

Cabinet Office Ordinance Concerning Measures Prescribed in Article 58-3, paragraph (1) of the Deposit Insurance Act

(Cabinet Office Ordinance No. 3 of January 22, 2003)

The Cabinet Office Ordinance Concerning Measures Prescribed in Article 58-3, paragraph (1) of the Deposit Insurance Act is established as follows, in conjunction with the enforcement of the Act for Partial Revision of the Deposit Insurance Act and the Act on Special Measures of Corporate Reorganization Proceedings and Other Insolvency Proceedings of Financial Institutions (Act No. 175 of 2002), and based on the provisions of Article 58-3, paragraph (1) of the Deposit Insurance Act (Act No. 34 of 1971).

Article 1 (1) The measures specified by a Cabinet Office Ordinance prescribed in Article 58-3, paragraph (1) of the Deposit Insurance Act (hereinafter referred to as "Act") shall be as follows:

- (i) Measures to enable a Financial Institution (meaning a Financial Institution prescribed in Article 2, paragraph (1) of the Act; the same shall apply hereinafter) to process data on claims pertaining to deposits promptly after the receipt thereof from the Deposit Insurance Corporation (referred to as "Corporation" in the following paragraph) using electronic data processing systems through which the repayment of deposits is made (meaning electronic data processing systems connecting computers used by a Financial Institution and automated cash dispensers or automated teller machines used by the Financial Institution or another Financial Institution through telecommunication lines; the same shall apply hereinafter) in order to ensure that the payment of insurance claims pertaining to the Covered Deposits for Settlement (meaning the Covered Deposits for Settlement prescribed in Article 54-2, paragraph (1) of the Act; the same shall apply in the following item) or the repayment thereof can be made smoothly;
 - (ii) Measures to enable the repayment of the Covered Deposits for Settlement without using the data prescribed in the preceding item.
- (2) The data prescribed in item (i) of the preceding paragraph shall include those data prepared by the Corporation based on the materials submitted by a Financial Institution under Article 55-2, paragraph (2) of the Act that are used for the purpose of distinguishing those deposit accounts of the Depositors, etc. (meaning Depositors, etc. prescribed in Article 2, paragraph (3) of the Act; the same shall apply hereinafter), the entire amount of claims pertaining to which is to be covered under the Insurance Claim Calculation Provision (meaning the

Insurance Claim Calculation Provision prescribed in Article 2, paragraph (11) of the Act, including the cases where it is applied by replacing terms pursuant to the provisions of Article 54-3, paragraph (4) of the Act; the same shall apply in paragraph (2) of the following Article), from other deposit accounts of the Depositors, etc.

- (3) For the purpose of applying the provisions of item (i) of paragraph (1) in the case where a Financial Institution does not make a repayment of deposits using electronic data processing systems, the term "electronic data processing systems through which the repayment of deposits is made (meaning electronic data processing systems connecting computers used by a Financial Institution and automated cash dispensers or automated teller machines used by the Financial Institution or another Financial Institution through telecommunication lines; the same shall apply hereinafter)" in item (i) of paragraph (1) shall be deemed to be "computers or any other similar means".

Article 2 (1) The measures specified by a Cabinet Office Ordinance prescribed in Article 58-3, paragraph (1) of the Act in the case where a Financial Institution prescribed therein is a postal savings bank (meaning the postal savings bank prescribed in Article 94 of the Postal Service Privatization Act (Act No. 97 of 2005)) may, notwithstanding the provisions of paragraph (1) of the preceding Article, be prescribed to be the measures specified in item (ii) of paragraph (1) of the preceding Article.

- (2) The measures prescribed in the preceding paragraph shall include measures to enable the payment of insurance claims calculated under the Insurance Claim Calculation Provision.