条の登録を受けたとき。

(ii) When the Issuer of Prepaid Payment Instruments for Third-Party Business has obtained the registration under Article 7 through wrongful means;

三 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) When the Issuer of Prepaid Payment Instruments for Third-Party

Business has violated this Act or an order issued pursuant to this Act, or a disposition given pursuant thereto; or

四 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるおそれがある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

(iv) In cases where the right provided for in Article 31 (1) pertaining to the Prepaid Payment Instruments issued by the Third-party Issue is likely to be exercised, when the Prime Minister finds it necessary to prevent the spread of damage of the users of said Prepaid Payment Instruments.

2 内閣総理大臣は、第三者型発行者の営業所若しくは事務所の所在地を確知できないとき、又は第三者型発行者を代表する役員 of の所在地を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該第三者型発行者から申出がないときは、当該第三者型発行者の第七条の登録を取り消すことができる。

(2) When the locations of business offices or offices of an Issuer of Prepaid Payment Instruments for Third-Party Business are not ascertained or the whereabouts of the officer representing the Issuer of Prepaid Payment Instruments for Third-Party Business is not ascertained, the Prime Minister shall give a public notice to that effect pursuant to the Cabinet Office Ordinance provisions and may rescind the registration of said Issuer of Prepaid Payment Instruments for Third-Party Business under Article 7 if it does not report within thirty days from the date of said public notice.

3 前項の規定による処分については、行政手続法（平成五年法律第八十八号）第三章の規定は、適用しない。

(3) The provision of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) shall not apply to disposition under the preceding paragraph.

（登録の抹消）

(Deletion of Registration)

第二十八条 内閣総理大臣は、前条第一項若しくは第二項の規定により第七条の登録を取り消したとき、又は第三十三条第二項の規定により第七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 28 When the Prime Minister has rescinded the registration under Article 7 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration under Article 7 has ceased to be effective pursuant to the provisions of Article 33 (2), the Prime Minister must delete said registration.

（監督処分 of の公告）

(Public Notice of Supervisory Dispositions)

第二十九条 内閣総理大臣は、第二十六条又は第二十七条第一項若しくは第二項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 29 When the Prime Minister rendered a disposition pursuant to the provisions of Article 26, or Article 27 (1) or (2), the Prime Minister must give public notice to that effect pursuant to the Cabinet Office Ordinance provisions.

第六節 雑則

Section 6 Miscellaneous Provisions

(自家型前払式支払手段の発行の業務の承継に係る特例)

(Special Provisions Pertaining to Succession of the Business of Issuing Prepaid Payment Instruments for Own Business)

第三十条 前払式支払手段発行者以外の者が相続又は事業譲渡、合併若しくは会社分割その他の事由により前払式支払手段発行者から自家型前払式支払手段の発行の業務を承継した場合（第三者型前払式支払手段の発行の業務を承継した場合を除く。）において、当該業務の承継に係る自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高が基準額を超えるときは、当該前払式支払手段発行者以外の者を当該自家型前払式支払手段を発行する自家型発行者とみなして、この法律（第五条を除く。）の規定を適用する。

Article 30 (1) In cases where a person other than an Issuer of Prepaid Payment Instruments has succeeded to the business of Issuing Prepaid Payment Instruments for Own Business from an Issuer of Prepaid Payment Instruments by way of inheritance, assignment of business, merger or company split, or for other reasons (excluding cases where such person has succeeded to the business of issuing Prepaid Payment Instruments for Third-Party Business), if the Unused Base Date Balance on the Base Date immediately preceding the date of succession of Prepaid Payment Instruments for Own Business pertaining to the succession of said business exceeded the Standard Amount, said person other than an Issuer of Prepaid Payment Instruments shall be deemed to be an Issuer of Prepaid Payment Instruments for Own Business who has issued said Prepaid Payment Instruments for Own Business, and the provisions of this Act (excluding Article 5) shall apply to said person.

2 前項の規定により自家型発行者とみなされた者は、遅滞なく、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。

(2) A person who is deemed to be an Issuer of Prepaid Payment Instruments for Own Business pursuant to the provisions of the preceding paragraph must submit a written notice containing the following particulars to the Prime Minister without delay:

一 自家型前払式支払手段の発行の業務を承継した旨

(i) A statement to the effect that the person has succeeded to the business of

Issuing Prepaid Payment Instruments for Own Business;

二 第五条第一項第一号から第四号までに掲げる事項

(ii) Particulars listed in items (i) through (iv) of Article 5 (1);

三 自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高

(iii) The Unused Base Date Balance on the Base Date immediately preceding the date of succession of Prepaid Payment Instruments for Own Business; and

四 承継した自家型前払式支払手段に係る第五条第一項第六号から第十号までに掲げる事項

(iv) Particulars listed in items (vi) through (x) of Article 5 (1) pertaining to the succeeded Prepaid Payment Instruments for Own Business.

3 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance and other documents specified by Cabinet Office Ordinance must be attached to the written notice under the preceding paragraph.

4 第一項の規定により自家型発行者とみなされた者は、第二項第二号又は第四号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(4) When there has been a change in any of the particulars set forth in the item (ii) or item (iv) of paragraph (2), the person who is deemed to be an Issuer of Prepaid Payment Instruments for Own Business pursuant to the provisions of paragraph (1) must notify the Prime Minister to that effect without delay.

(発行保証金の還付)

(Return of Security Deposit for Issuance)

第三十一条 前払式支払手段の所有者は、前払式支払手段に係る債権に関し、当該前払式支払手段に係る発行保証金について、他の債権者に先立ち弁済を受ける権利を有する。

Article 31 (1) Holders of Prepaid Payment Instruments shall have the right to receive, in preference over other creditors, payments with regard to claims pertaining to Prepaid Payment Instruments for the return of the security deposit for issuance pertaining to said Prepaid Payment Instruments.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、前払式支払手段の所有者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る発行保証金についての権利の実行の手續から除斥されるべきことを公示しなければならない。

(2) In cases falling under any of the following items, when the Prime Minister finds it necessary for the protection of the interests of holders of Prepaid Payment Instruments, the Prime Minister must give a public notice to the

effect that persons holding the right provided for in the preceding paragraph shall state their claims to the Prime Minister within a certain period specified to be not less than sixty days and that they shall be excluded from the procedures for the execution of the right to the return of the security deposit for issuance pertaining to said public notice unless they state their claims within the notified period:

一 前項の権利の実行の申立てがあったとき。

(i) When a petition is filed for the exercise of the right provided for in the preceding paragraph; or

二 前払式支払手段発行者について破産手続開始の申立て等が行われたとき。

(ii) When a Petition for Commencement of Bankruptcy Proceedings, etc. is filed against an Issuer of Prepaid Payment Instruments.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

(3) The Prime Minister may, pursuant to Cabinet Office Ordinance provisions, entrust the administrative work related to the execution of the right under paragraph (1) to a Deposit-taking Institution or any other person specified by Cabinet Order (referred to as "Agents for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments" in the following paragraph and in paragraph (5)).

4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。

(4) Notwithstanding the provisions of any other Acts, any Agents for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments may engage in the business of performing the administrative work entrusted pursuant to the provisions of the preceding paragraph.

5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、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。

(5) With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, an Agents for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in said entrusted business shall be deemed to be officials engaged in public service under laws and regulations.

6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項は、政令で定める。

(6) In addition to the particulars prescribed in paragraph (2) through the preceding paragraph, particulars necessary for the exercise of the right

provided for in paragraph (1) shall be specified by Cabinet Order.

(発行保証金の還付への協力)

(Cooperation for Return of Security Deposit for Issuance)

第三十二条 前払式支払手段発行者から発行の業務の委託を受けた者、密接関係者、加盟店その他の当該前払式支払手段発行者の関係者は、当該前払式支払手段発行者が発行した前払式支払手段に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 32 In cases where a person to whom the business of issuing Prepaid Payment Instruments has been entrusted by an Issuer of Prepaid Payment Instruments, or a closely related person, member shop or any other related person of said Issuer of Prepaid Payment Instruments is requested by the Prime Minister to extend necessary cooperation for the exercise of the right provided for in paragraph (1) of the preceding Article pertaining to the Prepaid Payment Instruments issued by said Issuer of Prepaid Payment Instruments, said person shall endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business, etc.)

第三十三条 前払式支払手段発行者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 33 (1) When an Issuer of Prepaid Payment Instruments falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 前払式支払手段の発行の業務の全部又は一部を廃止したとき。

(i) When the Issuer of Prepaid Payment Instruments has discontinued all or part of the business of issuing Prepaid Payment Instruments; or

二 第三十一条第二項第二号に掲げるとき。

(ii) When the Issuer of Prepaid Payment Instruments falls under Article 31 (2) (ii).

2 第三者型発行者が第三者型前払式支払手段の発行の業務の全部を廃止したときは、当該第三者型発行者の第七条の登録は、その効力を失う。

(2) When an Issuer of Prepaid Payment Instruments for Third-Party Business has discontinued all or part of the business of issuing Prepaid Payment Instruments for Third-Party Business, the registration of said Issuer of Prepaid Payment Instruments for Third-Party Business under Article 7 shall cease to be effective.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations, etc. Subsequent to Rescission of Registration, etc.)

第三十四条 第三者型発行者について、第二十七条第一項若しくは第二項の規定により第七条の登録が取り消されたとき、又は前条第二項の規定により第七条の登録が効力を失ったときは、当該第三者型発行者であった者は、その発行した第三者型前払式支払手段に係る債務の履行を完了する目的の範囲内においては、なお第三者型発行者とみなす。

Article 34 With regard to an Issuer of Prepaid Payment Instruments for Third-Party Business, when the registration under Article 7 has been rescinded pursuant to provisions of Article 27 (1) or (2) or has ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, said person who has been an Issuer of Prepaid Payment Instruments for Third-Party Business shall be deemed to be an Issuer of Prepaid Payment Instruments for Third-Party Business within the scope of the purpose of completing the performance of obligations pertaining to the Prepaid Payment Instruments for Third-Party Business issued by said person.

(銀行等に関する特例)

(Special Provisions for Deposit-taking Institutions.)

第三十五条 政令で定める要件を満たす銀行等その他政令で定める者に該当する前払式支払手段発行者については、第十四条第一項の規定は、適用しない。

Article 35 The provisions of Article 14 (1) shall not apply to an Issuer of Prepaid Payment Instruments who is a Deposit-taking Institution satisfying the requirements specified by Cabinet Order or other person specified by Cabinet Order.

(外国において発行される前払式支払手段の勧誘の禁止)

(Prohibition on Solicitation of Prepaid Payment Instruments Issued in a Foreign State)

第三十六条 外国において前払式支払手段の発行の業務を行う者は、国内にある者に対して、その外国において発行する前払式支払手段の勧誘をしてはならない。

Article 36 A person engaging in the business of issuing Prepaid Payment Instruments in a foreign state must not solicit a person in Japan for Prepaid Payment Instruments issued by the person in the foreign state.

第三章 資金移動

Chapter III Funds Transfer

第一節 総則

Section 1 General Provisions

(資金移動業者の登録)

(Registration of Funds Transfer Service Provider)

第三十七条 内閣総理大臣の登録を受けた者は、銀行法第四条第一項及び第四十七条第

一項の規定にかかわらず、資金移動業を営むことができる。

Article 37 Notwithstanding the provisions of Article 4 (1) and Article 47 (1) of the Banking Act, a person registered with the Prime Minister may engage in the Funds Transfer Service.

(登録の申請)

(Application for Registration)

第三十八条 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 38 (1) A person who intends to obtain registration under the preceding Article must, pursuant to Cabinet Office Ordinance provisions, submit a written application for registration containing the following particulars to the Prime Minister:

一 商号及び住所

(i) Trade name and address;

二 資本金の額

(ii) Amount of capital;

三 資金移動業に係る営業所の名称及び所在地

(iii) Name and location of the business office pertaining to the Funds Transfer Service;

四 取締役及び監査役（委員会設置会社にあつては取締役及び執行役とし、外国資金移動業者にあつてはこれらに準ずる者とする。第四十条第一項第十号において同じ。）の氏名

(iv) Name of director and company auditor (director and executive officer in the case of a company with committees and persons equivalent thereto in the case of a Foreign Funds Transfer Service Provider; the same shall apply in Article 40 (1) (x));

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) In the case of a company with accounting advisors, names of accounting advisors;

六 外国資金移動業者にあつては、国内における代表者の氏名

(vi) In the case of a Foreign Funds Transfer Service Provider, name of the representative person in Japan;

七 資金移動業の内容及び方法

(vii) Contents and means of the Funds Transfer Service;

八 資金移動業を第三者に委託する場合にあつては、当該委託に係る業務の内容及びにその委託先の氏名又は商号若しくは名称及び住所

(viii) In cases where the Funds Transfer Service is entrusted to a third party, contents of the business pertaining to said entrustment and the name or trade name or other name and address of the third party to whom the Funds Transfer Service is entrusted;

九 他に事業を行っているときは、その事業の種類

(ix) Type of other businesses, if any; and

十 その他内閣府令で定める事項

(x) Other particulars specified by Cabinet Office Ordinance.

2 前項の登録申請書には、第四十条第一項各号に該当しないことを誓約する書面、財務に関する書類、資金移動業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。

(2) A written statement that the applicant does not fall under any of the items of Article 40 (1), documents concerning finance, documents containing particulars concerning the establishment of a system for ensuring the proper and secure provision/conducting of Funds Transfer Services, and other documents specified by Cabinet Office Ordinance must be attached to the application for registration under the preceding paragraph.

(資金移動業者登録簿)

(Funds Transfer Service Provider Registry)

第三十九条 内閣総理大臣は、第三十七条の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を資金移動業者登録簿に登録しなければならない。

Article 39 (1) The Prime Minister must, when an application for registration was made under Article 37, register the following particulars to the registry of Funds Transfer Service Providers, except when refusing such registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) Particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) Date of registration and registration number.

2 内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) When the Prime Minister has made registration under the provisions of the preceding paragraph, the Prime Minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、資金移動業者登録簿を公衆の縦覧に供しなければならない。

(3) The Prime Minister must make the registry of Funds Transfer Service Providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第四十条 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 40 (1) The Prime Minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or documents attached thereto contains false statements about important particulars, or lacks any statement about important particulars:

一 株式会社又は外国資金移動業者（国内に営業所を有する外国会社に限る。）でないもの

(i) A person other than a stock company or a Foreign Funds Transfer Service Provider (limited to a foreign company that has a business office in Japan);

二 外国資金移動業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人

(ii) A Foreign Funds Transfer Service Provider that is a corporation who does not have a representative person in Japan (limited to a person who is domiciled in Japan);

三 資金移動業を適正かつ確実に遂行するために必要と認められる財産的基礎を有しない法人

(iii) A corporation lacking a sufficient financial basis that is found to be necessary for the proper and secure provision/conducting of Funds Transfer Services;

四 資金移動業を適正かつ確実に遂行する体制の整備が行われていない法人

(iv) A corporation who has not established a system that is necessary for the proper and secure provision/conducting of Funds Transfer Services;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) A corporation who has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 他の資金移動業者が現に用いている商号若しくは名称と同一の商号若しくは名称又は他の資金移動業者と誤認されるおそれのある商号若しくは名称を用いようとする法人

(vi) A corporation who intends to use a trade name or other name that is identical to the one currently used by another Funds Transfer Service Provider or that may be misidentified as another Funds Transfer Service Provider;

七 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録若しくは免許（当該登録又は免許に類する許可その他の行政処分を含む。）を取り消され、その取消しの日から五年を経過しない法人

(vii) A corporation who had its registration under Article 37 rescinded pursuant to the provisions of Article 56 (1) or (2), or had its license under Article 64 (1) rescinded pursuant to the provisions of Article 82 (1) or (2) and for whom five years have not passed since the date of the rescission, or a corporation who had obtained registration or license of the same kind in a

foreign state under the provisions of laws and regulations of said foreign state equivalent to this Act or the Banking Act, etc. and had the registration (including permission or other administrative dispositions similar to said registration or license) rescinded, and for whom five years have not passed since the date of the rescission;

八 この法律、銀行法等若しくは出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第百九十五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(viii) A corporation who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Act on Regulation of Receiving of Capital Subscription, Deposits, and Interest Rates, etc. (Act No. 195 of 1954) or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the corporation became free from the execution of the punishment;

九 他に行う事業が公益に反すると認められる法人

(ix) A corporation whose other business is found to be against the public interest;

十 取締役若しくは監査役又は会計参与（外国資金移動業者にあつては、国内における代表者を含む。以下この章において「取締役等」という。）のうちに次のいずれかに該当する者のある法人

(x) A corporation whose directors, company auditors, or accounting advisors (including representative persons in Japan in the case of a Foreign Funds Transfer Service Provider; hereinafter referred to as "Directors, etc." in this Chapter) include a person who falls under any of the following items;

イ 成年被後見人若しくは被保佐人又は外国の法令上これらに相当する者

(a) A person who is an adult ward or a person under curatorship, or a person equivalent thereto under laws and regulations of a foreign state;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) A person who has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) A person who has received punishment that is heavier than imprisonment without labor (including equivalent punishment under laws and

regulations of a foreign state), and for whom five years have not passed since either execution of the sentence or the cessation of being subject to its execution;

ニ この法律、銀行法等、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) A person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Act on Regulation of Receiving of Capital Subscription, Deposits, and Interest Rates, etc., the Act on Prevention of Illegal Acts by Organized Crime Group Members (Act No. 77 of 1991) or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the corporation became free from the execution of the punishment;

ホ 資金移動業者が第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にこの法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) In the case where a Funds Transfer Service Provider had its registration under Article 37 rescinded pursuant to the provisions of Article 56 (1) or (2) or a corporation had its registration (including permission or other administrative dispositions similar to said registration) of the same kind rescinded that had been granted in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to this Act, a person who had been a Director, etc. of such corporation at any time during the thirty days prior to the date of the rescission and for whom five years have not passed since that date or a person specified by Cabinet Order as similar thereto.

2 内閣総理大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) When the Prime Minister has refused the registration pursuant to the provisions of the preceding paragraph, the Prime Minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第四十一条 資金移動業者は、第三十八条第一項各号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 41 (1) When there has been a change in any of the particulars set forth in the items of Article 38 (1), the Funds Transfer Service Provider must notify the Prime Minister to that effect without delay.

2 内閣総理大臣は、前項の規定による届出を受理したときは、届出があった事項を資金移動業者登録簿に登録しなければならない。

(2) When the Prime Minister accepts a notification under the preceding paragraph, the Prime Minister must register the particulars notified of in the register of Funds Transfer Service Provider.

(名義貸しの禁止)

(Prohibition of Name Lending)

第四十二条 資金移動業者は、自己の名義をもって、他人に資金移動業を営ませてはならない。

Article 42 A Funds Transfer Service Provider must not have another person engage in the Funds Transfer Service under the name of said Funds Transfer Service Provider.

第二節 業務

Section 2 Business

(履行保証金の供託)

(Making of Security Deposits for Providing Funds Transfer Services)

第四十三条 資金移動業者は、一月を超えない範囲内で内閣府令で定める期間ごとに、当該期間における要履行保証額の最高額（第四十七条第一号において「要供託額」という。）以上の額に相当する額の履行保証金を、当該期間の末日（同号において「基準日」という。）から一週間以内に、その本店（外国資金移動業者である資金移動業者にあつては、国内における主たる営業所。第四十八条において同じ。）の最寄りの供託所に供託しなければならない。

Article 43 (1) A Funds Transfer Service Provider must, for each period specified by Cabinet Office Ordinance not to exceed one month, make a security deposit for providing Funds Transfer Services to the official depository nearest to its head office (in the case of a Funds Transfer Service Provider that is a Foreign Funds Transfer Service Provider, its principal business office in Japan; the same shall apply in Article 48) in an amount equivalent to an amount not less than the highest amount of the Required Amount as Security for Providing Funds Transfer Services during said period (referred to as the "Required Amount of Deposit" in Article 47 (i)) within one week from the last day of said period (referred to as the "Base Date" in said item).

2 前項の「要履行保証額」とは、各営業日における未達債務の額（資金移動業者がそ

の行う為替取引に関し負担する債務の額であって内閣府令で定めるところにより算出した額をいう。以下この章において同じ。)と第五十九条第一項の権利の実行の手續に関する費用の額として内閣府令で定めるところにより算出した額の合計額(その合計額が小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額)をいう。

- (2) The term "Required Amount as Security for Providing Funds Transfer Services" as used in the preceding paragraph means the total of the amount of outstanding obligations in the process of funds transfer (meaning an amount, calculated pursuant to the Cabinet Office Ordinance provisions, of obligations borne by a Funds Transfer Service Provider in relation to exchange transactions carried out by the Funds Transfer Service Provider; hereinafter the same shall apply in this Chapter) on each business day and an amount calculated pursuant to the Cabinet Office Ordinance provisions as the amount of costs pertaining to the procedure for the execution of the right provided for in Article 59 (1) (in the case where said total is not more than the amount specified by Cabinet Order to be necessary for ensuring performance of obligations borne by a small-scale Funds Transfer Service Provider in relation to exchange transactions carried out by the small-scale Funds Transfer Service Provider, said amount specified by Cabinet Order).
- 3 履行保証金は、国債証券、地方債証券その他の内閣府令で定める債券(社債、株式等の振替に関する法律第二百七十八条第一項に規定する振替債を含む。第四十五条第三項において同じ。)をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。
- (3) National government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Ordinance (including transfer bonds prescribed in Article 278 (1) of the Act on Transfer of Bonds, Shares, etc.; the same shall apply in Article 45 (3)) may be deposited to fulfill the security deposit for providing Funds Transfer Services requirement. In this case, the appraised value of such bond certificates shall be determined pursuant to the Cabinet Office Ordinance provisions.

(履行保証金保全契約)

(Guarantee Contracts of Security Deposits of Providing Funds Transfer Services)

第四十四条 資金移動業者は、政令で定めるところにより、履行保証金保全契約(政令で定める要件を満たす銀行等その他政令で定める者が資金移動業者のために内閣総理大臣の命令に応じて履行保証金を供託する旨の契約をいう。以下この章において同じ。)を締結し、その旨を内閣総理大臣に届け出たときは、当該履行保証金保全契約の効力の存する間、保全金額(当該履行保証金保全契約において供託されることとなっている金額をいう。以下この章において同じ。)につき、履行保証金の全部又は一

部の供託をしないことができる。

Article 44 When a Funds Transfer Service Provider has concluded a guarantee contract of security deposit of providing Funds Transfer Services (meaning a contract in which a Deposit-taking Institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that a security deposit for providing Funds Transfer Services will be made on behalf of the Funds Transfer Service Provider in response to the order of the Prime Minister; the same shall apply in this Chapter) and has notified the Prime Minister to that effect, pursuant to the Cabinet Order provisions, it may choose not to make all or part of the security deposit for providing Funds Transfer Services with regard to the secured amount (meaning the amount of money to be deposited under said guarantee contract of security deposit of providing Funds Transfer Services; hereinafter the same shall apply in this Chapter) limited to the period during which said contract remains in force.

(履行保証金信託契約)

(Trust Contracts of Security Deposits of Providing Funds Transfer Services)

第四十五条 資金移動業者が、信託会社等との間で、履行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を履行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、内閣総理大臣の承認を受けた場合において、当該資金移動業者の各営業日において当該履行保証金信託契約に基づき信託されている信託財産の額が、その直前の営業日における要履行保証額（第四十三条第二項に規定する要履行保証額をいう。以下この章において同じ。）以上の額であるときは、同条第一項の規定は、適用しない。

Article 45 (1) In the case where a Funds Transfer Service Provider has concluded with a Trust Company, etc. a trust contract of a security deposit of providing Funds Transfer Services (meaning a trust contract the purpose of which is to apply the trust property to assign a security deposit for providing Funds Transfer Services in response to the order of the Prime Minister and the provisions which prescribe that said Trust Company, etc. shall carry out necessary acts including the management of said trust property for the achievement of said trust purpose; the same shall apply hereinafter in this Chapter) and has obtained the relevant approval of the Prime Minister, if, on each business day of said Funds Transfer Service Provider, the amount of the trust property entrusted pursuant to said trust contract of security deposit of providing Funds Transfer Services is not less than the Required Amount as Security for Providing Funds Transfer Services (meaning the Required Amount as Security for Providing Funds Transfer Services provided for in Article 43 (2); the same shall apply hereinafter in this Chapter) on the immediately preceding business day, the provisions of paragraph (1) of said Article shall not

apply.

2 履行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust contract of security deposit of providing Funds Transfer Services must prescribe the following particulars:

一 履行保証金信託契約を締結する資金移動業者（以下この条において「信託契約資金移動業者」という。）が行う為替取引の利用者を受益者とする事。

(i) The beneficiaries of the trust contract of security deposit of providing Funds Transfer Services shall be the users of exchange transactions carried out by the Funds Transfer Service Provider who is the party to said trust contract of security deposit of providing Funds Transfer Services (hereinafter referred to as "Trust Contract Funds Transfer Service Provider" in this Article);

二 受益者代理人を置いている事。

(ii) An agent of the beneficiaries shall be appointed;

三 信託契約資金移動業者は、各営業日における要履行保証額を、その翌営業日までに信託会社等に通知すること。

(iii) The Trust Contract Funds Transfer Service Provider shall notify the Trust Company, etc. of the Required Amount as Security for Providing Funds Transfer Services for each business day by the following business day;

四 信託契約資金移動業者は、各営業日において信託されている信託財産の額が、その直前の営業日における要履行保証額以上の額となるよう、必要に応じてその財産を信託財産として拠出する義務を負う事。

(iv) The Trust Contract Funds Transfer Service Provider shall be liable to contribute its property as trust property as necessary so that the amount of the trust property existing on each business day is not less than the Required Amount as Security for Providing Funds Transfer Services on the immediately preceding business day.

五 信託会社等は、各営業日において信託されている信託財産の額が、その直前の営業日における要履行保証額以下となった場合には、当該信託財産に属する財産を信託契約資金移動業者に移転することができない事。

(v) In cases where the amount of the trust property existing on each business day has decreased to the same as or less than the Required Amount as Security for Providing Funds Transfer Services on the immediately preceding business day, the Trust Company, etc. may not transfer any property belonging to said trust property to the Trust Contract Funds Transfer Service Provider.

六 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(vi) A Trust Company, etc. shall realize the trust property and deposit the proceeds thereof in response to the order of the Prime Minister; and

七 その他内閣府令で定める事項

(vii) Other particulars specified by Cabinet Office Ordinance.

3 履行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金

(内閣府令で定めるものに限る。)又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The type of the trust property entrusted pursuant to an trust contract of security deposit of providing Funds Transfer Services shall be limited to money, bank deposits and savings (limited to those specified by Cabinet Office Ordinance), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Ordinance. In this case, the appraised value of such bond certificates shall be determined pursuant to the Cabinet Office Ordinance provisions.

4 第一項の規定の適用を受けていた資金移動業者について、各営業日のいずれかの日(以下この項において「特定日」という。)において履行保証金信託契約に基づき信託されている信託財産の額がその直前の営業日における要履行保証額未満の額となった場合における当該特定日が属する期間(第四十三条第一項に規定する内閣府令で定める期間をいう。以下この項において同じ。)の直前の期間についての同条第一項の規定の適用については、同項中「当該期間の末日(同号において「基準日」という。)から一週間以内に」とあるのは、「第四十五条第一項に規定する履行保証金信託契約に基づき信託されている信託財産の額がその直前の営業日における要履行保証額未満の額となった日(同号において「基準日」という。)に」とする。

(4) With regard to a Funds Transfer Service Provider to whom the provisions of paragraph (1) have been applied, in the case where the amount of trust property under the trust contract of security deposit of providing Funds Transfer Services on any business day (hereinafter referred to as the "Specified Day" in this paragraph) has decreased to the Required Amount as Security for Providing Funds Transfer Services on the immediately preceding business day or less, in applying the provisions of Article 43 (1) to the period (meaning the period specified by Cabinet Office Ordinance as prescribed in paragraph (1) of said Article; hereinafter the same shall apply in this paragraph) immediately preceding the period that includes said Specified Day, the phrase "within one week from the last day of said period (referred to as the "Base Date" in said item)" in said paragraph shall be deemed to be replaced with "the day on which the amount of trust property under the trust contract of security deposit of providing Funds Transfer Services provided for in Article 45 (1) has decreased to the Required Amount as Security for Providing Funds Transfer Services on the immediately preceding business day or less (referred to as the "Base Date" in said item)."

(供託命令)

(Deposit Order)

第四十六条 内閣総理大臣は、資金移動業の利用者の利益の保護のために必要があると認めるときは、履行保証金保全契約若しくは履行保証金信託契約を締結した資金移動

業者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 46 When the Prime Minister finds it necessary for the protection of the interests of users of the Funds Transfer Service, the Prime Minister may order a Funds Transfer Service Provider who has concluded a guarantee contract of security deposit of providing Funds Transfer Services or trust contract of security deposit of providing Funds Transfer Services or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from realizing the trust property.

(履行保証金の取戻し等)

(Recovery of Security Deposit for Providing Funds Transfer Services)

第四十七条 履行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 47 All or part of a security deposit for providing Funds Transfer Services may be recovered, pursuant to Cabinet Order provisions, if any of the conditions specified in the following items is satisfied:

一 基準日における要供託額が、その直前の基準日における履行保証金の額と保全金額の合計額を下回るとき。

(i) When the Required Amount of Deposit on a Base Date is less than the total of the amount of security deposit for providing Funds Transfer Services and the secured amount on the immediately preceding Base Date;

二 第五十九条第一項の権利の実行の手続が終了したとき。

(ii) When the procedure for the execution of the right set forth in Article 59 (1) has been completed; and

三 為替取引に関し負担する債務の履行を完了した場合として政令で定める場合

(iii) In cases where, as specified by Cabinet Order, the performance of obligations borne in relation to exchange transactions has been completed.

(履行保証金の保管替えその他の手続)

(Change in the Custody of Security Deposits for Providing Funds Transfer Services and Other Procedures)

第四十八条 この節に規定するもののほか、資金移動業者の本店の所在地の変更に伴う履行保証金の保管替えその他履行保証金の供託に関し必要な事項は、内閣府令・法務省令で定める。

Article 48 In addition to what is provided for in this Section, a change in the custody of security deposits for providing Funds Transfer Services due to a change in the head office of a Funds Transfer Service Provider and other particulars necessary for the making of a security deposit for providing Funds Transfer Services shall be prescribed by Cabinet Office Ordinance and Ordinance of the Ministry of Justice.

(情報の安全管理)

(Information Security Management)

第四十九条 資金移動業者は、内閣府令で定めるところにより、資金移動業に係る情報の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 49 A Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, take necessary measures for preventing leakage, loss, or damage of information pertaining to the Funds Transfer Service and otherwise ensuring safe control of the handling of said information.

(委託先に対する指導)

(Outsourcing Management)

第五十条 資金移動業者は、資金移動業を第三者に委託した場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 50 In cases where a Funds Transfer Service Provider entrusts the Funds Transfer Service to a third party, the Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, provide guidance to the third party to whom said business has been entrusted and take other measures necessary for ensuring proper and secure provision/conducting of said service.

(利用者の保護等に関する措置)

(Measures for Customer Protection, etc.)

第五十一条 資金移動業者は、内閣府令で定めるところにより、銀行等が行う為替取引との誤認を防止するための説明、手数料その他の資金移動業に係る契約の内容についての情報の提供その他の資金移動業の利用者の保護を図り、及び資金移動業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 51 A Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, provide explanation designed to prevent users from mistaking its business for exchange transactions carried out by a Deposit-taking Institution and information about fees and other terms and conditions of contracts pertaining to the Funds Transfer Service and take other measures necessary for protecting the users of the Funds Transfer Service and ensuring the proper and secure provision/conducting of Funds Transfer Services.

(指定紛争解決機関との契約締結義務等)

(Obligation to Conclude a Contract with Designated Dispute Resolution Organization, etc.)

第五十一条の二 資金移動業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 51-2 (1) A Funds Transfer Service Provider must take the measures specified in the following items for the categories of cases respectively prescribed therein:

一 指定紛争解決機関が存在する場合 一の指定紛争解決機関との間で資金移動業に係る手続実施基本契約（第九十九条第一項第八号に規定する手続実施基本契約をいう。次項において同じ。）を締結する措置

(i) In the case where one or more Designated Dispute Resolution Organizations exist: Measures to conclude with a Designated Dispute Resolution Organization a basic contract for execution of procedures pertaining to the Funds Transfer Service (meaning a basic contract for execution of procedures prescribed in Article 99 (1) (viii); the same shall apply in the following paragraph); or

二 指定紛争解決機関が存在しない場合 資金移動業に関する苦情処理措置及び紛争解決措置

(ii) In the case where no Designated Dispute Resolution Organization exists: Complaint Processing Measures and Dispute Resolution Measures pertaining to the Funds Transfer Service.

2 資金移動業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定紛争解決機関の商号又は名称を公表しなければならない。

(2) In the case where a Funds Transfer Service Provider took measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the Funds Transfer Service Provider must publicly announce the trade name or other name of the Designated Dispute Resolution Organization that is the counterparty to said basic contract for execution of procedures.

3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) shall not apply during the period specified in the following items for the categories of cases respectively prescribed therein:

一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第一百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務（第九十九条第一項に規定する紛争解決等業務をいう。次号において同じ。）の廃止の認可又は第百条第一項の規定による指定の取消しの時に、第一項第二号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) In the case where a Funds Transfer Service Provider initially fell under paragraph (1) (i) has come to fall under paragraph (1) (ii): A period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1) (ii) when authorization is granted for the abolition of the Business of Dispute Resolution, etc. (meaning the Business of Dispute

Resolution, etc. prescribed in Article 99 (1); the same shall apply in the following item) under Article 52-83 (1) of the Banking Act as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1) or designation is rescinded pursuant to the provisions of Article 100 (1);

二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定紛争解決機関の紛争解決等業務の廃止が第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。） その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) In the case where a Funds Transfer Service Provider falls under paragraph (1) (i), when authorization is granted for the abolition of the Business of Dispute Resolution, etc. by the Designated Dispute Resolution Organization mentioned in said item under Article 52-83 (1) of the Banking Act as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1) or the designation granted to said Designated Dispute Resolution Organization under Article 99 (1) is rescinded pursuant to the provisions of Article 100 (1) (excluding the case specified in the preceding item): A period specified by the Prime Minister as the period necessary for taking measures specified in paragraph (1) (i) at the time of said authorization or rescission; or

三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) In the case where a Funds Transfer Service Provider initially fell under paragraph (1) (ii) has come to fall under paragraph (1) (i): A period specified by the Prime Minister as the period necessary for taking measures specified in said item when designation is granted under Article 99 (1).

4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。

(4) The term "Complaint Processing Measures" as used in paragraph (1) (ii) means to cause a person specified by Cabinet Office Ordinance as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs arising between the consumer and the service provider or in other areas of consumer affairs to engage in the provision of advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Ordinance as similar thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続

(裁判外紛争解決手続の利用の促進に関する法律(平成十六年法律第百五十一号)第二条第三号に規定する認証紛争解決手続をいう。)により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "Dispute Resolution Measures" as used in paragraph (1) (ii) means to seek resolution of a dispute with the user through the Certified Dispute Resolution Procedures (meaning the Certified Dispute Resolution Procedures prescribed in Article 2 (iii) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004)) or any other measures specified by Cabinet Office Ordinance as similar thereto.

第三節 監督

Section 3 Supervision

(帳簿書類)

(Books and Documents)

第五十二条 資金移動業者は、内閣府令で定めるところにより、その資金移動業に関する帳簿書類を作成し、これを保存しなければならない。

Article 52 A Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, prepare and maintain the books and documents on its Funds Transfer Service.

(報告書)

(Reports)

第五十三条 資金移動業者は、事業年度ごとに、内閣府令で定めるところにより、資金移動業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 53 (1) A Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, prepare a written report on its Funds Transfer Service for each business year and submit it to the Prime Minister.

2 資金移動業者は、前項の報告書のほか、六月を超えない範囲内で内閣府令で定める期間ごとに、内閣府令で定めるところにより、未達債務の額及び履行保証金の供託、履行保証金保全契約又は履行保証金信託契約に関する報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports prescribed in the preceding paragraph, a Funds Transfer Service Provider must, pursuant to the Cabinet Office Ordinance provisions, prepare a written report on the amount of outstanding obligations in the process of funds transfer and the status of making of a security deposit for providing Funds Transfer Services, the guarantee contract of security deposit of providing Funds Transfer Services, or the trust contract of security deposit of providing Funds Transfer Services for each period specified by Cabinet Office Ordinance not to exceed six months, and submit it to the Prime Minister.

3 前二項の報告書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance and other documents specified by Cabinet Office Ordinance must be attached to the written report under the preceding two paragraphs.

(立入検査等)

(On-site Inspections, etc.)

第五十四条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、資金移動業者に対し当該資金移動業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、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 54 (1) When the Prime Minister finds it necessary for the proper and secure provision/conducting of Funds Transfer Services, the Prime Minister may order said Funds Transfer Service Provider to submit reports or materials that will be helpful for understanding its business or property, or have officials enter the business office or other establishment of said Funds Transfer Service Provider, inquire about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金移動業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金移動業者から業務の委託を受けた者に対し当該資金移動業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者から業務の委託を受けた者の施設に立ち入らせ、当該資金移動業者の業務若しくは財産の状況に関して質問させ、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。

(2) When the Prime Minister finds it particularly necessary for the proper and secure provision/conducting of Funds Transfer Services, the Prime Minister may, within the limit necessary, order a person to whom business has been entrusted by said Funds Transfer Service Provider to submit reports or materials that will be helpful for understanding the business or property of said Funds Transfer Service Provider, or have officials enter the business office, office or other establishment of said person to whom business has been entrusted by said Funds Transfer Service Provider, inquire about the status of its business or property of said Funds Transfer Service Provider or inspect its books and documents or other items.

3 前項の資金移動業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a Funds Transfer Service Provider referred to in the preceding paragraph may, if there are justifiable grounds for doing so, refuse the submission of reports or materials, or the

inquiry or inspection pursuant to the provision of said paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第五十五条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金移動業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 55 When the Prime Minister finds it necessary for the proper and secure provision/conducting of Funds Transfer Services, the Prime Minister may, within the limits necessary, order a Funds Transfer Service Provider to take necessary measures to improve the operation of said business or its financial conditions or other measures necessary for the purpose of supervision.

(登録の取消し等)

(Rescission of Registration, etc.)

第五十六条 内閣総理大臣は、資金移動業者が次の各号のいずれかに該当するときは、第三十七条の登録を取り消し、又は六月以内の期間を定めて資金移動業の全部若しくは一部の停止を命ずることができる。

Article 56 (1) When a Funds Transfer Service Provider falls under any of the following items, the Prime Minister may rescind its registration under Article 37 or order the Funds Transfer Service Provider to suspend all or part of its Funds Transfer Service specifying a period of suspension not exceeding six months:

一 第四十条第一項各号に該当することとなったとき。

(i) When the Funds Transfer Service Provider comes to fall under any of the items of Article 40 (1);

二 不正の手段により第三十七条の登録を受けたとき。

(ii) When the Funds Transfer Service Provider has obtained the registration under Article 37 through wrongful means; or

三 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) When the Funds Transfer Service Provider has violated this Act or an order issued pursuant to this Act, or a disposition given pursuant thereto.

2 内閣総理大臣は、資金移動業者の営業所の所在地を確知できないとき、又は資金移動業者を代表する取締役若しくは執行役（外国資金移動業者である資金移動業者にあつては、国内における代表者）の所在地を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該資金移動業者から申出がないときは、当該資金移動業者の第三十七条の登録を取り消すことができる。

(2) When the locations of business offices of a Funds Transfer Service Provider are not ascertained or the whereabouts of the director or executive officer

representing the Funds Transfer Service Provider (in the case of a Funds Transfer Service Provider that is a Foreign Funds Transfer Service Provider, the representative person in Japan) is not ascertained, the Prime Minister shall give public notice to that effect pursuant to the Cabinet Office Ordinance provisions and may rescind the registration of said Funds Transfer Service Provider under Article 37 if it does not report within thirty days from the date of the public notice.

- 3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。
(3) The provision of Chapter III of the Administrative Procedure Act shall not apply to disposition under the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第五十七条 内閣総理大臣は、前条第一項若しくは第二項の規定により第三十七条の登録を取り消したとき、又は第六十一条第二項の規定により第三十七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 57 When the Prime Minister has rescinded the registration under Article 37 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration under Article 37 has ceased to be effective pursuant to the provisions of Article 61 (2), the Prime Minister must delete said registration.

(監督処分公告)

(Public Notice of Supervisory Disposition)

第五十八条 内閣総理大臣は、第五十六条第一項又は第二項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 58 When the Prime Minister renders a disposition pursuant to the provisions of Article 56 (1) or (2), the Prime Minister must give public notice to that effect pursuant to the Cabinet Office Ordinance provisions.

第四節 雑則

Section 4 Miscellaneous Provisions

(履行保証金の還付)

(Return of Security Deposits for Providing Funds Transfer Services)

第五十九条 資金移動業者がその行う為替取引に関し負担する債務に係る債権者は、履行保証金について、他の債権者に先立ち弁済を受ける権利を有する。

Article 59 (1) Creditors of obligations borne by a Funds Transfer Service Provider in relation to the exchange transactions carried out by the Funds Transfer Service Provider shall have the right to receive, in preference over other creditors, payments for the return of the security deposit for providing

Funds Transfer Services.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、資金移動業の利用者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る履行保証金についての権利の実行の手續から除斥されるべきことを公示する措置その他の同項の権利の実行のために必要な措置をとらなければならない。

(2) In cases falling under any of the following items, when the Prime Minister finds it necessary for the protection of the interests of users of the Funds Transfer Service, the Prime Minister must give public notice to the effect that persons holding the right provided for in the preceding paragraph shall state their claims to the Prime Minister within a certain period specified to be not less than sixty days and that they shall be excluded from the procedure for the execution of the right to the return of the security deposit for providing Funds Transfer Services pertaining to said public notice unless they state their claims within the notified period and take other measures necessary for the execution of the right provided for in said paragraph:

一 前項の権利の実行の申立てがあったとき。

(i) When a petition is filed for the exercise of the right provided for in the preceding paragraph; or

二 資金移動業者について破産手續開始の申立て等が行われたとき。

(ii) When a Petition for Commencement of Bankruptcy Proceedings, etc. is filed against a Funds Transfer Service Provider.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

(3) The Prime Minister may, pursuant to the Cabinet Office Ordinance provisions, entrust the administrative work related to the execution of the right under paragraph (1) to a Deposit-taking Institution or any other person specified by Cabinet Order (referred to as "Agents for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments" in the following paragraph and in paragraph (5)).

4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。

(4) Notwithstanding the provisions of any other Acts, an Agent for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments may engage in the business of performing the administrative works entrusted pursuant to the provisions of the preceding paragraph.

5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、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。

(5) With regard to the application of the Penal Code and other penal provisions, an Agents for Local Finance Office in the Distribution Proceedings of Security Deposit to Holders of Prepaid Payment Instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in said entrusted business shall be deemed to be officials engaged in public service under laws and regulations.

6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項は、政令で定める。

(6) In addition to the particulars prescribed in paragraph (2) through the preceding paragraph, particulars necessary for the exercise of the right provided for in paragraph (1) shall be specified by Cabinet Order.

(履行保証金の還付への協力)

(Cooperation for Return of Security Deposit for Providing Funds Transfer Services)

第六十条 資金移動業者から資金移動業の委託を受けた者その他の当該資金移動業者の関係者は、当該資金移動業者の為替取引に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 60 In cases where a person to whom the Funds Transfer Service has been entrusted by a Funds Transfer Service Provider or any other related person of said Funds Transfer Service Provider is requested by the Prime Minister to extend necessary cooperation for the exercise of the right provided for in paragraph (1) of the preceding Article pertaining to exchange transactions carried out by said Funds Transfer Service Provider, said person shall endeavor to respond to the request.

(廃止の届出等)

(Notification of the Discontinuation of Business, etc.)

第六十一条 資金移動業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 61 (1) When a Funds Transfer Service Provider falls under any of the following items, it must notify the Prime Minister to that effect without delay:

一 資金移動業を廃止したとき。

(i) When the Funds Transfer Service Provider has discontinued the Funds Transfer Service; or

二 第五十九条第二項第二号に掲げるとき。

(ii) When the Funds Transfer Service Provider falls under Article 59 (2) (ii).

2 資金移動業者が資金移動業を廃止したときは、当該資金移動業者の第三十七条の登録は、その効力を失う。

(2) When a Funds Transfer Service Provider has discontinued the Funds

Transfer Service, the registration of said Funds Transfer Service Provider under Article 37 shall cease to be effective.

3 資金移動業者は、資金移動業を廃止しようとするときは、その日の三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、すべての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) A Funds Transfer Service Provider intending to discontinue the Funds Transfer Service must, pursuant to the Cabinet Office Ordinance provisions, give public notice to that effect and post a notice to that effect in a place easily seen by the public at all of its business offices by 30 days prior to that day.

4 資金移動業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理大臣に届け出なければならない。

(4) A Funds Transfer Service Provider must, when having given public notice pursuant to the provisions of the preceding paragraph, notify to that effect immediately to the Prime Minister.

5 資金移動業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）には、その行為が替取引に関し負担する債務の履行を速やかに完了しなければならない。

(5) A Funds Transfer Service Provider must, when having given public notice pursuant to the provisions of paragraph (3) (excluding cases where it has given public notice concerning the succession of said business by way of assignment of business, merger or company split, or for other reasons), promptly complete the performance of obligations that it has borne in relation to the exchange transactions that it has carried out.

6 会社法（平成十七年法律第八十六号）第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、資金移動業者（外国資金移動業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 940 (1) (limited to the part pertaining to item (i)) and Article 940 (3) of the Companies Act (Act No. 86 of 2005) shall apply mutatis mutandis to cases where a Funds Transfer Service Provider (excluding a Foreign Funds Transfer Service Provider) gives public notice under paragraph (3) by way of Electronic Public Notice (meaning Electronic Public Notice prescribed in Article 2 (xxxiv) of said Act; the same shall apply in the following paragraph). In this case, any necessary technical replacement of terms shall be specified by Cabinet Order.

7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国資金移動業者である資金移動業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 940 (1) (limited to the part pertaining to item (i)) and Article 940 (3), Article 941, Article 946, Article 947, Article 951 (2), Article 953, and Article 955 of the Companies Act shall apply mutatis mutandis to cases where a Funds Transfer Service Provider that is a Foreign Funds Transfer Service Provider gives public notice under paragraph (3) by way of Electronic Public Notice. In this case, any necessary technical replacement of terms shall be specified by Cabinet Order.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations, etc. Subsequent to Rescission of Registration, etc.)

第六十二条 資金移動業者について、第五十六条第一項若しくは第二項の規定により第三十七条の登録が取り消されたとき、又は前条第二項の規定により第三十七条の登録が効力を失ったときは、当該資金移動業者であった者は、その行う為替取引に関し負担する債務の履行を完了する目的の範囲内においては、なお資金移動業者とみなす。

Article 62 With regard to a Funds Transfer Service Provider, when the registration under Article 37 has been rescinded pursuant to provisions of Article 56 (1) or (2) or has ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, said person who has been a Funds Transfer Service Provider shall be deemed to be a Funds Transfer Service Provider within the scope of the purpose of completing the performance of obligations that it has borne in relation to the exchange transactions that it has carried out.

(外国資金移動業者の勧誘の禁止)

(Prohibition on Solicitation by Foreign Funds Transfer Service Providers)

第六十三条 第三十七条の登録を受けていない外国資金移動業者は、法令に別段の定めがある場合を除き、国内にある者に対して、為替取引の勧誘をしてはならない。

Article 63 Unless otherwise prescribed by laws and regulations, a Foreign Funds Transfer Service Provider not registered under Article 37 shall not conduct solicitation of a person in Japan for exchange transactions.

第四章 資金清算

Chapter IV Clearing for Exchange Transactions

第一節 総則

Section 1 General Provisions

(資金清算機関の免許等)

(License, etc. for Clearing Institution for Interbank Fund Transfers)

第六十四条 資金清算業は、内閣総理大臣の免許を受けた者でなければ、行ってはならない。

Article 64 (1) No person may engage in the Clearing Services for Interbank Fund Transfers unless the person has obtained a license from the Prime Minister.

2 前項の規定は、銀行等及び日本銀行については、適用しない。

(2) The provisions of the preceding paragraph shall not apply to deposit taking institutions and the Bank of Japan.

(免許の申請)

(License Application)

第六十五条 前条第一項の免許を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 65 (1) A person who intends to obtain license under paragraph (1) of the preceding Article must, pursuant to the Cabinet Office Ordinance provisions, submit a written application for license containing the following particulars to the Prime Minister:

一 商号又は名称及び住所

(i) Trade name or other name and address;

二 資本金又は基金（一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百三十一条に規定する基金をいう。）の額及び純資産額

(ii) Amount of capital or funds (meaning funds provided for in Article 131 of the Act on General Incorporated Association and General Incorporated Foundation (Act No. 48 of 2006)) and amount of net assets;

三 営業所又は事務所の名称及び所在地

(iii) Name and location of business office (s) or office (s);

四 取締役及び監査役（委員会設置会社にあつては、取締役及び執行役。次条第二項第四号において同じ。）又は理事及び監事の氏名

(iv) Name of director and company auditor (director and executive officer in the case of a company with committees; the same shall apply in paragraph (2) (iv) of the following Article) or board member and auditor;

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) In the case of a company with accounting advisors, names of accounting advisors; and

六 その他内閣府令で定める事項

(vi) Other particulars specified by Cabinet Office Ordinance.

2 前項の免許申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for a license set forth in the preceding paragraph:

一 次条第二項各号に掲げる要件に該当しない旨を誓約する書面

(i) A written statement that the applicant does not fall under any of the items of paragraph (2) of the following Article;

二 定款

(ii) Articles of incorporation;

三 登記事項証明書

(iii) Certificate of registered particulars;

四 業務方法書

(iv) Rules and procedures of operation;

五 貸借対照表及び損益計算書

(v) Balance sheet and profit and loss statement;

六 収支の見込みを記載した書類

(vi) Documents stating the expected income and expenditure; and

七 その他内閣府令で定める書類

(vii) Other documents specified by Cabinet Office Ordinance.

(免許の基準)

(Criteria for Granting a License)

第六十六条 内閣総理大臣は、前条第一項の免許の申請があったときは、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

Article 66 (1) When an application for license under paragraph (1) of the preceding Article has been filed, the Prime Minister must examine whether the application conforms to the following criteria:

一 定款及び業務方法書の規定が法令に適合し、かつ、資金清算業を適正かつ確実に遂行するために十分であること。

(i) The provisions of the articles of incorporation and the rules and procedures of operation conform to the laws and regulations, and are sufficient for the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer;

二 資金清算業を健全に遂行するに足りる財産的基礎を有し、かつ、資金清算業に係る収支の見込みが良好であること。

(ii) The applicant has sufficient financial basis for the sound performance of the Clearing Services for Interbank Funds Transfer and has favorable prospects for income and expenditure pertaining to the Clearing Services for Interbank Funds Transfer; and

三 その人的構成に照らして、資金清算業を適正かつ確実に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有すること。

(iii) The applicant has, in light of its personnel structures, the knowledge and experience necessary for proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer and has sufficient social credibility.

2 内閣総理大臣は、免許申請者が次の各号のいずれかに該当するとき、又は免許申請書若しくはその添付書類のうちに虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、免許を与えてはならない。

(2) The Prime Minister must refuse to grant a license when an applicant for a license falls under any of the following items, or a written application for

license or documents attached thereto contain a false statement, or lack a statement about important particulars:

一 株式会社又は一般社団法人（これらの者が次に掲げる機関を置く場合に限る。）でないもの

(i) A person who is not a stock company or a general incorporated association (limited to a stock company or a general incorporated association with any of the following):

イ 取締役会又は理事会

(a) Board of directors or council;

ロ 監査役若しくは委員会（会社法第二条第十二号に規定する委員会をいう。）又は監事

(b) Company auditors or committees (meaning committees provided for in Article 2 (xii) of the Companies Act) or auditors; or

ハ 会計監査人

(c) Accounting auditors.

二 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録若しくは免許（当該登録又は免許に類する許可その他の行政処分を含む。）を取り消され、その取消の日から五年を経過しない法人

(ii) A corporation who had its registration under Article 37 rescinded pursuant to the provisions of Article 56 (1) or (2), or had its license under Article 64 (1) rescinded pursuant to the provisions of Article 82 (1) or (2) and for whom five years have not passed since the date of the rescission, or a corporation who had obtained registration or license of the same kind in a foreign state under the provisions of laws and regulations of said foreign state equivalent to this Act or the Banking Act, etc. and had the registration or license (including permission or other administrative dispositions similar to said registration or license) rescinded, and for whom five years have not passed since the date of the rescission;

三 この法律若しくは銀行法等又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(iii) A corporation who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the corporation became free from the execution of the punishment;

四 取締役等（取締役若しくは監査役若しくは会計参与又は理事若しくは監事をいう。以下この章において同じ。）のうちに次のいずれかに該当する者のある法人

(iv) A corporation whose Directors, etc. (meaning directors or company auditors or accounting advisors, or board members or auditors; hereinafter the same shall apply in this Chapter) include a person who falls under any of the following items:

イ 成年被後見人若しくは被保佐人又は外国の法令上これらに相当する者

(a) A person who is an adult ward or a person under curatorship, or a person equivalent thereto under laws and regulations of a foreign state;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) A person who has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) A person who has received punishment that is heavier than imprisonment without labor (including equivalent punishment under laws and regulations of a foreign state), and for whom five years have not passed since either execution of the sentence or the cessation of being subject to its execution;

ニ この法律、銀行法等、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) A person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Act on Regulation of Receiving of Capital Subscription, Deposits, and Interest Rates, etc., the Act on Prevention of Illegal Acts by Organized Crime Group Members or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the person became free from the execution of the punishment;

ホ 資金清算機関が第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の免許若しくは登録（当該免許又は登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にこの法人の取締役等であった者で、当該取消しの日から

五年を経過しない者その他これに準ずるものとして政令で定める者

(e) In cases where a Clearing Institution for Interbank Funds Transfer had its license under Article 64 (1) rescinded pursuant to the provisions of Article 82 (1) or (2) or a corporation had its license or registration (including permission or other administrative dispositions similar to said license or registration) of the same kind rescinded that had been granted in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to this Act, a person who had been a Director, etc. of such corporation at any time during the thirty days prior to the date of the rescission and for whom five years have not passed since that date or a person specified by Cabinet Order as similar thereto.

(取締役等の欠格事由等)

(Grounds for Disqualification, etc. of Directors, etc.)

第六十七条 前条第二項第四号イからホまでのいずれかに該当する者は、資金清算機関の取締役等となることができない。

Article 67 (1) A person falling under any of paragraph (2) (iv) (a) through (e) of the preceding Article may not become a Director, etc.:

2 資金清算機関の取締役等が前項に規定する者に該当することとなったときは、その職を失う。

(2) When a Director, etc. of a Clearing Institution for Interbank Funds Transfer comes to be classed as a person prescribed in the preceding paragraph, said Director, etc. shall lose their position.

3 内閣総理大臣は、資金清算機関の取締役等が法令又は法令に基づく行政官庁の処分に違反したときは、当該資金清算機関に対し、当該取締役等の解任を命ずることができる。

(3) When a Director, etc. of a Clearing Institution for Interbank Funds Transfer has violated laws and regulations or a disposition by government agencies based on laws and regulations, the Prime Minister may order said Clearing Institution for Interbank Funds Transfer to dismiss said Director, etc.

(会社法の適用関係)

(Application of the Companies Act)

第六十八条 会社法第三百三十一条第二項ただし書（同法第三百三十五条第一項において準用する場合を含む。）、第三百三十二条第二項（同法第三百三十四条第一項において準用する場合を含む。）、第三百三十六條第二項及び第四百二條第五項ただし書の規定は、資金清算機関が株式会社である場合には、適用しない。

Article 68 (1) The provisions of the proviso to Article 331 (2) (including the cases where it is applied mutatis mutandis pursuant to Article 335 (1) of the Companies Act), Article 332 (2) (including the cases where it is applied mutatis mutandis pursuant to Article 334 (1) of said Act), Article 336 (2), and the

proviso to Article 402 (5) of the Companies Act shall not apply to a Clearing Institution for Interbank Funds Transfer that is a stock company.

2 資金清算機関が株式会社である場合における会社法第四百五十八条の規定の適用については、同条中「三百万円」とあるのは、「三百万円を下回らない範囲内において政令で定める金額」とする。

(2) With regard to the application of Article 458 of the Companies Act to a Clearing Institution for Interbank Funds Transfer that is a stock company, the term "three million yen" in said Article shall be deemed to be replaced with "an amount specified by Cabinet Order which may not be less than three million yen."

第二節 業務

Section 2 Business

(業務の制限)

(Restriction on Business)

第六十九条 資金清算機関は、資金清算業及びこれに関連する業務のほか、他の業務を行うことができない。ただし、当該資金清算機関が資金清算業を適正かつ確実に行うにつき支障を生ずるおそれがないと認められる業務について、内閣府令で定めるところにより、内閣総理大臣の承認を受けたときは、この限りでない。

Article 69 (1) A Clearing Institution for Interbank Funds Transfer shall not engage in any business other than the Clearing Services for Interbank Funds Transfer and business related thereto; provided, however, that this shall not apply if a Clearing Institution for Interbank Funds Transfer has obtained, pursuant to the Cabinet Office Ordinance provisions, the approval of the Prime Minister for a business that is found to involve no risk of causing hindrance to the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer by said Clearing Institution for Interbank Funds Transfer.

2 資金清算機関は、前項ただし書の承認を受けた業務を廃止したときは、内閣府令で定めるところにより、その旨を内閣総理大臣に届け出なければならない。

(2) A Clearing Institution for Interbank Funds Transfer must, when having discontinued the business for which approval was obtained under the proviso to the preceding paragraph, notify the Prime Minister to that effect pursuant to the Cabinet Office Ordinance provisions.

(資金清算業の一部の委託)

(Entrustment of Part of the Clearing Services for Interbank Funds Transfer)

第七十条 資金清算機関は、内閣府令で定めるところにより、資金清算業の一部を、内閣総理大臣の承認を受けて、第三者に委託することができる。

Article 70 (1) A Clearing Institution for Interbank Funds Transfer may,

pursuant to the Cabinet Office Ordinance provisions, entrust part of the Clearing Services for Interbank Funds Transfer to a third party with the approval of the Prime Minister.

2 資金清算機関は、前項の規定による資金清算業の一部の委託に関する契約には、業務を委託する相手方が当該業務を適正かつ確実に遂行するための措置を講ずる旨の条件を付さなければならない。

(2) A Clearing Institution for Interbank Funds Transfer must attach to a contract for the entrustment of part of the Clearing Services for Interbank Funds Transfer under the preceding paragraph conditions to the effect that the party to whom business is entrusted shall take measures to ensure the proper and secure provision/conducting of said business.

(業務方法書)

(Rules and Procedures of Operation)

第七十一条 資金清算機関は、業務方法書の定めるところにより、資金清算業を行わなければならない。

Article 71 (1) A Clearing Institution for Interbank Funds Transfer must conduct the Clearing Services for Interbank Funds Transfer pursuant to the provisions of its rules and procedures of operation.

2 業務方法書には、次に掲げる事項を定めなければならない。

(2) The rules and procedures of operation must specify the following particulars:

一 資金清算業の対象とする債務の起因となる取引の種類

(i) Type of transactions that give rise to obligations subject to the Clearing Services for Interbank Funds Transfer;

二 資金清算業の相手方とする者（以下この章において「清算参加者」という。）の要件に関する事項

(ii) Particulars concerning the requirements for a person who is the other party to the Clearing Services for Interbank Funds Transfer (hereinafter referred to as the "Clearing Participant" in this Chapter);

三 資金清算業として行う債務の引受け、更改その他の方法に関する事項

(iii) Particulars concerning the assumption of obligations, novation, and other methods carried out as part of the Clearing Services for Interbank Funds Transfer;

四 清算参加者の債務の履行の確保に関する事項

(iv) Particulars concerning the securing of performance of obligations of a Clearing Participant;

五 資金清算業の継続的遂行の確保に関する事項

(v) Particulars concerning the securing of continued performance of the Clearing Services for Interbank Funds Transfer;

六 資金清算業及びこれに関連する業務以外の業務を行う場合にあつては、当該業務が資金清算業の適正かつ確実な遂行を妨げないことを確保するための措置に関する

事項

- (vi) In cases where a Clearing Institution for Interbank Funds Transfer engages in business other than the Clearing Services for Interbank Funds Transfer and business related thereto, particulars concerning measures to ensure that said business will not cause hindrance to the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer;
- 七 資金清算業の一部を第三者に委託する場合にあっては、当該委託に係る業務を適正かつ確実に遂行させることを確保するための体制の整備に関する事項
- (vii) In cases where a Clearing Institution for Interbank Funds Transfer entrusts part of its Clearing Services for Interbank Funds Transfer to a third party, particulars concerning the establishment of a system to ensure the proper and secure provision/conducting of the business pertaining to said entrustment by the third party;
- 八 資金清算業に関する契約であって内閣府令で定める重要な事項を内容とするものを、外国人又は外国の法令に準拠して設立された法人を相手方として締結する場合にあっては、その旨
- (viii) In cases where a Clearing Institution for Interbank Funds Transfer concludes a contract concerning the Clearing Services for Interbank Funds Transfer that contains important particulars specified by Cabinet Office Ordinance with a foreign national or a corporation established under the laws and regulations of a foreign state, a statement to that effect; and
- 九 その他内閣府令で定める事項
- (ix) Other particulars specified by Cabinet Office Ordinance.

(資金清算業の適切な遂行を確保するための措置)

(Measures to Ensure Proper Provision/conducting of the Clearing Services for Interbank Funds Transfer)

第七十二条 資金清算機関は、資金清算業により損失が生じた場合に清算参加者が当該損失の全部を負担する旨を業務方法書において定めることその他の資金清算業の適切な遂行を確保するための措置を講じなければならない。

Article 72 A Clearing Institution for Interbank Funds Transfer must prescribe that any and all losses arising from the Clearing Services for Interbank Funds Transfer shall be borne by the Clearing Participant in its rules and procedures of operation and take other measures to ensure proper provision/conducting of the Clearing Services for Interbank Funds Transfer.

(未決済債務等の決済)

(Payment and Settlement of Unsettled Obligations, etc.)

第七十三条 資金清算機関が業務方法書で未決済債務等について差引計算の方法、担保の充当の方法その他の決済の方法を定めている場合において、清算参加者に破産手続、再生手続、更生手続、特別清算手続又は承認援助手続が開始されたときは、これらの

手続の関係において、未決済債務等に関する資金清算機関又は当該清算参加者が有する請求権の額の算定その他の決済の方法は、当該業務方法書の定めに従うものとする。

Article 73 (1) In cases where a Clearing Institution for Interbank Funds Transfer has prescribed in its rules and procedures of operation how to perform netting calculations, how to apply collateral to payment of obligations, and other payment and settlement methods, if a bankruptcy proceeding, rehabilitation proceeding, reorganization proceeding, special liquidation proceeding, or recognition and assistance proceeding has been started against a Clearing Participant, the method used to determine the amount of claims pertaining to unsettled obligations, etc. held by the Clearing Institution for Interbank Funds Transfer or said Clearing Participant and other payment and settlement methods used in relation to these proceedings shall be governed by said rules and procedures of operation.

2 前項の「未決済債務等」とは、資金清算業として清算参加者から引受け、更改その他の方法により負担した債務、当該債務を負担した対価として当該清算参加者に対して取得した債権（当該債務と同一の内容を有するものに限る。）及び担保をいう。

(2) The term "Unsettled Obligations, etc." as used in the preceding paragraph means obligations borne as part of the Clearing Services for Interbank Funds Transfer to a Clearing Participant by way of assumption, novation, or other methods, claims against said Clearing Participant (limited to those having the same contents as said obligations) acquired as consideration for bearing said obligations, and security of said claims.

3 破産手続、再生手続又は更生手続において、資金清算機関が有する第一項に規定する請求権は破産債権、再生債権又は更生債権とし、清算参加者が有する同項に規定する請求権は破産財団、再生債務者財産又は更生会社財産若しくは更生協同組織金融機関財産に属する財産とする。

(3) In bankruptcy proceedings, rehabilitation proceedings or reorganization proceedings, the claims prescribed in paragraph (1) that a Clearing Institution for Interbank Funds Transfer has shall be bankruptcy claims, rehabilitation claims, or reorganization claims, and the claims prescribed in said paragraph that a Clearing Participant has shall be the property that belongs to the bankruptcy estate, rehabilitation debtor's assets, the property of the corporation in need of reorganization, or the property of the cooperative financial institution in need of reorganization.

（秘密保持義務等）

(Confidentiality Obligations, etc.)

第七十四条 資金清算機関の取締役等（取締役等が法人であるときは、その職務を行うべき者。次項において同じ。）若しくは職員又はこれらの職にあった者は、資金清算業又はこれに関連する業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 74 (1) A Director, etc. (or, if a Director, etc. is a corporation, a person

who is to perform such duties; the same shall apply in the following paragraph) or an employee of a Clearing Institution for Interbank Funds Transfer, or a person who was formerly in such position shall not divulge to another person or misappropriate any confidential information learned during the course of duties relating to the Clearing Services for Interbank Funds Transfer or other business related thereto.

2 資金清算機関の取締役等若しくは職員又はこれらの職にあった者は、資金清算業及びこれに関連する業務の実施に際して知り得た情報を、資金清算業及びこれに関連する業務の用に供する目的以外に利用してはならない。

(2) A Director, etc. or an employee of a Clearing Institution for Interbank Funds Transfer, or a person who was formerly in such position must not use any information learned during the course of duties relating to the Clearing Services for Interbank Funds Transfer or other business related thereto for purposes other than providing for use of the Clearing Services for Interbank Funds Transfer or other business related thereto.

3 前二項の規定は、第七十条第一項の規定により委託を受けた者（その者が法人である場合にあつては、その役員）若しくはその職員その他の当該委託を受けた業務に従事する者又はこれらの者であった者について準用する。

(3) The provisions of the preceding two paragraphs shall apply mutatis mutandis to a person to whom business is entrusted pursuant to the provisions of Article 70 (1) (or, if such person is a corporation, its officers) or said person's employees and other persons who engage in said entrusted business, or persons who were formerly in such position.

(差別的取扱いの禁止)

(Prohibition of Discriminatory Treatment)

第七十五条 資金清算機関は、資金清算業に関し特定の者に対し不当な差別的取扱いをしてはならない。

Article 75 A Clearing Institution for Interbank Funds Transfer must not provide unjust discriminatory treatment to a particular person in relation to the Clearing Services for Interbank Funds Transfer.

第三節 監督

Section 3 Supervision

(定款又は業務方法書の変更の認可)

(Authorization of Amendment of the Articles of Incorporation or Rules and Procedures of Operation)

第七十六条 資金清算機関は、定款又は業務方法書を変更しようとするときは、内閣総理大臣の認可を受けなければならない。

Article 76 When a Clearing Institution for Interbank Funds Transfer intends to

amend the articles of incorporation or rules and procedures of operation, it must obtain the authorization of the Prime Minister.

(資本金の額等の変更の届出)

(Notification of Change of Amount of the Stated Capital, etc.)

第七十七条 資金清算機関は、第六十五条第一項第二号に掲げる事項（純資産額を除く。）又は同項第三号から第五号までに掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 77 When there has been a change in any of the particulars set forth in Article 65 (1) (ii) (excluding the amount of net assets) or items (iii) through (v) of said paragraph, a Clearing Institution for Interbank Funds Transfer must notify the Prime Minister to that effect without delay.

(帳簿書類)

(Books and Documents)

第七十八条 資金清算機関は、内閣府令で定めるところにより、その資金清算業に関する帳簿書類を作成し、これを保存しなければならない。

Article 78 A Clearing Institution for Interbank Funds Transfer must, pursuant to the Cabinet Office Ordinance provisions, prepare and maintain the books and documents on its Clearing Services for Interbank Funds Transfer.

(報告書)

(Reports)

第七十九条 資金清算機関は、事業年度ごとに、内閣府令で定めるところにより、資金清算業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 79 A Clearing Institution for Interbank Funds Transfer must, pursuant to the Cabinet Office Ordinance provisions, prepare a written report on its Clearing Services for Interbank Funds Transfer for each business year and submit it to the Prime Minister.

(立入検査等)

(On-site Inspections, etc.)

第八十条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、資金清算機関に対し当該資金清算機関の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関の営業所若しくは事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、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 80 (1) When the Prime Minister finds it necessary for the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer, the Prime Minister may order said Clearing Institution for Interbank Funds Transfer to submit reports or materials that will be helpful for

understanding its business or property, or have officials enter the business office, office or other establishment of said Clearing Institution for Interbank Funds Transfer, inquire about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金清算業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金清算機関から業務の委託を受けた者に対し当該資金清算機関の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関から業務の委託を受けた者の施設に立ち入らせ、当該資金清算機関の業務若しくは財産の状況に関して質問させ、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。

(2) When the Prime Minister finds it particularly necessary for the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer, the Prime Minister may, within the necessary limits, order a person to whom business has been entrusted by said Clearing Institution for Interbank Funds Transfer to submit reports or materials that will be helpful for understanding the business or property of said Clearing Institution for Interbank Funds Transfer, or have officials enter the business office, office or other establishment of said person to whom business has been entrusted by said Clearing Institution for Interbank Funds Transfer, inquire about the status of its business or property of said Clearing Institution for Interbank Funds Transfer or inspect its books and documents or other items.

3 前項の資金清算機関から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a Clearing Institution for Interbank Funds Transfer referred to in the preceding paragraph may, if there are justifiable grounds, refuse the submission of reports or materials, or the inquiry or inspection pursuant to the provision of said paragraph.

(業務改善命令)

(Order to Improve Business Operation)

第八十一条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金清算機関に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 81 When the Prime Minister finds it necessary for the proper and secure provision/conducting of the Clearing Services for Interbank Funds Transfer, the Prime Minister may, within the limits necessary, order a Clearing Institution for Interbank Funds Transfer to take necessary measures to improve the operation of said business or its financial conditions or other measures necessary for the purpose of supervision.

(免許の取消し等)

(Rescission of Licenses, etc.)

第八十二条 内閣総理大臣は、資金清算機関がその免許を受けた時点において第六十六条第二項各号のいずれかに該当していたことが判明したときは、その免許を取り消すことができる。

Article 82 (1) When a Clearing Institution for Interbank Funds Transfer is found to have already fallen under any of the items of Article 66 (2) when it obtained a license, the Prime Minister may rescind the license.

2 内閣総理大臣は、資金清算機関がこの法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したときは、第六十四条第一項の免許若しくは第六十九条第一項ただし書の承認を取り消し、六月以内の期間を定めてその業務の全部若しくは一部の停止を命じ、又はその取締役等の解任を命ずることができる。

(2) The Prime Minister may, when a Clearing Institution for Interbank Funds Transfer violates this Act or an order issued pursuant to this Act, or a disposition given pursuant thereto, rescind the license under Article 64 (1) or the approval under the proviso to Article 69 (1), order suspension of all or part of the business of the Clearing Institution for Interbank Funds Transfer specifying a period not exceeding six months, or order the Clearing Institution for Interbank Funds Transfer to dismiss its Directors, etc.

第四節 雑則

Section 4 Miscellaneous Provisions

(解散等の認可)

(Authorization of Dissolution, etc.)

第八十三条 資金清算機関の資金清算業の廃止又は解散の決議は、内閣総理大臣の認可を受けなければ、その効力を生じない。

Article 83 A resolution of abolition or dissolution of a Clearing Institution for Interbank Funds Transfer shall not come into effect without the authorization of the Prime Minister.

(財務大臣への協議)

(Consultation with Minister of Finance)

第八十四条 内閣総理大臣は、資金清算機関に対し次に掲げる処分をすることが信用秩序の維持に重大な影響を与えるおそれがあると認めるときは、あらかじめ、信用秩序の維持を図るために必要な措置に関し、財務大臣に協議しなければならない。

Article 84 The Prime Minister must, when finding that maintenance of an orderly financial system may be materially affected the Prime Minister imposes one of the following dispositions on a Clearing Institution for Interbank Funds Transfer as intended by the Prime Minister, consult in advance with the Minister of Finance about measures necessary for

maintaining of an orderly financial system:

- 一 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し
(i) Rescission of the license under Article 64 (1) pursuant to the provisions of Article 82 (1) or (2); or
- 二 第八十二条第二項の規定による業務の全部又は一部の停止の命令
(ii) Order to suspend all or part of the business pursuant to the provisions of Article 82 (2).

(財務大臣への通知)

(Notice to Minister of Finance)

第八十五条 内閣総理大臣は、次に掲げる処分をしたときは、速やかに、その旨を財務大臣に通知するものとする。

Article 85 The Prime Minister shall, when giving any of the following dispositions, promptly notify the Minister of Finance to that effect;

- 一 第六十四条第一項の規定による免許
(i) Granting of a license under Article 64 (1);
- 二 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し
(ii) Rescission of the license under Article 64 (1) pursuant to the provisions of Article 82 (1) or (2);
- 三 第八十二条第二項の規定による業務の全部又は一部の停止の命令
(iii) Order to suspend all or part of the business pursuant to the provisions of Article 82 (2), or
- 四 第八十三条の規定による認可
(iv) Granting of authorization under Article 83.

(日本銀行からの意見聴取)

(Hearing of the Opinion of the Bank of Japan)

第八十六条 内閣総理大臣は、この章の規定に基づく処分を行うために必要があると認めるときは、日本銀行に対し、意見を求めることができる。

Article 86 When the Prime Minister finds it necessary for giving a disposition pursuant to the provisions of this Chapter, the Prime Minister may request a hearing of opinions from the Bank of Japan.

第五章 認定資金決済事業者協会

Chapter V Certified Association for Payment Service Providers

(認定資金決済事業者協会の認定)

(Certification of Certified Association for Payment Service Providers)

第八十七条 内閣総理大臣は、政令で定めるところにより、前払式支払手段発行者又は資金移動業者が設立した一般社団法人であつて、次に掲げる要件に該当すると認められるものを、その申請により、次条に規定する業務（以下この章において「認定業

務」という。)を行う者として認定することができる。

Article 87 The Prime Minister may, pursuant to Cabinet Order provisions, certify a general incorporated association established by an Issuer of Prepaid Payment Instruments or a Funds Transfer Service Provider that is found to satisfy the following requirements as a person permitted to engage in the businesses prescribed in the following Article (hereinafter referred to as "Certified Businesses" in this Chapter) upon said person's application:

一 前払式支払手段（第三条第一項に規定する前払式支払手段をいう。以下この章において同じ。）の発行の業務又は資金移動業の適切な実施を確保し、並びにこれらの健全な発展及び利用者（第十条第一項第四号に規定する加盟店を含む。以下この章において同じ。）の利益の保護に資することを目的とすること。

(i) The general incorporated association shall aim at ensuring the proper provision/conducting of the business of issuing Prepaid Payment Instruments (meaning Prepaid Payment Instruments provided for in Article 3 (1); the same shall apply hereinafter in this Chapter) or the Funds Transfer Service as well as contributing to the sound development of these businesses and protection of the interests of the users (including member shops provided for in Article 10 (1) (iv); hereinafter the same shall apply in this Chapter);

二 前払式支払手段発行者又は資金移動業者を社員（以下この章において「会員」という。）とする旨の定款の定めがあること。

(ii) The general incorporated association's articles of incorporation shall include a provision to the effect that its members (hereinafter referred to as "Members" in this Chapter) shall be Issuers of Prepaid Payment Instruments or Funds Transfer Service Providers;

三 認定業務を適正かつ確実に行うに必要な業務の実施の方法を定めているものであること。

(iii) The general incorporated association shall have established the method for business operations necessary for the proper and secure provision/conducting of the Certified Businesses; and

四 認定業務を適正かつ確実に行うに足りる知識及び能力並びに財産的基礎を有するものであること。

(iv) The general incorporated association shall have the knowledge, ability, and financial basis sufficient for the proper and secure provision/conducting of the Certified Businesses.

(認定資金決済事業者協会の業務)

(Business of Certified Association for Payment Service Providers)

第八十八条 認定資金決済事業者協会は、次に掲げる業務を行うものとする。

Article 88 A Certified Association for Payment Service Providers shall engage in the following businesses:

一 会員が前払式支払手段の発行の業務又は資金移動業を行うに当たり、この法律そ

他の法令の規定及び第三号の規則を遵守させるための会員に対する指導、勧告その他の業務

(i) The business of providing guidance, recommendation, etc. to Members for the purpose of causing Members to comply with provisions of this Act and other laws and regulations and rules prescribed in item (iii) in carrying out their business of issuing Prepaid Payment Instruments or Funds Transfer Service;

二 会員の行う前払式支払手段の発行の業務又は資金移動業に関し、契約の内容の適正化その他前払式支払手段又は資金移動業の利用者の利益の保護を図るために必要な指導、勧告その他の業務

(ii) The business of providing guidance, recommendation, etc. to Members in relation to their business of issuing Prepaid Payment Instruments or Funds Transfer Service that is necessary for ensuring the appropriateness of the terms and conditions of contracts or otherwise protecting the interests of users of the business of issuing Prepaid Payment Instruments or the Funds Transfer Service;

三 会員の行う前払式支払手段の発行の業務又は資金移動業の適正化及びその取り扱い情報の適切な管理を図るために必要な規則の制定

(iii) Establishment of the rules that are necessary for the appropriate management of the business of issuing Prepaid Payment Instruments or the Funds Transfer Service carried out by Members and information used in these businesses;

四 会員のこの法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は前号の規則の遵守の状況の調査

(iv) Investigation of the status of compliance with this Act or an order issued pursuant to this Act or a disposition given pursuant thereto, or the rules prescribed in the preceding item;

五 前払式支払手段又は資金移動業の利用者の利益を保護するために必要な情報の収集、整理及び提供

(v) Collection, arrangement, and provision of information necessary for the protection of the interests of users of the business of issuing Prepaid Payment Instruments or the Funds Transfer Service;

六 会員の行う前払式支払手段の発行の業務又は資金移動業に関する利用者からの苦情の処理

(vi) Handling of complaints from users related to the business of issuing Prepaid Payment Instruments or the Funds Transfer Service carried out by Members;

七 前払式支払手段又は資金移動業の利用者に対する広報その他認定資金決済事業者協会の目的を達成するために必要な業務

(vii) Publicity to the users of Prepaid Payment Instruments or the Funds Transfer Service and other businesses necessary for the achievement of the

purposes of the Certified Association for Payment Service Providers; and
八 前各号に掲げるもののほか、前払式支払手段の発行の業務又は資金移動業の健全な発展及びこれらの利用者の保護に資する業務

(viii) In addition to those listed in the preceding items, businesses that contribute to the sound development of the business of issuing Prepaid Payment Instruments or the Funds Transfer Service and the protection of the users of these businesses.

(会員名簿の縦覧等)

(Public Inspection, etc. of the Membership List)

第八十九条 認定資金決済事業者協会は、会員名簿を公衆の縦覧に供しなければならない。

Article 89 (1) A Certified Association for Payment Service Providers must make the membership list available for public inspection.

2 認定資金決済事業者協会でない者は、その名称中に、認定資金決済事業者協会と誤認されるおそれのある文字を用いてはならない。

(2) No person other than a Certified Association for Payment Service Providers shall use a name containing wording that is likely to mislead the public into believing that the person is a Certified Association for Payment Service Providers.

3 認定資金決済事業者協会の会員でない者は、その名称中に、認定資金決済事業者協会の会員と誤認されるおそれのある文字を用いてはならない。

(3) No person other than a Member of a Certified Association for Payment Service Providers may use a name containing wording that is likely to mislead the public into believing that the person is a Member of a Certified Association for Payment Service Providers.

(会員に関する情報の利用者への周知等)

(Making Information about Members Known to the Users, etc.)

第九十条 前払式支払手段発行者をその会員とする認定資金決済事業者協会は、前払式支払手段発行者である会員から第十三条第一項第四号及び第五号に掲げる事項について当該前払式支払手段の利用者への周知を求められた場合には、当該事項を当該前払式支払手段の利用者に周知しなければならない。

Article 90 (1) A Certified Association for Payment Service Providers whose members are Issuers of Prepaid Payment Instruments must, upon request from an Issuer of Prepaid Payment Instruments for making the particulars listed in Article 13 (1) (iv) and (v) public to the users of said Prepaid Payment Instruments, make said particulars public to the users.

2 認定資金決済事業者協会は、第九十七条の規定により内閣総理大臣から提供を受けた情報のうち利用者の保護に資する情報について、前払式支払手段又は資金移動業の利用者に提供できるようにしなければならない。

(2) A Certified Association for Payment Service Providers must have the ability to provide the users of Prepaid Payment Instruments or the Funds Transfer Service with the portion of the information provided by the Prime Minister pursuant to the provisions of Article 97 that contributes to the protection of said users.

(利用者からの苦情に関する対応)

(Responses to Complaints from Users)

第九十一条 認定資金決済事業者協会は、前払式支払手段又は資金移動業の利用者から会員の行う前払式支払手段の発行の業務又は資金移動業に関する苦情について解決の申出があったときは、その相談に応じ、申出人に必要な助言をし、その苦情に係る事情を調査するとともに、当該会員に対しその苦情の内容を通知してその迅速な処理を求めなければならない。

Article 91 (1) When a user of Prepaid Payment Instruments or the Funds Transfer Service files an application for resolution of a complaint concerning the business of issuing Prepaid Payment Instruments or the Funds Transfer Service carried out by a Member, a Certified Association for Payment Service Providers must respond to a request for consultation, provide necessary advice to the applicant, investigate the circumstances pertaining to such complaint, and notify said Member of the contents of such complaint and demand that said Member should process the complaint expeditiously.

2 認定資金決済事業者協会は、前項の申出に係る苦情の解決について必要があると認めるときは、当該会員に対し、文書若しくは口頭による説明を求め、又は資料の提出を求めることができる。

(2) When a Certified Association for Payment Service Providers finds it necessary for resolving the complaint pertaining to an application under the preceding paragraph, it may demand that the relevant Member should provide a written or oral explanation or submit materials.

3 会員は、認定資金決済事業者協会から前項の規定による求めがあったときは、正当な理由がないのに、これを拒んではならない。

(3) When there has been a demand under the preceding paragraph from a Certified Association for Payment Service Providers, a Member must not refuse the demand without justifiable grounds for doing so.

4 認定資金決済事業者協会は、第一項の申出、苦情に係る事情及びその解決の結果について会員に周知させなければならない。

(4) A Certified Association for Payment Service Providers must make public to its Members any applications under paragraph (1), circumstances pertaining to said complaints, and the outcome of any resolution.

5 第一項の規定は、認定資金決済事業者協会が第九十九条第一項の規定による指定を受けている場合において、第一項の申出が資金移動業に関する苦情に係るものであるときは、適用しない。

(5) In cases where a Certified Association for Payment Service Providers is designated as such under Article 99 (1), if the application filed under paragraph (1) is related to complaints concerning Funds Transfer Service, the provisions of paragraph (1) shall not apply.

(認定資金決済事業者協会への報告等)

(Reports to Certified Associations for Payment Service Providers, etc.)

第九十二条 会員は、前払式支払手段発行者及び資金移動業者が行った利用者の保護に欠ける行為に関する情報その他利用者の利益を保護するために必要な情報として内閣府令で定めるものを取得したときは、これを認定資金決済事業者協会に報告しなければならない。

Article 92 (1) When a Member obtains information about the acts of an Issuer of Prepaid Payment Instruments or Funds Transfer Service Provider that impairs the protection of users and other information necessary for the protection of the interests of users as specified by Cabinet Office Ordinance, it must report it to the Certified Association for Payment Service Providers to which it belongs.

2 認定資金決済事業者協会は、その保有する前項に規定する情報について会員から提供の請求があったときは、正当な理由がある場合を除き、当該情報を提供しなければならない。

(2) Upon receipt of a request from a Member to provide the information obtained pursuant to the provisions of the preceding paragraph, a Certified Association for Payment Service Providers must provide the Member with said information except in the case where there are justifiable grounds for refusing the request.

(秘密保持義務等)

(Confidentiality Obligation, etc.)

第九十三条 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 93 (1) An officer or an employee of a Certified Association for Payment Service Providers, or a person who was formerly in such position shall not divulge to another person or misappropriate any confidential information learned during their course of duties.

2 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た情報を、認定業務の用に供する目的以外に利用してはならない。

(2) An officer or an employee of a Certified Association for Payment Service Providers, or a person who was formerly in such position must not use any information learned during their course of duties for purposes other than providing for use of the Certified Businesses.

(定款の必要的記載事項)

(Particulars Which Must be Stated in Articles of Incorporation)

第九十四条 一般社団法人及び一般財団法人に関する法律第十一条第一項各号に掲げる事項及び第八十七条第二号に規定する定款の定めのほか、認定資金決済事業者協会は、その定款において、この法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は第八十八条第三号の規則に違反した会員に対し、定款で定める会員の権利の停止若しくは制限を命じ、又は除名する旨を定めなければならない。

Article 94 In addition to the particulars listed in items of Article 11 (1) of the Act on General Incorporated Association and General Incorporated Foundation and a provision of the articles of incorporation prescribed in Article 87 (ii), a Certified Association for Payment Service Providers must stipulate in its articles of incorporation that in the event that its Member violates this Act or an order issued pursuant to this Act or a disposition given pursuant thereto, or the rules prescribed in Article 88 (iii), the Certified Association for Payment Service Providers will suspend or restrain the rights granted to the Member under the articles of incorporation, or expel the Member from the association.

(立入検査等)

(On-site Inspections, etc.)

第九十五条 内閣総理大臣は、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該認定資金決済事業者協会の事務所に立ち入らせ、その業務若しくは財産の状況に関して質問させ、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 95 The Prime Minister may, within the limits necessary for the enforcement of this Act, order a Certified Association for Payment Service Providers to submit reports or materials that will be helpful for understanding its business or property, or have officials enter the office of said Certified Association for Payment Service Providers, inquire about the status of its business or property or inspect its books and documents or other items.

(認定資金決済事業者協会に対する監督命令等)

(Supervisory Order to Certified Association for Payment Service Providers)

第九十六条 内閣総理大臣は、認定業務の運営に関し改善が必要であると認めるときは、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その改善に必要な措置をとるべきことを命ずることができる。

Article 96 (1) When the Prime Minister finds it necessary to improve operations of the Certified Businesses carried out by a Certified Association for Payment Service Providers, the Prime Minister may, within the limit necessary for the enforcement of this Act, order the Certified Association for Payment Service Providers to take necessary measures for improving its operations.

2 内閣総理大臣は、認定資金決済事業者協会の業務の運営がこの法律若しくはこの法

律に基づく命令又はこれらに基づく処分に違反したときは、その認定を取り消し、又は六月以内の期間を定めてその業務の全部若しくは一部の停止を命ずることができる。

(2) When operations of a business carried out by a Certified Association for Payment Service Providers violate this Act or an order issued pursuant to this Act or a disposition given pursuant thereto, the Prime Minister may rescind its certification or order the Certified Association for Payment Service Providers to suspend all or part of its business specifying a period of suspension not exceeding six months.

(認定資金決済事業者協会への情報提供)

(Provision of Information to Certified Association for Payment Service Providers)

第九十七条 内閣総理大臣は、認定資金決済事業者協会の求めに応じ、認定資金決済事業者協会が認定業務を適正に行うために必要な限度において、前払式支払手段発行者又は資金移動業者に関する情報であつて認定業務に資するものとして内閣府令で定める情報を提供することができる。

Article 97 The Prime Minister may, in response to a request from a Certified Association for Payment Service Providers and within the limit necessary for ensuring the proper provision/conducting of Certified Businesses by the Certified Association for Payment Service Providers, provide the Certified Association for Payment Service Providers with information pertaining to an Issuer of Prepaid Payment Instruments or Funds Transfer Service Providers that contributes to the Certified Businesses as specified by Cabinet Office Ordinance.

(公告)

(Public Notice)

第九十八条 内閣総理大臣は、第八十七条の規定による認定をしたとき、又は第九十六条第二項の規定により当該認定を取り消したとき、若しくはその業務の全部若しくは一部の停止を命じたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 98 When the Prime Minister has granted certification under Article 87 has rescinded said certification pursuant to the provisions of Article 96 (2), or has ordered suspension of all or part of the Certified Businesses, the Prime Minister must give public notice to that effect, pursuant to the Cabinet Office Ordinance provisions.

第六章 指定紛争解決機関

Chapter VI Designated Dispute Resolution Organization

(紛争解決等業務を行う者の指定)

(Designation of a Person Permitted to Engage in the Business of Dispute Resolution, etc.)

第九十九条 内閣総理大臣は、次に掲げる要件を備える者を、その申請により、紛争解決等業務（苦情処理手続（資金移動業に関する苦情を処理する手続をいう。）及び紛争解決手続（資金移動業に関する紛争で当事者が和解をすることができるものについて訴訟手続によらずに解決を図る手続をいう。次条第三項を除き、以下この章において同じ。）の業務並びにこれに付随する業務をいう。以下この項において同じ。）を行う者として、指定することができる。

Article 99 (1) The Prime Minister may designate a person satisfying the following requirements as a person permitted to engage in the business of dispute resolution, etc. (meaning the business of executing complaint handling procedures (meaning the procedures for handling complaints concerning the Funds Transfer Service) and dispute resolution procedures (meaning the procedures for resolution of a dispute concerning the Funds Transfer Service between parties who agree to seek a settlement without using litigation; hereinafter the same shall apply in this Chapter except in paragraph (3) of the following Article) and other businesses incidental thereto; hereinafter the same shall apply in this paragraph) upon said person's application:

一 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含み、外国の法令に準拠して設立された法人その他の外国の団体を除く。第四号ニにおいて同じ。）であること。

(i) The person shall be a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated, but excluding a corporation established under the laws and regulations of a foreign state and other foreign organizations; the same shall apply in item (iv) (d));

二 次条第一項の規定によりこの項の指定を取り消され、その取消の日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるものを取り消され、その取消の日から五年を経過しない者でないこと。

(ii) The person shall not be a person who had its designation under this paragraph rescinded pursuant to the provisions of paragraph (1) of the following Article and for whom five years have not passed since the date of the rescission or a person who had its designation under the provisions of another Act rescinded that is one pertaining to a business equivalent to the business of dispute resolution, etc. as specified by Cabinet Order and for whom five years have not passed since the date of the rescission;

三 この法律、銀行法等若しくは弁護士法（昭和二十四年法律第二百五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者でないこと。

(iii) The person shall not be a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorney Act (Act No. 205 of 1949), or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the person became free from the execution of the punishment;

四 役員のうち、次のいずれかに該当する者がいないこと。

(iv) None of the officers of the person shall fall under any of the following items:

イ 成年被後見人若しくは被保佐人又は外国の法令上これらに相当する者

(a) A person who is an adult ward or a person under curatorship, or a person equivalent thereto under laws and regulations of a foreign state;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) A person who has not had rights restored after receiving a ruling of commencement of bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) A person who has received punishment that is heavier than imprisonment without labor (including equivalent punishment under laws and regulations of a foreign state), and for whom five years have not passed since either execution of the sentence or the cessation of being subject to its execution;

ニ 次条第一項の規定によりこの項の指定を取り消された場合若しくはこの法律に相当する外国の法令の規定により当該外国において受けている当該指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員（外国の法令上これと同様に扱われている者を含む。ニにおいて同じ。）であった者でその取消しの日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるもの若しくは当該他の法律に相当する外国の法令の規定により当該外国において受けている当該政令で定める指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者

(d) In cases where a corporation had its designation under this paragraph rescinded pursuant to the provisions of paragraph (1) of the following Article or a corporation had its administrative disposition similar to said designation rescinded that had been granted in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to

this Act, a person who had been an officer (including a person who are treated in the same manner under laws and regulations of a foreign state; the same shall apply in (d)) of such corporation at any time during the one month prior to the date of the rescission and for whom five years have not passed since that date; or in cases where a corporation had its designation under the provisions of another Act rescinded that is one pertaining to a business equivalent to the business of dispute resolution, etc. as specified by Cabinet Order or a corporation had its administrative disposition similar to a designation specified by said Cabinet Order rescinded that had been granted in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to said other Act, a person who had been an officer of such corporation at any time during the one month prior to the date of the rescission and for whom five years have not passed since that date; or

ホ この法律、銀行法等若しくは弁護士法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(e) A person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorney Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not passed since the day when the execution of the punishment terminated or the person became free from the execution of the punishment;

五 紛争解決等業務を的確に実施するに足りる経理的及び技術的な基礎を有すること。

(v) The person shall have sufficient accounting and technical basis to ensure proper execution of the business of dispute resolution, etc.;

六 役員又は職員の構成が紛争解決等業務の公正な実施に支障を及ぼすおそれがないものであること。

(vi) The composition of the officers or employees of the person shall involve no risk of causing hindrance to fair execution of the business of dispute resolution, etc.;

七 紛争解決等業務の実施に関する規程（以下この章において「業務規程」という。）が法令に適合し、かつ、この法律の定めるところにより紛争解決等業務を公正かつ的確に実施するために十分であると認められること。

(vii) Rules concerning the execution of the business of dispute resolution, etc. (hereinafter referred to as "Operational Rules" in this Chapter) shall be found to conform with laws and regulations and be sufficient to ensure fair and proper execution of the business of dispute resolution, etc. pursuant to the provisions of this Act; and

八 次項の規定により意見を聴取した結果、手続実施基本契約（紛争解決等業務の実施を内容とする契約をいう。以下この章において同じ。）の解除に関する事項その他の手続実施基本契約の内容（第百一条第一項において読み替えて準用する銀行法第五十二条の六十七第二項各号に掲げる事項を除く。）その他の業務規程の内容（第百一条第一項において読み替えて準用する同法第五十二条の六十七第三項の規定によりその内容とするものでなければならないこととされる事項並びに第百一条第一項において読み替えて準用する同法第五十二条の六十七第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた資金移動業者の数の資金移動業者の総数に占める割合が政令で定める割合以下の割合となったこと。

(viii) As a result of a hearing of opinions conducted pursuant to the provisions of the following paragraph, the proportion of the number of Funds Transfer Service Providers who stated an objection (limited to one to which reasonable grounds are attached) to particulars concerning the cancellation of the basic contract for execution of procedures (meaning a contract that governs the execution of the business of dispute resolution, etc.; hereinafter the same shall apply in this Chapter) and other terms and conditions of the basic contract for execution of procedures (excluding particulars listed in items of Article 52-67 (2) of the Banking Act as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1)) and other contents of the Operational Rules (excluding particulars required to be included in the contents of the Operational Rules by the provisions of Article 52-67 (3) of said Act as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1) and particulars necessary for satisfying the criteria listed in the items of Article 52-67 (4) of said Act and paragraph (5) (i) of said Article as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1)) to the total number of Funds Transfer Service Providers was not more than a proportion specified by Cabinet Order.

2 前項の申請をしようとする者は、あらかじめ、内閣府令で定めるところにより、資金移動業者に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取し、及びその結果を記載した書類を作成しなければならない。

(2) A person intending to make an application under the preceding paragraph must, pursuant to the Cabinet Office Ordinance provisions, provide Funds Transfer Service Providers with an explanation about the contents of the Operational Rules in advance, conduct a hearing of their opinions with regard to whether there is any objection to said contents (including grounds for objection in cases where there is any objection), and prepare a document containing the results of the hearing.

3 内閣総理大臣は、第一項の規定による指定をしようとするときは、同項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件

にあつては、第百一条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。)に該当していることについて、あらかじめ、法務大臣に協議しなければならない。

(3) When the Prime Minister intends to grant a designation under paragraph (1), the Prime Minister must consult with the Minister of Justice in advance with regard to the conclusion that the applicant satisfies the requirements listed in items (v) through (vii) of said paragraph (limited to the portion pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in said items, limited to those pertaining to the criteria listed in items of Article 52-67 (4) of the Banking Act and items of paragraph (5) of said Article as applied mutatis mutandis by replacing certain terms pursuant to Article 101 (1)).

4 内閣総理大臣は、第一項の規定による指定をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

(4) When the Prime Minister granted a designation pursuant to the provisions of paragraph (1), the Prime Minister must give public notice to that effect pursuant to the Cabinet Office Ordinance provisions.

(指定の取消し等)

(Rescission of Designations, etc.)

第百条 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当するときは、前条第一項の規定による指定を取り消し、又は六月以内の期間を定めて、その業務の全部若しくは一部の停止を命ずることができる。

Article 100 (1) When a Designated Dispute Resolution Organization falls under any of the following items, the Prime Minister may rescind its designation under paragraph (1) of the preceding Article or order the Designated Dispute Resolution Organization to suspend all or part of its business specifying a period of suspension not exceeding six months:

一 前条第一項第二号から第七号までに掲げる要件に該当しないこととなったとき、又は指定を受けた時点において同項各号のいずれかに該当していなかったことが判明したとき。

(i) When the Designated Dispute Resolution Organization no longer satisfies the requirements listed in items (ii) through (vii) of paragraph (1) of the preceding Article or is found not to have satisfied any of the items of said paragraph when the designation was granted;

二 不正の手段により前条第一項の規定による指定を受けたとき。

(ii) When the Designated Dispute Resolution Organization has obtained the designation under paragraph (1) of the preceding Article through wrongful means; or

三 法令又は法令に基づく処分に違反したとき。

(iii) When the Designated Dispute Resolution Organization has violated laws

and regulations or a disposition given pursuant thereto.

2 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当する場合において、前項の規定による処分又は命令をしようとするときは、あらかじめ、法務大臣に協議しなければならない。

(2) In cases where a Designated Dispute Resolution Organization falls under any of the following items, when the Prime Minister intends to give a disposition or issue an order pursuant to the provisions of the preceding paragraph, the Prime Minister must consult with the Minister of Justice in advance:

一 前条第一項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあつては、次条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。以下この号において同じ。）に該当しないこととなった場合又は前条第一項の規定による指定を受けた時点において同項第五号から第七号までに掲げる要件に該当していなかったことが判明した場合

(i) When the Designated Dispute Resolution Organization no longer satisfies the requirements listed in items (v) through (vii) of paragraph (1) of the preceding Article (limited to the portion pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in said items, limited to those pertaining to the criteria listed in items of Article 52-67 (4) of the Banking Act and items of paragraph (5) of said Article as applied mutatis mutandis by replacing certain terms pursuant to paragraph (1) of the following Article; hereinafter the same shall apply in this item) or when the Designated Dispute Resolution Organization is found not to have satisfied any of items (v) through (vii) of paragraph (1) of the preceding Article when the designation under said paragraph was granted;
or

二 次条第一項において読み替えて準用する銀行法第五十二条の六十五、第五十二条の六十六、第五十二条の六十九又は第五十二条の七十三の規定に違反した場合（その違反行為が紛争解決手続の業務に係るものである場合に限る。）

(ii) When the Designated Dispute Resolution Organization has violated the provisions of Article 52-65, Article 52-66, Article 52-69, or Article 52-73 of the Banking Act as applied mutatis mutandis by replacing certain terms pursuant to paragraph (1) of the following Article (limited to cases where the violation pertains to the business of executing dispute resolution procedures).

3 第一項の規定により前条第一項の規定による指定の取消しの処分を受け、又はその業務の全部若しくは一部の停止の命令を受けた者は、当該処分又は命令の日から二週間以内に、当該処分又は命令の日次条第一項において読み替えて準用する銀行法第五十二条の八十三第三項に規定する苦情処理手続又は紛争解決手続が実施されていた当事者、当該当事者以外の手続実施基本契約を締結した相手方である資金移動業者及び他の指定紛争解決機関に当該処分又は命令を受けた旨を通知しなければならない。

(3) A person who has had its designation under paragraph (1) of the preceding

Article rescinded pursuant to the provisions of paragraph (1) or has received an order to suspend all or part of its business must, within two weeks from the date of said disposition or order, notify the parties to whom the complaint handling procedures or dispute resolution procedures prescribed in Article 52-83 (3) of the Banking Act as applied mutatis mutandis by replacing certain terms pursuant to paragraph (1) of the following Article are being executed as of the date of said disposition or order, Funds Transfer Service Providers other than said parties who are the other parties to the basic contract for execution of procedures, and other Designated Dispute Resolution Organizations to the effect that it has received said disposition or order.

4 内閣総理大臣は、第一項の規定により前条第一項の規定による指定を取り消したとき、又はその業務の全部若しくは一部の停止を命じたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

(4) When the Prime Minister has rescinded the designation under paragraph (1) of the preceding Article pursuant to the provisions of paragraph (1) or has ordered suspension of all or part of the relevant business, the Prime Minister must give public notice to that effect, pursuant to the Cabinet Office Ordinance provisions.

(指定紛争解決機関に関する銀行法の規定の準用)

(Application Mutatis Mutandis of the Provisions of the Banking Act to Designated Dispute Resolution Organizations)

第百一条 銀行法第二条第十九項から第二十二項まで及び第五十二条の六十三から第五十二条の八十三までの規定（これらの規定に係る罰則を含む。次項において「銀行法規定」という。）は、指定紛争解決機関について準用する。この場合において、次項に定める場合を除き、これらの規定中次の表の上欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとする。

Article 101 (1) The provisions of Article 2 (19) through Article 2 (22) and Article 52-63 through Article 52-83 of the Banking Act (including the penal provisions pertaining to these provisions; referred to as "Banking Act Provisions" in the following paragraph) shall apply mutatis mutandis to Designated Dispute Resolution Organizations. In this case, except in the cases specified in the following paragraph, the terms in these provisions listed in the left-hand column of the table below shall be deemed to be replaced with the terms listed in the right-hand column of said table:

銀行業務関連苦情 complaints related to the Banking Business	資金移動業関連苦情 complaints related to the Funds Transfer Service
---	--

銀行業務関連紛争 disputes related to the Banking Business	資金移動業関連紛争 disputes related to the Funds Transfer Service
加入銀行 participating Banks	加入資金移動業者 participating Funds Transfer Service Providers
顧客 customers	利用者 users

2 銀行法規定を指定紛争解決機関について準用する場合において、次の表の上欄に掲げる銀行法規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) In cases where the Banking Act Provisions are applied mutatis mutandis to Designated Dispute Resolution Organizations, the terms or phrases listed in the middle column of the table below that appear in the Banking Act Provisions as listed in the left-hand column of that table shall be deemed to be replaced with the corresponding terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms shall be specified by Cabinet Order:

第五十二条の六十三第一項 Article 52-63(1)	前条第一項 paragraph (1) of the preceding Article	資金決済に関する法律第九十九条第一項 Article 99(1) of the Payment Services Act
第五十二条の六十三第二項第一号 Article 52-63(2)(i)	前条第一項第三号 paragraph (1)(iii) of the preceding Article	資金決済に関する法律第九十九条第一項第三号 Article 99(1)(iii) of the Payment Services Act
第五十二条の六十三第二項第六号 Article 52-63(2)(vi)	前条第二項 paragraph (2) of the preceding Article	資金決済に関する法律第九十九条第二項 Article 99(2) of the Payment Services Act
第五十二条の七十三第三項第二号 Article 52-73(3)(ii)	銀行業務 Banking Business	為替取引に係る業務 business pertaining to funds transfer transactions (Kawase transactions)
第五十二条の七十四第二項 Article 52-74(2)	第五十二条の六十二第一項の規定による指定が第五十二条の八十四第一項 designation under Article 52-62(1) has been rescinded pursuant to Article 52-84(1)	資金決済に関する法律第九十九条第一項の規定による指定が同法第一百条第一項 designation under Article 99(1) of the Payment Services Act has been rescinded pursuant to Article 100(1) of said Act

	第五十二条の八十四第三項 Article 52-84(3)	同法第百条第三項 Article 100(3) of said Act
第五十二条の八十二第二項第一号 Article 52-82(2)(i)	第五十二条の六十二第一項第五号 Article 52-62(1)(v)	資金決済に関する法律第九十九条第一項第五号 Article 99(1)(v) of the Payment Services Act

第七章 雑則

Chapter VII Miscellaneous Provisions

(検査職員の証明書の携帯)

(Carrying of Certificate by Inspection Officials)

第百二条 第二十四条第一項若しくは第二項、第五十四条第一項若しくは第二項、第八十条第一項若しくは第二項又は第九十五条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、関係者の請求があつたときは、これを提示しなければならない。

Article 102 (1) Inspection officials who conduct on-site inspections pursuant to the provisions of Article 24 (1) or (2), Article 54 (1) or (2), Article 80 (1) or (2), or Article 95 must carry a certificate of identification on their person and present it when requested by any person concerned.

2 前項に規定する各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してはならない。

(2) The authority to conduct on-site inspection under the provisions prescribed in the preceding paragraph must not be interpreted as being granted for the purpose of criminal investigation.

(財務大臣への資料提出等)

(Submission of Materials, etc. to the Minister of Finance)

第百三条 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、前払式支払手段発行者、資金移動業者又は資金清算機関に係る制度の企画又は立案をするために必要があると認めるときは、内閣総理大臣に対し、必要な資料の提出及び説明を求めることができる。

Article 103 (1) When the Minister of Finance finds it necessary for planning or drafting systems pertaining to an Issuer of Prepaid Payment Instruments, Funds Transfer Service Providers, or Clearing Institution for Interbank Funds Transfers, in relation to a system for disposal of failed financial institutions and financial risk management under the minister's jurisdiction, the minister may request the Prime Minister to provide necessary materials and explanation therefor.

2 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、前払式支

払手段発行者、資金移動業者又は資金清算機関に係る制度の企画又は立案をするため特に必要があると認めるときは、その必要の限度において、前払式支払手段発行者、資金移動業者、資金清算機関又は認定資金決済事業者協会その他の関係者に対し、資料の提出、説明その他の協力を求めることができる。

(2) When and to the extent the Minister of Finance finds it particularly necessary for planning or drafting systems pertaining to an Issuer of Prepaid Payment Instruments, Funds Transfer Service Providers, or Clearing Institution for Interbank Funds Transfers, in relation to a system for disposal of failed financial institutions and financial risk management under the minister's jurisdiction, the minister may request an Issuer of Prepaid Payment Instruments, Funds Transfer Service Providers, Clearing Institution for Interbank Funds Transfers, Certified Association for Payment Service Providers, or any other persons concerned to provide materials and explanation therefor as well as other forms of cooperation.

(権限の委任)

(Delegation of Authority)

第百四条 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 104 (1) The Prime Minister shall delegate authority under this Act (excluding that specified by a Cabinet Order) to the Commissioner of the Financial Services Agency.

2 金融庁長官は、政令で定めるところにより、前項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner of the Financial Services Agency may, pursuant to Cabinet Order provisions, delegate part of the authority that has been delegated pursuant to the provisions of the preceding paragraph to the Director-Generals of Local Finance Bureaus or Local Finance Branch Bureaus.

(内閣府令への委任)

(Delegation to Cabinet Office Ordinance)

第百五条 この法律に定めるもののほか、この法律を実施するために必要な事項は、内閣府令で定める。

Article 105 In addition to those prescribed by this Act, other particulars necessary for the enforcement of this Act shall be specified by Cabinet Office Ordinance.

(経過措置)

(Transitional Measures)

第百六条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要とされる範囲内において、所要の経過

措置（罰則に関する経過措置を含む。）を定めることができる。

Article 106 In cases where an order is established, revised or abolished based on the provision of this Act, transitional measures necessary (including transitional measures concerning penal provisions) may be prescribed in said order, to the extent considered reasonably necessary for establishment, revision or abolition of said order.

第八章 罰則

Chapter VIII Penal Provisions

第百七条 次の各号のいずれかに該当する者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 107 Any person who falls under any of the following items shall be punished by imprisonment with required labor for not more than three years or by a fine of not more than three million yen, or both:

一 第七条の登録を受けないで第三者型前払式支払手段（第三条第五項に規定する第三者型前払式支払手段をいう。第三号において同じ。）の発行の業務を行った者

(i) A person who has conducted the business of issuing Prepaid Payment Instruments for Third-Party Business (meaning Prepaid Payment Instruments for Third-Party Business prescribed in Article 3 (5); the same shall apply in item (iii)) without obtaining registration under Article 7;

二 不正の手段により第七条又は第三十七条の登録を受けた者

(ii) A person who has obtained registration under Article 7 or Article 37 through wrongful means;

三 第十二条の規定に違反して、他人に第三者型前払式支払手段の発行の業務を行わせた者

(iii) A person who has, in violation of the provisions of Article 12, made another person conduct the business of issuing Prepaid Payment Instruments for Third-Party Business;

四 第四十二条の規定に違反して、他人に資金移動業を営ませた者

(iv) A person who has, in violation of the provisions of Article 42, had another person conduct the Funds Transfer Service;

五 第六十四条第一項の規定に違反して、内閣総理大臣の免許を受けないで資金清算業を行った者

(v) A person who has, in violation of Article 64 (1), conducted the Clearing Services for Interbank Funds Transfer without obtaining a license from the Prime Minister; or

六 不正の手段により第六十四条第一項の免許を受けた者

(vi) A person who has obtained a license under Article 64 (1) through wrongful means.

第百八条 次の各号のいずれかに該当する者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 108 Any person who falls under any of the following items shall be punished by imprisonment with required labor for not more than two years or by a fine of not more than three million yen, or both:

一 第五十六条第一項の規定による資金移動業の全部又は一部の停止の命令に違反した者

(i) A person who violated an order to suspend all or part of the Funds Transfer Service pursuant to the provisions of Article 56 (1);

二 第八十二条第二項の規定による業務の全部又は一部の停止の命令に違反した者

(ii) A person who violated an order to suspend all or part of the business pursuant to the provisions of Article 82 (2); or

三 第九十六条第二項の規定による業務の全部又は一部の停止の命令に違反した者

(iii) A person who violated an order to suspend all or part of the business pursuant to the provisions of Article 96 (2).

第百九条 次の各号のいずれかに該当する者は、一年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 109 Any person who falls under any of the following items shall be punished by imprisonment with required labor for not more than one year or by a fine of not more than three million yen, or both:

一 第四十三条第一項の規定に違反して、供託を行わなかった者

(i) A person who has, in violation of Article 43 (1), failed to make a deposit;

二 第四十六条の規定による命令に違反して、供託を行わなかった者

(ii) A person who has, in violation of an order under Article 46, failed to make a deposit;

三 第五十二条若しくは第七十八条の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者

(iii) A person who has failed to prepare or maintain the books and documents under Article 52 or Article 78, or has prepared false books or documents;

四 第五十三条第一項若しくは第二項若しくは第七十九条の規定による報告書若しくは第五十三条第三項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出した者

(iv) A person who has failed to submit the written reports under Article 53 (1) or (2) or Article 79 or the attached documents under Article 53 (3) or has submitted false reports or attached documents;

五 第五十四条第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者

(v) A person who has failed to submit reports or materials under Article 54 (1) or (2) or Article 80 (1) or (2), or has submitted false reports or materials;

六 第五十四条第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者

(vi) A person who has failed to answer or has given a false answer to the questions asked by the officials under Article 54 (1) or (2) or Article 80 (1) or (2), or has refused, hindered or avoided the inspection under these provisions;

七 第六十一条第三項の規定による公告をせず、又は虚偽の公告をした者

(vii) A person who has failed to give a public notice under Article 61 (3) or who has given a false public notice; or

八 第六十五条第一項の規定による免許申請書又は同条第二項の規定による添付書類に虚偽の記載をして提出した者

(viii) A person who has made false statements in and submitted the written application for license under Article 65 (1) or the attached documents under paragraph (2) of said Article.

第百十条 第二十六条又は第二十七条第一項の規定による業務の全部又は一部の停止の命令に違反した者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 110 A person who violated an order to suspend all or part of the business under Article 26 or Article 27 (1) shall be punished by imprisonment with required labor for not more than one year or a fine of not more than one million yen, or both.

第百十一条 第七十四条第一項若しくは第二項（これらの規定を同条第三項において準用する場合を含む。）又は第九十三条の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 111 A person who violated the provisions of Article 74 (1) or (2) (including the cases where these provisions are applied mutatis mutandis pursuant to paragraph (3) of said Article) or Article 93 shall be punished by imprisonment with required labor for not more than one year or a fine of not more than five hundred thousand yen.

第百十二条 次の各号のいずれかに該当する者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

Article 112 Any person who falls under any of the following items shall be punished by imprisonment with required labor for not more than six months or by a fine of not more than five hundred thousand yen, or both:

一 第五条第一項の規定による届出書若しくは同条第二項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出した者

(i) A person who has failed to submit the written notice under Article 5 (1) or

- the attached documents under paragraph (2) of said Article or has submitted a false written notice or attached documents;
- 二 第八条第一項の規定による登録申請書若しくは同条第二項の規定による添付書類又は第三十八条第一項の規定による登録申請書若しくは同条第二項の規定による添付書類に虚偽の記載をして提出した者
- (ii) A person who has made false statements in and submitted the written application for registration under Article 8 (1) or the attached documents under paragraph (2) of said Article or the written application for registration under Article 38 (1) or the attached documents under paragraph (2) of said Article;
- 三 第十四条第一項又は第二項の規定に違反して、供託を行わなかった者
- (iii) A person who has, in violation of Article 14 (1) or (2), failed to make a deposit;
- 四 第十七条の規定による命令に違反して、供託を行わなかった者
- (iv) A person who has, in violation of an order under Article 17, failed to make a deposit;
- 五 第二十二條の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者
- (v) A person who has failed to prepare or maintain the books and documents under Article 22, or has prepared false books or documents;
- 六 第二十三条第一項の規定による報告書若しくは同条第二項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出した者
- (vi) A person who has failed to submit the written reports under Article 23 (1) or the attached documents under paragraph (2) of said Article or has submitted false reports or attached documents;
- 七 第二十四条第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者
- (vii) A person who has failed to submit reports or materials under Article 24 (1) or (2), or has submitted false reports or materials;
- 八 第二十四条第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者
- (viii) A person who has failed to answer or has given a false answer to the questions asked by the officials under Article 24 (1) or (2), or has refused, hindered or avoided the inspection under these provisions;
- 九 第九十五条の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者
- (ix) A person who has failed to submit reports or materials under Article 95, or has submitted false reports or materials; or
- 十 第九十五条の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同条の規定による検査を拒み、妨げ、若しくは忌避した者

- (x) A person who has failed to answer or has given a false answer to the questions asked by the officials under Article 95, or has refused, hindered or avoided the inspection under said Article;

第百十三条 第五十五条、第八十一条又は第九十六条第一項の規定による命令に違反した者は、百万円以下の罰金に処する。

Article 113 A person who violated an order under Article 55, Article 81, or Article 96 (1) shall be punished by a fine of not more than one million yen.

第百十四条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 114 Any person who falls under any of the following items shall be punished by a fine of not more than three hundred thousand yen:

- 一 第五条第三項、第十一条第一項若しくは第四十一条第一項の規定による届出をせず、又は虚偽の届出をした者

(i) A person who has failed to make a notification under Article 5 (3), Article 11 (1), or Article 41 (1), or made a false notification;

- 二 第十三条第一項若しくは第二項の規定による表示若しくは情報の提供をせず、又は虚偽の表示若しくは情報の提供をした者

(ii) A person who has failed to provide indication or information under Article 13 (1) or (2), or has provided false indication or information;

- 三 第二十五条の規定による命令に違反した者

(iii) A person who has violated an order under Article 25;

- 四 第三十条第二項の規定による届出書若しくは同条第三項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出した者

(iv) A person who has failed to submit the written notice under Article 30 (2) or the attached documents under paragraph (3) of said Article or has submitted a false written notice or attached documents;

- 五 第三十条第四項の規定による届出をせず、又は虚偽の届出をした者

(v) A person who has failed to make a notification under Article 30 (4) or has made a false notification;

- 六 第六十一条第七項において準用する会社法第九百五十五条第一項の規定に違反して、調査記録簿等（同項に規定する調査記録簿等をいう。以下この号において同じ。）に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は同項の規定に違反して調査記録簿等を保存しなかった者

(vi) A person who, in violation of Article 955 (1) of the Companies Act as applied mutatis mutandis pursuant to Article 61 (7), has failed to state or record in an Investigation Record Book, etc. (meaning the Investigation Record Book, etc. prescribed in said paragraph; hereinafter the same shall apply in this item) the particulars specified by Ordinance of the Ministry of Justice concerning Electronic Public Notice Investigations prescribed in said

- paragraph, or has made a false statement or record, or has failed to maintain an Investigation Record Book, etc. in violation of the said paragraph;
- 七 第六十九条第二項若しくは第七十七条の規定による届出をせず、又は虚偽の届出をした者
- (vii) A person who has failed to make a notification under Article 69 (2) or Article 77, or has made a false notification;
- 八 第七十六条の規定に違反した者
- (viii) A person who has violated the provisions of Article 76;
- 九 第八十九条第三項の規定に違反して、その名称中に認定資金決済事業者協会の会員（第八十七条第二号に規定する会員をいう。以下同じ。）と誤認されるおそれのある文字を用いた者
- (ix) A person who, in violation of the provisions of Article 89 (3), has used in said person's name certain wording that is likely to mislead the public into believing that such person is a Member of a Certified Association for Payment Service Providers (meaning a Member prescribed in Article 87 (ii); the same shall apply hereinafter); or
- 十 第百条第三項の規定による通知をせず、又は虚偽の通知をした者
- (x) A person who has failed to make a notification under Article 100 (3) or has made a false notification.

第百十五条 法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 115 (1) Where the representative person or administrator of a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated; hereinafter the same shall apply in this paragraph) or an agent, employee, or other worker of a corporation or individual has, with regard to the business of the corporation or individual, violated any of the provisions set forth in the following items, not only shall the offender be punished but also said corporation shall be punished by the fine prescribed in the respective items and said individual shall be punished by the fine prescribed in the Articles referred to in the respective items:

- 一 第百八条（第三号を除く。） 三億円以下の罰金刑
- (i) Article 108 (excluding item (iii)): A fine of not more than three hundred million yen;
- 二 第百九条（第七号を除く。） 二億円以下の罰金刑
- (ii) Article 109 (excluding item (vii)): A fine of not more than two hundred million yen;

三 第一百十条又は第一百十二条（第一号、第二号、第九号及び第十号を除く。） 一億円以下の罰金刑

(iii) Article 110 or Article 112 (excluding items (i), (ii), (ix), and (x)): A fine of not more than one hundred million yen; and

四 第一百七条、第一百八条第三号、第一百九条第七号、第一百十二条第一号、第二号、第九号若しくは第十号、第一百三十三条又は前条 各本条の罰金刑

(iv) Article 107, Article 108 (iii), Article 109 (vii), Article 112 (i), (ii), (ix) or (x), Article 113, or the preceding Article: A fine prescribed in the respective Articles.

2 人格のない社団又は財団について前項の規定の適用がある場合には、その代表者又は管理人がその訴訟行為につきその人格のない社団又は財団を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) In cases where the provisions of the preceding paragraph apply to an association or foundation without juridical personality, the representative person or administrator thereof shall represent the association or foundation without juridical personality with regard to the procedural act, and the provisions of Acts concerning criminal procedures where a corporation is the defendant or a suspect shall apply mutatis mutandis.

第一百十六条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 116 Any person who falls under any of the following items shall be punished by a non-criminal fine of not more than one million yen:

一 第六十一条第七項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかった者

(i) A person who has, in violation of Article 941 of the Companies Act as applied mutatis mutandis pursuant to Article 61 (7), failed to request an investigation under said Article;

二 第六十一条第七項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(ii) A person who has, in violation of Article 946 (3) of the Companies Act as applied mutatis mutandis pursuant to Article 61 (7), failed to make a report or made a false report; or

三 正当な理由がないのに、第六十一条第七項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(iii) A person who has refused any one of the requests listed in the items of Article 951 (2) or the items of Article 955 (2) of the Companies Act as applied mutatis mutandis pursuant to Article 61 (7) without justifiable grounds for doing so.

第一百十七条 次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

Article 117 Any person who falls under any of the following items shall be

punished by a non-criminal fine of not more than five hundred thousand yen:

一 第三十三条第一項若しくは第六十一条第一項若しくは第四項の規定による届出をせず、又は虚偽の届出をした者

(i) A person who has failed to make a notification under Article 33 (1) or Article 61 (1) or (4), or made a false notification; or

二 正当な理由がないのに第八十九条第一項の規定による名簿の縦覧を拒んだ者

(ii) A person who has refused to make the membership list available for public inspection as prescribed in Article 89 (1) without justifiable grounds for doing so.

第百十八条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 118 Any person who falls under any of the following items shall be

punished by a non-criminal fine of not more than one hundred thousand yen:

一 第十四条第二項の規定による届出をせず、又は虚偽の届出をした者

(i) A person who has failed to make a notification under Article 14 (2) or has made a false notification; or

二 第八十九条第二項の規定に違反して、その名称中に認定資金決済事業者協会と誤認されるおそれのある文字を用いた者

(ii) A person who, in violation of the provisions of Article 89 (2), has used in said person's name certain wording which is likely to mislead the public into believing that such person is a Certified Association for Payment Service Providers.