

銀行法施行規則

Ordinance for Enforcement of the Banking Act

(昭和五十七年三月三十一日大蔵省令第十号)
(Ordinance of the Ministry of Finance No. 10 of March 31, 1982)

銀行法及び銀行法施行令の規定に基づき、並びに同法及び同令を実施するため、銀行法施行細則（昭和二年大蔵省令第三十一号）の全部を改正する省令を次のように定める。

In accordance with provisions of the Banking Act and the Order for Enforcement of the Banking Act, and in order to enforce the Act and the Ordinance, a ministry ordinance to revise all the Detailed Regulations of the Banking Act (Ministry of Finance Ordinance No. 31 of 1927) is provided as follows.

第一章 総則（第一条—第十一条）

Chapter I General Provisions (Articles 1 to 11)

第二章 業務（第十二条—第十七条）

Chapter II Services (Articles 12 to 17)

第三章 子会社等（第十七条の二—第十七条の七の二）

Chapter III Subsidiary Company (Articles 17-2 to 17-7-2)

第四章 経理（第十七条の七の三—第二十一条）

Chapter IV Accounting (Articles 17-7-3 to 21)

第五章 合併、会社分割又は事業の譲渡若しくは譲受け（第二十二条—第二十四条）

Chapter V Mergers, Company Splits, and Business Transfers and Acquisitions
(Articles 22 to 24)

第六章 廃業及び解散（第二十五条—第二十七条）

Chapter VI Discontinuance of Banking and Dissolution (Articles 25 to 27)

第七章 外国銀行支店（第二十八条—第三十四条）

Chapter VII Foreign Bank Branches (Articles 28 to 34)

第七章の二 外国銀行代理業務に関する特則（第三十四条の二—第三十四条の二の四十六）

Chapter VII-2 Special Provisions on Foreign Bank Agency Services (Article 34-2 to Article 34-2-46)

第八章 株主

Chapter VIII Shareholders

第一節 通則（第三十四条の二の四十七—第三十四条の五）

Section 1 General Rules (Articles 34-2-47 to 34-5)

第二節 銀行主要株主に係る特例

Section 2 Special Provisions on a Bank's Major Shareholder

第一款 通則（第三十四条の六一—第三十四条の八）

Subsection 1 General Rules (Articles 34-6 to 34-8)

第二款 監督 (第三十四条の九)

Subsection 2 Supervision (Article 34-9)

第三節 銀行持株会社に係る特例

Section 3 Special Provisions on a Bank Holding Company

第一款 通則 (第三十四条の十一第三十四条の十四)

Subsection 1 General Rules (Articles 34-10 to 34-14)

第二款 業務及び子会社等 (第三十四条の十四の二第三十四条の二十三)

Subsection 2 Business and Subsidiary Company (Articles 34-14-2 to 34-23)

第三款 経理 (第三十四条の二十四第三十四条の二十八)

Subsection 3 Accounting (Articles 34-24 to 34-28)

第四款 合併、分割又は営業等の譲渡若しくは譲受け (第三十四条の二十九第三十四条の三十一)

Subsection 4 Merger, Split, Transfer or Acquisition of a Commercial Operation (Articles 34-29 to 34-31)

第八章の二 銀行代理業

Chapter VIII-2 Bank Agency Services

第一節 通則 (第三十四条の三十二第三十四条の四十)

Section 1 General Rules (Articles 34-32 to 34-40)

第二節 業務 (第三十四条の四十一第三十四条の五十七)

Section 2 Services (Articles 34-41 to 34-57)

第三節 経理 (第三十四条の五十八第三十四条の六十)

Section 3 Accounting (Articles 34-58 to 34-60)

第四節 監督 (第三十四条の六十一第三十四条の六十二)

Section 4 Supervision (Articles 34-61 and 34-62)

第五節 所属銀行等 (第三十四条の六十三第三十四条の六十四)

Section 5 Principal Bank (Articles 34-63 and 34-64)

第八章の三 指定紛争解決機関

Chapter VIII-3 Designated Dispute Resolution Organization

第一節 通則 (第三十四条の六十五第三十四条の六十八)

Section 1 General Rules (Articles 34-65 to 34-68)

第二節 業務 (第三十四条の六十九第三十四条の七十六)

Section 2 Services (Articles 34-69 to 34-76)

第三節 監督 (第三十四条の七十七第三十四条の七十八)

Section 3 Supervision (Articles 34-77 to 34-78)

第九章 雑則 (第三十五条第四十条)

Chapter IX Miscellaneous Provisions (Articles 35 to 40)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(定義)

(Definitions)

第一条 この府令において「銀行」、「銀行業」、「定期積金」、「定期積金等」、「預金者等」、「総株主等の議決権」、「株式等」、「子会社」、「主要株主基準値」、「銀行主要株主」、「持株会社」、「銀行持株会社」、「銀行代理業」、「銀行代理業者」、「所属銀行」、「指定紛争解決機関」、「銀行業務」、「苦情処理手続」、「紛争解決手続」、「紛争解決等業務」又は「手続実施基本契約」とは、それぞれ銀行法（昭和五十六年法律第五十九号。以下「法」という。）第二条に規定する銀行、銀行業、定期積金、定期積金等、預金者等、総株主等の議決権、株式等、子会社、主要株主基準値、銀行主要株主、持株会社、銀行持株会社、銀行代理業、銀行代理業者、所属銀行、指定紛争解決機関、銀行業務、苦情処理手続、紛争解決手続、紛争解決等業務又は手続実施基本契約をいう。

Article 1 The terms "Bank", "Banking", "Installment Savings", "Installment Savings, etc.", "Depositor, etc.", "All Shareholders', etc. Voting Rights", "Shares, etc.", "Subsidiary Company", "Major Shareholder Threshold", "Bank's Major Shareholder", "Holding Company", "Bank Holding Company", "Bank Agency Services", "Bank Agent", "Principal Bank", "Designated Dispute Resolution Organization", "Banking Services", "Complaint Processing Procedures", "Dispute Resolution Procedures", "Dispute Resolution, etc.", and "Basic Contract for the Implementation of Dispute Resolution Procedures" as used in this Cabinet Office Ordinance means bank, Banking, Installment Savings, Installment Savings, etc., Depositor, etc., All Shareholders', etc. Voting Rights, Shares, etc., Subsidiary Company, Major Shareholder Threshold, Bank's Major Shareholder, Holding Company, Bank Holding Company, Bank Agency Services, Bank Agent, Principal Bank, Designated Dispute Resolution Organization, Banking Services, Complaint Processing Procedures, Dispute Resolution Procedures, Dispute Resolution, etc., and Basic Contract for the Implementation of Dispute Resolution Procedures, respectively, as provided in Article 2 of the Banking Act (Act No. 59 of 1981; hereinafter referred to as "the Act").

(会社の財務及び営業の方針の決定に対して重要な影響を与えることが推測される事実が存在するものとされる要件)

(Requirements for Suggesting the Existence of a Fact That Is Expected to Materially Affect Decisions on Financial and Business Policies of the Company)

第一条の二 法第二条第九項に規定する内閣府令で定める要件は、財務諸表等の用語、様式及び作成方法に関する規則（昭和三十八年大蔵省令第五十九号。以下「財務諸表等規則」という。）第八条第六項第二号イからホまでに掲げる要件とする。

Article 1-2 Requirements provided by Cabinet Office Ordinance as prescribed in Article 2, paragraph (9) of the Act are the requirements set forth in Article 8, paragraph (6), item (ii), sub-items (a) to (e) of the Ordinance on the Terminology, Forms, and Preparation Methods of Financial Statements (Ministry of Finance Ordinance No. 59 of 1963; hereinafter referred to as "Ordinance of Financial Statements, etc.).

(会社又は議決権の保有者が保有する議決権に含めない議決権)

(Voting Rights Not Included in the Voting Rights Held by Another Company or a Holder of Voting Rights)

第一条の三 法第二条第十一項（法第三条の二第二項、第十六条の三第八項、第五十二条の二の十一第二項、第五十二条の三第五項、第五十二条の四第四項、第五十二条の二十四第八項及び第五十三条第五項並びに銀行法施行令（昭和五十七年政令第四十号。以下「令」という。）第四条第二項並びに第十七条の二第十一項、第十七条の五第五項、第十七条の七第三項、第三十四条の十第六項、第三十四条の十六第九項、第三十四条の十九第五項、第三十四条の二十一第三項、第三十四条の二十九第三項、第三十四条の三十第三項、第三十四条の三十一第三項及び第三十五条第十項において準用する場合を含む。次項において同じ。）の規定により、会社又は議決権の保有者が保有する議決権に含まないものとされる内閣府令で定める議決権は、次に掲げる株式等に係る議決権（法第二条第六項に規定する議決権をいう。次項、第一条の五から第一条の八まで、第三条、第三章、第五章、第八章（第三十四条の二十六を除く。）、第八章の三及び第九章において同じ。）とする。

Article 1-3 (1) Pursuant to the provisions of Article 2, paragraph (11) of the Act (including the cases where applied mutatis mutandis pursuant to the provisions of Article 3-2, paragraph (2); Article 16-3, paragraph (8); Article 52-2-11, paragraph (2); Article 52-3, paragraph (5); Article 52-4, paragraph (4); Article 52-24, paragraph (8), and Article 53, paragraph (5) of the Act, and Article 4, paragraph (2); Article 17-2, paragraph (11); Article 17-5, paragraph (5); Article 17-7, paragraph (3); Article 34-10, paragraph (6); Article 34-16, paragraph (9); Article 34-19, paragraph (5); Article 34-21, paragraph (3); Article 34-29, paragraph (3); Article 34-30, paragraph (3); Article 34-31, paragraph (3); and Article 35, paragraph (10) of the Order for Enforcement of the Banking Act (Cabinet Order No. 40 of 1982; hereinafter referred to as "the Oder"; hereinafter the same applies in the following paragraph), a voting right provided by Cabinet Office Ordinance, which is required not to be included in the voting rights held by a company or a holder of voting rights, is the voting rights pertaining to the following Shares, etc. (which means the voting rights prescribed in Article 2, paragraph (6) of the Act; the same applies to the following paragraph, Articles 1-5 to 1-8, Article 3, and Chapters III, V, VIII (excluding Article 34-26), VIII-3 and IX):

一 有価証券関連業（金融商品取引法（昭和二十三年法律第二十五号）第二十八条第

八項に規定する有価証券関連業をいう。以下同じ。)を営む金融商品取引業者(同法第二条第九項に規定する金融商品取引業者をいう。以下同じ。)及び外国の会社が業務として所有する株式等

(i) Shares, etc. held as a business by a financial instruments business operator (Which means a financial instruments business operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (Act No. 25 of 1948): the same applies hereinafter) that engages in securities-related business (which means a securities-related business as prescribed in Article 28, paragraph (8) of the same Act; the same applies hereinafter), and by a foreign company;

二 投資事業有限責任組合契約に関する法律(平成十年法律第九十号)第二条第二項に規定する投資事業有限責任組合の有限責任組合員となり、組合財産として取得し、又は所有する株式等(有限責任組合員が議決権を行使することができる場合、議決権の行使について有限責任組合員が投資事業有限責任組合の無限責任組合員に指図を行うことができる場合及び当該株式等を所有することとなつた日から十年を超えて当該株式等を所有する場合を除く。)

(ii) when a corporation or an individual carrying on business becomes a limited liability partner of an investment limited partnership as prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998), Shares, etc. acquired or held as assets of the partnership (excluding cases where a limited liability partner may exercise the voting rights, a limited liability partner may order an unlimited liability partner of an investment limited partnership regarding exercise of voting rights, and holds said Shares, etc. for more than ten years from the date when said Shares, etc. were acquired);

三 民法(明治二十九年法律第八十九号)第六百六十七条第一項に規定する組合契約で会社に対する投資事業を営むことを約するものによつて成立する組合(一人又は数人の組合員にその業務の執行を委任しているものに限る。)の組合員(業務の執行を委任された者を除く。以下この号において「非業務執行組合員」という。)となり、組合財産として取得し、又は所有する株式等(非業務執行組合員が議決権を行使することができる場合、議決権の行使について非業務執行組合員が業務の執行を委任された者に指図を行うことができる場合及び当該株式等を所有することとなつた日から十年を超えて当該株式等を所有する場合を除く。)

(iii) when a corporation or an individual carrying on a business becomes a partner (excluding a person entrusted to carry out the business; hereinafter referred to as a "Non-Managing Partner" in this item) of a partnership (limited to those that entrust management of the business to one or more partners) established by parties who covenant to engage in investment business to a company under the partnership contract as prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896), Shares, etc. acquired or held as assets of the partnership (excluding cases that the Non-

Managing Partner may exercise the voting rights, the Non-Managing Partner may order a person entrusted to carry out the business regarding exercise of voting rights, and holds said Shares, etc. for more than ten years from the date said Shares, etc. were acquired); or

四 前二号に準ずる株式等で、金融庁長官の承認を受けた株式等

(iv) Shares, etc. approved by the Commissioner of the Financial Services

Agency among holdings equivalent to the preceding two items.

2 法第二条第十一項の規定により、信託財産である株式等に係る議決権で、会社又は当該議決権の保有者が委託者若しくは受益者として行使し、又はその行使について指図を行うことができるものから除かれる内閣府令で定める議決権は、投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第十条の規定により当該会社が投資信託委託会社（同法第二条第十一項に規定する投資信託委託会社をいう。以下同じ。）としてその行使について指図を行う株式等に係る議決権及び同法第十条の規定に相当する外国の法令の規定により当該会社が同法に相当する外国の法令の規定により投資信託委託会社に相当する者としてその行使について指図を行う株式等に係る議決権とする。

(2) Pursuant to the provisions of Article 2, paragraph (11) of the Act, voting rights provided by Cabinet Office Ordinance, which are pertaining to Shares, etc. held as trust properties, and excluded from those a company or holder of said voting rights may exercise as a settler or a beneficiary or may issue an order concerning the exercise thereof, are voting rights pertaining to Shares, etc. that said company orders concerning the exercise thereof as an investment trust management company (which means an entrusting company of an investment trust prescribed in Article 2, paragraph (11) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951); the same applies hereinafter) pursuant to the provisions of Article 10 of the same Act, and voting rights pertaining to Shares, etc. that said company, pursuant to the provisions of the laws and regulations of a foreign state equivalent to the provisions of Article 10 of the same Act orders concerning the exercise thereof as a person equivalent to an entrusting company of an investment trust pursuant to the laws and regulations of the foreign state equivalent to the same Act.

3 銀行は、第一項第四号の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

(3) A Bank, when intending to obtain an approval as prescribed in Article 1, item (iv), must attach a written statement of reasons to the written application for approval and submit them to the Commissioner of the Financial Services Agency.

4 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請に係る株式等について、当該申請をした銀行が議決権を行使し、又はその行使について指図を行うことができないものであるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, when an application for approval is filed pursuant to the provisions of the preceding paragraph, with regard to Shares, etc. pertaining to said application, is to examine whether the Bank, which filed said application, may not exercise voting rights or may not issue an order concerning the exercise thereof.

(法人に準ずるもの)

(Equivalents to a Corporation)

第一条の四 法第三条の二第一項第一号に規定する法人に準ずるものとして内閣府令で定めるものは、法人でない社団又は財団で代表者又は管理人の定めがあるものとする。

Article 1-4 Those provided by Cabinet Office Ordinance as equivalent to a corporation as prescribed in Article 3-2, paragraph (1), item (i) of the Act, are an unincorporated association or foundation and has rules concerning its representative person or an administrator.

(計算書類等に係る連結の方法等)

(Method of Consolidation Concerning Financial Statements)

第一条の五 法第三条の二第一項第二号に規定する内閣府令で定めるところにより連結してその計算書類その他の書類を作成するものとされる会社は、連結財務諸表の用語、様式及び作成方法に関する規則（昭和五十一年大蔵省令第二十八号）第二条第一号に規定する連結財務諸表提出会社とする。

Article 1-5 (1) A company which is required to prepare consolidated financial statements, etc. and other documents pursuant to the provisions of Cabinet Office Ordinance as prescribed in Article 3-2, paragraph (1), item (ii) of the Act is a company subject to submit consolidated financial statements prescribed in Article 2, item (i) of the Ordinance on Terminology, Forms, and Preparation Methods of Consolidated Financial Statements (Ministry of Finance Ordinance No. 28 of 1976).

2 法第三条の二第一項第二号に規定する内閣府令で定めるところにより計算される数は、当該会社の保有する当該銀行の特定議決権（法第二条第六項に規定する議決権から会社法（平成十七年法律第八十六号）第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を除いたものをいう。以下この条において同じ。）の数に、その連結する会社等（同号に規定する会社等をいう。以下この条から第一条の七までにおいて同じ。）について、次の各号に掲げる区分に従い、それぞれ当該各号に定める当該銀行の特定議決権の数を合算した数に係る特定議決権比率（その保有する一の銀行の特定議決権の数を当該銀行の総株主の特定議決権の数で除して得た数をいう。）を当該銀行の総株主の議決権の数に乗じて得た数とする。

(2) The number calculated as pursuant to the provisions of Cabinet Office Ordinance prescribed in Article 3-2, paragraph (1), item (ii) of the Act is a number calculated by multiplying the number of voting rights held by all the shareholders of said Bank by a specified voting rights percentage (which means

the number calculated by dividing the number of specified voting rights of a single Bank held by said company by the number of specified voting rights held by all the shareholders of said Bank) pertaining to the total number, of which the number of specified voting rights (which means the voting rights as prescribed in Article 2, paragraph (6) of the Act, excluding voting rights that concern shares which are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); hereinafter the same applies in this Article) of said Bank held by said company is combined, with regard to consolidated companies, etc. (which means companies, etc. prescribed in the same item of the Act; hereinafter the same applies in this Article to Article 1-7) of said company, in accordance with the categories set forth in the following items, with the number of specified voting rights of said Bank prescribed in said respective items:

一 当該会社の子会社（財務諸表等規則第八条第三項に規定する子会社をいう。）
その保有する当該銀行の特定議決権の数

(i) a Subsidiary Company of said company (which means a Subsidiary Company as prescribed in Article 8, paragraph (3) of the Ordinance of Financial Statements, etc.): the number of specified voting rights of said Bank held by such Subsidiary Company;

二 当該銀行に係る議決権の行使について財務諸表等規則第八条第六項第三号に規定する認められる者及び同意している者となる者 その保有する当該銀行の特定議決権の数

(ii) a person, with regard to exercise of voting rights pertaining to said Bank, who becomes a person to be deemed or a person who agrees as prescribed in Article 8, paragraph (6), item (iii) of the Ordinance of Financial Statements, etc.: the number of specified voting rights of said Bank held by such person; and

三 当該会社の関連会社（財務諸表等規則第八条第五項に規定する関連会社をいう。）（前号に掲げる者を除く。） 当該関連会社の純資産のうち当該会社に帰属する部分の当該純資産に対する割合を当該関連会社の保有する当該銀行の特定議決権の数に乗じて得た数

(iii) an affiliated company of said Company (which means an affiliated company prescribed in Article 8, paragraph (5) of the Ordinance of Financial Statements, etc.) (excluding a person set forth in the preceding item): the number calculated by multiplying the number of specified voting rights of said Bank held by said affiliated company by the portion of net assets that pertain to said company of said net assets of said affiliated company.

（密接な関係を有する会社等）

(A Closely Related Company)

第一条の六 法第三条の二第一項第三号に規定する内閣府令で定める会社等は、次に掲

げる会社等とする。

Article 1-6 (1) A Company, etc. provided by Cabinet Office Ordinance as prescribed in Article 3-2, paragraph (1), item (iii) of the Act is the following company, etc.:

一 当該会社等が他の会社等の総株主又は総出資者の議決権の過半数を保有している場合における当該他の会社等

(i) when said company, etc. holds the majority of voting rights held by all of shareholders or all of investors of another company, etc., said other company, etc.; or

二 他の会社等が当該会社等の総株主又は総出資者の議決権の過半数を保有している場合における当該他の会社等

(ii) when another company, etc. holds the majority of voting rights held by all of shareholders or all of investors of said company, etc., said other company, etc.

2 前項の場合において、他の会社等によつてその総株主又は総出資者の議決権の過半数を保有されている会社等が保有する議決権は、当該他の会社等が保有する議決権とみなす。

(2) In the cases of the preceding paragraph, voting rights held by a company, etc., for which the majority of voting rights held by all of shareholders or all of investors are held by another company, etc., are deemed as voting rights held by said other company, etc.

3 前二項の場合において、会社等又は他の会社等が保有する議決権には、社債、株式等の振替に関する法律（平成十三年法律第七十五号）第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は出資に係る議決権を含むものとする。

(3) In the case of the preceding two paragraphs, the voting rights held by a company, etc. or another company, etc. are to include shares or voting rights pertaining to the contribution which may not be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Book-Entry of Corporate Bonds, Shares (Act No. 75 of 2001) (including cases where these provisions are applied mutatis mutandis in Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part pertaining to item (ii) of the same Act).

（連結基準対象会社等に準ずる者）

(Person Equivalent to a Company Subject to Standards for Consolidation)

第一条の七 法第三条の二第一項第七号に規定する内閣府令で定める者及び内閣府令で定めるところにより計算される数は、次の各号に掲げる者の区分に応じ当該各号に定

める数とする。

Article 1-7 A person provided by Cabinet Office Order as prescribed in Article 3-2, paragraph (1), item (vii) of the Act and the number calculated pursuant to the provisions of Cabinet Office Order, in accordance with the categories of persons set forth in the following items, are the number specified in said items:

一 持株会社の主要株主基準値以上の数の議決権の保有者（法第三条の二第一項第一号に掲げる者を含み、同項第二号から第六号までに掲げる者を除く。）その保有する当該持株会社の議決権の数を当該持株会社の総株主の議決権の数で除して得た数に当該持株会社の子会社である銀行の総株主の議決権の数を乗じて得た数又は当該者、当該持株会社及び当該持株会社の子会社等（法第五十二条の二十五に規定する子会社等をいう。次号において同じ。）が保有する当該持株会社の子会社である銀行の議決権の数を合算して得た数のうちいずれか少ない数

(i) a holder of a number of voting rights in a Holding Company which is equal to or greater than the Major Shareholder Threshold (including a person set forth in Article 3-2, paragraph (1), item (i) of the Act, but excluding a person set forth in items (ii) to (vi) of the same paragraph): whichever is the smaller of either the number calculated by multiplying the number that is obtained by dividing the number of voting rights of said Holding Company held by the holder by the number of voting rights held by all of shareholders of said Holding Company, by the number of voting rights held by all of shareholders of said Bank that is a Subsidiary Company of said Holding Company; or, the total number of voting rights of a Bank, which is a Subsidiary Company of said Holding Company held by said person, said Holding Company and Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 52-25 of the Act; the same applies in the following item) of said Holding Company; or

二 法第三条の二第一項第二号から第六号までの規定中「銀行」を「銀行持株会社」と読み替えて適用することとしたならば当該各号に掲げる者となる者（当該各号に掲げる者及び前号に掲げる者を除く。）それぞれ当該各号に定める議決権の数を当該議決権に係る株式を発行した銀行持株会社の総株主の議決権の数で除して得た数に当該銀行持株会社の子会社である銀行の総株主の議決権の数を乗じて得た数又は当該者、当該者の連結する会社等、当該者に係る会社等集団（同項第三号に規定する会社等集団をいう。）に属する会社等、当該者の合算議決権数（同項第五号に規定する合算議決権数をいう。）を計算する場合においてその保有する議決権を合算若しくは加算する会社等若しくは個人若しくは当該者の共同保有者（同項第六号に規定する共同保有者をいう。第三十四条の五において同じ。）、当該銀行持株会社及び当該銀行持株会社の子会社等が保有する当該銀行持株会社の子会社である銀行の議決権の数をそれぞれ合算して得た数のうちいずれか少ない数

(ii) if the term "Bank" in the provisions of Article 3-2, paragraph (1), items (ii) to (vi) of the Act applies by replacing with "Bank Holding Company", a person who becomes a person set forth in said items (excluding a person set

forth in said items and a person set forth in the preceding item): whichever is the smaller of either of the number obtained by multiplying the number that is obtained by dividing the number of voting rights specified in each said item by the number of voting rights held by all of shareholders of a Bank Holding Company which issued shares pertaining to said voting rights, by the number of voting rights held by all of shareholders of a Bank, which is a Subsidiary Company of said Bank Holding Company; or the total number of voting rights of a Bank, which is a Subsidiary Company of said Bank Holding Company, held by a company, etc., individual, or a joint holder (which means a joint holder as prescribed in item (vi) of the same paragraph; the same applies in Article 34-5), said Bank Holding Company, and a Subsidiary Company, etc. of said Bank Holding Company of said person whose voting rights will be combined or added in the case that calculating the grand total number of voting rights (which means the grand total number of voting rights as prescribed in item (v) of the same paragraph) of said person, which means a company, etc. that belongs to a group of companies, etc. (which means a group of companies, etc., as prescribed in item (iii) of the same paragraph) pertaining to said person, such as said person and said person's consolidated company, etc.

(営業の免許の申請等)

(Application for a Business License)

第一条の八 法第四条第一項の規定による営業の免許を受けようとする株式会社は、取締役（委員会設置会社にあつては、取締役及び執行役）全員が署名した免許申請書に次に掲げる書面を添付して金融庁長官を経由して内閣総理大臣に提出しなければならない。

Article 1-8 (1) A stock company which intends to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act must attach the following documents to the written application for license on which all directors sign (or, in case of a company with committees, directors and executive officers) and submit the documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該株式会社に関する次に掲げる書面

(ii) the following documents concerning said stock company:

イ 定款

(a) articles of incorporation;

ロ 会社の登記事項証明書

(b) certificate of registered matters of the company;

ハ 創立総会の議事録（会社法第八十二条第一項の規定により創立総会の決議があ

つたものとみなされる場合には、当該場合に該当することを証する書面。以下同じ。) (当該株式会社が株式移転により設立された場合又は会社分割により設立された場合には、これに関する株主総会の議事録(会社法第三百十九条第一項の規定により株主総会の決議があつたものとみなされる場合には、当該場合に該当することを証する書面。以下同じ。) その他必要な手続があつたことを証する書面)

(c) minutes of the organizational meeting (when it is deemed that there was a resolution at the organizational meeting pursuant to the provisions of Article 82, paragraph (1) of the Companies Act, documents certifying this case corresponds to said case; the same applies hereinafter) (in the case that said stock company is incorporated by share transfer or by a company split, the minutes of the shareholders meeting concerning to this (when it is deemed that there was a resolution at a shareholders meeting pursuant to the provisions of Article 319, paragraph (1) of the Companies Act, documents certifying this case corresponds to said case; the same applies hereinafter) or other documents certifying that the necessary procedures were implemented);

ニ 事業開始後三事業年度における収支及び自己資本の充実の状況等の見込みを記載した書面

(d) a document stating the prospective income and expenditures and adequacy of equity capital for three business years after commencement of business;

ホ 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)の履歴書

(e) the resumes of the directors and company auditors (in case of a company with committees, the directors and directors);

ヘ 会計参与設置会社にあつては、会計参与の履歴書(会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書)

(f) in case of a company with accounting advisors, the resumes of the accounting advisors (if the accounting advisor is a corporation, a document stating the history of said accounting advisor and a resume of the members who are to engage in the duties);

ト 株主の氏名、住所又は居所、国籍及び職業(株主が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容)並びにその保有する議決権の数を記載した書面

(g) name, domicile or residence, nationality, and occupation of the shareholders (in the case that a shareholder is a corporation or other organization, its name, the location of its principal business office or offices, and details of the business being carried out), and the number of voting rights held by the shareholder;

チ 営業所の位置を記載した書面

(h) a document stating the location of business offices;

リ 最近の日計表その他の最近における財産及び損益の状況を知ることができる書
面

(i) recent daily statement of accounts or other documents which provide the
recent status of assets and profit or loss; and

ヌ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(j) a document stating the status of maintaining employees who have
knowledge and experience concerning Bank services;

三 当該株式会社が子会社等（法第十三条第二項前段に規定する子会社等又は法第十四条の二第二号に規定する子会社等のいずれかに該当するものをいう。以下、ホ及び第三項第三号を除き、この条において同じ。）を有する場合には、次に掲げる書
面

(iii) when said stock company holds a Subsidiary Company, etc. (which means a Subsidiary Company, etc. corresponding to either as prescribed in Article 13, the first sentence of paragraph (2) of the Act, or as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this Article, except for (e), and paragraph (3), item (iii)), the following documents:

イ 当該子会社等の名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name of said Subsidiary Company, etc. and the
location of its principal business office or office;

ロ 当該子会社等の業務の内容を記載した書面

(b) a document stating the details of the business of said Subsidiary
Company, etc.;

ハ 当該子会社等の最終の貸借対照表（関連する注記を含む。以下同じ。）、損益
計算書（関連する注記を含む。以下同じ。）、株主資本等変動計算書（関連する
注記を含む。以下同じ。）その他の当該子会社等の最近における業務、財産及び
損益の状況を知ることができる書面

(c) the latest balance sheet (including relevant notes; the same applies
hereinafter), profit and loss statement (including relevant notes; the same
applies hereinafter), statement of changes in net assets (including relevant
notes; the same applies hereinafter) of said Subsidiary Company, etc., and
other documents which provide the status of recent business, assets, and
profit and loss of said Subsidiary Company, etc.

ニ 当該子会社等の役員（役員が法人であるときは、その職務を行うべき者を含
む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the title and name of the directors (if a director is a
corporation, including the persons who are to engage in the duties) of said
Subsidiary Company, etc.; and

ホ 当該株式会社の事業開始後三事業年度における当該株式会社及びその子会社等
（法第十四条の二第二号に規定する子会社等をいう。第三項第三号において同
じ。）の収支及び連結自己資本の充実の状況等の見込みを記載した書面

(e) a document stating the prospective income and income and expenditures

and adequacy of consolidated equity capital of said company and its Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 14-2, item (ii) of the Act; the same applies in paragraph (3), item (iii)) for three business years after commencement of business of said stock company;

四 前各号に掲げるもののほか法第四条第二項及び第三項に規定する審査をするため参考となるべき事項を記載した書面

(iv) beyond the documents set forth in each of the preceding items, a document stating matters to be referenced for examination as prescribed in Article 4, paragraphs (2) and (3) of the Act.

2 銀行以外の株式会社が従前の目的を変更して銀行業を営むため法第四条第一項の規定による営業の免許を受けようとするときは、前項各号に掲げる書面（同項第二号ハに掲げる書面を除く。）のほか、次に掲げる書面を免許申請書に添付しなければならない。

(2) When a stock company other than a Bank intends to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act by amending its prior purposes in order to carry out Banking, beyond the documents set forth in the preceding items (except for documents set forth in item (ii), sub-item (c) of the same paragraph), the following documents must be attached to the written application for license:

一 株主総会の議事録

(i) minutes of shareholders meetings;

二 従前の定款及び免許申請の際に現に存する取引の性質を明らかにした書面

(ii) prior articles of incorporation and a document which clarifies the nature of existing transactions at the time of filing the application for license; and

三 最終の貸借対照表、損益計算書及び株主資本等変動計算書

(iii) the latest balance sheet, profit and loss statement, and statement of changes in net assets.

3 内閣総理大臣は、前二項の規定による免許の申請に係る法第四条第二項に規定する審査をするときは、次に掲げる事項に配慮するものとする。

(3) The Prime Minister, when implementing an examination as prescribed in Article 4, paragraph (2) of the Act pertaining to an application for license pursuant to the preceding two paragraphs, is to consider the following matters:

一 銀行業の免許を申請した者（以下この項において「申請者」という。）の資本金の額が令第三条に規定する額以上であり、かつ、その営もうとする銀行の業務を健全かつ効率的に遂行するに足りる額であること。

(i) the amount of stated capital of a person who applies for a banking license (hereinafter referred to as the "Applicant" in this paragraph) is equal to or greater than the amount as prescribed in Article 3 of the Order and is an amount which is sufficient for carrying out sound and efficient Bank services;

二 事業開始後三事業年度を経過する日までの間に申請者の一の事業年度における当

期利益が見込まれること。

(ii) the current income of a single business year of the Applicant is expected until the date three business years elapse after commencement of the business;

三 申請者並びに申請者及びその子会社等の自己資本の充実の状況が事業開始後三事業年度を経過するまでに適当となることが見込まれること。

(iii) the status of the adequacy of equity capital of the Applicant and of the Applicant and its Subsidiary Company, etc. is expected to be appropriate until three business years elapse after commencement of the business; and

四 銀行の業務に関する十分な知識及び経験を有する取締役、執行役、会計参与若しくは監査役又は従業員の確保の状況、銀行の経営管理に係る体制等に照らし、申請者が銀行の業務を的確、公正かつ効率的に遂行することができ、かつ、十分な社会的な信用を有する者であること。

(iv) in light of maintaining directors, directors, accounting advisors or company auditors, and employees who possess sufficient knowledge and experience for Bank services, systems, etc. pertaining to business management of the Bank, the Applicant is a person who may carry out precise, fair, and effective Bank services and with sufficient social creditability.

(営業の免許の予備審査)

(Preliminary Examination of Business License)

第二条 法第四条第一項の規定による営業の免許を受けようとする者は、前条に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 2 A person who intends to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act may request a preliminary examination by submitting the equivalent documents pursuant to the provisions of the preceding Article to the Prime Minister via the Commissioner of the Financial Services Agency.

(外国銀行に係る特殊関係者)

(Uniquely Related Persons Pertaining to Foreign Banks)

第三条 令第一条の二第七号に規定する内閣府令で定める者は、次に掲げる者とする。

Article 3 A person provided by Cabinet Office Ordinance as prescribed in Article 1-2, item (vii) of the Order is the following:

一 外国の法令に準拠して外国において銀行業を営む者（法第四条第五項に規定する銀行等を除く。以下「外国銀行」という。）又は当該外国銀行に係る令第一条の二第一号から第六号までに掲げる者が銀行業の免許を申請した者の議決権の一部を保有している場合における当該外国銀行又は当該外国銀行に係る令第一条の二第一号から第六号までに掲げる者と主たる営業所の所在地を同一の国とする者で、当該銀行業の免許を申請した者の議決権の一部を保有しているもの

(i) when a person who carries out Banking (excluding a Bank, etc. as prescribed in Article 4, paragraph (5) of the Act; hereinafter referred to as a "Foreign Bank") in a foreign state in accordance with the laws and regulations of the foreign state or a person set forth in Article 1-2, items (i) to (vi) of the Order pertaining to said Foreign Bank holds a portion of voting rights of an applicant for a banking license, a person, with the location of its principal business office or office in the same state as said Foreign Bank or a person set forth in Article 1-2, items (i) to (vi) of the Order pertaining to said Foreign Bank, and who has a portion of voting rights of an applicant of said banking license; or

二 銀行が支店の設置又は銀行業を営むための会社の設立をすることができない国に主たる営業所を設けている二以上の者（そのいずれの者も外国銀行の発行済株式の総数又は出資の総額（以下「発行済株式等」という。）の百分の五を超える数又は額の株式等を保有しているものに限る。）により合計して外国銀行の発行済株式等の百分の五十を超える数又は額の株式等が保有されている場合における当該二以上の者のいずれかに該当する者

(ii) in the case that the total number or amount of Shares, etc., which exceeds fifty percent of issued shares, etc. of a Foreign Bank, is held by two or more persons (any of these persons is limited to a person who holds the number or amount of Shares, etc., exceeding five percent of the total number of issued shares or total amount of contribution (hereinafter referred to as "Issued Shares, etc.") of the Foreign Bank), with the location of its principal business office or office in a state where a Bank is unable to establish a branch office or incorporate a company to carry out Banking, a person who corresponds to said two or more persons.

（法第四条第三項に規定する総株主の議決権に乗じる率）

(Percentage for Multiplying the Voting Right Held by All of Shareholders as Prescribed in Article 4, paragraph (3) of the Act)

第四条 法第四条第三項に規定する内閣府令で定める率は、百分の五十とする。

Article 4 The percentage provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (3) of the Act is fifty percent.

（銀行等に含まれる金融機関）

(Financial Institutions Included in Bank)

第四条の二 法第四条第五項に規定する内閣府令で定める金融機関は、次に掲げるものとする。

Article 4-2 Financial institutions as provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (5) of the Act are the following:

一 株式会社商工組合中央金庫

(i) the Shoko Chukin Bank Limited

- 二 信用金庫連合会
- (ii) the Shinkin Bank Association
- 三 農林中央金庫
- (iii) the Norinchukin Bank

(資本金の額の減少の認可の申請)

(Application for Authorization of Reduction of Stated Capital Amount)

第五条 銀行は、法第五条第三項の規定による資本金の額の減少の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官、財務局長又は福岡財務支局長（以下「金融庁長官等」という。）に提出しなければならない。

Article 5 A Bank, when intending to obtain an authorization for a reduction of stated capital amount pursuant to the provisions of Article 5, paragraph (3) of the Act, must attach the following documents to said written application for authorization and submit them to the Commissioner of the Financial Services Agency, the Director General of Local Finance Bureau or Fukuoka Local Finance Branch Bureau (hereinafter referred to as "Commissioner of the Financial Services Agency, etc.):

一 理由書

(i) a written statement of reasons;

二 資本金の額の減少の方法を記載した書面

(ii) a statement stating the method to reduce the amount of stated capital;

三 株主総会の議事録その他必要な手続があつたことを証する書面

(iii) minutes of the shareholders meeting and other statements certifying that the necessary procedures were implemented;

四 最近の日計表

(iv) the latest daily statement of accounts;

五 会社法第四百四十九条第二項の規定による公告及び催告（同条第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該資本金の額の減少をしても当該債権者を害するおそれがないことを証する書面

(v) when a public notice and demand (in the case that publication is made in a daily newspaper that publishes matters on current events or by electronic public notice in addition to the official gazette pursuant to the provisions of Article 449, paragraph (3) of the Companies Act, a public notice by these methods) pursuant to the provisions of paragraph (2) of the same Article is implemented or a creditor states an objection, a document certifying that the Bank performed the obligation or provided reasonable security to said creditor, entrusted reasonable assets with the purpose to provide said creditor with performance of the obligation, or that said creditor will not be

prejudiced although the amount of said stated capital is reduced; and
六 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vi) when a share certificate-issuing company consolidates shares, a document certifying that public notice was given pursuant to the provisions of Article 219, main clause of paragraph (1) of the Companies Act, or that share certificates for all said shares are not issued.

(商号変更の認可の申請等)

(Applications for Authorization of Change of Trade Name)

第六条 銀行は、法第六条第三項の規定による商号変更の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 6 (1) A Bank, when intending to obtain an authorization for change of trade name pursuant to the provisions of Article 6, paragraph (3) of the Act, must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons; and

二 株主総会の議事録

(ii) minutes of the relevant shareholders meeting.

2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請に係る商号が他の銀行の商号と同一又は類似の商号でないかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application for authorization is filed pursuant to the provisions of the preceding paragraph, is to examine whether the trade name pertaining to said application is not the same as or similar to the trade name of another Bank.

(取締役等の兼職の認可の申請等)

(Application for Authorization of Concurrent Holding of Positions by Directors)

第七条 銀行の常務に従事する取締役（委員会設置会社にあつては、執行役。次項において同じ。）は、法第七条第一項の規定により、他の会社の常務に従事することについて認可を受けようとするときは、認可申請書に次に掲げる書面を添付し、当該銀行を経由して金融庁長官等に提出しなければならない。

Article 7 (1) A director (in the case of a company with committees, the executive officer; the same applies in the following paragraph) who engages in ordinary business of a Bank, pursuant to the provisions of Article 7, paragraph (1) of the Act, when intending to obtain an authorization with regard to engaging in ordinary business of another company, must attach the following documents to an written application for authorization and submit them to the Commissioner of the Financial Services Agency, etc. via said Bank:

- 一 理由書
 - (i) a written statement of reasons;
 - 二 履歴書
 - (ii) a resume;
 - 三 銀行及び当該他の会社における常務の処理方法を記載した書面
 - (iii) a document stating the handling method of the ordinary business of the Bank and said other company;
 - 四 銀行と当該他の会社との取引その他の関係を記載した書面
 - (iv) a document stating transactions and other relationships between the Bank and said other company; and
 - 五 当該他の会社の定款（これに準ずるものを含む。）、最終の事業報告、貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面
 - (v) the articles of incorporation (including an equivalent document), the latest business report, balance sheet, profit and loss statement, and statement of changes in net assets of said other company, and other documents that provide the recent status of business, assets, and profit and loss of said other company.
- 2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請に係る取締役が銀行の常務に従事することに対し、当該申請に係る兼職を行うことが何らの支障を及ぼすおそれのないものであるかどうかを審査するものとする。
- (2) The Commissioner of the Financial Services Agency, etc., when an application for authorization is filed pursuant to the provisions of the preceding paragraph, with regard to the director pertaining to said application that engages in ordinary business of a Bank, is to examine whether the concurrent holding of positions pertaining to said application may not cause any concern.

(営業所等の定義等)

(Definitions of Business Office)

第八条 法第八条第一項及び第二項に規定する営業所とは、銀行が法第十条第一項各号に掲げる業務の全部又は一部を営む施設又は設備（携帯型の設備及び銀行以外の者が占有し又は管理する設備を除く。以下同じ。）をいう。

Article 8 (1) A business office as prescribed in Article 8, paragraphs (1) and (2) of the Act means facilities or equipment (excluding portable equipment and equipment which is possessed or managed by a person other than the Bank; the same applies hereinafter) where a Bank carries out all or part of business set forth in Article 10, each item of paragraph (1) of the Act.

2 法第八条第一項に規定する本店とは、銀行の業務を統括する施設であつて、本店として登記がなされているものをいう。

(2) A head office as prescribed in Article 8, paragraph (1) of the Act means a facility that supervises the Bank services and is registered as the head office.

3 法第八条第一項及び第二項に規定する支店とは、営業所のうち本店に従属し、当該営業所の名において、かつ、その計算において、銀行の業務を営む施設をいう。

(3) A branch office as prescribed in Article 8, paragraphs (1) and (2) of the Act means a business office which belongs to a head office and a facility that carries out Bank services in the name of and under the account of said business office.

4 法第八条第一項及び第二項に規定する種類の変更とは、銀行の本店（第二項に規定する本店をいう。以下同じ。）及び支店（前項に規定する支店をいう。以下同じ。）以外の営業所（以下「出張所」という。）から支店へ並びに支店から出張所への変更をいう。

(4) A change of type as prescribed in Article 8, paragraphs (1) and (2) of the Act means a change from a business office other than a head office (a head office as prescribed in paragraph (2); the same applies hereinafter) and a branch office (a branch office as prescribed in the preceding paragraph; the same applies hereinafter) of a Bank (hereinafter referred to as "Sub-Office") to a branch office, and from a branch office to a Sub-Office.

（営業所等の設置等の届出等）

(Notification of Establishment of Business Office)

第九条 法第八条第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 9 (1) Cases provided by Cabinet Office Ordinance as prescribed in Article 8, paragraph (1) of the Act are the following:

一 出張所の設置、位置の変更又は廃止をする場合

(i) in a case of establishing, changing the location, or abolition of a Sub-Office;

二 増改築その他のやむを得ない理由により営業所の位置の変更をする場合（変更前の位置に復することが明らかな場合に限る。）

(ii) when the location of a business office is changed due to extension or reconstruction or other compelling reason (limited to a case where it is obvious that the office will be located again in the location before the change);

三 前号に規定する位置の変更に係る営業所を変更前の位置に復する場合

(iii) when a business office pertaining to a change of location as prescribed in the preceding item is located again in the location before the change; or

2 銀行は、法第八条第一項の規定による営業所の設置、位置の変更、種類の変更又は廃止の届出をしようとするときは、届出書に理由書その他金融庁長官が必要と認める事項を記載した書面を添付して金融庁長官等に提出しなければならない。

(2) A Bank, when intending to submit a notification of the establishment, change of location, change of type, or abolishment of a business office pursuant to the provisions of Article 8, paragraph (1) of the Act, must attach a written statement of reasons and other documents stating matters found to be necessary by the Commissioner of the Financial Services Agency to the written

notification and submit them to the Commissioner of the Financial Services Agency, etc..

(外国における営業所の設置等の認可の申請等)

(Application for Authorization of Establishment of a Business Office in a Foreign State)

第九条の二 銀行は、法第八条第二項の規定による外国における営業所の設置、種類の変更又は廃止の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 9-2 (1) A Bank, when intending to obtain an authorization for the establishment, change of type, or abolishment of a business office in a foreign state pursuant to the provisions of Article 8, paragraph (2) of the Act, must attach the following documents to a written application for authorization and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 認可を受ける事項が株主総会又は取締役会の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録（会社法第三百七十条の規定により取締役会の決議があつたものとみなされる場合には、当該場合に該当することを証する書面。以下同じ。）

(ii) when matters to be authorized require a resolution at the shareholders meeting or of board of directors, the minutes of the shareholders meeting or minutes of the board of directors meeting concerning the case (when it is deemed as there was a resolution of the board of directors pursuant to the provisions of Article 370 of the Companies Act, a document certifying that this case corresponds to said case; the same applies hereinafter);

三 種類の変更をする場合には、当該営業所の最近の業況を記載した書面

(iii) in cases of changing the type of business office, a document stating the recent business status of said business office; and

四 その他金融庁長官が必要と認める事項を記載した書面

(iv) other documents stating matters found to be necessary by the Commissioner of the Financial Services Agency.

2 金融庁長官等は、前項の規定による営業所の設置又は種類の変更の認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application of authorization for establishment or change of type of a business office is filed pursuant to the preceding paragraph, is to examine whether it conforms to the following standards:

一 当該営業所の設置又は種類の変更が当該申請をした銀行の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理

府・大蔵省令第三十九号) 第一条第一項の表の非対象区分に該当し、かつ、当該申請をした銀行及びその子会社等(法第十四条の二第二号に規定する子会社等をいう。次条第二項第一号において同じ。)の自己資本の充実の状況が同令第一条第二項の表の非対象区分に該当するものであること。

(i) except for cases where the establishment or change of type of said business office is found to contribute to ensuring the sound management of the Bank which filed said application, the condition of adequacy of equity capital of the Bank which filed said application corresponds to an exception from the categories listed in the table of Article 1, paragraph (1) of the Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act (Ordinance of the General Administrative Agency of the Cabinet and the Ministry of Finance No. 39 of June 26, 2000) and the condition of adequacy of equity capital of the Bank which filed said application and its Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 14-2, item (ii) of the Act; the same applies in paragraph (2), item (i) of the following Article) corresponds to an exception from the categories listed in the table of Article 1, paragraph (2) of the same Order;

二 当該申請をした銀行の経営管理に係る体制等に照らし、銀行の業務を的確、公正かつ効率的に遂行することができること。

(ii) in light of the system, etc., pertaining to business management of the Bank which filed said application, accurate, fair, and effective Bank services may be carried out; and

三 当該営業所において必要な犯罪防止措置が講じられ、かつ、顧客の情報の管理が適切に行われること。

(iii) necessary crime prevention measures are taken by said business office and the information of customers is managed appropriately.

3 法第八条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) Cases provided by Cabinet Office Ordinance as prescribed in Article 8, paragraph (2) of the Act are the following cases:

一 出張所(臨時若しくは巡回型の施設又は無人の設備に限る。)の設置をする場合

(i) in cases of establishing a Sub-Office (limited to a temporary or circuit-type facility, or unmanned equipment); or

二 出張所を廃止する場合

(ii) in cases of abolishing a Sub-Office.

4 金融庁長官等は、第一項の規定による営業所の廃止の認可の申請があつたときは、当該営業所の顧客に係る取引が当該申請をした銀行の他の営業所又は他の金融機関へ支障なく引き継がれるなど当該営業所の顧客に著しい影響を及ぼさないものであるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application is filed for authorization for abolishment of a business office pursuant to the

provisions of paragraph (1), is to examine whether the abolishment may not cause substantial effects to the customers of said business office, such as transactions pertaining to a customer of said business office will be succeeded by another business office of the Bank which filed said application or other financial institution without any hindrance.

(外国における預金等の受入れを内容とする契約の締結の代理等の委託等の認可の申請等)

(Application for Authorization of Entrustment of an Agency to Conclude a Contract on the Acceptance of Deposits in a Foreign State)

第十条 銀行は、法第八条第三項の規定により法第二条第十四項各号に掲げる行為を外国において委託する旨の契約（以下この条において「委託契約」という。）の締結又は当該委託契約の終了の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 10 (1) A Bank, when intending to obtain an authorization to conclude a contract (hereinafter referred to as an "Entrustment Contract" in this Article) to entrust acts set forth in Article 2, each item of paragraph (14) of the Act in a foreign state pursuant to the provisions of Article 8, paragraph (3) of the Act or to terminate said Entrustment Contract, must attach the following documents to an written application for authorization and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons; and

二 その他金融庁長官が必要と認める事項を記載した書類

(ii) other documents stating items found to be necessary by the Commissioner of the Financial Services Agency.

2 金融庁長官等は、前項の規定による委託契約の締結の認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application is filed for authorization of conclusion of an Entrustment Contract pursuant to the preceding paragraph, is to examine whether it conforms to the following standards:

一 当該委託契約の締結が当該申請をした銀行の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令第一条第一項の表の非対象区分に該当し、かつ、当該申請をした銀行及びその子会社等の自己資本の充実の状況が同条第二項の表の非対象区分に該当するものであること。

(i) except for cases where said Entrustment Contract is deemed to contribute to ensuring the sound management of the Bank which filed said application, the condition of adequacy of equity capital of the Bank which filed said application corresponds to an exception from the categories listed in the table

of Article 1, paragraph (1) of the Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act and the condition of adequacy of equity capital of the Bank which filed said application and its Subsidiary Company, etc. corresponds to an exception from the categories listed in the table of Article 1, paragraph (2) of the same Order;

二 当該委託契約の締結の相手方（以下この条において「外国銀行代理業者」という。）が次に掲げるすべての要件を満たすこと。

(ii) the other party of the said concluding Entrustment Contract (hereinafter referred to as a "foreign bank agent" in this Article) satisfies all of the following requirements:

イ 当該委託契約に係る業務（以下この条において「委託業務」という。）を遂行するために必要と認められる財産的基礎を有する者であること。

(a) the other party is a person who possesses a financial basis that is found to be necessary for carrying out the business (hereinafter referred to as "Entrusted Business" in this Article) pertaining to said Entrustment Contract;

ロ 人的構成等に照らして、委託業務を的確、公正かつ効率的に遂行するために必要な能力を有し、かつ、社会的信用を有する者であること。

(b) in light of such matters as its personnel structure, etc., the other party is a person who has the necessary ability for carrying out the Entrusted Business accurately, fairly, and efficiently, and who has social creditability; and

ハ 他に業務を営むことによりその委託業務を適正かつ確実に営むことにつき支障を及ぼすおそれがあると認められない者であること。

(c) the other party is a person who is not found to cause hindrance, with regard to carrying out the Entrusted Business appropriately and certainly, by carrying out other business;

三 当該申請をした銀行が当該外国銀行代理業者の委託業務の健全かつ適切な運営を確保するための措置を講ずることができること。

(iii) the Bank which filed said application may take measures in order to secure sound and appropriate management of Entrusted Business with said foreign bank agent.

3 前項第二号に掲げる基準に適合するか審査をするときは、第三十四条の三十七各号に掲げる事項に配慮するものとする。

(3) When examining whether the business conforms to the standards set forth in item (ii) of the preceding paragraph, the business is to be considered with the matters set forth in each item of Article 34-37.

4 金融庁長官等は、第一項の規定による委託契約の終了の認可の申請があつたときは、当該外国銀行代理業者の委託業務に関する顧客に係る取引が当該申請をした銀行の他の営業所又は他の金融機関等へ支障なく引き継がれる等、当該外国銀行代理業者の委託業務に関する顧客に著しい影響を及ぼさないものであるかどうかを審査するものと

する。

- (4) The Commissioner of the Financial Services Agency, etc., when an application is filed for authorization of termination of an Entrustment Contract pursuant to the provisions of paragraph (1), is to examine whether the termination will not cause substantial effects to the customers of said Foreign Bank Agent, such as transactions pertaining to customers concerning the Entrusted Business of said Foreign Bank Agent will be succeeded to another business office of the Bank which filed said application or other financial institution without any hindrance.

第十一条 削除

Article 11 [deleted]

第二章 業務

Chapter II Services

(金銭債権の証書の範囲)

(Scope of Certificate of a Monetary Claim)

第十二条 法第十条第二項第五号に規定する内閣府令で定める証書をもつて表示されるものは、次に掲げるものとする。

Article 12 Monetary claims indicated in the form of certificates provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (v) of the Act are as follows:

一 譲渡性預金（払戻しについて期限の定めがある預金で、譲渡禁止の特約のないものをいう。第十三条の五第一項第一号において同じ。）の預金証書

(i) a deposit certificate of negotiable deposits (which means a deposit with a due date for repayment, but without special provisions of non-assignment; the same applies in Article 13-5, paragraph (1), item (i));

二 コマーシャル・ペーパー

(ii) commercial paper;

三 住宅抵当証書

(iii) a housing mortgage certificate;

四 貸付債権信託の受益権証書

(iv) a certificate of beneficiary right to a loan claim trust

四の二 抵当証券法（昭和六年法律第十五号）第一条第一項に規定する抵当証券

(iv)-2 a mortgage securities as prescribed in the Mortgage Corporations Act (Act No. 15 of 1931);

五 商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第六項に規定する商品投資受益権の受益権証書

(v) a certificate of beneficiary right for the beneficiary right of a commodity investment as prescribed in Article 2, paragraph (6) of the Act on Control for

Business Pertaining to Commodity Investment (Act No. 66 of 1991);

六 外国の法人の発行する証券又は証書で銀行業を営む者その他の金銭の貸付けを業として行う者の貸付債権を信託する信託の受益権又はこれに類する権利を表示するもの

(vi) a security or certificate issued by a foreign corporation that indicates a beneficiary right to trust for which a loan claim of a person, who carries out Banking or who carries out other monetary loans as its business, is entrusted or any other similar right; or

七 法第十条第二項第十二号又は第十四号に規定する取引に係る権利を表示する証券又は証書

(vii) a security or certificate that indicates a right pertaining to the transactions as prescribed in Article 10, paragraph (2), items (xii) or (xiv) of the Act.

(特定社債に準ずる有価証券)

(Securities Equivalent to Specified Corporate Bonds)

第十二条の二 法第十条第二項第五号の二に規定する有価証券として内閣府令で定めるものは、金融商品取引法施行令（昭和四十年政令第三百二十一号）第十五条の十七第一項第二号又は同条第三項に規定する有価証券（同項に規定する有価証券については、金融商品取引法第二条第一項第四号又は第五号に掲げるものの性質を有するものに限る。）であつて、金融商品取引業等に関する内閣府令（平成十九年内閣府令第五十二号）第四十条第一号に規定する譲渡資産が、指名金銭債権又は指名金銭債権を信託する信託の受益権であるものとする。

Article 12-2 Those as provided by Cabinet Office Ordinance as a security prescribed in Article 10, paragraph (2), item (v)-2 of the Act are a security prescribed in Article 15-17, paragraph (1) of the Order for Enforcement of the Financial Instruments and Exchange Act (Act No. 321 of 1965) (with regard to the security prescribed in the same paragraph, limited to a security which has characteristics as set forth in Article 2, paragraph (1), item (iv) or item (v) of the Financial Instruments and Exchange Act), and which assets subject to transfer as prescribed in Article 40, item (i) of the Cabinet Office Ordinance Concerning Financial Instruments Business (Cabinet Office Ordinance No. 52 of 2007) are a nominative monetary claim or a beneficiary right to the trust to which the nominative monetary claim is entrusted.

(業務の代理又は媒介)

(Agency or Intermediary Service)

第十三条 法第十条第二項第八号に規定する業務の代理又は媒介で内閣府令で定めるものは、次に掲げるものとする。

Article 13 Agency or intermediary service provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (viii) of the Act is the following:

一 銀行、長期信用銀行（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をいう。以下同じ。）、株式会社商工組合中央金庫又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の業務（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）第一条第一項に規定する信託業務（以下「信託業務」という。）を除く。）の代理又は媒介

(i) agency service or intermediary business (excluding a trust business (hereinafter referred to as "Trust Business") prescribed in Article 1, paragraph (1) of the Act on Engagement in Trust Business by a Financial Institution (Act No. 43 of 1943)) of a Bank, a long-term credit bank (which means a long-term credit bank prescribed in Article 2 of the Long-term Credit Bank Act (Act No. 187 of 1952); the same applies hereinafter), Shoko Chukin Bank Limited or Shinkin Bank, Credit Cooperatives, or Labor Bank (including a federation organized by these corporations);

二 農業協同組合（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ものに限る。以下同じ。）若しくは農業協同組合連合会（同法第十条第一項第三号の事業を行うものに限る。以下同じ。）が行う同法第十一条第二項に規定する信用事業（信託業務に係る事業を除く。）、漁業協同組合（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ものに限る。以下同じ。）若しくは漁業協同組合連合会（同法第八十七条第一項第四号の事業を行うものに限る。以下同じ。）若しくは水産加工業協同組合（同法第九十三条第一項第二号の事業を行うものに限る。以下同じ。）若しくは水産加工業協同組合連合会（同法第九十七条第一項第二号の事業を行うものに限る。以下同じ。）が行う同法第五十四条の二第二項に規定する信用事業（信託業務に係る事業を除く。）又は農林中央金庫の業務（信託業務に係る事業を除く。）の代理又は媒介

(ii) agency service or intermediary credit business which is carried out by an agricultural cooperative (limited to a cooperative which carries out business as prescribed in Article 10, paragraph (1), item (ii) of the Agricultural Cooperatives Act (Act No. 132 of 1947); the same applies hereinafter) or a federation of agricultural cooperatives (limited to a federation of agricultural cooperatives which carries out business as prescribed in Article 10, paragraph (1), item (iii) of the same Act; the same applies hereinafter) and which credit business is as prescribed in Article 11, paragraph (2) of the same Act (excluding a business pertaining to Trust Business); a credit business which is carried out by a fisheries cooperative (limited to a fisheries cooperative which carries out business as prescribed in Article 11, paragraph (1), item (iv) of the Fishery Cooperative Act (Act No. 242 of 1948); the same applies hereinafter), a federation of fisheries cooperatives (limited to a federation of fisheries cooperatives which carries out business as prescribed in Article 87, paragraph (1), item (iv) of the same Act; the same applies

- hereinafter), a fishery processing cooperative (limited to a fishery processing cooperative which carries out business as prescribed in Article 93, paragraph (1), item (ii) of the same Act; the same applies hereinafter), or a federation of fishery processing cooperatives (limited to a federation of fishery processing cooperatives which carries out business as prescribed in Article 97, paragraph (1), item (ii) of the same Act; the same applies hereinafter) and which credit business is prescribed in Article 54-2, paragraph (2) of the same Act (excluding a business pertaining to Trust Business); or business of the Norinchukin Bank (excluding a business pertaining to Trust Business);
- 二の二 資金移動業者（資金決済に関する法律（平成二十一年法律第五十九号）第二条第三項に規定する資金移動業者をいう。第十七条の三第二項第一号の四において同じ。）が営む資金移動業（同法第二条第二項に規定する資金移動業をいう。同号において同じ。）の代理又は媒介
- (ii)-2 agency or intermediary service for a fund transfer services (which means the fund transfer services prescribed in Article 2, paragraph (2) of the Payment Services Act (Act No. 59 of 2009); the same applies in the same item) operated by a fund transfer service provider (which means the fund transfer service provider prescribed in Article 2, paragraph (3) of the same Act; the same applies in Article 17-3, paragraph (2), item (i)-4);
- 三 信託会社又は信託業務を営む金融機関の次に掲げる業務の代理又は媒介（法第十一条に掲げる業務に該当するものを除く。）
- (iii) agency services or as an intermediary of the following business of a trust company or a financial institution which carries out Trust Business (excluding business corresponding to that as set forth in Article 11 of the Act):
- イ 信託契約（金融機関の信託業務の兼営等に関する法律施行令（平成五年政令第三十一号）第三条第一号及び金融機関の信託業務の兼営等に関する法律施行規則（昭和五十七年大蔵省令第十六号）第三条第一項第一号に規定する信託に係る信託契約を除く。）の締結
- (a) conclusion of a trust contract (excluding a trust contract pertaining to a trust as prescribed in Article 3, item (i) of the Order for Enforcement of the Act on Engagement in Trust Business by a Financial Institution (Cabinet Order No. 31 of 1993) and as prescribed in Article 3, paragraph (1), item (i) of the Ordinance for Enforcement of the Act on Engagement in Trust Business by a Financial Institution (Ministry of Finance Ordinance No. 16 of 1982);
- ロ 金融機関の信託業務の兼営等に関する法律第一条第一項各号（金融機関の信託業務の兼営等に関する法律施行令第三条各号に掲げる業務を除く。）に掲げる業務を受託する契約の締結
- (b) conclusion of a contract to accept entrustment of business as set forth in each item of Article 1, paragraph (1) of the Act on Engagement in Trust

Business by a Financial Institution (excluding business as set forth in each item of Article 3 of the Order for Enforcement of the Act on Engagement in Trust Business by a Financial Institution);

三の二 金融商品取引業者若しくは登録金融機関（金融商品取引法第二条第十一項に規定する登録金融機関をいう。）の投資顧問契約（同条第八項第十一号に規定する投資顧問契約をいう。）又は投資一任契約（同項第十二号ロに規定する投資一任契約をいう。以下同じ。）の締結の代理又は媒介

(iii)-2 agency service or as an intermediary of the conclusion of an investment advisory contract (which means an investment advisory contract as prescribed in Article 2, paragraph (8), item (xi) of the Financial Instruments and Exchange Act) or a discretionary investment contract (which means a discretionary investment contract as prescribed in item (xii), sub-item (b) of the same paragraph; the same applies hereinafter) of a financial instruments business operator or a registered financial institution (which means a registered financial institution as prescribed in Article 2, paragraph (11) of the same Act);

四 保険会社（保険業法（平成七年法律第百五号）第二条第二項に規定する保険会社をいい、同条第七項に規定する外国保険会社等（以下「外国保険会社等」といふ。）を含む。）の資金の貸付けの代理又は媒介

(iv) agency service or as an intermediary of a loan of an insurance corporation (which means an insurance corporation as prescribed in Article 2, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995) and includes a foreign insurance corporation, etc. (hereinafter referred to as "Foreign Insurance Corporation, etc.") as prescribed in paragraph (7) of the same Article);

五 法律の定めるところにより、予算について国会の議決を経なければならない法人で、金融業を行うものの業務の代理又は媒介

(v) agency service or as an intermediary of the business of a corporation for which its budget must obtain a resolution of the Diet, pursuant to the provisions of Acts, and who carries out financial business;

六 特別の法律により設立された法人で、特別の法律により銀行に業務の一部を委託し得るものの資金の貸付けその他の金融に関する業務の代理又は媒介（前号に掲げるものを除く。）

(vi) agency service or as an intermediary of a loan or other business concerning finance of a corporation which is incorporated by a special Act and may entrust a part of its business to a Bank pursuant to the special Act (excluding agency service or as an intermediary as set forth in the preceding item); or

七 前各号に掲げる業務の代理又は媒介のいずれかに準ずるもので金融庁長官が別に定めるもの

(vii) other business equivalent to either agency service or as an intermediary of business set forth in each of the preceding items and separately specified by

the Commissioner of the Financial Services Agency.

(外国銀行の業務の代理又は媒介)

(Agency or Intermediary Foreign Bank Services)

第十三条の二 法第十条第二項第八号の二に規定する内閣府令で定めるものは、次の各号に掲げる者の業務（同条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に限る。）の代理又は媒介を当該各号に規定する銀行が行う場合における当該代理又は媒介とする。

Article 13-2 (1) Agency or intermediary service as provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (viii)-2 of the Act is an agency or intermediary service when a Bank prescribed in the following items performs the agency or intermediary service of the business (limited to the business (excluding business pertaining to agency or intermediary service and business for which a Bank may perform an agency or intermediary service pursuant to the provisions of the same paragraphs (excluding items (viii) and (viii)-2) prescribed in paragraphs (1) and (2) of the same Article) of the persons set forth in said items:

一 銀行の子会社である外国銀行

(i) a Foreign Bank that is a Subsidiary Company of a Bank;

二 銀行を子会社とする外国銀行

(ii) a Foreign Bank of which a Subsidiary Company is a Bank;

三 銀行を子会社とする銀行持株会社の子会社である外国銀行（前二号に掲げる者を除く。）

(iii) a Foreign Bank that is a Subsidiary Company of a Bank Holding Company of which a Subsidiary Company is a Bank (excluding those set forth in the preceding two items);

四 銀行を子会社とする親会社等の子会社等である外国銀行（前三号に掲げる者を除く。）

(iv) a Foreign Bank that is a Subsidiary Company, etc. of a Parent Company, etc. of which a Subsidiary Company is a Bank(excluding those set forth in the preceding three items).

2 前項の規定にかかわらず、外国銀行支店（法第四十七条第二項に規定する外国銀行支店をいう。以下同じ。）に係る法第十条第二項第八号の二に規定する内閣府令で定めるものは、次の各号に掲げる者の業務（同条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に限る。）の代理又は媒介を当該各号に規定する外国銀行支店が行う場合における当該代理又は媒介とする。

(2) Notwithstanding the provisions of the preceding paragraph, an agency or intermediary service as provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (viii)-2, of the Act pertaining to a Foreign Bank

Branch (which means a Foreign Bank Branch prescribed in Article 47, paragraph (2) of the Act; the same applies hereinafter) is an agency or intermediary service when a Foreign Bank Branch prescribed in the following items performs the agency or intermediary service of the business (limited to the business (excluding business pertaining to agency or intermediary service and business for which a Bank may perform agency or intermediary service pursuant to the provisions of the same paragraphs (excluding items (viii) and (viii)-2)) prescribed in paragraphs (1) and (2) of the same Article) of the persons set forth in said items:

一 外国銀行支店に係る外国銀行の外国銀行外国営業所（法第四十七条第三項に規定する外国銀行外国営業所をいう。以下同じ。）

(i) a Business Office in the Home State of a Foreign Bank to which a Foreign Bank Branch belongs (which means a Business Office in the Home State prescribed in Article 47, paragraph (3) of the Act; the same applies hereinafter);

二 外国銀行支店に係る外国銀行の子会社等である外国銀行

(ii) a Foreign Bank that is a Subsidiary Company, etc. of a Foreign Bank to which a Foreign Bank Branch belongs;

三 外国銀行支店に係る外国銀行を子会社等とする親会社等である外国銀行

(iii) a Foreign Bank that is a Parent Company, etc., of which a Subsidiary Company, etc. is a Foreign Bank to which a Foreign Bank Branch belongs;

四 外国銀行支店に係る外国銀行を子会社等とする親会社等の子会社等である外国銀行（当該外国銀行支店に係る外国銀行及び前二号に掲げる者を除く。）

(iv) a Foreign Bank that is a Subsidiary Company, etc. of a Parent Company, etc., of which a Subsidiary Company, etc. is a Foreign Bank to which a Foreign Bank Branch belongs (excluding a Foreign Bank to which said Foreign Bank Branch belongs and those set forth in the preceding two items).

3 前二項に規定する「親会社等」とは、他の法人等（令第四条の二第二項に規定する法人等をいう。以下この項において同じ。）の総株主等の議決権の百分の五十を超える議決権を保有する法人等をいい、前二項に規定する「子会社等」とは、親会社等によりその総株主等の議決権の百分の五十を超える議決権を保有されている他の法人等をいう。この場合において、子会社等が保有する議決権は、当該子会社等の親会社等が保有する議決権とみなす。

(3) The term "Parent Company, etc." prescribed in the preceding two paragraphs means corporations, etc. holding voting rights exceeding fifty percent of the All Shareholders', etc. Voting Rights of other corporations, etc. (which means corporations, etc. prescribed in Article 4-2, paragraph (2) of the Order; hereinafter the same applies in this paragraph). The term "Subsidiary Company, etc." prescribed in the preceding two paragraphs means other corporations, etc. of which voting rights exceeding fifty percent of the All Shareholders', etc. Voting Rights are held by a Parent Company, etc. In this

case, voting rights held by a Subsidiary Company, etc. are deemed as voting rights held by the Parent Company, etc. of said Subsidiary Company, etc.

(デリバティブ取引)

(Derivatives Transactions)

第十三条の二の二 法第十条第二項第十二号及び第十三号に規定する内閣府令で定めるものは、金融商品取引法第二条第二十項に規定するデリバティブ取引（有価証券関連デリバティブ取引（同法第二十八条第八項第六号に規定する有価証券関連デリバティブ取引をいう。以下同じ。）に該当するものを除く。）とする。

Article 13-2-2 Derivatives transactions as provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), items (xii) and (xiii) of the Act are a derivatives transaction as prescribed in Article 2, paragraph (20) of the Financial Instruments and Exchange Act (excluding a derivatives transaction corresponding to the securities-related derivatives transactions (which means the securities-related derivatives transactions as prescribed in Article 28, paragraph (8), item (vi) of the same Act; the same applies hereinafter)).

(金融等デリバティブ取引)

(Financial Derivatives Transactions)

第十三条の二の三 法第十条第二項第十四号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 13-2-3 (1) Financial derivatives transactions provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (xiv) of the Act are as follows:

一 当事者が数量を定めた商品について当該当事者間で取り決めた商品相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。以下「商品デリバティブ取引」という。）

(i) a transaction to promise mutual payment, with regard to a commodity for which the quantity is specified by the parties, based on the commodity market price stipulated between said parties, and other similar transactions (limited to the following transactions; hereinafter referred to as a "Commodity Derivatives Transaction");

イ 差金の授受によつて決済される取引

(a) a transaction settled by payment of the difference;

ロ 商品及びその対価の授受を約する売買取引であつて、次に掲げる要件のすべてを満たすもの

(b) a purchase and sale transaction where parties agree to transfer between them a commodity and the consideration therefor that satisfies all of the following requirements:

(1) 当該売買取引に係る商品を決済の終了後に保有することとならないこと。

1. The purchase and sale transaction does not result in the holding of the

commodity pertaining to said transaction on the completion of the settlement.

(2) 当該売買取引に係る商品の保管又は運搬に伴い発生しうる危険を負担しないこと。

2. The purchase and sale transaction does not bear the risk that may arise in connection with the custody or transportation of the commodity pertaining to said transaction.

二 当事者が数量を定めた算定割当量（地球温暖化対策の推進に関する法律（平成十年法律第百十七号）第二条第六項に規定する算定割当量その他これに類似するものをいう。以下同じ。）について当該当事者間で取り決めた算定割当量の相場に基づき金銭の支払を相互に約する取引その他これに類似する取引（次に掲げる取引に限る。）

(ii) a transaction to promise mutual payment, with regard to a carbon dioxide equivalent (which means a carbon dioxide equivalent as prescribed in Article 2, paragraph (6) of the Act on Promotion of Global Warming Countermeasures (Act No. 117 of 1998) and other similar substances; the same applies hereinafter) for which the quantity is stipulated by the parties, based on the quotation of a carbon dioxide equivalent as stipulated between said parties and other similar transactions (limited to the following transactions); or

イ 差金の授受によつて決済される取引

(a) a transaction settled by payment of the difference;

ロ 算定割当量及びその対価の授受を約する売買取引であつて、当該売買取引に係る算定割当量を決済の終了後に保有することとならないもの

(b) a purchase and sale transaction where parties agree to transfer between them a carbon dioxide equivalent quota and the consideration therefor and that does not result in the holding of the carbon dioxide equivalent quota pertaining to said purchase and sale transaction on the completion of the settlement.

三 当事者の一方の意思表示により当事者間において前二号に掲げる取引を成立させることができる権利を相手方が当事者の一方に付与し、当事者の一方がこれに対して対価を支払うことを約する取引その他これに類似する取引

(iii) a transaction in which one party promises to grant other party a right that may affect a transaction as set forth in the preceding two items between the parties by manifesting the intention of one party and the other party promises to pay compensation for this intention, and any other similar transaction.

2 法第十条第二項第十四号に規定する銀行の経営の健全性を損なうおそれがないと認められる取引として内閣府令で定めるものは、前項各号に掲げるものとする。

(2) The transactions deemed as not having a risk of impairing the sound management of a Bank provided by Cabinet Office Ordinance as prescribed in

Article 10, paragraph (2), item (xiv) of the Act are those set forth in the items of the preceding paragraph.

3 法第十条第二項第十五号に規定する内閣府令で定めるものは、商品取引所法（昭和二十五年法律第二百三十九号）第三百四十九条第一項に規定する店頭商品先物取引の媒介、取次ぎ又は代理とする。

(3) Those provided by Cabinet Office Ordinance as prescribed in Article 10, paragraph (2), item (xv) of the Act are intermediary, introducing brokerage, or agency services of over-the-counter commodity futures transactions as prescribed in Article 349, paragraph (1) of the Commodity Exchange Act (Act No. 239 of 1950).

（算定割当量の取得等）

(Acquisition of a Carbon Dioxide Equivalent Quota)

第十三条の二の四 法第十一条第四号に規定する内閣府令で定めるものは、算定割当量を取得し、若しくは譲渡することを内容とする契約の締結又はその媒介、取次ぎ若しくは代理を行う業務とする。

Article 13-2-4 Business as provided by Cabinet Office Ordinance as prescribed in Article 11, item (iv) of the Act is a business for conclusion of a contract concerning acquisition or transfer of a carbon dioxide equivalent quota, or for conducting intermediary, brokerage, or agency services.

（預金者等に対する情報の提供）

(Provision of Information to Depositor)

第十三条の三 銀行は、法第十二条の二第一項の規定により預金者等に対する情報の提供を行う場合には、次に掲げる方法により行うものとする。

Article 13-3 (1) A Bank, in cases of providing information to Depositor, etc.

pursuant to the provisions of Article 12-2, paragraph (1) of the Act, is to follow the method set forth below:

一 主要な預金等（法第十二条の二第一項に規定する預金等をいう。以下同じ。）の金利の明示

(i) clear indication of the money rate on the principal deposit, etc. (which means a deposit, etc., as prescribed in Article 12-2, paragraph (1) of the Act; the same applies hereinafter);

二 取り扱う預金等に係る手数料の明示

(ii) clear indication of the fee pertaining to handling the deposit, etc.;

三 取り扱う預金等のうち預金保険法（昭和四十六年法律第三十四号）第五十三条に規定する保険金の支払の対象であるものの明示

(iii) clear indication of the handling of a deposit, etc., which is subject to receive payment of insurance as prescribed in Article 53 of the Deposit Insurance Act (Act No. 34 of 1971);

四 商品の内容に関する情報のうち次に掲げる事項（以下この条において「商品情

報」という。)を記載した書面を用いて行う預金者等の求めに応じた説明及びその交付

(iv) an explanation corresponding to a request of Depositor, etc. by using a document stating the following matters among information concerning the contents of financial instruments (hereinafter referred to as "Financial Instruments Information" in this Article) and its delivery:

イ 名称(通称を含む。)

(a) name (including aliases);

ロ 受入れの対象となる者の範囲

(b) scope of persons subject to acceptance;

ハ 預入期間(自動継続扱いの有無を含む。)

(c) period of deposit (including an indication whether the deposit will be automatically renewed, or not);

ニ 最低預入金額、預入単位その他の預入に関する事項

(d) minimum amount of deposit, unit of deposit, and any other items concerning the deposit;

ホ 払戻しの方法

(e) method of repayment;

ヘ 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(f) method of establishing interest payments, payment method, calculation method, and other matters concerning interest;

ト 手数料

(g) fees;

チ 付加することのできる特約に関する事項

(h) matters concerning special provisions that may be added;

リ 預入期間の中途での解約時の取扱い(利息及び手数料の計算方法を含む。)

(i) handling the termination of the contract during the period of deposit (including the calculation methods of interest and fees);

ヌ 次に掲げる場合の区分に応じ、それぞれ次に定める事項

(j) Matters prescribed below for the categories of cases set forth respectively therein:

(1) 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる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

1. When there exists a Designated Dispute Resolution Organization, the trade name or name of the Designated Dispute Resolution Organization, which is the other party to the Basic Contract for the Implementation of Dispute Resolution Procedures, prescribed in Article 12-3, paragraph (1), item (i) of the Act, that said Bank takes a measure to conclude;

(2) 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項

第二号に定める苦情処理措置及び紛争解決措置の内容

2. When there does not exist any Designated Dispute Resolution

Organization, the details of the complaint handling measures and the dispute resolution measure of said Bank prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

ル その他預金等の預入れに関し参考となると認められる事項

(k) any other matter that is found to serve as a reference concerning depositing a deposit, etc.;

五 次に掲げるものと預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細な説明

(v) in cases of handling a financial instrument which does not guarantee the repayment of the full amount at expiry of the amount paid for the combination of the following items and the deposit, etc. at the time of depositing, a detailed explanation stating that the deposited amount is not guaranteed to be repaid in the full amount at expiry and any other detailed explanations concerning said financial instruments:

イ 市場デリバティブ取引（金融商品取引法第二条第二十一項に規定する市場デリバティブ取引をいう。以下同じ。）又は外国市場デリバティブ取引（同条第二十三項に規定する外国市場デリバティブ取引をいう。以下同じ。）のうち有価証券関連デリバティブ取引に該当するもの以外のもの

(a) a derivatives transaction other than that which corresponds to securities-related derivatives transactions among market derivatives transactions (which means a market derivatives transaction as prescribed in Article 2, paragraph (21) of the Financial Instruments and Exchange Act; the same applies hereinafter) or foreign market derivatives transactions (which means a foreign market derivatives transaction as prescribed in paragraph (23) of the same Article; the same applies hereinafter);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivatives transaction as prescribed in Article 10, paragraph (2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a futures foreign funds transfer transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場（同条第八項第三号ロに規定する外国金融商品市場をいう。以下同じ。）における同条第二十一項第一号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivatives transaction (excluding a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a similar transaction in a foreign financial instruments market (which means a foreign financial instruments market as prescribed

in paragraph (8), item (iii), sub-item (b) of the same Article; the same applies hereinafter) to that set forth in paragraph (21), item (i) of the same Article); or

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（同条第一項第一号及び第二号に掲げる有価証券並びに同項第三号及び第五号に掲げる有価証券（政府が元本の償還及び利息の支払について保証しているものに限る。）（第十三条の五第一項第二号、第十四条の十一の二十七第一項第十三号ホ及び第三十四条の五十三の十二第一項第十三号ホにおいて「国債証券等」という。）並びに同法第二条第一項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

(e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a similar transaction in a foreign financial instruments market to that set forth in the same item (limited to the securities set forth in paragraph (1), items (i) and (ii) of the same Article and that is set forth in items (iii) and (v) of the same paragraph (limited to securities that the national government guarantees for redemption of principal and interest payments) (which is referred to as a "National Government Bond Certificate, etc." in Article 13-5, paragraph (1), item (ii); Article 14-11-27, paragraph (1), item (xiii), sub-item (e); and Article 34-53-12, paragraph (1), item (xiii), sub-item (e)), and securities set forth in Article 2, paragraph (1), item (xvii) of the same Act pertaining to those which have characteristics as prescribed in item (i) of the same paragraph);

六 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する情報の適切な提供

(vi) when the establishment method of an index to be the standard for establishing a money rate of a floating rate deposit and money rate are specified, appropriate provision of information concerning said standard, method, and money rate.

2 銀行は、前項第四号の規定による書面の交付に代えて、次項で定めるところにより、当該預金者等の承諾を得て、商品情報を電磁的方法（法第二十条第六項に規定する電磁的方法をいう。以下同じ。）により提供することができる。この場合において、当該銀行は、当該書面を交付したものとみなす。

(2) A Bank, in place of the delivery of a document pursuant to the provisions of item (iv) of the preceding paragraph, pursuant to the provisions of the following paragraph, may provide the Financial Instruments Information by electronic or magnetic means (which means electronic or magnetic means as prescribed in Article 20, paragraph (6) of the Act; the same applies hereinafter) after obtaining an approval of said Depositor, etc. In this case, said Bank is deemed to have delivered said document.

3 銀行は、前項の規定により商品情報を提供しようとするときは、あらかじめ、当該

預金者等に対し、その用いる次に掲げる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

(3) A Bank, when intending to provide Financial Instruments Information pursuant to the provisions of the preceding paragraph, must present the type and contents of the following electronic or magnetic means to be used to said Depositor, etc. and obtain an approval in writing or by electronic or magnetic means in advance:

一 第十九条第七項各号に掲げる方法のうち銀行が使用するもの

(i) the method used by the Bank among the methods set forth in each item of Article 19, paragraph (7); or

二 ファイルへの記録の方式

(ii) the method to record data in a file.

4 前項の規定による承諾を得た銀行は、当該預金者等から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があつたときは、当該預金者等に対し、商品情報の提供を電磁的方法によつてしてはならない。ただし、当該預金者等が再び同項の規定による承諾をした場合は、この限りでない。

(4) A Bank that has obtained an approval pursuant to the provisions of the preceding paragraph, and after said Depositor, etc. provides notification in writing or by electronic or magnetic means of not accepting the provision of information by using electronic or magnetic means, must not provide Financial Instruments Information to said Depositor, etc. by electronic or magnetic means; provided, however, that this does not apply when said Depositor, etc. provides an approval again pursuant to the provisions of the same paragraph.

(特定社債等の権利者に対する情報の提供)

(Provision of Information to the Owner of Specified Corporate Bonds)

第十三条の四 銀行は、金融機関の合併及び転換に関する法律（昭和四十三年法律第八十六号）第八条第一項（同法第五十五条第四項において準用する場合を含む。）の規定に基づき特定社債（会社法の施行に伴う関係法律の整備等に関する法律（平成十七年法律第八十七号）第百九十九条の規定による改正前の金融機関の合併及び転換に関する法律（以下この条において「旧合併転換法」という。）第十七条の二第一項（旧合併転換法第二十四条第一項第七号において準用する場合を含む。以下この条において同じ。）に規定する普通銀行で旧合併転換法第十七条の二第一項の認可を受けたものが発行する債券及び金融システム改革のための関係法律の整備等に関する法律（平成十年法律第七号）附則第百六十九条の規定によりなおその効力を有するものとされる同法附則第百六十八条の規定による改正前の金融機関の合併及び転換に関する法律第十七条の二第一項に規定する普通銀行で同項の認可を受けたもの（同項に規定する消滅金融機関が外国為替銀行であるものに限る。）が発行する債券を含む。）を取り扱う場合には、前条に定めるところに準じた方法により顧客に対する情報の提供を行うものとする。

Article 13-4 A Bank, in cases of handling specified corporate bonds (including a

bond issued by an ordinary Bank as prescribed in Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to revision (hereinafter referred to as "Act (prior to revision) on Merger and Conversion" in this Article) (including the cases where it is applied mutatis mutandis pursuant to the provisions of Article 24, paragraph (1), item (vii) of the Old (prior to revision) Act on Merger and Conversion; hereinafter the same applies in this Article) as prescribed in the provisions of Article 199 of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Companies Act (Act No. 87 of 2005) and which Bank is authorized pursuant to the provisions of Article 17-2, paragraph (1) of Old (prior to revision) Act on Merger and Conversion, and a bond issued by an ordinary Bank as prescribed in Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to revision, as prescribed in the provisions of Article 168 of the Supplementary Provisions of the Act on Revision of Related Acts for the Financial System Reform (Act No. 107 of 1998), which is to remain in force pursuant to the provisions of Article 169 of the same Supplementary Provisions, and which Bank is authorized pursuant to the provisions of Article 17-2, paragraph (1) of the Act on Financial Institutions' Merger and Conversion prior to revision (limited to a financial institution ceasing to exist as prescribed in the same paragraph is a foreign exchange Bank)) according to the provisions of Article 8, paragraph (1) of the Act on Financial Institutions' Merger and Conversion (Act No. 86 of 1968) (including the cases where it is applied mutatis mutandis pursuant to Article 55, paragraph (4) of the same Act), is to provide information to a customer by a method equivalent to that prescribed in the preceding Article.

(金銭債権等と預金等との誤認防止)

(Prevention of Misidentification of a Monetary Claim and Deposit)

第十三条の五 銀行は、次に掲げる商品を取り扱う場合には、業務の方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえ、顧客に対し、書面の交付その他の適切な方法により、預金等との誤認を防止するための説明を行わなければならない。

Article 13-5 (1) A Bank, when handling the following financial instruments, must respond to the method of business and provide an explanation to a customer in order to prevent customers from misidentifying the financial instruments with deposits, etc., based on the knowledge, experience, condition of assets, and purpose for the transaction of the customer, and by delivering documents and other appropriate methods:

一 法第十条第二項第五号に規定する金銭債権（国内で発行された譲渡性預金の預金証書をもつて表示されるものを除く。）

(i) a monetary claim as prescribed in Article 10, paragraph (2), item (v) of the

- Act (excluding a monetary claim that is indicated with a deposit certificate of negotiable deposit issued in Japan);
- 二 金融商品取引法第三十三条第二項第一号から第四号までに掲げる有価証券（国債証券等及び前号に掲げる有価証券に該当するものを除く。）
- (ii) the securities as set forth in Article 33, paragraph (2), items (i) to (iv) of the Financial Instruments and Exchange Act (excluding National Government Bond Certificate, etc. and securities corresponding to those set forth in the preceding item); or
- 三 保険業法第二条第一項に規定する保険業を行う者が保険者となる保険契約
- (iii) an insurance contract of a person who engages in insurance business as prescribed in Article 2, paragraph (1) of the Insurance Business Act becomes an insurer.
- 2 銀行は、前項に規定する説明を行う場合には、次に掲げる事項（当該銀行が発行する社債（法第十条第三項第一号に掲げる短期社債を除く。）にあつては、第三号及び第四号に掲げるものを除く。）を説明するものとする。
- (2) A Bank, when providing the explanation as prescribed in the preceding paragraph, is to explain the following matters (in the case of corporate bonds issued by said Bank (excluding short-term bonds as set forth in Article 10, paragraph (3), item (i) of the Act), excluding matters set forth in items (iii) and (iv)):
- 一 預金等ではないこと。
- (i) that the product is not a deposit, etc.;
- 二 預金保険法第五十三条に規定する保険金の支払の対象とはならないこと。
- (ii) that the product is not subject to receive payment of insurance as prescribed in Article 53 of the Deposit Insurance Act;
- 三 元本の返済が保証されていないこと。
- (iii) that repayment of the principal is not guaranteed;
- 四 契約の主体
- (iv) the main subject matter of the contract; and
- 五 その他預金等との誤認防止に関し参考となると認められる事項
- (v) any other matter that is found to serve as a reference concerning the prevention of misidentification as a deposit, etc.
- 3 銀行は、その営業所において、第一項に掲げる商品を取り扱う場合には、特定の窓口において取り扱うとともに、前項第一号から第三号までに掲げる事項を顧客の目につきやすいように当該窓口に掲示しなければならない。
- (3) A Bank, when handling financial instruments set forth in paragraph (1) at its business office, must handle them at a specified counter and display the matters set forth in items (i) to (iii) of the preceding paragraph at said counter for easy identification by customers.
- 4 銀行は、法第十条第二項第八号又は法第十二条の規定に基づき元本の補てんの契約をしていない信託契約の締結又はその代理若しくは媒介を行う場合には、特定の窓口

において行うとともに、元本の補てんの契約をしていないことを顧客の目につきやすいように当該窓口に掲示し、元本の補てんの契約をしていない金銭信託に係る信託契約の締結又はその代理若しくは媒介を行う場合（信託業法施行規則（平成十六年内閣府令第百七号）第七十八条各号に掲げる場合を除く。）には、第二項各号に掲げる事項を説明しなければならない。

- (4) A Bank, when concluding a trust contract without agreement for compensation of principal based on the provisions of Article 10, paragraph (2), item (viii) of the Act or Article 12 of the Act, or conducting such an agency service or as an intermediary, must conduct said business at a specified counter and display that the trust is without agreement for compensation of principal at said counter for easy identification by customers, and the Bank, when concluding a trust contract pertaining to a monetary trust without agreement for compensation of principal or conducting such an agency service or as an intermediary (excluding cases set forth in each item of Article 78 of the Order for Enforcement of Trust Business Act (Cabinet Office Ordinance No. 107 of 2004)), must explain the matters set forth in each item of paragraph (2).

（投資信託委託会社等への店舗貸しによる受益証券等の取扱い）

(Handling of Beneficiary Certificate by Renting a Site to an Investment Trust Management Company)

第十三条の六 銀行は、投資信託委託会社又は資産運用会社（投資信託及び投資法人に関する法律第二条第十九項に規定する資産運用会社をいう。以下同じ。）が当該銀行の営業所の一部を使用して同法に規定する投資信託若しくは外国投資信託の受益証券、投資証券、投資法人債券又は外国投資証券（以下この条において「受益証券等」という。）を取り扱う場合には、銀行が預金等を取り扱う場所と投資信託委託会社又は資産運用会社が受益証券等を取り扱う場所とを明確に区分するとともに、顧客の誤解を招くおそれのある掲示を行わない等の適切な措置を講じなければならない。

Article 13-6 A Bank, when an investment trust management company or an asset management company (which means an asset management company as prescribed in Article 2, paragraph (19) of the Act on Investment Trusts and Investment Corporations; the same applies hereinafter) handles mutual funds or beneficiary certificates, investment certificates, investment corporation bonds, or foreign mutual funds (hereinafter referred to as "Beneficiary Certificates, etc." in this Article) as prescribed in the same Act by using a portion of a business office of said Bank, must clearly segment the location where the Bank handles deposits, etc. from the location where an investment trust management company or an asset management company handles Beneficiary Certificates, etc., and must take appropriate measures such as by not placing displays, etc. that may cause misidentification by customers.

（銀行と他の者との誤認防止）

(Prevention of Misidentification of a Bank as Another Person)

第十三条の六の二 銀行は、電気通信回線に接続している電子計算機を利用してその業務を営む場合には、顧客が当該銀行と他の者を誤認することを防止するための適切な措置を講じなければならない。

Article 13-6-2 A Bank, when engaging in its business by using a computer connected to a telecommunications line, must take appropriate measures in order to prevent customers from misidentification of the said Bank as another person.

(特定取引勘定)

(Specified Transaction Account)

第十三条の六の三 銀行は、特定取引を行う場合であつて、次に掲げる要件のすべてに該当するときは、特定取引及び特定取引の対象となる財産をその他の取引及び財産と区分して経理するため、特別の勘定（以下「特定取引勘定」という。）を設けなければならない。この場合において、当該要件のいずれかに該当しない銀行又は当該要件のいずれにも該当しない銀行が特定取引勘定を設けることを妨げない。

Article 13-6-3 (1) A Bank, in cases of implementing a specified transaction, when corresponding to all of the following requirements, must establish a special account (hereinafter referred to as a "Specified Transaction Account") in order to conduct separate accounting of specified transactions and assets subject to specified transactions from other transactions and assets. In this case, this does not preclude a Bank which does not correspond to any of said requirements or a Bank which does not correspond to all of said requirements from establishing a Specified Transaction Account:

一 直近の期末（中間期末を含む。以下この項において同じ。）の前の期末から直近の期末までの間における商品有価証券勘定及び売付商品債券勘定の合計額のうち最も大きい額が、千億円以上であり、かつ、直近の期末の前の期末の総資産の十パーセントに相当する額以上であること。

(i) the largest amount among the total amount of financial instrument security account and sold financial instrument bond account during the term from the end of the business year prior to the end of latest business year (including the end of the latest interim period; hereinafter the same applies in this paragraph) to the end of the latest business year, is 100 billion yen or more and is the equivalent amount of ten percent or more of total assets at the end of the business year prior to the end of the latest business year; or

二 直近の期末における商品有価証券勘定及び売付商品債券勘定の合計額が千億円以上であり、かつ、当該期末の総資産の十パーセントに相当する額以上であること。

(ii) the total amount of financial instrument security accounts and sold financial instrument bond accounts at the end of the latest business year is 100 billion yen or more, and is the equivalent amount of ten percent of the total assets at the end of said business year.

2 前項の特定取引とは、銀行が金利、通貨の価格、金融商品市場（金融商品取引法第二条第十四項に規定する金融商品市場をいう。以下同じ。）における相場その他の指標（第五項において「指標」という。）に係る短期的な変動、市場間の格差等を利用して利益を得る目的又は当該目的で行う取引により生じ得る損失を減少させる目的で自己の計算において行う市場デリバティブ取引及び外国市場デリバティブ取引のうち有価証券関連デリバティブ取引に該当するもの以外のもの並びに次に掲げる取引をいう。

(2) The term "specified transaction" as used in the preceding paragraph means transactions other than those which correspond to securities-related derivatives transactions and the following transactions among market derivatives transactions and foreign market derivatives transactions that the Bank conducts with the purpose of obtaining profit by using short-term changes in money rate, value of currencies, quotations on a financial instruments market (which means a financial instruments market as prescribed in Article 2, paragraph (14) of the Financial Instruments and Exchange Act; the same applies hereinafter) and other index (which is referred to as "Index" in paragraph (5)), and by using differences among markets, etc. or with the purpose of reducing loss that may be generated from transactions for said purpose, on the Bank's own account:

一 有価証券の売買（国債等（国債、地方債又は政府保証債（政府が元本の償還及び利息の支払について保証している社債その他の債券をいう。）をいう。以下この条において同じ。））、金融商品取引法第二条第一項第四号、第五号及び第八号に掲げる有価証券（同項第四号及び第五号に掲げる有価証券にあつては、法第十条第三項第一号に掲げる短期社債、同項第五号に掲げる短期社債及び同項第六号に掲げる特定短期社債に係るものを除く。以下この号において「特定取引債券」という。）又は外国若しくは外国の法人の発行する証券若しくは証書で国債等若しくは特定取引債券の性質を有するものの売買並びに金融商品取引法第二十八条第八項第三号イ及び第四号イに掲げる取引に限る。）及び有価証券関連デリバティブ取引（同項第三号イ及び第四号イに掲げる取引並びに第十四号及び第十五号に掲げるものを除く。）

(i) purchase and sale of securities (limited to the purchase and sale of national government bonds, etc. (which means national government bonds, local government bonds, or government guaranteed bonds (a corporate bond or other bond for which the redemption of principal and interest payments are guaranteed by the national government); hereinafter the same applies in this Article), the securities set forth in Article 2, paragraph (1), items (iv), (v), and (viii) of the Financial Instruments and Exchange Act (in cases of securities set forth in items (iv) and (v) of the same paragraph, excluding those pertaining to short-term bonds set forth in Article 10, paragraph (3), item (i) of the Act, short-term bonds set forth in item (v) of the same paragraph, and specified short-term bonds set forth in item (vi) in the same

paragraph; hereinafter referred to as "Specified Transaction Bonds" in this item), or securities or certificates issued by a foreign state or a foreign corporation that have characteristics of national government bonds or Specified Transaction Bonds, and transactions set forth in Article 28, paragraph (8), item (iii), sub-item (a) and item (iv), sub-item (a) of the Financial Instruments and Exchange Act) and securities-related derivatives transactions (excluding transactions set forth in item (iii), sub-item (a) and item (iv), sub-item (a) of the same paragraph, and those set forth in items (xiv) and (xv));

二 国債等の引受け（国債等の発行に際して当該国債等の全部又は一部につき他にこれを取得する者が不在の場合にその残部を取得する契約を締結する取引に限る。第五項において同じ。）

(ii) acceptance of national government bonds, etc. (upon the issuance of national government bonds, etc., if there is no other person that acquires all or part of said national government bonds, etc., limited to a transaction concluding a contract to obtain the remainder portion; the same applies in paragraph (5));

三 金融商品取引法第二条第一項第四号に掲げる有価証券（法第十条第三項第六号に掲げる特定短期社債に係るものを除く。）、金融商品取引法第二条第一項第八号及び第十三号に掲げる有価証券並びに同項第五号に掲げる有価証券（法第十条第三項第一号に掲げる短期社債及び同項第五号に掲げる短期社債に係るものを除く。以下この号において同じ。）及び金融商品取引法第二条第一項第十七号に掲げる有価証券（同項第五号に掲げる有価証券の性質を有するものに限る。）で金融商品取引法施行令第十五条の十七第一項第二号及び同条第三項に規定する有価証券（以下この号及び第五項において「資産対応証券」という。）の引受け（資産対応証券の発行に際して当該資産対応証券の全部又は一部につき他にこれを取得する者が不在の場合にその残部を取得する契約を締結する取引に限る。第五項において同じ。）

(iii) acceptance of securities as prescribed in Article 15-17, paragraph (1), item (ii) of the Order for Enforcement of Financial Instruments and Exchange Act, and paragraph (3) of the same Article (hereinafter referred to as "Securities Corresponding to Assets" in this item and paragraph (5)) among securities set forth in Article 2, paragraph (1), item (iv) of the Financial Instruments and Exchange Act (excluding those pertaining to specified short-term bonds set forth in Article 10, paragraph (3), item (vi) of the Act), securities set forth in Article 2, paragraph (1), items (viii) and (xiii) of the Financial Instruments and Exchange Act, and securities set forth in item (v) of the same paragraph (excluding those pertaining to short-term bonds set forth in Article 10, paragraph (3), item (i) of the Act, and short-term bonds set forth in item (v) of the same paragraph; hereinafter the same applies in this item), and securities set forth in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act (upon the issuance of Securities

Corresponding to Assets, if there is no other person that acquires all or part of said Securities Corresponding to Assets, limited to a transaction concluding a contract to obtain the remainder portion; the same applies in paragraph (5));

四 金銭債権（第十二条第一号、第二号、第四号、第六号若しくは第七号に掲げる証書をもつて表示されるもの又は円建銀行引受手形（銀行その他の金融機関が引受けを行つた貿易に係る為替手形のうち、本邦通貨をもつて表示されるものをいう。）に限る。）の取得又は譲渡

(iv) an acquisition or transfer of a monetary claim (limited to monetary claims indicated by certificates as set forth in Article 12, items (i), (ii), (iv), (vi) or (vii), or yen-denominated Bankers' acceptance) (which means bills of exchange indicated by Japanese currency among those pertaining to trade that the Bank or other financial institution accepted));

四の二 短期社債等（法第十条第三項に規定する短期社債等をいう。以下同じ。）の取得又は譲渡

(iv)-2 an acquisition or transfer of short-term bonds, etc. (which means short-term bonds, etc., as prescribed in Article 10, paragraph (3) of the Act; the same applies hereinafter);

五 店頭デリバティブ取引（金融商品取引法第二条第二十二項に規定する店頭デリバティブ取引をいう。以下同じ。）のうち有価証券関連デリバティブ取引に該当するもの以外のもの

(v) an over-the-counter derivatives transaction (which means an over-the-counter derivatives transaction as prescribed in Article 2, paragraph (22) of the Financial Instruments and Exchange Act; the same applies hereinafter) other than those corresponding to securities-related derivatives transactions;

六 削除

(vi) [deleted];

七 先物外国為替取引

(vii) a futures foreign funds transfer transaction;

八 削除

(viii) [deleted];

九 削除

(ix) [deleted];

十 商品デリバティブ取引

(x) a Commodity Derivatives Transaction;

十一 第十三条の二の三第一項第二号に掲げる取引

(xi) transactions as set forth in Article 13-2-3, paragraph (1), item (ii);

十二 削除

(xii) [deleted];

十三 第十三条の二の三第一項第三号に掲げる取引

(xiii) transactions as set forth in Article 13-2-3, paragraph (1), item (iii);

十四 法第十条第二項第十六号の規定により営むことができる有価証券関連店頭デリバティブ取引（同条第十項に規定する有価証券関連店頭デリバティブ取引をいう。）

(xiv) over-the-counter securities-related derivatives transactions (which means over-the-counter securities-related derivatives transactions as prescribed in Article 10, paragraph (10) of the Act) which may be engaged in pursuant to the provisions of paragraph (2), item (xvi) of the same Article;

十五 法第十一条第二号に掲げる業務に係る有価証券の売買又は引受け及び有価証券関連デリバティブ取引

(xv) purchase and sale, or acceptance of securities pertaining to the business set forth in Article 11, item (ii) of the Act, and securities-related derivatives transactions;

十六 法第十一条第四号に掲げる業務に係る算定割当量の取得又は譲渡

(xvi) Acquisition or transfer of a carbon dioxide equivalent quota pertaining to the business set forth in Article 11, item (iv) of the Act; or

十七 前各号に掲げる取引のほか、当該取引又は市場デリバティブ取引及び外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）に類似し、又は密接に関連する取引

(xvii) beyond transactions set forth in the preceding items, transactions similar to or having a close relationship with said transactions, market derivatives transactions, and foreign market derivatives transactions (excluding those corresponding to securities-related derivatives transactions).

3 特定取引勘定を設けた銀行（以下「特定取引勘定設置銀行」という。）は、次に掲げる行為をしてはならない。ただし、第三十五条第五項第一号ホに掲げる書面に記載された事項の範囲内で行う場合は、この限りでない。

(3) A Bank which has established a Specified Transaction Account (hereinafter referred to as a "Bank with a Specified Transaction Account") must not perform the following acts; however, this does not apply when the Bank performs within the scope stated in the documents as set forth in Article 35, paragraph (5), item (i), sub-item (e):

一 特定取引勘定に属するものとして経理された取引又は財産を特定取引勘定以外の勘定に振り替えること。

(i) transferring transactions or assets which are dealt with as being subject to a Specified Transaction Account, to an account other than a Specified Transaction Account; or

二 特定取引勘定に属するものとして経理された取引又は財産以外の取引又は財産を特定取引勘定に振り替えること。

(ii) transferring transactions or assets other than transactions or assets which are dealt with as being subject to a Specified Transaction Account, to a Specified Transaction Account.

4 前項の行為には、一の銀行において、特定取引勘定とその他の勘定との間で行う第

二項第一号から第四号の二まで及び第十五号に掲げる取引（当該取引に類似し、又は密接に関連する取引として同項第十七号の規定により特定取引とされる取引を含む。）を含むものとする。

- (4) Acts as stipulated in the preceding paragraph are to include transactions set forth in paragraph (2), items (i) to (iv)-2 and item (xv) that are conducted between a Specified Transaction Account and other accounts (including transactions which are deemed to be a specified transaction pursuant to the provisions of item (xvii) of the same paragraph as a transaction similar to or having a close relationship with said transactions) within a single Bank.
- 5 特定取引勘定設置銀行は、特定取引のうち事業年度終了の時ににおいて決済されていないものに係る利益相当額又は損失相当額の計算については、次の各号に掲げる取引の区分に応じ当該各号に定める額とする等、その会計を適正に処理するために必要な措置を講じなければならない。
- (5) A Bank with a Specified Transaction Account, with regard to calculations of the amount equivalent to profit or the amount equivalent to loss pertaining to unsettled specified transactions at the end of a business year, must take the necessary measures in order to treat the accounting appropriately, such as specifying those amounts as specified in the following items in accordance with the transaction categories set forth in said items:
- 一 市場デリバティブ取引及び外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。） 金融商品取引所（金融商品取引法第二条第十六項に規定する金融商品取引所をいう。以下同じ。）又は外国金融商品市場における事業年度終了の日の最終価格により取引を決済したものとした場合に授受される差金に基づく額又はこれに準ずるものとして合理的な方法により算出した額
- (i) market derivatives transactions and foreign market derivatives transactions (excluding those corresponding to securities-related derivatives transactions): the amount based on the difference to be settled when the transaction is deemed to be settled at the closing price on the closing date of the business year at the financial instruments exchange (which means a financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act; the same applies hereinafter) or a foreign financial instruments market, or the amount calculated by a reasonable method as equivalent to this;
- 二 店頭デリバティブ取引（金融商品取引法第二条第二十二項第三号、第四号及び第六号に掲げる取引並びに有価証券関連デリバティブ取引に該当するものを除く。）及び先物外国為替取引 当該取引により当事者間で授受することを約した金額（事業年度終了の日において未確定の場合は、指標の予想される数値に基づき算出される金額）を合理的な方法により事業年度終了の日の現在価値に割り引いた額
- (ii) over-the-counter derivatives transactions (excluding transactions set forth in Article 2, paragraph (22), items (iii), (iv), and (vi) of the Financial Instruments and Exchange Act and those corresponding to securities-related

- derivatives transactions) and futures foreign funds transfer transactions: the promised amount to be settled between the parties by said transactions (if the amount is not fixed on the closing day of the business year, the amount calculated based on the prospective Index value) after discounting to the current value on the closing day of the business year by a reasonable method;
- 三 店頭デリバティブ取引（金融商品取引法第二条第二十二項第三号及び第四号に掲げる取引に限り、有価証券関連デリバティブ取引に該当するものを除く。）及び第十三条の二の三第一項第三号に掲げる取引 当該取引の事業年度終了の日の現在価値として、権利の行使により当事者間で授受することを約した金額（事業年度終了の日において未確定の場合は、指標の予想される数値に基づき算出される金額）、事業年度終了の日の当該権利行使に係る指標の数値及び当該指標の予想される変動率を用いた合理的な方法により算定した額
- (iii) over-the-counter derivatives transactions (excluding those corresponding to securities-related derivatives transactions only for the transactions set forth in Article 2, paragraph (22), items (iii) and (iv) of the Financial Instruments and Exchange Act) and transactions set forth in Article 13-2-3, paragraph (1), item (iii): the promised amount to be settled between the parties by exercise of rights as the current value of the closing day of the business year of said transaction (if the amount is not fixed on the closing day of the business year, the amount calculated based on the prospective Index value), and the amount calculated by a reasonable method using the Index value pertaining to said exercise of rights on the closing day of the business year and the volatility of said prospective Index; or
- 四 選択権付債券売買（当事者の一方が受渡日を指定できる権利を有する債券売買であつて、一定の期間内に当該権利が行使されない場合には、当該売買の契約が解除される取引をいう。）、国債等の引受け、資産対応証券の引受け、店頭デリバティブ取引（前二号に掲げる取引に該当するものを除く。）及び商品デリバティブ取引前各号に掲げる額に準ずるものとして合理的な方法により算定した額
- (iv) purchase and sale option bonds (in cases of the purchase and sale of bonds with a right that a party may specify the settlement date and said right is not exercised within a certain period, which means a transaction to cancel said purchase and sale contract), acceptance of national government bonds, etc., acceptance of Securities Corresponding to Assets, over-the-counter derivatives transactions (excluding those corresponding to transactions as set forth in the preceding two items), and Commodity Derivatives Transactions: the amount calculated by a reasonable method that is equivalent to the amount set forth in the preceding items.

（預金の受払事務の委託等）

（Entrustment of Receipt and Payment Services of Deposits）

第十三条の六の四 銀行は、現金自動支払機又は現金自動預入払出兼用機による預金又

は資金の貸付けの業務に係る金銭の受入れ又は払出しに関する事務を第三者に委託する場合には、当該事務に支障を及ぼすことがないよう現金自動支払機又は現金自動預入払出兼用機の管理業務に経験を有するものとして金融庁長官が別に定める者（資金の貸付け（銀行が受け入れた顧客の預金等又は国債を担保として行う契約を除く。）の業務に係る金銭の受入れ又は払出しに関する事務を第三者に委託する場合には、金融庁長官が別に定める業務を主たる業務とする者を除く。）に委託するとともに、顧客に関する情報が漏洩しないための的確な措置及び顧客が当該銀行と当該委託を受けた者その他の者を誤認することを防止するための適切な措置を講じなければならない。

Article 13-6-4 A Bank, in cases of entrusting services concerning receipt or payment of money pertaining to the business of a deposit or loan by using a cash dispenser or an automatic teller machine to a third person, must entrust to a person specified separately by the Commissioner of the Financial Services Agency as a person who has experience with the business of maintenance of a cash dispenser or an automatic teller machine in order to prevent problems of said services (when entrusting services concerning receipt or payment of money pertaining to the business of loans (excluding a contract which uses as security either a customer's deposit, etc. or national government bonds that a Bank received), excluding a person who engages in the duties specified separately by the Commissioner of the Financial Services Agency as its principal business), and must undertake appropriate measures to prevent leakage of information concerning customers and to prevent the misidentification of said entrusted person with another person.

（個人顧客情報の安全管理措置等）

(Safety Management Measures of Individual Customer Information)

第十三条の六の五 銀行は、その取り扱う個人である顧客に関する情報の安全管理、従業員の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又はき損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 13-6-5 A Bank, in cases of entrusting the safety management of information concerning customers, who are individuals and handled by the Bank, the supervision of employees, and handling of said information, with regard to supervision of the entrusted person, must take necessary and appropriate measures in order to prevent leakage, loss, or damage of said information.

（返済能力情報の取扱い）

(Handling of Debt-Paying Ability Information)

第十三条の六の六 銀行は、信用情報に関する機関（資金需要者の借入金返済能力に関する情報の収集及び銀行に対する当該情報の提供を行うものをいう。）から提供を受けた情報であつて個人である資金需要者の借入金返済能力に関するものを、資金需要

者の返済能力の調査以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 13-6-6 A Bank must take measures in order to ensure that information, which is provided by an institution (which means an institution that collects information concerning debt-paying ability of fund consumers and provides said information to a Bank) concerning credit information and is concerning the debt-paying ability of individual fund consumers, is not used for purposes other than investigation of debt-paying ability of the fund consumers.

(特別の非公開情報の取扱い)

(Handling of Special Nonpublic Information)

第十三条の六の七 銀行は、その取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 13-6-7 A Bank must take measures to ensure that information of race, creed, family origin, registered domicile, health and medical, or criminal records concerning a customer who is an individual and handled by the Bank, and other special non-public information (which means information which is obtained in the course of its business and not publicly disclosed) are not used for purposes other than those for securing appropriate management of the business and other necessary purposes.

(委託業務の的確な遂行を確保するための措置)

(Measures to Ensure Accurate Execution of Entrusted Business)

第十三条の六の八 銀行は、その業務を第三者に委託する場合には、当該業務の内容に応じ、次に掲げる措置を講じなければならない。

Article 13-6-8 A Bank, in cases of entrusting a third party with its business, must take the following measures corresponding to the contents of said business:

一 当該業務を的確、公正かつ効率的に遂行することができる能力を有する者に委託するための措置

(i) measures in order to entrust to a person who has the ability to execute said business accurately, fairly, and efficiently;

二 当該業務の委託を受けた者（以下この条において「受託者」という。）における当該業務の実施状況を、定期的に又は必要に応じて確認すること等により、受託者が当該業務を的確に遂行しているかを検証し、必要に応じ改善させる等、受託者に対する必要かつ適切な監督等を行うための措置

(ii) measures, by confirming performance of said business of the person who accepted entrustment of said business (hereinafter referred to as the

"Trustee" in this Article) regularly or as needed, in order to provide necessary and appropriate supervision, etc. to the Trustee, such as inspecting whether the Trustee is executing said business accurately and requiring the Trustee to improve the business as needed;

三 受託者が行う当該業務に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(iii) measures necessary for responding to customer claims appropriately and immediately as pertaining to said business executed by the Trustee;

四 受託者が当該業務を適切に行うことができない事態が生じた場合には、他の適切な第三者に当該業務を速やかに委託する等、当該業務に係る顧客の保護に支障が生じること等を防止するための措置

(iv) in cases of a situation in which the Trustee is unable to execute said business appropriately, measures in order to prevent problems with the protection of customers pertaining to said business, such as immediately entrusting said business to another appropriate third person; or

五 銀行の業務の健全かつ適切な運営を確保し、当該業務に係る顧客の保護を図るため必要がある場合には、当該業務の委託に係る契約の変更又は解除をする等の必要な措置を講ずるための措置

(v) when it is necessary to ensure the sound and appropriate Bank services and to promote protection of customers pertaining to said business, measures in order to take the necessary measures, such as for amending or for cancellation of a contract pertaining to entrustment of said business.

(社内規則等)

(Internal Regulations)

第十三条の七 銀行は、その営む業務の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客に対する説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスク並びに当該銀行が講ずる法第十二条の三第一項に定める措置の内容の説明並びに犯罪を防止するための措置を含む。）に関する社内規則等（社内規則その他これに準ずるものをいう。以下同じ。）を定めるとともに、従業員に対する研修その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 13-7 A Bank, in accordance with the content and method of its business, must stipulate internal regulations, etc. (which means internal regulations and those equivalent; the same applies hereinafter) concerning measures in order to provide to customers an explanation of material matters in consideration of a customer's knowledge, experience, status of assets, and purposes of a transaction and other measures in order to secure sound and appropriate business management (including the explanation of financial instruments, transactions, and their risks and measures taken by said Bank as prescribed in

Article 12-3, paragraph (1) of the Act by delivery of documents and other appropriate methods, and measures to prevent crime), and must develop a sufficient system to manage its business based on training employees and other said internal regulations, etc.

(銀行業務に関する苦情処理措置及び紛争解決措置)

(Complaint Handling Measures and Dispute Resolution Measures Pertaining to Banking Services)

第十三条の八 法第十二条の三第一項第二号に規定する苦情処理措置として内閣府令で定める措置は、次の各号のいずれかとする。

Article 13-8 (1) The measures provided by Cabinet Office Ordinance as complaint handling measures as prescribed in Article 12-3, paragraph (1), item (ii) of the Act are any of the following items:

一 次に掲げるすべての措置を講じること。

(i) to take all of the following measures:

イ 銀行業務関連苦情（法第二条第十九項に規定する銀行業務関連苦情をいう。以下この項及び第三項において同じ。）の処理に関する業務を公正かつ的確に遂行するに足りる業務運営体制を整備すること。

(a) to develop a business operation system allowing the bank to fairly and appropriately carry out operations pertaining to the handling of complaints related to banking services (which means complaints related to banking services prescribed in Article 2, paragraph (19) of the Act; hereinafter the same applies in this paragraph and paragraph (3));

ロ 銀行業務関連苦情の処理に関する業務を公正かつ的確に遂行するための社内規則（当該業務に関する社内における責任分担を明確化する規定を含むものに限る。）を整備すること。

(b) to develop internal regulations to fairly and appropriately carry out operations pertaining to the handling of complaints related to banking services (limited to those including a regulation that clarifies the sharing of responsibility in the company for said operations);

ハ 銀行業務関連苦情の申出先を顧客に周知し、並びにイの業務運営体制及びロの社内規則を公表すること。

(c) to make where to address complaints related to banking services well known to the customers and publicly disclose the business operation system in (a) and the internal regulations in (b).

二 金融商品取引法第七十七条第一項（同法第七十八条の六及び第七十九条の十二において準用する場合を含む。）の規定により金融商品取引業協会（同法第二条第十三項に規定する認可金融商品取引業協会又は同法第七十八条第二項に規定する認定金融商品取引業協会をいう。次項第一号において同じ。）又は認定投資者保護団体（同法第七十九条の十第一項に規定する認定投資者保護団体をいう。以下同じ。）が行う苦情の解決により銀行業務関連苦情の処理を図ること。

(ii) to handle complaints related to banking services through complaints handling made by a Financial Instruments Firms Association (which means the Authorized Financial Instruments Firms Association prescribed in Article 2, paragraph (13) of the Financial Instruments and Exchange Act or the Certified Financial Instruments Firms Association prescribed in Article 78, paragraph (2) of the same Act; the same applies in the following paragraph, item (i)) or a Certified Investor Protection Organization (which means a Certified Investor Protection Organization prescribed in Article 79-10, paragraph (1) of the same Act; hereinafter the same applies) pursuant to Article 77, paragraph (1) of the Financial Instruments and Exchange Act (including cases where it is applied mutatis mutandis pursuant to Articles 78-6 and 79-12 of the same Act);

三 消費者基本法（昭和四十三年法律第七十八号）第十九条第一項又は第二十五条に規定するあつせんにより銀行業務関連苦情の処理を図ること。

(iii) to handle complaints related to banking services through the mediation prescribed in Article 19, paragraph (1) or Article 25 of the Consumer Basic Act (Act No. 78 of 1968);

四 令第十六条の九各号に掲げる指定を受けた者が実施する苦情を処理する手続により銀行業務関連苦情の処理を図ること。

(iv) to handle complaints related to banking services through the complaint handling procedure performed by a person who received any of the designation set forth in the items of Article 16-9 of the Act;

五 銀行業務関連苦情の処理に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人（法第五十二条の六十二第一項第一号に規定する法人をいう。次項第五号において同じ。）が実施する苦情を処理する手続により銀行業務関連苦情の処理を図ること。

(v) to handle complaints related to banking services through a complaint handling procedure performed by a corporation who has financial basis and personnel structure that are sufficient to fairly and appropriately carry out operations pertaining to the handling of complaints related to banking services (which means the corporation prescribed in Article 52-62, paragraph (1), item (i) of the Act; the same applies in item (v) of the following paragraph).

2 法第十二条の三第一項第二号に規定する紛争解決措置として内閣府令で定める措置は、次の各号のいずれかとする。

(2) The measure provided by Cabinet Office Ordinance as prescribed in Article 12-3, paragraph (1), item (ii) of the Act is any of the following items:

一 金融商品取引業協会又は認定投資者保護団体のあつせん（金融商品取引法第七十七条の二第一項（同法第七十八条の七及び第七十九条の十三において準用する場合を含む。）に規定するあつせんをいう。）により銀行業務関連紛争（法第二条第二十項に規定する銀行業務関連紛争をいう。以下この条において同じ。）の解決を図

ること。

(i) to resolve disputes related to banking services (which means the disputes related to banking services prescribed in Article 2, paragraph (20) of the Act; hereinafter the same applies in this Article) through the mediation (which means the mediation prescribed in Article 77-2, paragraph (1) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Articles 78-7 and Article 79-13 of the same Act)) offered by a Financial Instruments Firms Association or Certified Investor Protection Organization;

二 弁護士法（昭和二十四年法律第二百五号）第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあつせん又は当該機関における仲裁手続により銀行業務関連紛争の解決を図ること。

(ii) to resolve disputes related to banking services through mediation by an organization prescribed in the articles of association prescribed in Article 33, paragraph (1) of the Attorney Act (Act No. 205 of 1949) or a regulation prescribed in said articles of association or through an arbitration procedure at said organization;

三 消費者基本法第十九条第一項若しくは第二十五条に規定するあつせん又は同条に規定する合意による解決により銀行業務関連紛争の解決を図ること。

(iii) to resolve disputes related to banking services through mediation prescribed in Article 19, paragraph (1) or Article 25 of the Consumer Basic Act or through settlement by agreement prescribed in the same Article;

四 令第十六条の九各号に掲げる指定を受けた者が実施する紛争の解決を図る手続により銀行業務関連紛争の解決を図ること。

(iv) to resolve disputes related to banking services through a procedure for resolving disputes performed by a person who received any of the designation set forth in the items of Article 16-9 of the Order;

五 銀行業務関連紛争の解決に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人が実施する紛争の解決を図る手続により銀行業務関連紛争の解決を図ること。

(v) to resolve disputes related to banking services through a procedure for resolving disputes performed by a corporation having financial basis and personnel structure sufficient to fairly and appropriately carry out operations pertaining to the resolution of disputes related to banking services.

3 前二項（第一項第五号及び前項第五号に限る。）の規定にかかわらず、銀行は、次の各号のいずれかに該当する法人が実施する手続により銀行業務関連苦情の処理又は銀行業務関連紛争の解決を図ってはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs (limited to paragraph (1), item (v) and item (v) of the preceding paragraph), a Bank must not handle complaints related to banking services or resolve disputes related to

banking services through a procedure performed by a corporation who falls under any of the following items:

一 法又は弁護士法の規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない法人

(i) a corporation who was sentenced to a fine pursuant to the provisions of the Act or the Attorney Act and for whom five years have not passed from the date when such person completed or was relieved from the execution of the sentence.

二 法第五十二条の八十四第一項の規定により法第五十二条の六十二第一項の規定による指定を取り消され、その取消しの日から五年を経過しない法人又は令第十六条の九各号に掲げる指定を取り消され、その取消しの日から五年を経過しない法人

(ii) a corporation whose designation pursuant to the provisions of Article 52-62, paragraph (1) of the Act was revoked pursuant to the provisions of Article 52-84, paragraph (1) of the Act and for whom five years have not passed from the date of such revocation or a corporation whose designation set forth in any of the items of Article 16-9 of the Order was revoked and for whom five years have not passed from the date of such revocation;

三 その業務を行う役員（役員が法人であるときは、その職務を行うべき者を含む。以下この号において同じ。）のうちに、次のいずれかに該当する者がある法人

(iii) a corporation, any of whose officers in charge of its business (when the officer is a corporation, including a person who is in charge of its business; hereinafter the same applies in this item) falls under any of the following:

イ 禁錮（こ）以上の刑に処せられ、又は法若しくは弁護士法の規定により刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から五年を経過しない者

(a) a person who was sentenced to imprisonment without work or a severer punishment or sentenced to punishment pursuant to the provisions of the Act or the Attorney Act and for whom five years have not passed from the date when such person completed or was relieved from the execution of the sentence;

ロ 法第五十二条の八十四第一項の規定により法第五十二条の六十二第一項の規定による指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であつた者でその取消しの日から五年を経過しない者又は令第十六条の九各号に掲げる指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であつた者でその取消しの日から五年を経過しない者

(b) a person who, at a corporation whose designation pursuant to the provisions of Article 52-62, paragraph (1) of the Act was revoked pursuant to the provisions of Article 52-84, paragraph (1) of the Act, was an officer of such corporation within one month prior to the date of such revocation and for whom five years have not passed from the date of such revocation or a person who, at a corporation whose designation set forth in any of the

items of Article 16-9 of the Order was revoked, was an officer within one month prior to the date of such revocation and for whom five years have not passed from the date of such revocation.

(同一人に対する信用の供与等)

(Credit Extended to a Single Person)

第十四条 令第四条第四項第一号に規定する貸出金として内閣府令で定めるものは、資金の貸付け又は手形の割引のうち別紙様式第三号（特定取引勘定設置銀行にあつては別紙様式第三号の二、外国銀行支店にあつては別紙様式第四号（第三十五条第一項第十八号に掲げる場合に該当し、法第五十三条の規定による届出を行つた外国銀行支店（以下「特定取引勘定届出外国銀行支店」という。）にあつては別紙様式第四号の二））中の貸借対照表（以下この条において「貸借対照表」という。）の貸出金勘定に計上されるものとする。

Article 14 (1) Matters as provided by Cabinet Office Ordinance as a loan prescribed in Article 4, paragraph (4), item (i) of the Order are recorded in a loan account of a balance sheet (hereinafter referred to as "Balance Sheet" in this Article) as prescribed in item (iii) of the appended form (in the case of a Bank with a Specified Transaction Account, item (iii)-2 of the appended form; in the case of a Foreign Bank Branch, item (iv) of the appended form (in the case corresponding to a case set forth in Article 35, paragraph (1), item (xviii) and that of a Foreign Bank Branch that submitted a notification pursuant to the provisions of Article 53 of the Act (hereinafter referred to as a "Foreign Bank Branch That Submitted Notification of a Specified Transaction Account"), item (iv)-2 of the appended form)) among the loans of funds or discounting of bills and notes.

2 令第四条第四項第二号に規定する債務の保証として内閣府令で定めるものは、貸借対照表の支払承諾見返勘定に計上されるものとする。

(2) Those matters as provided by Cabinet Office Ordinance as a guarantee of obligations prescribed in Article 4, paragraph (4), item (ii) of the Order are recorded in the guarantee endorsements account of the Balance Sheet.

3 令第四条第四項第三号に規定する出資として内閣府令で定めるものは、貸借対照表の有価証券勘定に株式又は出資（外国法人の発行する証券又は証書に表示される権利で株式又は出資の性質を有するものを含む。）として計上されるものとする。

(3) Those matters as provided by Cabinet Office Ordinance as a contribution as prescribed in Article 4, paragraph (4), item (iii) of the Order are recorded as shares or contributions (including rights presented on securities or certificates issued by a foreign corporation that has the nature of shares or a contribution) in the securities account of the Balance Sheet.

4 令第四条第四項第四号に規定する内閣府令で定めるものは、次に掲げるものとする。

(4) Those matters as provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (4), item (iv) of the Order are the following:

一 貸借対照表の有価証券勘定に社債として計上されるもののうち、その発行の際にその取得の申込みの勧誘が金融商品取引法第二条第三項に規定する有価証券の私募に該当するものであつた社債の保有

(i) holding of corporate bonds, among those recorded as corporate bonds in the securities account item of the Balance Sheet, of which the solicitation of an offer for acquisition of the company bonds at the time of issuance corresponded to a private placement of securities as prescribed in Article 2, paragraph (3) of the Financial Instruments and Exchange Act;

二 貸借対照表の有価証券勘定に社債として計上されるもののうち、前号に掲げる社債の保有に該当するもの以外のもの

(ii) among the matters recorded as corporate bonds in the securities account of the Balance Sheet, those other than holdings of corporate bonds as set forth in the preceding item;

三 貸借対照表の買入金銭債権勘定に金融商品取引法第二条第一項第十五号に規定する約束手形（次号において「約束手形」という。）として計上されるもの

(iii) those matters recorded as a promissory note, as prescribed in Article 2, paragraph (1), item (xv) of the Financial Instruments and Exchange Act (referred to as "Promissory Note" in the following item), in the monetary claims purchased account of the Balance Sheet;

四 貸借対照表の特定取引勘定に約束手形又は短期社債等として計上されるもの

(iv) those items recorded as a Promissory Note or as short-term bonds, etc. in a Specified Transaction Account of the Balance Sheet; or

五 デリバティブ取引に係る信用の供与として金融庁長官が定める基準に従い算出されるもの

(v) those matters calculated as the credit extended pertaining to a derivatives transaction in accordance with standards specified by the Commissioner of the Financial Services Agency.

(法第十三条第一項の規定の適用に関し必要な事項)

(Necessary Matters Concerning Application of the Provisions of Article 13, paragraph (1) of the Act)

第十四条の二 法第十三条第一項本文に規定する銀行の同一人に対する信用の供与等（同項本文に規定する信用の供与等をいう。以下この条から第十四条の六までにおいて同じ。）の額（第十四条の五第二項において「単体信用供与等総額」という。）は、同一人に係る前条各項の規定により計上又は算出される信用の供与等の額の合計額から当該同一人に係る次の各号に掲げる額の合計額を控除して計算するものとする。

Article 14-2 (1) The amount (which is referred to as the "total amount of non-consolidated credit extended, etc." in Article 14-5, paragraph (2)) of credit extended, etc. to a single person of a Bank as prescribed in Article 13, main clause of paragraph (1) of the Act (which means credit extended, etc. as prescribed in the main clause of the same paragraph; hereinafter the same

applies in this Article to Article 14-6) is to be calculated by deducting from the total amount of credit extended, etc. that is recorded or calculated pursuant to the provisions of each paragraph of the preceding Article pertaining to a single person, the total amount as set forth in the following items pertaining to said single person:

一 前条第一項に規定する貸出金に係る次に掲げる額の合計額

(i) total amount of the following amount pertaining to a loan as prescribed in paragraph (1) of the preceding Article:

イ 当該銀行に対する預金等に係る債権を担保とする貸出金の額のうち当該担保の額

(a) among the amount of loans secured by claims pertaining to a deposit, etc. of said Bank, the amount of said security;

ロ 国債又は地方債を担保とする貸出金の額のうち当該担保の額

(b) among the amount of loans secured by national government bonds or local government bonds, the amount of said security;

ハ 貿易保険法（昭和二十五年法律第六十七号）第三十条第二項に規定する輸出代金保険の保険金請求権を担保とする貸出金の額のうち当該担保の額又は同法第五十四条第二項に規定する海外事業資金貸付保険の付された貸出金の額のうち当該保険金額

(c) among the amount of loans secured by a claim to an insured payment of export credit insurance as prescribed in Article 30, paragraph (2) of the Trade and Investment Insurance Act (Act No. 67 of 1950), the amount of said security, or among the amount of loans insured by Overseas United Loan Insurance as prescribed in Article 54, paragraph (2) of the same Act, the amount of said insurance payment;

ニ 貨物の輸入者に対する当該貨物の代金（当該貨物に係る運賃又は保険料を含む。）の決済に係る本邦通貨による貸付金（当該貨物に係る船積書類到着後六月以内に返済期限が到来するものに限る。）の額

(d) the amount of loans (limited to those for which maturity of payment occurs within six months after the receipt of shipping documents pertaining to goods) in Japanese currency pertaining to settlement of the price of said goods (including transportation cost or insurance premiums pertaining to said goods) to an importer of said goods; and

ホ 信用保証協会が債務の保証をした貸出金であつて中小企業金融公庫により当該保証に保険の付されているものの額のうち当該保険金額

(e) among the amount of loans for which debt is guaranteed by a credit guarantee corporation and said guarantee is insured by the Japan Finance Corporation, the amount of said insurance payment;

二 前条第二項に規定する債務の保証に係る次に掲げる額の合計額

(ii) total amount of the following amount pertaining to debt guarantees as prescribed in paragraph (2) of the preceding Article:

- イ 法律の定めるところにより、予算について国会の議決を経、又は承認を受けなければならない法人の業務の代理に付随してされる債務の保証の額
- (a) the amount of debt guarantees associated with agency service of business of a corporation for which a budget must obtain a resolution of the Diet or obtain an approval, pursuant to the provisions of the Acts;
- ロ 銀行その他の金融機関が支払人となつている手形の引受け又は裏書きの額
- (b) the amount of accepting or endorsement of bills and notes which is paid by a Bank or other financial institution;
- ハ 国税又は地方税の徴収猶予又は延納の担保等についてする保証の額
- (c) the amount of guarantees for security, etc. of deferred collection or deferred payment of national tax or local tax;
- ニ 輸入取引に伴つてされる保証又は手形の引受けの額
- (d) the amount of guaranteeing or accepting of bills and notes associated with import transactions; and
- ホ 貿易保険法第五十四条第二項に規定する海外事業資金貸付保険の付されている保証の額のうち当該保険金額
- (e) among the amount of guarantees insured with Overseas United Loan Insurance as prescribed in Article 54, paragraph (2) of the Trade and Investment Insurance Act, the amount of said insurance payment;
- 三 前条第三項に規定する株式又は出資が財務諸表等規則第八条第二十二項に規定するその他有価証券であつて、貸借対照表計上額が帳簿価額を上回る場合における当該貸借対照表計上額と帳簿価額との差額
- (iii) when shares or contributions as prescribed in paragraph (3) of the preceding Article are other securities as prescribed in Article 8, paragraph (22) of the Order of Financial Statements, etc. and the amount recorded in the balance sheet exceeds book value, the difference between said balance sheet amount and book value;
- 四 前条第四項第一号に規定する社債に係る信用保証協会の債務の保証相当額（株式会社日本政策金融公庫により当該保証に保険の付されているものの額のうち当該保険金相当額に限る。）
- (iv) the amount equivalent to debt guarantees of a credit guarantee corporation pertaining to corporate bonds as prescribed in paragraph (4), item (i) of the preceding Article (limited to, among the amount of said guarantees insured by the Japan Finance Corporation, the amount equivalent to said insurance payment);
- 五 前条第四項第一号から第四号までに規定するものに係る次に掲げる額の合計額
- (v) total amount of the following amounts pertaining to those matters as prescribed in paragraph (4), items (i) to (iv) of the preceding Article:
- イ 当該銀行に対する預金等に係る債権を担保とするもののうち当該担保の額
- (a) among those matters secured by a claim pertaining to a deposit, etc. of said Bank, the amount of said security; and

ロ 国債又は地方債を担保とするもののうち当該担保の額

(b) among those matters secured by national government bonds or local government bonds, the amount of said security;

六 前各号に掲げる額に準ずるものとして金融庁長官が定める額

(vi) the amount of matters specified by the Commissioner of the Financial Services Agency as those matters equivalent to an amount as set forth in each preceding item.

2 法第十三条第一項本文に規定する自己資本の額は、法第十四条の二第一号に掲げる基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(2) The amount of equity capital as prescribed in Article 13, main clause of paragraph (1) of the Act is the amount of equity capital calculated in accordance with the standards set forth in Article 14-2, item (i) of the Act to which the amount of necessary adjustments are added pursuant to as specified by the Commissioner of the Financial Services Agency.

3 銀行は、何らの名義によつてするかを問わず、法第十三条第一項本文の規定による禁止を免れる取引又は行為をしてはならない。

(3) A Bank, in whatever name it is performed, must not transact or act in order to evade the prohibitions pursuant to the provisions of Article 13, main clause of paragraph (1) of the Act.

(信用供与等限度額を超えることとなるやむを得ない理由がある場合)

(Cases with a Compelling Reason for Exceeding the Limit on Extensions of Credit)

第十四条の三 令第四条第七項第二号に規定する内閣府令で定める国民経済上特に緊要な事業は、次に掲げる事業とする。

Article 14-3 (1) Business especially urgent for the national economy as provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (7), item (ii) of the Order is the following business:

一 電気事業法（昭和三十九年法律第百七十号）第二条第一項第一号に規定する一般電気事業

(i) general electricity business as prescribed in Article 2, paragraph (1), item (i) of the Electricity Business Act (Act No. 170 of 1964); and

二 金融の円滑を図ることを目的に金融機関の健全かつ適切な運営に資するため、金融機関が共同で出資し設立した不動産担保付債権の買取会社が行う金融機関からの債権買取事業

(ii) business to purchase claims from a financial institution that is conducted by a purchasing company of claims secured by real property, which company has jointly contributed capital and was incorporated by financial institutions, in order to contribute to sound and appropriate management of financial institutions with the purpose of the facilitation of financing.

2 令第四条第七項第四号に規定する内閣府令で定める理由は、次に掲げる理由とする。

(2) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (7), item (iv) of the Order are the following:

一 当該銀行が預金保険法第六十一条第一項の認定又は同法第六十二条第一項のあつせんを受け、同法第五十九条第二項に規定する合併等を行うこと。

(i) said Bank obtains an approval as specified in Article 61, paragraph (1) of the Deposit Insurance Act or mediation as specified in Article 62, paragraph (1) of the same Act, and then conducts a merger, etc., as prescribed in Article 59, paragraph (2) of the same Act;

二 当該銀行の資本金の減少により一時的に自己資本の額が減少すること（増資等により信用供与等限度額を超えることとなる状態が速やかに解消される場合に限る。）。

(ii) the amount of equity capital is reduced temporarily due to reduction of stated capital of said Bank (limited to the cases where states that the exceeded limit on extensions of credit, etc. due to a capital increase, etc. is to be immediately resolved); and

三 その他前二号に準ずるものとして金融庁長官が適当と認めること。

(iii) other matters found to be appropriate as equivalent to the preceding two items by the Commissioner of the Financial Services Agency.

3 銀行は、法第十三条第一項ただし書の規定による同一人に対する信用の供与等の額が同項本文に規定する信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(3) A Bank, when intending to obtain an approval for the amount of credit extended, etc. to a single person pursuant to Article 13, proviso of paragraph (1) of the Act that exceeds the limit on extensions of credit, etc., as prescribed in the main clause of the same paragraph, must attach the following documents to the written application for approval and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 信用の供与等を受ける者の資金計画を記載した書面

(ii) a document stating the financial plan of the person who is to obtain credit extended, etc.; and

三 その他金融庁長官が必要と認める事項を記載した書面

(iii) other documents stating matters found to be necessary by the Commissioner of the Financial Services Agency.

(当該銀行と特殊の関係のある者)

(Person Who Has a Special Relationship with Said Bank)

第十四条の四 法第十三条第二項前段に規定する当該銀行と内閣府令で定める特殊の関係のある者は、当該銀行の子法人等（令第四条の二第二項に規定する子法人等をいう）。

以下この章、第二十一条、第三十四条の三十二及び第三十五条第一項において同じ。)及び関連法人等(令第四条の二第三項に規定する関連法人等をいう。以下この章において同じ。)とする。

Article 14-4 A person who has a special relationship as provided by Cabinet Office Ordinance with said Bank as prescribed in Article 13, first sentence of paragraph (2) of the Act is a subsidiary corporation, etc. (which means a subsidiary corporation, etc., as prescribed in Article 4-2, paragraph (2) of the Order; hereinafter the same applies in this Chapter, Article 21, Article 34-32, and Article 35, paragraph (1)) and an affiliated corporation, etc. (which means an Affiliated Corporation, etc., as prescribed in Article 4-2, paragraph (3) of the Order; the same applies hereinafter in this Chapter) of said Bank.

(法第十三条第二項の規定の適用に関し必要な事項)

(Necessary Matters Concerning Application of Provisions of Article 13, paragraph (2) of the Act)

第十四条の五 法第十三条第二項前段に規定する当該銀行及び当該子会社等又は当該子会社等の同一人に対する信用の供与等の額は、合算信用供与等総額から当該同一人に係る調整対象額を控除して計算するものとする。

Article 14-5 (1) The amount of credit extended, etc. to said Bank and said Subsidiary Company, etc. or a single person of a Subsidiary Company, etc. as prescribed in Article 13, first sentence of paragraph (2) of the Act is to be calculated by deducting the amount subject to the adjustment pertaining to said single person from the total amount of the consolidated credit extended, etc.

2 前項に規定する「合算信用供与等総額」とは、次の各号に掲げる額の合計額をいう。

(2) The term "total amount of the consolidated credit extended, etc." as prescribed in the preceding paragraph means the total amount of the amounts as set forth in each of the following items:

一 当該銀行について第十四条の二第一項の規定により計算した単体信用供与等総額

(i) total amount of non-consolidated credit extended, etc. calculated pursuant to the provisions of Article 14-2, paragraph (1) with regard to said Bank; and

二 当該銀行の子法人等及び関連法人等のそれぞれについて第十四条の二第一項の規定の例により計算した信用の供与等の総額

(ii) total amount of credit extended, etc. calculated with regard to each subsidiary corporation, etc. and each affiliated corporation, etc. of said Bank, pursuant to examples in the provisions of Article 14-2, paragraph (1).

3 第一項に規定する「調整対象額」とは、当該子会社等(法第十三条第二項前段に規定する子会社等をいう。以下この条において同じ。)のする資金の貸付けの額のうち当該銀行又は他の子会社等が保証している額その他金融庁長官が定める額をいう。

(3) The term "amount subject to adjustment" as prescribed in paragraph (1) means the amount secured by said Bank or other Subsidiary Company, etc.

among the amount of loans provided by said Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 13, first sentence of paragraph (2) of the Act; hereinafter the same applies in this Article) and other amounts as specified by the Commissioner of the Financial Services Agency.

4 法第十三条第二項前段に規定する自己資本の純合計額は、法第十四条の二第二号に掲げる基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(4) Net total amount of equity capital as prescribed in Article 13, first sentence of paragraph (2) of the Act is the amount of equity capital calculated in accordance with the standards set forth in Article 14-2, item (ii) of the Act to which the amount of necessary adjustments are added pursuant to as specified by the Commissioner of the Financial Services Agency.

5 銀行は、何らの名義によつてするかを問わず、法第十三条第二項前段の規定による禁止を免れる取引又は行為をしてはならない。

(5) A Bank, in whatever name it is performed, must not transact or act in order to evade the prohibitions pursuant to the provisions of Article 13, the first sentence of paragraph (1) of the Act.

(合算信用供与等限度額を超えることとなるやむを得ない理由がある場合)

(Cases with a Compelling Reason for Exceeding the Consolidated Limit on Extensions of Credit)

第十四条の六 第十四条の三第二項の規定は、令第四条第十項第五号（令第十六条の二の二第五項において準用する場合を含む。）に規定する内閣府令で定める理由について準用する。この場合において、第十四条の三第二項第一号及び第二号中「当該銀行」とあるのは「当該銀行又はその子会社等」と、同項第二号中「自己資本の額」とあるのは「自己資本の純合計額」と、「信用供与等限度額」とあるのは「合算信用供与等限度額」と読み替えるものとする。

Article 14-6 (1) The provisions of Article 14-3, paragraph (2) apply mutatis mutandis to reasons as provided by Cabinet Office Ordinance as prescribed in Article 4, paragraph (10), item (v) of the Order (including the cases where it is applied mutatis mutandis pursuant to Article 16-2-2, paragraph (5) of the Order). In this case, the term "said Bank" in Article 14-3, paragraph (2), items (i) and (ii) is deemed to be replaced with "said Bank or its Subsidiary Company, etc."; the term "amount of equity capital" in item (ii) of the same paragraph is deemed to be replaced with "net total amount of equity capital"; and the term "limit on extensions of credit, etc." in the same item is deemed to be replaced with "consolidated limit on extensions of credit, etc."

2 銀行は、法第十三条第二項後段において準用する同条第一項ただし書の規定による当該銀行及び当該子会社等又は当該子会社等の同一人に対する信用の供与等の合計額が同条第二項前段に規定する合算信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に第十四条の三第三項各号に掲げる書面を添付して金融庁長

官等に提出しなければならない。

(2) A Bank, when intending to obtain an approval, pursuant to the provisions of Article 13, proviso of paragraph (1) of the Act as applied mutatis mutandis pursuant to paragraph (2), second sentence of the same Article, for the total amount of credit extended, etc. to said Bank and said Subsidiary Company, etc. or a single person of said Subsidiary Company, etc. that exceeds the consolidated limit on extensions of credit, etc. as prescribed in the first sentence of paragraph (2) of the same Article, must attach the documents as set forth in each item of Article 14-3, paragraph (3) to a written application for approval and submit them to the Commissioner of the Financial Services Agency, etc.

(銀行の特定関係者)

(A Specified Related Party of a Bank)

第十四条の七 令第四条の二第二項に規定する内閣府令で定めるものは、次の各号に掲げる法人等（同項に規定する法人等をいう。以下この条において同じ。）とする。ただし、財務上又は営業上若しくは事業上の関係からみて他の法人等の意思決定機関（同項に規定する意思決定機関をいう。以下この項において同じ。）を支配していないことが明らかであると認められるときは、この限りでない。

Article 14-7 (1) A person as provided by Cabinet Office Ordinance as prescribed in Article 4-2, paragraph (2) of the Order is corporation, etc. (which means a corporation, etc. as prescribed in the same paragraph; hereinafter the same applies in this Article) as set forth in the following items; provided, however, that this does not apply when it is obvious, from the perspective of the relationship of finance, operation, or business, that the person does not control the decision-making organization (which means a decision-making organization as prescribed in the same paragraph; hereinafter the same applies in this paragraph) of the other corporation, etc.:

一 他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた他の法人等その他これらに準ずる他の法人等であつて、有効な支配従属関係が存在しないと認められるものを除く。以下この項において同じ。）の議決権の過半数を自己の計算において所有している法人等

(i) a corporation, etc. that holds majority voting rights of the other corporation, etc. (excluding another corporation, etc. granted an order for commencement of Bankruptcy proceedings, an order for commencement of rehabilitation proceedings, or an order for commencement of corporate reorganization proceedings, and other corporation, etc. equivalent to the above and for which it is found that effective control and a relationship of subjugation does not exist; hereinafter the same applies in this paragraph) under its own account;

二 他の法人等の議決権の百分の四十以上、百分の五十以下を自己の計算において所

有している法人等であつて、次に掲げるいずれかの要件に該当するもの

(ii) a corporation, etc. that holds voting rights of another corporation, etc. of forty percent or more and fifty percent or less under its own account and that corresponds to any of the following requirements:

イ 当該法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、当該他の法人等の議決権の過半数を占めていること。

(a) total voting rights that are held by said corporation, etc. under its own account and held by a person, who is found to exercise voting rights with an identical content to the intention of said corporation, etc. due to having a close relationship with said corporation, etc. with regard to a contribution, personnel affairs, funds, technologies, transactions, etc., and by a person, who consents to the exercise of one and the same content of voting right as the intention of said corporation, etc., are a majority of voting rights of said other corporation, etc.;

ロ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等が当該他の法人等の財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、当該他の法人等の取締役会その他これに準ずる機関の構成員の過半数を占めていること。

(b) persons, who are officers, members or employees performing business of said corporation, etc., or any person formerly assigned to these positions, and for whom said corporation, etc. may affect the decision of policies of finance and operation or business of said other corporation, etc., are a majority of members of the board of directors or other equivalent organization of said other corporation, etc.;

ハ 当該法人等と当該他の法人等との間に当該他の法人等の重要な財務及び営業又は事業の方針の決定を支配する契約等が存在すること。

(c) a contract, etc. that controls the decision of material policies of finance and operation or business of said other corporation, etc. exists between said corporation, etc. and said other corporation, etc.;

ニ 当該他の法人等の資金調達額（貸借対照表の負債の部に計上されているものに限る。）の総額の過半について当該法人等が融資（債務の保証及び担保の提供を含む。以下この条において同じ。）を行つていること（当該法人等と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の過半となる場合を含む。）。

(d) said corporation, etc. finances (including a debt guarantee and provisions of security; hereinafter the same applies in this Article) a majority of the total amount of financing (limited to that which is recorded in the liabilities of the balance sheet) of said other corporation, etc. (including the

cases where the total amount of financing provided by a person, who has a close relationship with said corporation, etc., with regard to a contribution, personnel affairs, funds, technologies, transactions, etc., is a majority of the total amount of financing); and

ホ その他当該法人等が当該他の法人等の意思決定機関を支配していることが推測される事実が存在すること。

(e) other fact can be conjectured that control of the decision-making

organization of said other corporation, etc. by said corporation, etc. exists;

三 法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人等の議決権の過半数を占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該法人等であつて、前号ロからホまでに掲げるいずれかの要件に該当するもの

(iii) a corporation, etc., when total voting rights that are held by said corporation, etc. under its own account and held by a person, who is found to exercise voting rights with an identical content to the intention of said corporation, etc. due to having a close relationship with said corporation, etc. with regard to a contribution, personnel affairs, funds, technologies, transactions, etc., and by a person, who consents to the exercise of one and the same content of voting rights as the intention of said corporation, etc., is a majority of voting rights of said other corporation, etc. (including the cases where said corporation, etc. does not hold voting rights under its own account), and corresponding to any of the requirements set forth in (b) to (e) of the preceding item.

2 令第四条の二第三項に規定する内閣府令で定めるものは、次の各号に掲げるものとする。ただし、財務上又は営業上若しくは事業上の関係からみて法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等の財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないことが明らかであると認められるときは、この限りでない。

(2) Matters as provided by Cabinet Office Ordinance as prescribed in Article 4-2, paragraph (3) of the Order are as set forth in the following items; however, this does not apply when it is found to be obvious, from the perspective of the relationship of finance, operation or business, that a corporation, etc.

(including a subsidiary corporation, etc. of said corporation, etc.) is unable to have a material effect on decisions of policies of finance and operation or business of another corporation, etc. other than a subsidiary corporation, etc.:

一 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた子法人等以外の他の法人等その他これらに準ずる子法人等以外の他の法人等であつて、当該法人

等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないと認められるものを除く。以下この項において同じ。) の議決権の百分の二十以上を自己の計算において所有している場合における当該子法人等以外の他の法人等

(i) when a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) holds twenty percent or more of voting rights of another corporation, etc. other than a subsidiary corporation, etc. (excluding a person who is another corporation, etc. other than a subsidiary corporation, etc. granted an order for commencement of Bankruptcy proceedings, an order for commencement of rehabilitation proceedings, or an order for commencement of corporate reorganization proceedings, or other corporation, etc. other than a subsidiary corporation, etc. equivalent to the above, and it is found that said corporation, etc. is unable to have a material effect on a decision of policies of finance and operation or business; hereinafter the same applies in this paragraph) under its own account, said other corporation, etc. other than a subsidiary corporation, etc.;

二 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等の議決権の百分の十五以上、百分の二十未満を自己の計算において所有している場合における当該子法人等以外の他の法人等であつて、次に掲げるいずれかの要件に該当するもの

(ii) in the case that a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) holds voting rights of other corporation, etc. other than a subsidiary corporation, etc. of fifteen percent or more and less than twenty percent under its own account, the other said corporation, etc. other than a subsidiary corporation, etc., who corresponds to any of the following requirements:

イ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等がその財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、その代表取締役、取締役又はこれらに準ずる役職に就任していること。

(a) persons, who are officers, members or employees performing business of said corporation, etc., or any person formerly assigned to one of these positions, and to whom said corporation, etc. may affect the decision of policies of its finance and operation or business, are assumed to be its representative director, other director or any position equivalent to the above;

ロ 当該法人等から重要な融資を受けていること。

(b) a person who is granted material financing by said corporation, etc.;

ハ 当該法人等から重要な技術の提供を受けていること。

(c) a person who is provided material technology by said corporation, etc.;

ニ 当該法人等との間に重要な販売、仕入れその他の営業上又は事業上の取引があ

ること。

(d) a person who carries out a material sale, procurement, or other transactions concerning its operation or business between said corporation, etc.; or

ホ その他当該法人等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができることが推測される事実が存在すること。

(e) other fact can be conjectured that control by said corporation, etc. exists that may have a material effect on the decision on policies of its finance and operation or business.

三 法人等（当該法人等の子法人等を含む。）が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、子法人等以外の他の法人等の議決権の百分の二十以上を占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該子法人等以外の他の法人等であつて、前号イからホまでに掲げるいずれかの要件に該当するもの

(iii) another corporation, etc. other than a subsidiary corporation, etc., when total voting rights that are held by a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) under its own account and held by a person, who is found to exercise voting rights with an identical content to the intention of said corporation, etc. due to having a close relationship with said corporation, etc. with regard to a contribution, personnel affairs, funds, technologies, transactions, etc., and by a person, who consents to the exercise of one and the same content of voting rights as the intention of said corporation, etc., are twenty percent or more of voting rights of said other corporation, etc. other than a subsidiary corporation, etc. (including the cases where said corporation, etc. does not hold voting rights under its own account), and corresponding to any of the requirements set forth in (b) through (e) of the preceding item.

3 特別目的会社（資産の流動化に関する法律（平成十年法律第百五号）第二条第三項に規定する特定目的会社及び事業内容の変更が制限されているこれと同様の事業を営む事業体をいう。以下この項において同じ。）については、適正な価額で譲り受けた資産から生ずる収益を当該特別目的会社が発行する証券の所有者（同法第二条第十二項に規定する特定目的借入れに係る債権者を含む。）に享受させることを目的として設立されており、当該特別目的会社の事業がその目的に従つて適切に遂行されているときは、当該特別目的会社に対する出資者及び当該特別目的会社に資産を譲渡した法人等（以下この項において「出資者等」という。）から独立しているものと認め、第一項の規定にかかわらず、出資者等の子法人等に該当しないものと推定する。

(3) With regard to a special purpose company (which means a specified purpose company as prescribed in Article 2, paragraph (3) of the Act on Securitization

of Assets (Act No. 105 of 1998) and a business entity that carries out a business similar to the specified purpose company for which a change of content of business is restricted; hereinafter the same applies in this paragraph), when it is incorporated with a purpose to provide an enjoyment of profit generated from an asset that was accepted at a proper value by an owner (including a creditor pertaining to specified purpose borrowing as prescribed in Article 2, paragraph (12) of the same Act) of securities issued by said special purpose company and when the business of said special purpose company is carried out appropriately in accordance with the purpose, the special purpose company is deemed to be independent from a contributory to said special purpose company and a corporation, etc. (hereinafter referred to as "Contributory, etc." in this paragraph) who transferred its assets to said special purpose company, and, notwithstanding the provisions of paragraph (1), is presumed not to correspond to a subsidiary corporation, etc. of the Contributory, etc.

(特定関係者との間の取引等を行うやむを得ない理由)

(Compelling Reason for Carrying out Transactions with Specified Related Parties)

第十四条の八 法第十三条の二ただし書に規定する内閣府令で定めるやむを得ない理由は、次に掲げる理由とする。

Article 14-8 Compelling reasons as provided by Cabinet Office Ordinance as prescribed in the proviso of Article 13-2 of the Act are the following reasons:

一 当該銀行が当該銀行の取引の通常 conditions に照らして当該銀行に不利益を与える取引又は行為を、当該銀行の特定関係者（法第十三条の二本文に規定する特定関係者をいう。以下この条から第十四条の十一までにおいて同じ。）に該当する特定金融機関（破綻金融機関（預金保険法第二条第四項に規定する破綻金融機関をいう。以下この号において同じ。）及び破綻金融機関の権利義務の全部又は一部を承継する金融機関をいう。）との間で行う場合において、当該取引又は行為を行わなければ当該特定金融機関の営業又は事業の継続に支障を生ずるおそれがあること。

(i) when said Bank, in light of ordinary conditions of transactions of said Bank, carries out transactions or acts that provide a disadvantage to said Bank with a specified financial institution (which means a bankrupt financial institution (which means a bankrupt financial institution as prescribed in Article 2, paragraph (4) of the Deposit Insurance Act; hereinafter the same applies in this item) and a financial institution that succeeds to all or part of the rights and obligations of a bankrupt financial institution) that corresponds to a specified related party (which means a specified related party as prescribed in the main clause of Article 13-2 of the Act) of said Bank, if said transaction or act is not carried out, it is likely to generate problems with the continuing operation or business of said specified financial

institution;

二 当該銀行が外国銀行を当該銀行の子法人等又は関連法人等として有する場合（当該外国銀行が所在する国において当該銀行が支店その他の営業所を設置することができないことについてやむを得ない事由があるときに限る。）において、当該銀行が当該外国銀行との間で当該銀行の本店と支店その他の営業所との間で行う取引又は行為と同様の条件の取引又は行為を行わなければ当該外国銀行の営業又は事業の継続に支障を生ずるおそれがあること。

(ii) when said Bank holds a Foreign Bank as a subsidiary corporation, etc. or an affiliated corporation, etc. of said Bank (limited to cases where there is a compelling reason that said Bank is unable to establish a branch office or other business office in a state where said Foreign Bank is located), if said Bank does not carry out a transaction or an act under the same conditions as a transaction or an act that is carried out between the head office and a branch office or other business office of said Bank, with said Foreign Bank, it is likely to generate problems with continuing operations or business of said Foreign Bank; or

三 当該銀行が、当該銀行の取引の通常の状態に照らして当該銀行に不利益を与える取引又は行為を経営の状況の悪化した当該銀行の特定関係者との間で合理的な経営改善のための計画に基づき行う場合において、当該取引又は行為を行うことが当該特定関係者の経営の状況を改善する上で必要かつ不可欠であると見込まれること。

(iii) when said Bank carries out a transaction or an act that provides a disadvantage to said Bank, in light of ordinary conditions of a transaction of said Bank, based on a plan for reasonable management improvement with the specified related party, which business situation has been worsening, of said Bank, said transaction or act is estimated to be necessary and essential for improving management of said specified related party; or

四 前三号に掲げるもののほか、当該銀行がその特定関係者との間で当該銀行の取引の通常の状態に照らして当該銀行に不利益を与える取引又は行為を行うことについて、金融庁長官が必要なものとしてあらかじめ定める場合に該当すること。

(iv) beyond matters as set forth in the preceding three items, with regard to the cases where said Bank carries out a transaction or act that provides a disadvantage to said Bank in light of ordinary conditions of a transaction of said Bank with its specified related party, the case corresponds to cases where it is specified as a necessary matter by the Commissioner of the Financial Services Agency in advance.

（特定関係者との間の取引等の承認の申請等）

(Application of Approval for Transactions with Specified Related Parties)

第十四条の九 銀行は、法第十三条の二ただし書の規定による承認を受けようとするときは、承認申請書に理由書その他金融庁長官が必要と認める事項を記載した書面を添付して金融庁長官等に提出しなければならない。

Article 14-9 (1) A Bank, when intending to obtain an approval pursuant to the provisions of the proviso of Article 13-2 of the Act, must attach a written statement of reasons and other documents stating matters found to be necessary by the Commissioner of the Financial Services Agency to the written application for approval and submit them to the Commissioner of the Financial Services Agency, etc.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が法第十三条の二各号に掲げる取引又は行為をすることについて前条に掲げるやむを得ない理由があるかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there are compelling reasons for the Bank that filed said application to carry out transactions or acts as set forth in each item of Article 13-2 of the Act.

(特定関係者との間の取引等)

(Transactions with Specified Related Parties)

第十四条の十 法第十三条の二第一号に規定する内閣府令で定める取引は、当該銀行が、その営む業務の種類、規模及び信用度等に照らして当該特定関係者と同様であると認められる当該特定関係者以外の者との間で、当該特定関係者との間で行う取引と同種及び同量の取引を同様の状況の下で行つた場合に成立することとなる取引の条件と比べて、当該銀行に不利な条件で行われる取引をいう。

Article 14-10 Transactions as provided by Cabinet Office Ordinance as prescribed in Article 13-2, item (i) of the Act are transactions with a person other than said specified related party found to be the same as said specified related party in light of type, size, and creditworthiness of its business under a disadvantageous condition to said Bank, compared with conditions of a transaction that is to become effective when said Bank carries out a transaction of the same type and same amount under the same conditions as the transaction with said specified related party.

(特定関係者の顧客との間の取引等)

(Transaction with a Customer of a Specified Related Party)

第十四条の十一 法第十三条の二第二号に規定する内閣府令で定める取引又は行為は、次に掲げるものとする。

Article 14-11 Transactions or acts as provided by Cabinet Office Ordinance as prescribed in Article 13-2, item (ii) of the Act are the following:

一 当該特定関係者の顧客との間で行う取引で、当該銀行が、その営む業務の種類、規模及び信用度等に照らして当該特定関係者の顧客と同様であると認められる当該特定関係者の顧客以外の者との間で、当該特定関係者の顧客との間で行う取引と同種及び同量の取引を同様の状況の下で行つた場合に成立することとなる取引の条件

と比べて、当該銀行に不利な条件で行われる取引（当該特定関係者と当該特定関係者の顧客が当該特定関係者が営む事業に係る契約を締結することをその取引の条件にしているものに限る。）

(i) a transaction carried out with a customer of said specified related party, of which the transaction is carried out with a person other than said specified related party found to be the same as said specified related party in light of type, size, and creditworthiness of its business, under a disadvantageous condition to said Bank, compared with conditions of a transaction that is to become effective when said Bank carries out a transaction of the same type and same amount under the same conditions as the transaction with said specified related party (limited to transactions that requires a condition that said specified related party and the customer of said specified related party conclude a contract pertaining to the business carried out by said specified related party);

二 当該特定関係者との間で行う取引で、その条件が当該銀行の取引の通常の状態に照らして当該特定関係者に不当に不利益を与えるものと認められるもの

(ii) a transaction carried out with said specified related party and the conditions are found to provide a disadvantage unjustly to said specified related party in light of ordinary conditions of a transaction of said Bank; or

三 何らの名義によつてするかを問わず、法第十三条の二の規定による禁止を免れる取引又は行為

(iii) in whatever name, a transaction or act to evade the prohibitions pursuant to the provisions of Article 13-2 of the Act.

(顧客の保護に欠けるおそれのないもの)

(Acts without the Risk of Lacking Protection of Customers)

第十四条の十一の二 第十三条の三第三号に規定する顧客の保護に欠けるおそれがないものとして内閣府令で定めるものは、銀行が不当に取引を行うことを条件として、信用を供与し、又は信用の供与を約する行為ではないものとする。

Article 14-11-2 Acts as provided by Cabinet Office Ordinance as those without risk of lacking the protection of customers as prescribed in Article 13-3, item (iii) of the Act are acts that a Bank does not grant or promise to extend credit with a condition to carry out a transaction unjustly.

(銀行の業務に係る禁止行為)

(Prohibited Acts Pertaining to Bank Services)

第十四条の十一の三 法第十三条の三第四号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 14-11-3 Acts as provided by Cabinet Office Ordinance as prescribed in Article 13-3, item (iv) of the Act are the following:

一 顧客に対し、その営む業務の内容及び方法に応じ、顧客の知識、経験、財産の状

況及び取引を行う目的を踏まえた重要な事項について告げず、又は誤解させるおそれのあることを告げる行為

(i) an act, depending on the content of business carried out by the Bank and methods, not to state material matters to a customer based on the knowledge, experience, condition of assets, or purpose of the transaction of the customer, or to state matters that are likely to lead to a misunderstanding;

二 顧客に対し、不当に、自己の指定する事業者と取引を行うことを条件として、信用を供与し、又は信用の供与を約する行為（法第十三条の三第三号に掲げる行為を除く。）

(ii) an act to grant or to promise to extend credit to a customer with the condition to carry out a transaction with a business operator specified by the Bank (excluding acts set forth in Article 13-3, item (iii) of the Act); or

三 顧客に対し、銀行としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(iii) an act to provide a disadvantage with regard to a condition or implementation of a transaction by using an advantageous status in the transaction as a Bank.

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Pertaining to the Development of a System for Protection of Customers' Interests)

第十四条の十一の三の二 法第十三条の三の二第一項に規定する内閣府令で定める業務は、銀行が営むことができる業務（以下「銀行関連業務」という。）とする。

Article 14-11-3-2 The business provided by Cabinet Office Ordinance as prescribed in Article 13-3-2, paragraph (1) of the Act is business which may be engaged in by a Bank (hereinafter referred to as "Bank-related Business").

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent a Customer's Interests from Being Unreasonably Harmed)

第十四条の十一の三の三 銀行は、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の親金融機関等（法第十三条の三の二第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（同条第三項に規定する子金融機関等をいう。以下この条において同じ。）が行う取引に伴い、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

Article 14-11-3-3 (1) A Bank must, in connection with transactions conducted by said Bank, Bank Agent having said Bank as its Principal Bank, or a parent financial institution, etc. (which means a parent financial institution, etc. as prescribed in Article 13-3-2, paragraph (2) of the Act; the same applies

hereinafter in this Article) or subsidiary financial institution, etc. (which means a subsidiary financial institution, etc. as prescribed in paragraph (3) of the same Article; the same applies hereinafter in this Article) of said Bank, to prevent the customers' interests pertaining to Bank-related Business conducted by said Bank, a Bank Agent having said Bank as its Principal Bank, or a subsidiary financial institution, etc. of said Bank from being unreasonably harmed, take the following measures:

一 対象取引を適切な方法により特定するための体制の整備

(i) development of a system to identify the subject transactions in an appropriate manner;

二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制の整備

(ii) development of a system to properly ensure the protection of said customer by the following or any other methods:

イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法

(a) method for separating the department conducting subject transactions and the department conducting transactions with said customer;

ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法

(b) method for changing the conditions or method of subject transactions or transactions with said customer;

ハ 対象取引又は当該顧客との取引を中止する方法

(c) method for interrupting subject transactions or transactions with said customer;

ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法

(d) method for appropriately disclosing to said customer that the customer's interests may be unreasonably harmed in connection with subject transactions;

三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表
(iii) formulation of the policy of implementation of the measures set forth in the preceding two items and disclosure of their outline by an appropriate method;

四 次に掲げる記録の保存

(iv) keeping the following records on file:

イ 第一号の体制の下で実施した対象取引の特定に係る記録

(a) records pertaining to the identification of subject transactions conducted under the system prescribed in item (i);

ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録

(b) records pertaining to measures to appropriately ensure the protection of customers conducted under the system prescribed in item (ii).

- 2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。
- (2) The record prescribed in item (iv) of the preceding paragraph must be kept on file for five years from the date of creation.
- 3 第一項の「対象取引」とは、銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の親金融機関等若しくは子金融機関等が行う取引に伴い、当該銀行、当該銀行を所属銀行とする銀行代理業者又は当該銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。
- (3) The term "subject transactions" in paragraph (1) means such transactions, when, in connection with transactions conducted by a Bank, a Bank Agent having said Bank as its Principal Bank, or the parent financial institution, etc. or subsidiary financial institution, etc. of said Bank, the interests of the customer pertaining to Bank-Related Business conducted by said Bank, Bank Agent having said Bank as its Principal Bank, or the subsidiary financial institution, etc. of said Bank may be unreasonably harmed.

(特定預金等)

(Specified Deposit)

第十四条の十一の四 法第十三条の四に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 14-11-4 Deposit, etc. as provided by Cabinet Office Ordinance as prescribed in Article 13-4 of the Act is the following:

- 一 預金者等が預入期間の途中で解約をした場合に違約金その他これに準ずるもの（以下この号において「違約金等」という。）を支払うこととなる預金等であつて、当該違約金等の額を当該解約の時における当該預金等の残高から控除した金額が、金利、通貨の価格、金融商品市場における相場その他の指標に係る変動により預入金額を下回ることとなるおそれがあるもの
- (i) deposit, etc. that requires to pay a penalty or other condition equivalent to this (hereinafter referred to as "Penalty, etc." in this item) when Depositor, etc. terminates the deposit, etc. before maturity, and that the amount, as a result of deducting the amount of said Penalty, etc. from the balance of said deposit, etc. at the time of said termination, is likely to fall below the deposited amount due to changes in money rate, value of currencies, quotations on a financial instruments market, and other indexes;
- 二 預金等のうち、外国通貨で表示されるもの
- (ii) deposit, etc. that is indicated in a foreign currency; or
- 三 預金等のうち、その受入れを内容とする取引に金融商品取引法第二条第二十二項第三号（ロを除く。）に掲げる取引（通貨の売買に係るものに限る。）が付随するもの
- (iii) deposit, etc. for which a transaction (limited to transactions pertaining to purchase and sale of currencies) set forth in Article 2, paragraph (22), item (iii) (excluding (b)) of the Financial Instruments and Exchange Act are

incidental to a transaction for which the content is acceptance of deposits, etc.

(契約の種類)

(Type of Contract)

第十四条の十一の五 法第十三条の四において準用する金融商品取引法第三十四条に規定する内閣府令で定めるものは、特定預金等契約（法第十三条の四に規定する特定預金等契約をいう。以下同じ。）とする。

Article 14-11-5 Matters as provided by Cabinet Office Ordinance as prescribed in Article 34 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are a specified deposit, etc. contract (which means a specified deposit, etc. contract, as prescribed in Article 13-4 of the Act; the same applies hereinafter).

第十四条の十一の六 削除

Article 14-11-6 Deleted

(申出をした特定投資家に交付する書面の記載事項)

(Information for Inclusion in the Documents to Be Delivered to a Professional Investor Who Has Made a Request)

第十四条の十一の七 法第十三条の四において準用する金融商品取引法第三十四条の二第三項第四号に規定する内閣府令で定める事項は、申出者（同項に規定する申出者をいう。）は、同条第二項の規定による承諾を行つた銀行のみから対象契約（同項に規定する対象契約をいう。第十四条の十一の九の二において同じ。）に関して特定投資家（金融商品取引法第二条第三十一項に規定する特定投資家をいう。以下同じ。）以外の顧客として取り扱われることになる旨とする。

Article 14-11-7 Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the fact that the applicant (which means the applicant prescribed in the same paragraph) is to be treated as a customer other than a Professional Investor (which means a Professional Investor prescribed in Article 2, paragraph (31) of the Financial Instruments and Exchange Act; the same applies hereinafter) with regard to the Subject Contract (which means a Subject Contract prescribed in Article 34-2, paragraph (2) of that Act; the same applies in Article 14-11-9-2) only by a Bank who accepted the application pursuant to the provisions of the same paragraph.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第十四条の十一の八 法第十三条の四において準用する金融商品取引法第三十四条の二第四項（法第十三条の四において準用する金融商品取引法第三十四条の三第十二項

(法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。)、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。以下この条において同じ。)に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 14-11-8 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act (including cases where it is applied mutatis mutandis pursuant to Article 34-3, paragraph (12) (including cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act), Article 34-4, paragraph (3); Article 37-3, paragraph (2); or Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) a method to use an electronic data processing system that is in the following:

イ 銀行（法第十三条の四において準用する金融商品取引法第三十四条の二第四項に規定する事項の提供を行う銀行との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該銀行の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（同項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、同項に規定する事項の提供を行う銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(a) a method to transmit matters to be entered in documents (hereinafter referred to as "Entry" in this Article) through a telecommunications line that connects computers used by a Bank (including a person who keeps a file in a computer managed by said person pursuant to a contract with a Bank to provide matters as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and makes said file available to other parties providing said matters (hereinafter referred to as "customer" in this Article) or to said Bank ; hereinafter the same applies in this Article) and computers used by a customer, etc. (which means a customer and a

person who keeps a customer file (which means a file that is made available exclusively to said customer; hereinafter the same applies in this Article) in a computer managed by said person pursuant to a contract with the customer; hereinafter the same applies in this Article), and to record said matters in the customer file kept in the computer used by the customer, etc. (in the case of providing an approval to accept or an offer not to accept the provisions by the method as prescribed in the same paragraph, a method to record that effect in the file kept in a computer used by a Bank that provides matters as prescribed in the same paragraph);

ロ 銀行の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（法第十三条の四において準用する金融商品取引法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(b) a method to make an Entry recorded in a file kept in a computer pertaining to the use of a Bank available for inspection by a customer through a telecommunications line, and to record said Entry in the customer file of said customer kept in a computer pertaining to the use of the customer, etc. (in the case of providing an approval to accept or an offer not to accept provisions pursuant to a method as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, a method to record that effect in a file kept in a computer pertaining to the use of a Bank);

ハ 銀行の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a method to make an Entry recorded in a customer file kept in a computer pertaining to the use of a Bank available for inspection by the customer through a telecommunications line; or

ニ 閲覧ファイル（銀行の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a method to make an Entry recorded in an inspection file (which means a file that is kept in a computer pertaining to the use of a Bank and that is for recording an Entry in order to make it available for inspection by multiple customers simultaneously) available for inspection by a customer through a telecommunications line.

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもつて調製するファイルに記載事項を記録

したものを交付する方法

(ii) a method to deliver Entry recorded in a file, which is prepared with matters, in which certain matters can be recorded surely by magnetic disk, CD-ROM, or other method equivalent to the above.

2 前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。

(2) Methods as set forth in each item of the preceding paragraph must conform to the following standards:

一 顧客が顧客ファイル又は閲覧ファイルへの記録を出力することにより書面を作成できるものであること。

(i) a method that enables a customer to prepare documents by outputting records in a customer file or inspection file;

二 前項第一号イ、ハ又はニに掲げる方法（顧客の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあつては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を顧客に対し通知するものであること。ただし、顧客が当該記載事項を閲覧していたことを確認したときはこの限りでない。

(ii) with regard to a method as set forth in item (i), sub-item (a), (c), or (d) of the preceding paragraph (excluding a method to record an Entry in a customer file kept in a computer pertaining to the use of the customer), a method to notify the customer that an Entry is recorded or was recorded in the customer file or inspection file; provided, however, that this does not apply when it is confirmed that the customer inspected said Entry;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第四条の三に規定する方法による承諾をいう。）を得て前項第一号イ、ロ若しくは同項第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) with regard to a method as set forth in item (i), sub-item (c) or (d) of the preceding paragraph, a method that is unable to delete or modify the following matters for five years after the date of a transaction set forth as an Entry was carried out for the final time (when a complaint pertaining to said Entry is filed during the period until the date when said period ends, a period until the date when said period ends or the date said complaint is resolved, whichever occurs later); provided, however, that when an Entry made available for inspection is delivered in writing, when delivery is provided by a method set forth in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii) of the same paragraph after obtaining an approval of the customer (which means an approval pursuant to a method as prescribed

in Article 4-3 of the Order), or when the customer instructed to delete said Entry, said Entry may be deleted:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項

(a) with regard to a method as set forth in item (i), sub-item (c) of the preceding paragraph, the Entry recorded in the customer file; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項

(b) with regard to a method as set forth in item (i), sub-item (d) of the preceding paragraph, the Entry recorded in the inspection file;

四 前項第一号ニに掲げる方法にあつては、次に掲げる基準に適合するものであること。

(iv) with regard to a method as set forth in item (i), sub-item (d) of the preceding paragraph, a method that conform to standards set forth in the following:

イ 顧客が閲覧ファイルを検査するために必要な情報を顧客ファイルに記録するものであること。

(a) a method to record the necessary information in the customer file for a customer to inspect the inspection file; and

ロ 前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを検査するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) a method, during the period until the period as prescribed in the preceding item elapses, to maintain a condition in which the customer file, in which necessary information for a customer to inspect the Inspection file is recorded pursuant to the provisions of (a), and said inspection file is connectable through a telecommunications line; provided, however, that this does not apply to the cases of a customer, to whom inspection was provided, gave notice that it is not necessary to maintain a connectable condition.

3 第一項第一号の「電子情報処理組織」とは、銀行の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は銀行の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system that is connected a computer pertaining to the use of a Bank and a computer pertaining to the use of a customer, etc., or a Bank that keeps a customer file with a telecommunications line.

(電磁的方法の種類及び内容)

(Type and Content of Electronic or Magnetic Means)

第十四条の十一の九 令第四条の三第一項及び第四条の四第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 14-11-9 Type and content of a method to be indicated pursuant to the provisions of Article 4-3, paragraph (1) and Article 4-4, paragraph (1) of the Order are the following matters:

一 前条第一項各号又は第十四条の十一の九の三第一項各号に掲げる方法のうち銀行が使用するもの

(i) a method set forth in each item of paragraph (1) of the preceding Article or each item of Article 14-11-9-3, paragraph (1) that is used by a Bank; or

二 ファイルへの記録の方式

(ii) a method to record data in a file.

(特定投資家への復帰申出をした者が同意を行う書面の記載事項)

(Information for Inclusion in Documents to Which a Person Who Has Made a Request for Reinstatement as a Professional Investor Gives its Consent)

第十四条の十一の九の二 法第十三条の四において準用する金融商品取引法第三十四条の二第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-9-2 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 法第十三条の四において準用する金融商品取引法第三十四条の二第十一項の規定による承諾をする日（第四号及び第五号において「承諾日」という。）

(i) the date when acceptance is gained (which is referred to as "approval date" in items (iv) and (v)) pursuant to the provisions of Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act;

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that Subject Contract is a specified deposit, etc. contract;

三 復帰申出者（法第十三条の四において準用する金融商品取引法第三十四条の二第十一項に規定する復帰申出者をいう。以下この条において同じ。）が次に掲げる事項を理解している旨

(iii) a statement to the effect that the person requesting reinstatement (which means the person requesting reinstatement prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article) understands the following matters:

イ 法第十三条の四において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約に関して復帰申出者が当該各号に定める者である場合（同条ただし書に規定する場合を除く。）には適用されない旨

(a) the fact that the provisions set forth in the items of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are not applicable when the person requesting reinstatement, with regard to Subject Contract, is a person prescribed in any of said items (excluding the cases prescribed in the proviso of the same Article);

ロ 対象契約に関して特定投資家として取り扱われることがその知識、経験及び財産の状況に照らして適当ではない者が特定投資家として取り扱われる場合には、当該者の保護に欠けることとなるおそれがある旨

(b) the fact that there is the risk of insufficient protection involved when a person who, in light of the person's knowledge, experience and state of property, is deemed inappropriate to be treated as a Professional Investor with regard to Subject Contracts is treated as a Professional Investor;

四 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、復帰申出者を再び特定投資家として取り扱う旨

(iv) a statement to the effect that the person requesting reinstatement is to be treated again as a Professional Investor when the person requesting reinstatement is solicited to conclude or concludes a Subject Contract on or after the approval date;

五 復帰申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品取引法第三十四条の二第一項の規定による申出ができる旨

(v) a statement to the effect that, at any time on or after the approval date, the person requesting reinstatement may make an application pursuant to Article 34-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(情報通信の技術を利用した同意の取得)

(Obtainment of Consent by the Use of Information and Communications Technology)

第十四条の十一の九の三 法第十三条の四において準用する金融商品取引法第三十四条の二第十二項（法第十三条の四において準用する金融商品取引法第三十四条の三第三項（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）において準用する場合を含む。以下この条において同じ。）に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 14-11-9-3 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act),

as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 13-4 of the Act, are as follows:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) a method to use an electronic data processing system that is in the following:

イ 銀行の使用に係る電子計算機と法第十三条の四において準用する金融商品取引法第三十四条の二第十二項の規定により同意を得ようとする相手方（以下この条において「顧客」という。）の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a method to transmit through a telecommunications line that connects a computer pertaining to the use of a Bank and a computer pertaining to the use of the other party (hereinafter referred to as "customer" in this Article) from whom the Bank intends to obtain consent pursuant to the provisions of Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and to record in a file kept in a computer pertaining to the use of the recipient; or

ロ 銀行の使用に係る電子計算機に備えられたファイルに記録された顧客の同意に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該銀行の使用に係る電子計算機に備えられたファイルに当該顧客の同意に関する事項を記録する方法

(b) a method to make matters concerning a customer's consent recorded in a file kept in a computer pertaining to the use of a Bank available for inspection through a telecommunications line and to record said matters concerning the customer's consent in a file kept in a computer pertaining to the use of said Bank;

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもつて調製するファイルに同意に関する事項を記録したものを得る方法

(ii) a method to obtain an Entry recorded in a file, which is prepared with matters, in which certain matters can be recorded surely by magnetic disk, CD-ROM, or other method equivalent to the above.

2 前項各号に掲げる方法は、銀行がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods set forth in each item of the preceding paragraph must be a method to enable a Bank to prepare documents by outputting records in a file.

3 第一項第一号の「電子情報処理組織」とは、銀行の使用に係る電子計算機と、顧客の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The term "electronic data processing system" as used in paragraph (1), item

(i) means an electronic data processing system that is connected with a computer pertaining to the use of a Bank and a computer pertaining to the use of a customer with a telecommunications line.

(特定投資家以外の顧客である法人が特定投資家とみなされる場合の期限日)
(End Date If a Corporation, Who Is a Customer Other than a Professional Investor, Is Deemed to Be a Professional Investor)

第十四条の十一の十 法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、銀行が一定の日を定め、次に掲げる事項を当該銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 14-11-10 (1) Cases that are provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act are cases where a Bank specifies a certain date and publicly disclosures the following matters by posting in a place that facilitates public viewing in a business office of said Bank or by another appropriate method:

一 当該日

(i) said date; and

二 次項に規定する日を期限日（法第十三条の四において準用する金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第十四条の十一の十二において同じ。）とする旨

(ii) the fact that the end date (which means an end date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 14-11-12) is the date as prescribed in the following paragraph.

2 法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、銀行が前項の規定により定めた日であつて承諾日（同条第二項第一号に規定する承諾日をいう。次条第二項第三号及び第十四条の十一の十二において同じ。）から起算して一年以内の日のうち最も遅い日とする。

(2) The date as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is a date that is specified by a Bank pursuant to the provisions of the preceding paragraph and that is the last date within one year from the approval date (which means the approval date prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act; the same applies in paragraph (2), item (iii) of the following Article and Article 14-11-12) .

(申出をした特定投資家以外の顧客である法人が同意を行う書面の記載事項)

(Information for Inclusion in Documents to Which a Corporation, Which Is a Customer Other than the Professional Investor That Has Made a Request, Gives Its Consent)

第十四条の十一の十一 法第十三条の四において準用する金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第十三条の四において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第十四条の十一の十二の二において同じ。）に関して申出者（法第十三条の四において準用する金融商品取引法第三十四条の三第二項に規定する申出者をいう。次項において同じ。）が当該各号に定める者である場合（法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 14-11-11 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (iv), sub-item (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are that the provisions set forth in each item of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act do not apply when an applicant (which means an applicant as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in the following paragraph) pertaining to a subject contract (which means a subject contract as prescribed in Article 45, item (ii) of the Financial Instruments and Exchange Act; this applies in the following paragraph and Article 14-11-12-2) is a person as prescribed in each said item (excluding cases as prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act).

2 法第十三条の四において準用する金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws or regulations or the stipulations of a contract pertaining to a subject contract concluded before the end date, even if such act is performed after the end date, the fact that an applicant is treated as a Professional Investor; and

二 申出者は、法第十三条の四において準用する金融商品取引法第三十四条の三第二項の規定による承諾を行つた銀行のみから対象契約に関して特定投資家として取り

扱われることになる旨

(ii) the fact that an applicant is treated as a Professional Investor pertaining to a subject contract only by a Bank that has provided an approval pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

三 申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品取引法第三十四条の三第九項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(申出をした特定投資家以外の顧客である法人が更新申出をするために必要な期間)
(Period Necessary for a Corporation, Which Is a Customer Other than the Professional Investor That Has Made a Request, to Make a Request for Renewal)

第十四条の十一の十二 法第十三条の四において準用する金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあっては、当該各号に定める期間）とする。

Article 14-11-12 (1) The period provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is 11 months (in the cases set forth in the following items, the period prescribed in the respective items).

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) if the period between the approval date and the end date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from said period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the end date does not exceed one month, one day;

2 法第十三条の四において準用する金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項各号中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the term "approval date" in the items of the same paragraph is deemed to read "the day immediately following the previous end date".

(特定投資家以外の顧客への復帰申出をした法人に交付する書面の記載事項)
(Information for Inclusion in Documents to Be Delivered to a Corporation That Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第十四条の十一の十二の二 法第十三条の四において準用する金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-12-2 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 法第十三条の四において準用する金融商品取引法第三十四条の三第十項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-3, paragraph (10) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (which is referred to as "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the Subject Contract is a specified deposit, etc. contract;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第十三条の四において準用する金融商品取引法第三十四条の三第九項の規定による申出をした法人を再び特定投資家以外の顧客として取り扱う旨

(iii) a statement to the effect that when being solicited to conclude or concluding a Subject Contract on or after the approval date, a corporation that has made a request pursuant to Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is treated again as a customer other than a Professional Investor.

(特定投資家として取り扱うよう申し出ることができる営業者等)

(Business Person Who May Offer to Be Treated as a Professional Investor)

第十四条の十一の十三 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定めるものは、次に掲げる要件のいずれかに該当するものとする。

Article 14-11-13 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, correspond to any of the following requirements:

一 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについてすべての匿名組合員の同意を得ていないこと。

- (i) with regard to filing an offer as prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, consent is not obtained from all silent partners; or
 - 二 その締結した商法（明治三十二年法律第四十八号）第五百三十五条に規定する匿名組合契約に基づく出資の合計額が三億円未満であること。
 - (ii) the total amount of contributions based on the concluded silent partnership agreement as prescribed in Article 535 of the Commercial Code (Act No. 48 of 1899) is less than 300 million yen.
- 2 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定める個人は、次に掲げる者とする。
- (2) Individuals as provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following persons:
- 一 民法第六百六十七条第一項に規定する組合契約を締結して組合の業務の執行を委任された組合員である個人（次に掲げる要件のすべてに該当する者に限る。）
 - (i) an individual who is a partner that concluded a partnership agreement as prescribed in Article 667, paragraph (1) of the Civil Code and who is entrusted with the execution of business of the partnership (limited to a person corresponding to all of the following requirements):
 - イ 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他のすべての組合員の同意を得ていること。
 - (a) with regard to filing an offer pursuant to the provisions of Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the consent of all other partners are obtained; and
 - ロ 当該組合契約に基づく出資の合計額が三億円以上であること。
 - (b) the total amount of contributions based on said partnership agreement is 300 million yen or more;
 - 二 有限責任事業組合契約に関する法律（平成十七年法律第四十号）第三条第一項に規定する有限責任事業組合契約を締結して組合の重要な業務の執行の決定に関与し、かつ、当該業務を自ら執行する組合員である個人（次に掲げる要件のすべてに該当する者に限る。）
 - (ii) an individual (limited to a person who corresponds to all of the following) who is a partner that concludes an agreement of a limited liability business partnership as prescribed in Article 3, paragraph (1) of the Limited Liability Partnership Act (Act No. 40 of 2005), participates in decisions of execution of material business of the partnership, and executes said business personally:
 - イ 法第十三条の四において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他のすべての組合員の同意を得ていること。

(a) with regard to filing an offer pursuant to the provisions of Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the consent of all other partners are obtained; and

ロ 当該有限責任事業組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contributions based on said limited liability business partnership agreement is 300 million yen or more.

(特定投資家として取り扱うよう申し出ることができる個人)

(An Individual Who May Offer to Be Treated as a Professional Investor)

第十四条の十一の十四 法第十三条の四において準用する金融商品取引法第三十四条の四第一項第二号に規定する内閣府令で定める要件は、次に掲げる要件のすべてに該当することとする。

Article 14-11-14 Requirements as provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, correspond to all of the following requirements:

一 取引の状況その他の事情から合理的に判断して、承諾日（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第一号に規定する承諾日をいう。次号、次条第二項、第十四条の十一の十六第二項第三号及び第十四条の十一の十六の二において同じ。）における申出者（法第十三条の四において準用する金融商品取引法第三十四条の四第二項に規定する申出者をいう。以下この条及び第十四条の十一の十六において同じ。）の資産の合計額から負債の合計額を控除した額が三億円以上になると見込まれること。

(i) by determining reasonably based on the condition of transactions and other circumstances, the amount, as a result of deducting the total amount of liabilities from the total amount of assets of the applicant (which means an applicant as prescribed in Article 34-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; hereinafter the same applies in this Article and Article 14-11-16) on the approval date (which means the approval date as prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in the following item, paragraph (2) of the following Article, Article 14-11-16, paragraph (2), item (iii), and Article 14-11-16-2), is estimated to be 300 million yen or more;

二 取引の状況その他の事情から合理的に判断して、承諾日における申出者の資産（次に掲げるものに限る。）の合計額が三億円以上になると見込まれること。

(ii) by determining reasonably based on the condition of transactions and other circumstances, the total amount of assets (limited to those as set forth in the

following items) of an applicant on the approval date is estimated to be 300 million yen or more:

イ 有価証券（ホに掲げるものを除く。）

(a) securities (excluding those set forth in (e));

ロ デリバティブ取引（金融商品取引法第二条第二十項に規定するデリバティブ取引をいう。第三十四条の二の十四第二号ロにおいて同じ。）に係る権利

(b) rights pertaining to derivatives transactions (which means derivatives transactions as prescribed in Article 2, paragraph (20) of the Financial Instruments and Exchange Act; the same applies in Article 34-2-14, item (ii), sub-item (b));

ハ 法第十三条の四に規定する特定預金等（ハ及び第三十四条の二の十四第二号ハを除き、以下「特定預金等」という。）、農業協同組合法第十一条の二の四に規定する特定貯金等、水産業協同組合法第十一条の九に規定する特定貯金等、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）第六条の五の二に規定する特定預金等、信用金庫法（昭和二十六年法律第二百三十八号）第八十九条の二に規定する特定預金等、長期信用銀行法第十七条の二に規定する特定預金等、労働金庫法（昭和二十八年法律第二百二十七号）第九十四条の二に規定する特定預金等、農林中央金庫法（平成十三年法律第九十三号）第五十九条の三に規定する特定預金等及び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）第二十九条に規定する特定預金等

(c) a specified deposit, etc. as prescribed in Article 13-4 of the Act (hereinafter referred to as "Specified Deposit, etc.", except in item (c) and Article 34-2-14, item (ii), item (c)); specified savings, etc., as prescribed in Article 11-2-4 of the Agricultural Co-operatives Act; specified savings, etc., as prescribed in Article 11-9 of the Fisheries Cooperatives Act; specified deposit, etc., as prescribed in Article 6-5-2 of the Act on Financial Businesses by Cooperative (Act No. 183 of 1949); specified deposit, etc., as prescribed in Article 89-2 of the Shinkin Bank Act (Act No. 238 of 1951); specified deposit, etc., as prescribed in Article 17-2 of the Long-Term Credit Bank Act; specified deposit, etc., as prescribed in Article 94-2 of the Labor Bank Act (Act No. 227 of 1953); specified deposit, etc., as prescribed in Article 59-3 of the Norinchukin Bank Act (Act No. 93 of 2001); and specified deposit, etc. as prescribed in Article 29 of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007);

ニ 農業協同組合法第十一条の十の三に規定する特定共済契約、消費生活協同組合法（昭和二十三年法律第二百号）第十二条の三第一項に規定する特定共済契約、水産業協同組合法第十五条の七に規定する特定共済契約、中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の七の五第二項に規定する特定共済契約及び保険業法第三百条の二に規定する特定保険契約に基づく保険金、共済金、返戻金その他の給付金に係る権利

(d) rights pertaining to an insurance payment, mutual aid insurance money,

refund, or other payment based on a specified mutual aid insurance contract as prescribed in Article 11-10-3 of the Agricultural Co-operatives Act, a specified mutual aid insurance contract prescribed in Article 12-3, paragraph (1) of the Consumer Cooperatives Act (Act No. 200 of 1948), a specified mutual aid insurance contract prescribed in Article 15-7 of the Fisheries Cooperatives Act, a specified mutual aid insurance contract as prescribed in Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949), and a specified mutual aid insurance contract as prescribed in Article 300-2 of the Insurance Business Act;

ホ 信託業法（平成十六年法律第百五十四号）第二十四条の二に規定する特定信託契約に係る信託受益権

(e) a beneficiary right of trust pertaining to a specified trust contract as prescribed in Article 24-2 of the Trust Business Act (Act No. 154 of 2004);

ヘ 不動産特定共同事業法（平成六年法律第七十七号）第二条第三項に規定する不動産特定共同事業契約に基づく権利

(f) a right based on a real property specified joint enterprise contract as prescribed in Article 2, paragraph (3) of the Real Estate Specified Joint Enterprise Act (Act No. 77 of 1994); and

ト 商品取引所法第二条第八項に規定する先物取引に係る権利

(g) a right pertaining to a futures transaction as prescribed in Article 2, paragraph (8) of the Commodity Exchange Act;

三 申出者が最初に当該銀行との間で特定預金等契約を締結した日から起算して一年を経過していること。

(iii) one year has elapsed from the date that an applicant concluded a specified deposit, etc. contract for the first time with said Bank.

(特定投資家以外の顧客である個人が特定投資家とみなされる場合の期限日)

(End Date in the Case of an Individual Who Is a Customer Other than a Professional Investor Is Deemed to Be a Professional Investor)

第十四条の十一の十五 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める場合は、銀行が一定の日を定め、次に掲げる事項を当該銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 14-11-15 (1) Cases provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are cases where a Bank specifies a certain date and publicly discloses the following matters by posting in a place that facilitates public viewing in a business office of said Bank or by another appropriate method:

一 当該日

(i) said date; and

二 次項に規定する日を期限日（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第十四条の十一の十六の二において同じ。）とする旨

(ii) the fact that the end date (which means an end date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 14-11-16-2) is the date as prescribed in the following paragraph.

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める日は、銀行が前項の規定により定めた日であつて承諾日から起算して一年以内の日のうち最も遅い日とする。

(2) The date as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is the date that is specified by a Bank pursuant to the provisions of the preceding paragraph and is the last day within one year from the approval date.

（申出をした特定投資家以外の顧客である個人が同意を行う書面の記載事項）

(Information for Inclusion in Documents to Which an Individual, Who Is a Customer Other than a Professional Investor That Has Made a Request, Gives Its Consent)

第十四条の十一の十六 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第十三条の四において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第十四条の十一の十六の三において同じ。）に関して申出者が当該各号に定める者である場合（法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 14-11-16 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (iv), sub-item (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are that the provisions set forth in each item of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, do not apply

when an applicant, with regard to the subject contract (which means a subject contract as prescribed in item (ii) of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act; the same applies in the following paragraph and Article 14-11-16-3), is a person specified in any said item (excluding cases as prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act).

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws or regulations or the stipulations of a contract pertaining to a subject contract concluded before the end date, even if such act is performed after the end date, the fact that an applicant is treated as a Professional Investor; and

二 申出者は、法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項の規定による承諾を行った銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) the fact that an applicant is treated as a Professional Investor pertaining to a subject contract only by a Bank that provides an approval pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

三 申出者は、承諾日以後いつでも、法第十三条の四において準用する金融商品取引法第三十四条の四第四項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act.

(申出をした特定投資家以外の顧客である個人が更新申出をするために必要な期間)
(Period Necessary for an Individual, Who Is a Customer Other than the Professional Investor That Has Made a Request, to Make a Request for Renewal)

第十四条の十一の十六の二 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 14-11-16-2 (1) The period provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is 11 months (in the cases set forth in the following items, the period prescribed in respective items).

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) if the period between the approval date and the end date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from said period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the end date does not exceed one month, one day;

2 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, the term "approval date" in the same paragraph is deemed to read "the day immediately following the previous end date".

（特定投資家以外の顧客への復帰申出をした個人に交付する書面の記載事項）

(Information for Inclusion in Documents to Be Delivered to an Individual Who Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第十四条の十一の十六の三 法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第十一项に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-16-3 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 法第十三条の四において準用する金融商品取引法第三十四条の四第五項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-4, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (which is referred to as "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the Subject Contract is a specified deposit, etc. contract;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第十三条の四において準用する金融商品取引法第三十四条の四第四項の規定による申出をした個人を再び特定投資家以外の顧客として取り扱う旨

(iii) when being solicited to conclude or concluding a Subject Contract on or after the approval date, a statement to the effect that an individual who has made a request pursuant to Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is treated again as a customer other than a Professional Investor.

(広告類似行為)

(An Act Similar to an Advertisement)

第十四条の十一の十七 法第十三条の四において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便（民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者又は同条第九項に規定する特定信書便事業者の提供する同条第二項に規定する信書便をいう。第三十四条の二の十七及び第三十四条の五十三の二において同じ。）、ファクシミリ装置を用いて送信する方法、電子メール（特定電子メールの送信の適正化等に関する法律（平成十四年法律第二十六号）第二条第一号に規定する電子メールをいう。第三十四条の二の十七及び第三十四条の五十三の二において同じ。）を送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 14-11-17 An act as provided by Cabinet Office Ordinance as prescribed in each paragraph of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is the provision of information with the same content to many persons by mail, letter service (which means a letter service as prescribed in Article 2, paragraph (2) of the Act on Letter service by Private Business operators (Act No. 99 of 2002) provided by a general letter service business operator as prescribed in paragraph (6) of the same Article or a specified letter service business operator as prescribed in paragraph (9) of the same Article; the same applies in Article 34-2-17 and Article 34-53-2), a transmission method using a facsimile device, a transmission method using electronic mail (which means electronic mail as prescribed in Article 2, item (i) of the Act on Regulation of Transmission of

Specified Electronic Mail (Act No. 26 of 2002); the same applies in Article 34-2-17 and Article 34-53-2), a method to distribute handouts or brochures and other methods (excluding the following methods):

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) a method to distribute documents prepared based on laws and regulations or the disposition of an administrative government agency pursuant to laws and regulations;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘に使用しないものを配布する方法

(ii) a method to distribute materials concerning analysis or evaluation of an individual enterprise, which are not used for solicitation for the conclusion of a specified deposit, etc. contract; or

三 次に掲げるすべての事項のみが表示されている景品その他の物品（口からニまでに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) a method to provide premiums or other goods, in which all the following matters are indicated (limited to goods for which the matters set forth in (b) to (d) are indicated clearly and properly) (when there are matters that are not indicated on premiums or other goods among said matters, including a method to provide said premiums or other goods and other goods on which said matters are indicated as an integrated item):

イ 商品の名称（通称を含む。）

(a) the name of goods (including an alias);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする銀行の商号又はその通称

(b) the name or an alias of a Bank that provides information with the same content to many persons by a method as prescribed in this item;

ハ 令第四条の五第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) matters as set forth in Article 4-5, paragraph (2), item (i) of the Order (limited to matters for which the printed characters and numerals of said matter are indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter); and

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) the fact that the content of any of the following documents should be read sufficiently:

(1) 法第十三条の四において準用する金融商品取引法第三十七条の三第一項

に規定する書面（以下この条から第十四条の十一の三十までにおいて「契約締結前交付書面」という。）

1. documents as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (hereinafter referred to as "Document Delivered Prior to the Conclusion of a Contract" in this Article to Article 14-11-30);
 - (2) 第十四条の十一の二十五第一項第一号に規定する外貨預金等書面
2. documents of a foreign currency deposit, etc. as prescribed in Article 14-11-25, paragraph (1), item (i);
 - (3) 第十四条の十一の二十五第一項第三号ロに規定する契約変更書面
3. documents of a contract change as prescribed in Article 14-11-25, paragraph (1), item (iii), sub-item (b).

(特定預金等契約の締結の業務の内容についての広告等の表示方法)

(Indication Method of Advertisement Pertaining to the Content of Business of Conclusion of a Specified Deposit, etc. Contract)

第十四条の十一の十八 銀行がその行う特定預金等契約の締結の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第十三条の四において準用する金融商品取引法第三十七条第一項各号に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 14-11-18 (1) When a Bank, with regard to the content of business of conclusion of a specified deposit, etc. contract which is carried out by the Bank, advertises or performs an act as prescribed in the preceding Article (which is referred to as "Advertisement, etc." in the following paragraph), the matters set forth in each item of Article 37, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, must be indicated clearly and properly.

- 2 銀行がその行う特定預金等契約の締結の業務の内容について広告等をするとき、令第四条の五第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさで表示するものとする。
- (2) When a Bank carries out Advertisement, etc., with regard to the content of business of conclusion of a specified deposit, etc. contract that is carried out by the Bank, the printed characters and numerals of matters set forth in Article 4-5, paragraph (1), item (ii) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter.
- 3 銀行がその行う特定預金等契約の締結の業務の内容について一般放送事業者（放送法（昭和二十五年法律第百三十二号）第二条第三号の二に規定する一般放送事業者をいう。以下同じ。）の放送設備により放送をさせる方法又は第十四条の十一の二十一第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をする

ときは、前項の規定にかかわらず、令第四条の五第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異ならない大きさを表示するものとする。

(3) When a Bank advertises, with regard to the content of business of conclusion of a specified deposit, etc. contract that is carried out by the Bank, by a method to order broadcast using the broadcasting equipment of a general broadcaster (which means a general broadcaster as prescribed in Article 2, item (iii)-2 of the Broadcast Act; and the same applies hereinafter), or by a method set forth in any of the items of Article 14-11-21, paragraph (1) (excluding a broadcasting method by voice), notwithstanding the provisions of the preceding paragraph, the printed characters and numerals of matters set forth in Article 4-5, paragraph (2), item (i) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter.

(顧客が支払うべき対価に関する事項)

(Matters Concerning Compensation to Be Paid by a Customer)

第十四条の十一の十九 令第四条の五第一項第一号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき対価（以下「手数料等」という。）の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあっては、その旨及びその理由とする。

Article 14-11-19 Matters as provided by Cabinet Office Ordinance as prescribed in Article 4-5, paragraph (1), item (i) of the Order, under the name of a fee, reward, expense, or whatever name may be, are a description of the amount by category of compensation that a customer is to pay concerning a specified deposit, etc. contract (hereinafter referred to as "Fee, etc."), the maximum limit, or the summary of the calculation method of these matters (including the percentage of Fee, etc. as compared to the principal amount pertaining to said specified deposit, etc. contract) and a description of the total amount of said amounts, the maximum limit, or the summary of the calculation method of these matters; provided, however, that when these matters are unable to be indicated, that effect and the reasons thereof.

(顧客の判断に影響を及ぼす重要事項)

(Material Matters Affecting a Decision of a Customer)

第十四条の十一の二十 令第四条の五第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-20 Matters as provided by Cabinet Office Ordinance as prescribed

in Article 4-5, paragraph (1), item (iii) of the Order are the following:

一 当該銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(i) with regard to a Specified Deposit, etc. for which said Bank holds a right to postpone the deposit period, the fact that when said right is exercised, it is likely to be disadvantageous to the customer due to the money rate of said Specified Deposit, etc. falling below the money market rate; or

二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実

(ii) with regard to material matters concerning said specified deposit, etc.

contract, other fact that the matter may be disadvantageous to the customer.

(一般放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Method Equivalent to a Method to Order Broadcasting by the Use of Broadcasting Equipment of a General Broadcaster)

第十四条の十一の二十一 令第四条の五第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 14-11-21 (1) Methods as provided by Cabinet Office Ordinance as prescribed in Article 4-5, paragraph (2) of the Order are as follows:

一 次に掲げる者の放送設備により放送をさせる方法

(i) a method to order broadcasting by the use of broadcasting equipment of the following persons:

イ 有線テレビジョン放送事業者（有線テレビジョン放送法（昭和四十七年法律第百十四号）第二条第四項の有線テレビジョン放送事業者をいう。第三十四条の二の二十一第一項第一号イ及び第三十四条の五十三の六第一項第一号イにおいて同じ。）

(a) a cable television broadcaster (which means a cable television broadcaster as prescribed in Article 2, paragraph (4) of the Cable Television Broadcasting Act (Act No. 114 of 1972); the same applies in Article 34-2-21, paragraph (1), item (i), sub-item (a) and Article 34-53-6, paragraph (1), item (i), sub-item (a));

ロ 有線ラジオ放送（有線ラジオ放送業務の運用の規正に関する法律（昭和二十六年法律第百三十五号）第二条の有線ラジオ放送をいう。第三十四条の二の二十一第一項第一号ロ及び第三十四条の五十三の六第一項第一号ロにおいて同じ。）の業務を行う者

(b) a person who carries out the business of cable sound broadcasting (which means cable sound broadcasting as prescribed in Article 2 of the Act to Regulate the Operation of the Cable sound broadcasting Service (Act No. 135 of 1951); the same applies in Article 34-2-21, paragraph (1), item (i), sub-item (b) and Article 34-53-6, paragraph (1), item (i), sub-item (b)); and

ハ 電気通信役務利用放送（電気通信役務利用放送法（平成十三年法律第八十五

号) 第二条第一項の電気通信役務利用放送をいう。第三十四条の二の二十一第一項第一号ハ及び第三十四条の五十三の六第一項第一号ハにおいて同じ。) の業務を行う者

(c) a person who carries out the business of broadcasting by a telecommunications service (which means the business of broadcasting by a telecommunications service as prescribed in Article 2, paragraph (1) of the Act Concerning Broadcast on Telecommunications Service (Act No. 85 of 2001); the same applies in Article 34-2-21, paragraph (1), item (i), sub-item (c) and Article 34-53-6, paragraph (1), item (i), sub-item (c));

二 銀行又は当該銀行が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（一般放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) a method to make the content of information recorded in a file kept in a computer pertaining to the use of a Bank or a person who is entrusted business pertaining to advertisement, etc. carried out by said Bank (limited to the identical content of the matter provided by the method to order broadcasting by using the broadcasting equipment of a general broadcaster or by a method set forth in the preceding item) available for inspection to customers by means of a telecommunications line; or

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) a method to indicate to the public regularly or continuing for a certain period inside or outside the building, and to have an installation, or to indicate on a signboard, standing signboard, placard and label, advertising tower, advertising board, building, or other structure, etc., and methods equivalent to the above.

2 令第四条の五第二項第二号に規定する内閣府令で定める事項は、第十四条の十一の十七第三号ニに掲げる事項とする。

(2) Matters as provided by Cabinet Office Ordinance as prescribed in Article 4-5, paragraph (2), item (ii) of the Order are the matters as set forth in Article 14-11-17, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Matters That Must Not Be Exaggerated)

第十四条の十一の二十二 法第十三条の四において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-22 Matters as provided by Cabinet Office Ordinance as prescribed in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the matters

the following:

一 特定預金等契約の解除に関する事項

(i) matters concerning termination of a specified deposit, etc. contract;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) matters concerning the share of all or part of a loss or guarantee of profits pertaining to a specified deposit, etc. contract;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) matters concerning liquidated damages (including a penalty) pertaining to a specified deposit, etc. contract; and

四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) matters concerning the amount of Fee, etc. that a customer is to pay concerning a specified deposit, etc. contract, the calculation method, payment method, payment time, and payee.

(契約締結前交付書面の記載方法)

(Method of Entry of a Document Delivered Prior to the Conclusion of a Contract)

第十四条の十一の二十三 契約締結前交付書面には、法第十三条の四において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項を工業標準化法（昭和二十四年法律第百八十五号）に基づく日本工業規格（以下「日本工業規格」という。）Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 14-11-23 (1) In a Document Delivered Prior to the Conclusion of a Contract, the matters as set forth in each item of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, must be entered clearly and properly by using printed characters and numerals of the size of eight points or larger as defined in Japanese Industrial Standard Z 8305 based on the Industrial Standardization Act (Act No. 185 of 1949) (hereinafter referred to as "Japanese Industrial Standard").

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, in a Document Delivered Prior to the Conclusion of a Contract, the following matters are to be entered clearly and properly in lines by using printed characters and numerals of the size of 12 points or larger as defined in Japanese Industrial Standard Z 8305, and are to be entered following the matters as prescribed in the following paragraph:

一 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第十四条の十一の二十七第一項第十一号に掲げる事項

(i) a summary of the matters set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act and the matters set forth in item (v) of the same paragraph, and Article 14-11-27, paragraph (1), item (xi); and

二 第十四条の十一の二十七第一項第十二号に掲げる事項

(ii) the matters as set forth in Article 14-11-27, paragraph (1), item (xii).

3 銀行は、契約締結前交付書面には、第十四条の十一の二十七第一項第一号に掲げる事項及び法第十三条の四において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) A Bank, in a Document Delivered Prior to the Conclusion of a Contract, is to enter particularly material matters using plain expressions that may affect the decision of a customer among the matters as set forth in Article 14-11-27, paragraph (1), item (i) and each item of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, by using printed characters and numerals of the size of 12 points or larger as defined in Japanese Industrial Standard Z 8305 at the top of said Document Delivered Prior to the Conclusion of a Contract.

(情報の提供の方法)

(Methods of the Provision of Information)

第十四条の十一の二十四 法第十三条の四において準用する金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 14-11-24 The provision of information as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, is to be implemented by the delivery of a Document Delivered Prior to the Conclusion of a Contract.

(契約締結前交付書面の交付を要しない場合)

(Cases That Do Not Require Delivery of a Document Delivered Prior to the Conclusion of a Contract)

第十四条の十一の二十五 法第十三条の四において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 14-11-25 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 37-3, proviso of paragraph (1) of the Financial

Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act are the following cases:

一 第十四条の十一の四第二号に掲げるもの（同条第一号又は第三号に掲げるものに該当するものを除く。以下「外貨預金等」という。）に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について法第十三条の四において準用する金融商品取引法第三十七条の三第一項第一号及び第三号から第五号まで並びに第十四条の十一の二十七第一項第一号、第十一号、第十七号及び第十八号に掲げる事項を、第十四条の十一の二十三に規定する方法に準ずる方法により記載した書面（以下この条から第十四条の十一の三十までにおいて「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) when a document (hereinafter referred to as "Document of Foreign Currency Deposit, etc." from this Article to Article 14-11-30), in which the matters set forth in Article 37-3, paragraph (1), items (i) and (iii) to (v) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and matters set forth in Article 14-11-27, paragraph (1), items (i), (xi), (xvii), and (xviii), with regard to said specified deposit, etc. contract, are entered by a method equivalent to that as prescribed in Article 14-11-23, are delivered to said customer within one year before the conclusion of a specified deposit, etc. contract pertaining to the matters as set forth in Article 14-11-4, item (ii) (excluding matters corresponding to those set forth in item (i) or (iii) of the same Article; hereinafter referred to as "Foreign Currency Deposit, etc.") (limited to cases where said customer declared the intention not to require the delivery of the Document Delivered Prior to the Conclusion of a Contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) if a Document Delivered Prior to the Conclusion of a Contract is delivered to said customer within one year before the conclusion of a specified deposit, etc. contract, of which documents are pertaining to a specified deposit, etc. contract with identical content to said specified deposit, etc. contract

(including cases where the Document Delivered Prior to the Conclusion of a Contract is not delivered pertaining to said specified deposit, etc. contract with an identical content pursuant to provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約を締結しようとする場合においては、次に掲げるとき。

(iii) in the cases of intending to conclude a specified deposit, etc. contract of which content is to change a part of the specified deposit, etc. contract that has been effected, the cases as set forth in the following:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when there are no matters to be changed with entry matters in the Document Delivered Prior to the Conclusion of a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面（以下第十四条の十一の三十までにおいて「契約変更書面」という。）を交付しているとき。

(b) when there are matters to be changed with entry matters in the Document Delivered Prior to the Conclusion of a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change, when a document (hereinafter referred to as "Document for Contract Change" to Article 14-11-30), in which said entry matters to be changed is entered, has been delivered to said customer.

2 法第十三条の四において準用する金融商品取引法第三十四条の二第四項及び令第四条の三の規定並びに第十四条の十一の八の規定は、前項第一号の規定による外貨預金等書面の交付及び同項第三号ロの規定による契約変更書面の交付について準用する。

(2) The provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and provisions of Article 4-3 and Article 14-11-8 of the Order, apply mutatis mutandis to delivery of a Document of Foreign Currency Deposit, etc., pursuant to the provisions of item (i) of the preceding paragraph and delivery of a Document for Contract Change pursuant to the provisions of item (iii), sub-item (b) of the same paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a specified deposit, etc. contract pertaining to a Foreign Currency Deposit, etc. is concluded within one year from the date when a Document of Foreign Currency Deposit, etc. is delivered (including the date when a Document of Foreign Currency Deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases where said customer declared the intention not to require delivery of a Document Delivered Prior to the Conclusion of a Contract), it is deemed that a Document of Foreign Currency Deposit, etc. is delivered on the date of said conclusion and the provisions of paragraph (1), item (i) apply.

4 契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約につ

いて契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。) から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

- (4) If, within one year from the date (if a Document Delivered Prior to the Conclusion of a Contract is not delivered with regard to a specified deposit, etc. contract pursuant to the provisions of paragraph (1), item (i), including the date of conclusion of said specified deposit, etc. contract and the date when a Document Delivered Prior to the Conclusion of a Contract is deemed to be delivered pursuant to the provisions of this paragraph) when a Document Delivered Prior to the Conclusion of a Contract is delivered, a specified deposit, etc. contract with an identical content to the specified deposit, etc. contract pertaining to said Document Delivered Prior to the Conclusion of a Contract is concluded, the Document Delivered Prior to the Conclusion of a Contract is deemed to be delivered on the date of said conclusion and provisions of paragraph (1), item (ii) apply.

(顧客が支払うべき対価に関する事項)

(Matters Concerning Compensation to Be Paid by a Customer)

第十四条の十一の二十六 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあっては、その旨及びその理由とする。

Article 14-11-26 Matters as provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, under the name of a fee, reward, expense, or whatever name may be, are a description of the amount by category of Fee, etc. that the customer is to pay concerning a specified deposit, etc. contract, the maximum limit, or the calculation method of the above (including the percentage of Fee, etc. as compared to the principal amount pertaining to said specified deposit, etc. contract; hereinafter the same applies in this Article) and a description of the total amount of said amounts, the maximum limit, or the calculation method of these matters; provided, however, that when these matters are unable to be entered, that effect and the reasons thereof.

(契約締結前交付書面の記載事項)

(Information for Inclusion in a Document Delivered Prior to the Conclusion of a Contract)

第十四条の十一の二十七 法第十三条の四において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 14-11-27 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following matters:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) the effect that the content of said Document Delivered Prior to the Conclusion of a Contract is to be read sufficiently;

二 商品の名称（通称を含む。）

(ii) the name of the financial instrument (including an alias);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) distinction as to whether the contract is subject to an insurance payment as prescribed in Article 53 of the Deposit Insurance Act;

四 受入れの対象となる者の範囲

(iv) scope of the persons subject to acceptance;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including an indication whether the deposit will be renewed automatically, or not);

六 最低預入金額、預入単位その他の預入れに関する事項

(vi) minimum amount of deposit, unit of deposit, and any other matters concerning the deposit;

七 払戻しの方法

(vii) method of repayment;

八 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) method of establishing interest payments, payment method, calculation method, and other matters concerning interest;

九 付加することのできる特約に関する事項

(ix) matters concerning special provisions that may be added;

十 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(x) handling the termination of the contract during the period of deposit (including the calculation methods of interest and fees);

十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(xi) with regard to specified deposit, etc. contract to be concluded by a customer, when a loss is likely to be incurred by changes in money rate, value of currencies, quotations on a financial instruments market, and other indexes as a direct cause, the following matters:

イ 当該指標

(a) said index; and

ロ 当該指標に係る変動により損失が生ずるおそれがある理由

(b) the reasons that the contract is likely to cause loss due to changes pertaining to said index;

十二 当該銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(xii) with regard to a Specified Deposit, etc., for which said Bank holds a right to postpone the deposit period, the fact that when said right is exercised, it is likely to be disadvantageous to the customer due to the money rate of said Specified Deposit, etc. falling below the money market rate;

十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細

(xiii) in the case of handling a financial instrument that does not guarantee the repayment of the full amount at expiry of the amount paid for the combination of the following items with the Specified Deposit, etc. at the time of depositing, a detailed explanation stating that the deposited amount is not guaranteed to be repaid in the full amount at expiry and any other detailed explanations concerning said financial instrument:

イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）

(a) market derivatives transactions or foreign market derivatives transactions (excluding transactions corresponding to securities-related derivatives transactions);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivatives transaction as prescribed in Article 10, paragraph (2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a futures foreign funds transfer transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivatives transaction (excluding a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and a similar transaction in a foreign financial instruments market to that as set forth in the same item); and

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

- (e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or a similar transaction in a foreign financial instruments market to that as set forth in the same item (limited to a National Government Bond Certificate, etc. and securities set forth in paragraph (1), item (xvii) of the same Article pertaining to those that have characteristics as prescribed in item (i) of the same paragraph);
- 十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項
- (xiv) when the establishment method of an index to be the standard for establishing a money rate of a floating rate deposit and money rate are specified, matters concerning said standards, method, and money rate;
- 十五 当該特定預金等契約に関する租税の概要
- (xv) a description of the taxation concerning said specified deposit, etc. contract;
- 十六 顧客が当該銀行に連絡する方法
- (xvi) the methods to contact said Bank by the customer;
- 十七 当該銀行が対象事業者（当該特定預金等契約が当該認定投資者保護団体の認定業務（同法第七十九条の十第一項に規定する認定業務をいう。）の対象となるものである場合における当該認定投資者保護団体に限る。第三十四条の五十三の十二第二項第十七号において同じ。）の有無（対象事業者となつている場合にあつては、その名称）
- (xvii) the existence of a recognized investor protection association (when said specified deposit, etc. contract is covered by said recognized business (which means the recognized business prescribed in Article 79-10, paragraph (1) of the Financial Instruments and Exchange Act) of said recognized investor protection association, limited to such recognized investor protection association; the same applies in Article 34-53-12, paragraph (1), item (xvii))) for which said Bank is a subject business operator (which means a subject business operator as prescribed in Article 79-11, paragraph (1) of the same Act; the same applies hereinafter) (when said Bank is a subject business operator, the name of such recognized investor protection association);
- 十八 次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項
- (xviii) the matters prescribed in (a) or (b) below for the categories of cases set forth respectively therein.
- イ 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる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
- (a) When there exists a Designated Dispute Resolution Organization, the trade name or name of the Designated Dispute Resolution Organization, which is the other party to the Basic Contract for the Implementation of Dispute Resolution Procedures, prescribed in Article 12-3, paragraph (1),

item (i) of the Act, that said Bank takes a measure to conclude;

ロ 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容

(b) When there is no Designated Dispute Resolution Organization, the details of the complaint handling measures and the dispute resolution measure of said Bank prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

十九 その他特定預金等の預入れに関し参考となると認められる事項

(xix) other matters that are found to be references concerning the deposit of a Specified Deposit, etc.

2 一の特定預金等契約の締結について銀行及び銀行代理業者が法第十三条の四及び第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項の規定により顧客に対し同項に規定する書面の交付を行わなければならない場合において、当該銀行代理業者が当該交付を行つたときは、当該銀行は、前項の規定にかかわらず、契約締結前交付書面に同項各号に掲げる事項を記載することを要しない。

(2) When a Bank or a Bank Agent must deliver a document as prescribed in the provisions of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 and Article 52-45-2 of the Act to a customer, pursuant to the same paragraph with regard to conclusion of a single specified deposit, etc. contract, when said Bank Agent carries out said delivery, said Bank, notwithstanding the provisions of the preceding paragraph, is not required to enter matters as set forth in each item of the same paragraph in the Document Delivered Prior to the Conclusion of a Contract.

(契約締結時交付書面の記載事項)

(Information for Inclusion in a Document Delivered at Concluding a Contract)

第十四条の十一の二十八 特定預金等契約が成立したときに作成する法第十三条の四において準用する金融商品取引法第三十七条の四第一項に規定する書面（次項及び次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 14-11-28 (1) The following matters must be entered in a document, as prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (said document is referred to as a "Document Delivered at Concluding a Contract" in the following paragraph and the following Article), which document is to be prepared when a specified deposit, etc. contract is effected:

一 当該銀行の商号

(i) name of said Bank;

二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）

(ii) amount of deposit (when the principal amount is indicated in a foreign

- currency, the principal amount indicated in said foreign currency);
- 三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別
(iii) distinction whether it is subject to insurance payment as prescribed in Article 53 of the Deposit Insurance Act;
- 四 預入日及び満期日（自動継続扱いの有無を含む。）
(iv) date of deposit and expiry (including an indication whether the deposit will be renewed automatically, or not);
- 五 払戻しの方法
(v) method of repayment;
- 六 利息の設定方法、支払方法、計算方法その他の利息に関する事項
(vi) method of establishing interest payments, payment method, calculation method, and other items concerning interest;
- 七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）
(vii) handling the termination of the contract during the period of deposit (including the calculation methods of interest and fees);
- 八 当該特定預金等契約の成立の年月日
(viii) date when said specified deposit, etc. contract is effected;
- 九 当該特定預金等契約に係る手数料等に関する事項
(ix) matters concerning a Fee, etc. pertaining to said specified deposit, etc. contract;
- 十 顧客の氏名又は名称
(x) name of customer; and
- 十一 顧客が当該銀行に連絡する方法
(xi) a method to contact said Bank by the customer.
- 2 一の特定預金等契約の締結について銀行及び銀行代理業者が法第十三条の四及び第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項の規定により顧客に対し同項に規定する書面の交付を行わなければならない場合において、当該銀行代理業者が当該交付を行ったときは、当該銀行は、前項の規定にかかわらず、契約締結時交付書面に同項第二号から第七号までに掲げる事項を記載することを要しない。
- (2) When a Bank or a Bank Agent must deliver a document as prescribed in the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 and Article 52-45-2 of the Act to a customer, pursuant to the same paragraph with regard to conclusion of a single specified deposit, etc. contract, when said Bank Agent carries out said delivery, said Bank, notwithstanding the provisions of the preceding paragraph, is not required to enter matters as set forth in items (ii) to (vii) of the same paragraph in the Document Delivered at Concluding a Contract.

(契約締結時交付書面の交付を要しない場合)

(Cases That Do Not Require Delivery of a Document Delivered at Concluding a Contract)

第十四条の十一の二十九 契約締結時交付書面に係る法第十三条の四において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 14-11-29 (1) Cases as provided by Cabinet Office Ordinance as prescribed in Article 37-4, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act pertaining to a Document Delivered at Concluding a Contract, are the following cases:

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) when a Document of Foreign Currency Deposit, etc. is delivered to said customer within one year before conclusion of a specified deposit, etc. contract pertaining to a Foreign Currency Deposit, etc. (limited to said customer declaring the intention not to require delivery of a Document Delivered at Concluding a Contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) when a Document Delivered at Concluding a Contract pertaining to a specified deposit, etc. contract with an identical contract to the specified deposit, etc. contract to said customer is delivered within one year before conclusion of said specified deposit, etc. contract (including the cases where the Document Delivered at Concluding a Contract is not delivered with regard to said specified deposit, etc. contract with an identical content pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) if a specified deposit, etc. contract has been effected for which content is to change a part of the specified deposit, etc. contract, the following cases:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) when there are no matters to be changed with the entry matters in the Document Delivered at Concluding a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

- (b) when there are the entry matters to be changed in the Document Delivered at Concluding a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change, when a document, in which said entry matters to be changed is entered, has been delivered to said customer.
- 2 法第十三条の四において準用する金融商品取引法第三十四条の二第四項及び令第四条の三の規定並びに第十四条の十一の八の規定は、前項第三号ロの規定による書面の交付について準用する。
- (2) The provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and provisions of Article 4-3 and Article 14-11-8 of the Order, apply mutatis mutandis to delivery of documents pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.
- 3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。
- (3) If a specified deposit, etc. contract pertaining to a Foreign Currency Deposit, etc. is concluded within one year from the date when a Document of Foreign Currency Deposit, etc. is delivered (including the date when a Document of Foreign Currency Deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases where said customer declared the intention not to require delivery of a Document Delivered at Concluding a Contract), it is deemed that the Document of Foreign Currency Deposit, etc. is delivered on the date of said conclusion and the provisions of paragraph (1), item (i) apply.
- 4 契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。
- (4) If, within one year from the date (if a Document Delivered at Concluding a Contract is not delivered with regard to a specified deposit, etc. contract pursuant to the provisions of paragraph (1), item (i), the date of conclusion of said specified deposit, etc. contract, including the date when a Document Delivered at Concluding a Contract is deemed to be delivered pursuant to the provisions of this paragraph) when a Document Delivered at Concluding a Contract is delivered, a specified deposit, etc. contract with an identical content to the specified deposit, etc. contract pertaining to said Document

Delivered at Concluding a Contract, the Document Delivered at Concluding a Contract is deemed to be delivered on the date of said conclusion and the provisions of paragraph (1), item (ii) apply.

(信用格付業者の登録の意義その他の事項)

(Significance of Registration of a Credit Rating Agency and Other Matters)

第十四条の十一の三十 法第十三条の四において準用する金融商品取引法第三十八条第三号に規定する金融商品取引法第六十六条の二十七の登録の意義その他の事項として内閣府令で定める事項は、次に掲げるものとする。

Article 14-11-30 (1) The significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act and other matters provided by Cabinet Office Ordinance as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are those set forth in the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付（金融商品取引法第二条第三十四項に規定する信用格付をいう。以下この条、第三十四条の二の三十及び第三十四条の五十三の十七において同じ。）を付与した者に関する次に掲げる事項

(ii) with regard to a person who gave a credit rating (which means the credit rating prescribed in Article 2, paragraph (34) of the Financial Instruments and Exchange Act; hereinafter the same applies in this Article, Article 34-2-30, and Article 34-53-17), matters set forth in the following:

イ 商号、名称又は氏名

(a) trade name or name;

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) if said person is a corporation (including an organization without legal personality and appoints a representative or an administrator), the name of its officers (in case of an organization without legal personality and appoints a representative or an administrator, such representative or administrator);

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other principal business offices or offices.

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policy and method that the person who gave the credit rating uses to give said credit rating;

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人（金融商品取引業等に関する内閣府令第百十六条の三第二項に規定する特定関係法人をいう。以下この項、第三十四条の二の三十第二項及び第三十四条の五十三の十七第二項において同じ。）の付与した信用格付については、法第十三条の四において準用する金融商品取引法第三十八条第三号に規定する金融商品取引法第六十六条の二十七の登録の意義その他の事項として内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, with regard to Credit Ratings determined by a specified associated corporation (meaning Specified Associated Corporation prescribed in Article 116-3, paragraph (2) of the Cabinet Office Ordinance on Financial Instruments Business; the same applies in this paragraph, Article 34-2-30, paragraph (2) and Article 34-53-17, paragraph (2)), significance of registration under Article 66-27 of the Act and other matters provided by Cabinet Office Ordinance are the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人（同令第二百九十五条第三項第十号に規定する関係法人をいう。第三十四条の二の三十第二項第二号及び第三十四条の五十三の十七第二項第二号において同じ。）を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) trade name, name and registration number of Credit Rating Agency whose associated corporation (meaning Associated Corporation prescribed in Article 295, paragraph (3), item (x) of the Cabinet Office Ordinance on Financial Instruments Business; the same applies in Article 34-2-30, paragraph (2), item (ii) and Article 34-53-17, paragraph (2), item (ii)) is designated as said specified associated corporation by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 116-3, paragraph (2) of the same Cabinet Office Ordinance;

三 当該特定関係法人が信用格付業（金融商品取引法第二条第三十五項に規定する信用格付業をいう。第三十四条の二の三十第二項第三号及び第三十四条の五十三の十七第二項第三号において同じ。）を示すものとして使用する呼称

(iii) the name used by said specified associated corporation as a representation of the Credit Rating Business (meaning Credit Rating Business provided in Article 2, paragraph (35) of the Financial Instruments and Exchange Act; the same applies in Article 34-2-30, paragraph (2), item (iii) and Article 34-53-17, paragraph (2), item (iii));

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手

する方法

(iv) the outline of the policy and method that the specified associated corporation who gave the credit rating uses to give said credit rating or way to obtain information on the said outline from Credit Rating Agency specified by item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第十四条の十一の三十の二 法第十三条の四において準用する金融商品取引法第三十八条第七号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 14-11-30-2 Acts as provided by Cabinet Office Ordinance as prescribed in Article 38, item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the following acts:

一 第十四条の十一の三各号に掲げる行為

(i) acts as set forth in each item of Article 14-11-3;

二 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（法第十三条の四において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第十三条の四において準用する金融商品取引法第三十四条の三第四項（法第十三条の四において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第十三条の四において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（ハに掲げる書面を交付する場合にあつては、当該書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約を締結する行為

(ii) with regard to delivery of the following documents, an act to conclude a specified deposit, etc. contract without explaining in advance to a customer (excluding a Professional Investor (excluding a person who is deemed to be a customer other than a Professional Investor pursuant to the provisions of Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, and including a person who is deemed to be a Professional Investor pursuant to the provisions of Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act (including a cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act,

as applied mutatis mutandis pursuant to Article 13-4 of the Act)); hereinafter the same applies in this item) regarding matters (when a document as set forth in item (c) is delivered, matters that are entered in said document and that are pertaining to matters set forth in items (iii) to (v) and (vii) of the same paragraph) set forth in Article 37-3, paragraph (1), items (iii) to (v) and (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, by a necessary method and degree for the understanding of said customer in light of the customer's knowledge, experience, condition of assets, and purpose to conclude the specified deposit, etc. contract:

イ 契約締結前交付書面

(a) Document Delivered Prior to the Conclusion of a Contract;

ロ 外貨預金等書面

(b) Document of Foreign Currency Deposit, etc.; and

ハ 契約変更書面

(c) Document for Contract Change;

三 特定預金等契約の締結又はその勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(iii) with regard to conclusion of a specified deposit, etc. contract and its solicitation, an act of misrepresentation, or an indication that may cause misunderstanding of material matters;

四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) with regard to a specified deposit, etc. contract, an act to promise provisions of special profit to a customer or a person specified by the customer, or an act to provide special profit to a customer or a third person (including an act to order a third party to promise the provision of special profit or to provide special profit); and

五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) with regard to conclusion or termination of a specified deposit, etc. contract, an act to solicit by telephone or visit during the time when a customer (limited to an individual) finds it annoying.

(行為規制の適用除外の例外)

(Exemption of Exclusion from Application of Behavior Regulation)

第十四条の十一の三十一 法第十三条の四において準用する金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、第十三条の四において準用する金融商品取引法第三十七条の四の規定の適用について、顧客の締結した特定預金等契約に関する照会に対して速やかに回答できる体制が整備されていない場合とする。

Article 14-11-31 The cases as provided by Cabinet Office Ordinance as prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, with regard to application of provisions of Article 37-4 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 of the Act, are the cases of a system for responding immediately to an inquiry concerning a specified deposit, etc. contract that a customer concluded is not developed.

(銀行の子会社等)

(Subsidiary Company of a Bank)

第十四条の十二 法第十四条の二第二号に規定する内閣府令で定める特殊の関係のある会社は、次に掲げる者とする。

Article 14-12 A company that has a special relationship as provided by Cabinet Office Ordinance as prescribed in Article 14-2, item (ii) of the Act is the following persons:

一 当該銀行の子法人等

(i) a subsidiary corporation, etc. of said Bank; and

二 当該銀行の関連法人等

(ii) an affiliated corporation, etc. of said Bank.

(休日の承認の申請等)

(Application of Approval for Holidays)

第十五条 銀行は、令第五条第二項第二号の規定による休日の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 15 (1) A Bank, when intending to obtain an approval for holidays pursuant to the provisions of Article 5, paragraph (2), item (ii) of the Order, must attach the following documents to a written application for approval and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons; and

二 令第五条第三項の規定による掲示の方法を記載した書面

(ii) a document stating the method of posting notice pursuant to provisions of Article 5, paragraph (3) of the Order.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether it conforms to the following standards:

一 金融機関相互間の内国為替取引を通信回線を用いて処理する制度の運営に支障を

及ぼすおそれがないこと。

(i) it is not likely to cause problems with the system that processes domestic funds transfer transactions between financial institutions by using communication lines;

二 当該申請に係る営業所の顧客の利便を著しく損なわないこと。

(ii) it does not harm in the extreme the convenience of a customer of a business office pertaining to said application; and

三 当該申請に係る営業所が当座預金業務を営んでいないこと。

(iii) a business office pertaining to said application does not carry out current deposit service.

3 当座預金業務を営まない営業所において、令第五条第一項各号及び第二項第一号に掲げる日（次項において「指定休日」という。）以外の日を休日とする旨の記載がある申請書による第三十二条第二項の規定による認可の申請があつたときは、金融庁長官等は、同条第三項に規定する審査のほか、前項各号に掲げる基準に適合するかどうかを審査するものとする。

(3) When a business office that does not carry out current deposit service files an application for approval pursuant to the provisions of Article 32, paragraph (2) by a written application stating that a day other than those as set forth in each item of Article 5, paragraph (1) and paragraph (2), item (i) of the Order (which are referred to as a "Designated Holiday" in the following paragraph) as a holiday, the Commissioner of the Financial Services Agency, etc. is to, beyond examinations as prescribed in paragraph (3) of the same Article, examine whether the day conforms to the standards as set forth in each item of the preceding paragraph.

4 銀行が前項に規定する申請書に基づく法第四十七条の二に規定する認可を受けたときは、前項に規定する営業所が指定休日以外の日を休日とすることについて、令第五条第二項第二号の承認を受けたものとみなす。

(4) When a Bank obtains an authorization as prescribed in Article 47-2 of the Act based on a written application, with regard to a business office as prescribed in the preceding paragraph determining a day other than Designated Holiday as a holiday, it is deemed to be approved as prescribed in Article 5, paragraph (2), item (ii) of the Order.

(営業時間)

(Business Hours)

第十六条 銀行の営業時間は、午前九時から午後三時までとする。

Article 16 (1) Business hours of a Bank are 9:00 a.m. to 3:00 p.m.

2 前項の営業時間は、営業の都合により延長することができる。

(2) Business hours as prescribed in the preceding paragraph may be lengthened due to the convenience of business.

3 銀行は、その営業所が次のいずれにも該当する場合（前項に該当する場合を除

く。)は、当該営業所について営業時間の変更をすることができる。

(3) A Bank, when its business office corresponds to all of the following (excluding cases corresponding to the preceding paragraph), may change business hours with regard to said business office:

一 当該営業所の所在地又は設置場所の特殊事情その他の事情により第一項に規定する営業時間とは異なる営業時間とする必要がある場合

(i) when it requires to set different business hours from business hours as prescribed in paragraph (1) due to the location of said business office, special circumstances of the installation location, or other circumstances;

二 当該営業所の顧客の利便を著しく損なわない場合

(ii) when it does not harm in the extreme the convenience of customers of said business office; and

三 当該営業所が当座預金業務を営んでいない場合

(iii) when said business office does not carry out current deposit services.

4 銀行は、前項の規定による営業時間の変更をするときは、その旨を当該営業所の店頭に掲示しなければならない。

(4) A Bank, when changing business hours pursuant to the provisions of the preceding paragraph, must display that effect in front of said business office.

5 前各項の規定にかかわらず、銀行の外国に所在する営業所の営業時間は、当該営業所の所在地の法令により認められる時間とする。

(5) Notwithstanding the provisions of each item of the preceding paragraph, business hours of a business office of a Bank that is located in a foreign state are the times to be approved pursuant to laws and regulations of the location of said business office.

(臨時休業の届出等)

(Notification of Temporary Suspension of Business)

第十七条 銀行は、法第十六条第一項の規定によるその業務の全部又は一部の休止又は再開の届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 17 (1) A Bank, when intending to notify all concerned of a suspension or recommencement of all or part of its business pursuant to the provisions of Article 16, paragraph (1) of the Act, must attach the following documents to the written notice and submit them to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 法第十六条第一項の規定による掲示の方法を記載した書面

(ii) a document stating the method of notice display pursuant to the provisions of Article 16, paragraph (1) of the Act; and

三 その他金融庁長官が必要と認める事項を記載した書面

- (iii) other documents stating matters that the Commissioner of the Financial Services Agency finds to be necessary.
- 2 法第十六条第一項に規定する内閣府令で定める場合は、次に掲げる場合とする。
- (2) Cases as provided by Cabinet Office Ordinance as prescribed in Article 16, paragraph (1) of the Act are following cases:
- 一 法第二十六条第一項、第二十七条又は第五十二条の三十四第一項若しくは第四項の規定により銀行の業務の全部又は一部の停止を命ぜられた場合
 - (i) when all or part of Bank services is ordered to suspend pursuant to the provisions of Article 26, paragraph (1); Article 27; or Article 52-34, paragraphs (1) or (4) of the Act;
 - 二 法第十五条第一項に規定する銀行の休日に、業務の全部又は一部を営む銀行の営業所において、当該休日における現金自動支払機その他の金融庁長官が別に定める機械（以下「現金自動支払機等」という。）による業務の全部又は一部を休止する場合
 - (ii) if, on a holiday of a Bank as prescribed in Article 15, paragraph (1) of the Act, at a business office of a Bank that carries out all or part of business, all or part of business implemented on said holiday by a cash dispenser or other machine specified separately by the Commissioner of the Financial Services Agency (hereinafter referred to as "Cash Dispenser, etc.") is suspended;
 - 三 銀行の無人の営業所においてその業務の全部又は一部を休止する場合（前号に該当する場合を除く。）
 - (iii) when, at a unmanned business office of a Bank, all or part of business is suspended (excluding cases corresponding to the preceding paragraph);
 - 四 外国に所在する銀行又はその委託を受けて当該銀行の業務を営む者の当該業務を営む営業所においてその業務の全部又は一部を休止する場合
 - (iv) when all or part of business of a Bank located in a foreign state or business by a person that is entrusted by said Bank and carries out the services of said Bank, is suspended at a business office that carries out said business; and
 - 五 当該銀行を所属銀行とする銀行代理業者（法第五十二条の六十一第二項の規定により銀行代理業者とみなされた銀行等（同条第一項に規定する銀行等をいう。）を含む。次項において同じ。）において当該銀行のために営む銀行代理業の業務の全部又は一部の休止に伴い銀行の業務の全部又は一部を休止する場合
 - (v) when all or part of Bank services is suspended due to suspension of all or part of business of Bank Agency Services that is carried out for said Bank by the Bank Agent (including a Bank, etc. (which means a Bank, etc. as prescribed in paragraph (1) of the Article 52-61 of the Act) that is deemed to be a Bank Agent pursuant to the provisions of paragraph (2) of the same Article; the same applies in the following paragraph) which Principal Bank is said Bank.
- 3 法第十六条第一項の規定により掲示する場合には、次の各号に掲げる区分に応じ、

当該各号に定める日までの間、継続して営業所の店頭に掲示しなければならない。

(3) In the case of posting a notification pursuant to the provisions of Article 16, paragraph (1) of the Act, the notification must be posted continuously in front of the business office corresponding to the categories as set forth in each item of the following for the period until the day specified in each said item:

一 法第十六条第一項前段の規定による掲示 銀行が臨時にその業務の全部又は一部を休止した営業所においてその業務の全部又は一部を再開する日

(i) posting pursuant to the provisions of Article 16, first sentence of paragraph (1) of the Act: the day to recommence all or part of business at a business office as which a Bank suspended all or part of its business temporarily;

二 法第十六条第一項後段の規定による掲示 銀行が臨時にその業務の全部又は一部を休止した営業所においてその業務の全部又は一部を再開した日後一月を経過する日

(ii) posting pursuant to the provisions of Article 16, paragraph (1), second sentence of Article 16: the day when one month elapses after the day to recommence all or part of business at a business office at which a Bank suspended all or part of business temporarily.

4 法第十六条第二項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(4) Cases as provided by Cabinet Office Ordinance as prescribed in Article 16, paragraph (2) of the Act are the cases as set forth in the following:

一 銀行の無人の営業所においてその業務の全部又は一部を休止する場合

(i) the cases of suspending all or part of business at an unmanned business office of a Bank;

二 当該銀行を所属銀行とする銀行代理業者の無人の営業所又は事務所において当該銀行のために営む銀行代理業に係る業務の全部又は一部を休止する場合

(ii) the cases of suspending all or part of business pertaining to Bank Agency Services and carried out for said Bank at an unmanned business office or office of a Bank Agent which Principal Bank is said Bank;

三 第二項第二号、第四号又は第五号に該当する場合

(iii) the cases of corresponding to paragraph (2), item (ii), (iv), or (v); and

四 休業期間が一営業日以内で、営業が速やかに再開されることが確実に見込まれる場合

(iv) the cases where the suspension period is within one business day and business is surely estimated to be recommenced immediately.

第三章 子会社等

Chapter III Subsidiary Company

(専門子会社の業務等)

(Business of a Specialized Subsidiary Company)

第十七条の二 法第十六条の二第一項第三号に規定する内閣府令で定める業務は、金融

商品取引法第三十五条第一項第一号から第十号まで及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務のほか、次に掲げるものとする。

Article 17-2 (1) The business provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (iii) of the Act is, beyond the business to perform acts as set forth in Article 35, paragraph (1), items (i) to (x) and (xiii) of the Financial Instruments and Exchange Act and business as set forth in paragraph (2), items (i) to (iii) of the same Article, the following:

一 次条第一項各号に掲げる業務であつて、金融庁長官が定める基準により主として銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むもの

(i) a business set forth in any of the items of paragraph (1) of the following Article which is operated mainly for the business of a Bank, its Subsidiary Company, or a person set forth in any of the items of paragraph (4) based on standards prescribed by the Commissioner of the Financial Services Agency;

二 次条第二項各号に掲げる業務。ただし、同項第十九号から第二十三号までに掲げる業務については証券子会社等（法第十六条の二第二項第六号に規定する証券子会社等をいう。）を有する場合に限り、次条第二項第二十四号から第三十四号までに掲げる業務については保険子会社等（法第十六条の二第二項第七号に規定する保険子会社等をいう。次項第三号及び第三項第五号において同じ。）を有する場合に限り、次条第二項第三十五号から第三十七号までに掲げる業務については銀行が信託兼営銀行（法第十六条の二第二項第八号イに規定する信託兼営銀行をいう。以下同じ。）である場合又は信託子会社等（法第十六条の二第二項第八号に規定する信託子会社等をいう。以下同じ。）を有する場合に限る。

(ii) a business set forth in any of the items of paragraph (2) of the following Article; provided, however, that, with regard to a business set forth in any of items (ixx) to (xxiii) in the same paragraph, limited to the cases where such business has a Securities Subsidiary Company, etc. (which means the Security Subsidiary Company, etc. prescribed in Article 16-2, paragraph (2), item (vi) of the Act); with regard to a business set forth in any of items (xxiv) to (xxxiv) of the following Article, paragraph (2), limited to the cases where such business has an Insurance Subsidiary Company, etc. (which means the Insurance Subsidiary Company, etc. prescribed in Article 16-2, paragraph (2), item (vii) of the Act; the same applies in the following paragraph, item (iii) and paragraph (3), item (v)); and with regard to a business set forth in any of items (xxxv) to (xxxvii) of the following Article, paragraph (2), limited to the cases where such Bank is a Trust Bank (which means a Trust Bank prescribed in Article 16-2, paragraph (2), item (viii), sub-item (a) of the Act; the same applies hereinafter) or to the cases where such Bank has a Trust Subsidiary Company, etc. (which means a Trust Subsidiary Company, etc. prescribed in Article 16-2, paragraph (2), item (viii) of the Act; the same applies hereinafter).

2 法第十六条の二第一項第三号に規定する内閣府令で定める業務は、金融商品取引法第三十五条第一項第一号から第十号まで及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務（同項第一号に掲げる業務にあつては、第十三条の二の三第一項第一号及び第三号（同項第一号に係る部分に限る。）に掲げるもの並びに商品取引所法第二条第十六項に規定する商品市場における取引等の委託を受ける業務に限り、金融商品取引法第三十五条第二項第二号に掲げる業務にあつては、第十三条の二の三第一項第一号及び第三号（同項第一号に係る部分に限る。）に掲げるものに限る。）のほか、次に掲げるものとする。

(2) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (iii) of the Act is, beyond business to perform acts as set forth in Article 35, paragraph (1), items (i) to (x) and (xiii) of the Financial Instruments and Exchange Act and business as set forth in paragraph (2), items (i) to (iii) of the same Article (limited to, with regard to the business set forth in item (i) of the same paragraph, the business set forth in Article 13-2-3, paragraph (1), items (i) and (iii) (limited to the part pertaining to item (i) of the same paragraph) and the business to accept the consignment of a transaction on a commodity market, etc. as prescribed in Article 2, paragraph (16) of the Commodity Exchange Act); and limited to, with regard to the business set forth in Article 35, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, the business set forth in Article 13-2-3, paragraph (1), items (i) and (iii) (limited to the part pertaining to item (i) of the same paragraph)), the following:

一 金融商品取引法第二条第八項第七号及び第十一号から第十七号までに掲げる行為並びに金融商品取引法施行令第一条の十二に規定する行為を行う業務

(i) acts as set forth in Article 2, paragraph (8), items (vii) and (xi) to (xvii) of the Financial Instruments and Exchange Act and business to perform an act as prescribed in Article 1-12 of the Order of Enforcement of the Financial Instruments and Exchange Act;

二 次条第一項各号（第二十三号を除く。）に掲げる業務であつて、金融庁長官が定める基準により主として銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むもの

(ii) business that is as set forth in each item of paragraph (1) of the following Article (except item (xxiii)) and that is carried out, based on the standards specified separately by the Commissioner of the Financial Services Agency, for the business, which is carried out mainly by a Bank, its Subsidiary Company, or a person as set forth in each item of paragraph (4); or

三 次条第二項各号に掲げる業務（第一号に掲げる業務に該当するものを除く。）。ただし、同項第二十四号から第三十四号までに掲げる業務については保険子会社等を有する場合に限り、次条第二項第三十五号から第三十七号までに掲げる業務については、銀行が信託兼営銀行である場合又は信託子会社等を有する場合に限る。

(iii) business as set forth in each item of paragraph (2) of the following Article

(excluding business corresponding to that as set forth in item (i)); provided, however, that with regard to business as set forth in items (xxiv) to (xxxiv) of the same paragraph, limited to cases of holding an insurance Subsidiary Company, etc., and with regard to business as set forth in paragraph (2), items (xxxv) to (xxxvii) of the following Article, limited to cases where a Bank is a Trust Bank or holds a Trust Subsidiary Company, etc.

3 法第十六条の二第一項第四号に規定する内閣府令で定める業務は、金融商品取引法第三十五条第一項第十号及び第十三号に掲げる行為を行う業務並びに同条第二項第一号から第三号までに掲げる業務のほか、次に掲げる業務とする。

(3) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (iv) is the following business, beyond business to perform acts as set forth in Article 35, paragraph (1), items (x) and (xiii) of the Financial Instruments and Exchange Act, and business as set forth in paragraph (2), items (i) to (iii) of the same Article:

一 金融商品取引法第二条第八項第十一号、第十二号及び第十四号に掲げる行為並びに金融商品取引法施行令第一条の十二に規定する行為を行う業務

(i) acts as set forth in Article 2, paragraph (8), items (xi), (xii) and (xiv) of the Financial Instruments and Exchange Act and business to perform an act as prescribed in Article 1-12 of the Order of Enforcement of the Financial Instruments and Exchange Act;

二 累積投資契約（金融商品取引法第三十五条第一項第七号に規定する累積投資契約をいう。）の締結の媒介

(ii) intermediary of the conclusion of an accumulated investment contract (which means an accumulated investment contract as prescribed in Article 35, paragraph (1), item (vii) of the Financial Instruments and Exchange Act);

三 金融商品取引法第三十五条第一項第一号に規定する有価証券の貸借の媒介

(iii) intermediary of the lending of securities as prescribed in Article 35, paragraph (1), item (i) of the Financial Instruments and Exchange Act;

四 前項第二号に掲げる業務

(iv) business as set forth in item (ii) of the preceding paragraph; and

五 次条第二項各号に掲げる業務（第一号に掲げる業務に該当するものを除く。）。

ただし、同項第二十四号から第三十四号までに掲げる業務については、保険子会社等を有する場合に限り、同項第三十五号から第三十七号までに掲げる業務については銀行が信託兼営銀行である場合又は信託子会社等を有する場合に限る。

(v) business as set forth in each item of paragraph (2) of the following Article (excluding business corresponding to that as set forth in item (i)); provided, however, that with regard to business as set forth in items (xxiv) to (xxxiv) of the same paragraph, limited to the cases of holding an insurance Subsidiary Company, etc., and with regard to business as set forth in items (xxxv) to (xxxvii) of the same paragraph, limited to the cases where a Bank is a Trust Bank or holds a Trust Subsidiary Company, etc.

4 法第十六条の二第一項第十一号及び第七項に規定する内閣府令で定めるものは、次に掲げるものとする。

(4) A person as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xi) and paragraph (7) of the Act is the following:

一 当該銀行の銀行持株特定子銀行（当該銀行を子会社とする銀行持株会社の子会社（銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社に限り、当該銀行及びその特定子銀行（当該銀行の子会社のうち、法第十六条の二第一項第一号、第二号又は第七号に掲げる会社をいう。次号及び第四号において同じ。）を除く。）をいう。第四号において同じ。）

(i) a Bank holding a specified subsidiary Bank of said Bank (which means a Subsidiary Company (limited to a Bank or a company as set forth in Article 52-23, paragraph (1), item (i) or (vi) of the Act and excluding said Bank and a specified subsidiary bank (which means a company as set forth in Article 16-2, paragraph (1), items (i) to (ii), or item (vii) of the Act among the Subsidiary Companies of said Bank; the same applies in the following item and item (iv))) of a Bank Holding Company that has said Bank as a Subsidiary Company; the same applies in item (iv));

二 当該銀行の銀行集団（当該銀行及びその子会社の集団又は当該銀行の特定子銀行及び当該銀行の特定子銀行以外の子会社の集団をいう。第四号において同じ。）

(ii) a group of banks of said Bank (which means a group of said Bank and its Subsidiary Companies, or a group of specified subsidiary banks of said Bank and Subsidiary Companies other than a specified subsidiary bank of said Bank; the same applies in item (iv));

三 当該銀行の銀行持株会社集団（当該銀行を子会社とする銀行持株会社の二以上の子会社の集団又は当該銀行持株会社及びその子会社の集団のうち、銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社を含むものに限り、前号に掲げるものを除いたものをいう。次号において同じ。）

(iii) a group of bank holding companies of said Bank (limited to a group that includes a Bank or companies as set forth in Article 52-23, paragraph (1), item (i) or (vi) of the Act among a group of two or more Subsidiary Companies of a Bank Holding Company that holds said Bank as a Subsidiary Company and a group of said Bank Holding Company and its Subsidiary Companies, and excluding groups as set forth in the preceding item; the same applies in the following item);

四 当該銀行又はその特定子銀行、銀行持株特定子銀行、銀行集団若しくは銀行持株会社集団及び次に掲げる者

(iv) said Bank or its specified subsidiary bank, a Bank holding specified subsidiary bank, a group of banks, or a group of bank holding Companies, and the following persons:

イ 銀行等

(a) a Bank, etc.;

ロ 銀行等集団

(b) a group of banks, etc.;

ハ 銀行持株会社集団

(c) a group of bank holding companies; or

ニ 長期信用銀行の長期信用銀行持株会社集団

(d) a group of long-term credit bank holding companies of a long-term credit bank.

5 前項第四号に規定する「銀行等」、「銀行等集団」及び「長期信用銀行持株会社集団」とは、それぞれ次に定めるところによる。

(5) The terms "Bank, etc.", "group of banks, etc.", and "group of long-term credit bank holding companies of a long-term credit bank" as prescribed in item (iv) of the preceding paragraph mean as provided in the following, respectively:

一 銀行等 次に掲げる者

(i) a Bank, etc.: the following persons:

イ 銀行又は長期信用銀行（これらの子会社のうち、銀行業を営む外国の会社を含む。）

(a) a Bank or a long-term credit bank (among Subsidiary Companies of such entities, including a foreign company that carries out Banking);

ロ 信用金庫、信用組合又は労働金庫（これらの法人をもつて組織する連合会又はその子会社のうち、銀行又は銀行業を営む外国の会社を含む。）

(b) a Shinkin Bank, Credit Cooperatives, or a Labor Bank (among federations organized with these corporations or companies that are Subsidiary Companies, including a Bank or a foreign company that carries out Banking);

ハ 農業協同組合、農業協同組合連合会、漁業協同組合、漁業協同組合連合会、水産加工業協同組合又は水産加工業協同組合連合会（農業協同組合連合会、漁業協同組合連合会及び水産加工業協同組合連合会にあつては、当該農業協同組合連合会、当該漁業協同組合連合会又は当該水産加工業協同組合連合会の子会社（銀行に限る。）を含む。）

(c) an agricultural cooperative, a federation of agricultural cooperatives, a fisheries cooperative, a federation of fisheries cooperatives, a fishery processing cooperative, a federation of fishery processing cooperative (with regard to a federation of agricultural cooperatives, a federation of fisheries cooperatives, and a federation of fishery processing cooperatives, including a Subsidiary Company (limited to a Bank) of said federation of agricultural cooperatives, said federation of fisheries cooperatives, and said federation of fishery processing cooperatives); and

ニ 農林中央金庫（その子会社のうち、銀行又は銀行業を営む外国の会社を含む。）

(d) the Norinchukin Bank (among its Subsidiary Companies, including a Bank or a foreign company that carries out Banking);

ホ 株式会社商工組合中央金庫

(e) the Shoko Chukin Bank Limited

二 銀行等集団 前号に規定する銀行等及びその子会社の集団又は当該銀行等の子銀行等（当該銀行等の子会社のうち、銀行、長期信用銀行又は銀行業を営む外国の会社をいう。以下この号において同じ。）及び当該銀行等の子銀行等以外の子会社の集団

(ii) a group of banks, etc.: a group of Bank, etc., as prescribed in the preceding item and its Subsidiary Companies, or a group of subsidiary banks, etc. of said Bank, etc. (which means a Bank, long-term credit bank, or a foreign company that carries out Banking, among Subsidiary Companies of said Bank, etc.; hereinafter the same applies in this item) and Subsidiary Companies other than a subsidiary bank, etc. of said Bank, etc.;

三 長期信用銀行持株会社集団 長期信用銀行持株会社（長期信用銀行法第十六条の四第一項に規定する長期信用銀行持株会社をいう。以下同じ。）の二以上の子会社の集団又は当該長期信用銀行持株会社及びその子会社の集団のうち、長期信用銀行又は長期信用銀行法第十六条の四第一項第一号若しくは第六号に掲げる会社を含むものに限り、前号に定めるものを除いたもの

(iii) a group of long-term credit bank holding companies: among a group of two or more Subsidiary Companies of a long-term credit bank holding company (which means a long-term credit bank holding company as prescribed in Article 16-4, paragraph (1) of the Long-Term Credit Bank Act; the same applies hereinafter) or a group of said long-term credit bank holding company and its Subsidiary Companies, limited a group that includes a long-term credit bank or companies as set forth in Article 16-4, paragraph (1), item (i) or (vi) of the Long-Term Credit Bank Act, and excluding a group as specified in the preceding item.

6 法第十六条の二第一項第十二号及び第十六条の三第七項に規定する内閣府令で定める会社は、金融商品取引所に上場されている株式又は金融商品取引法第六十七条の十一第一項の店頭売買有価証券登録原簿に登録されている株式の発行者である会社以外の会社であつて、次の各号のいずれかに該当する株式会社とする。

(6) A company as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xii) and Article 16-3, paragraph (7) of the Act is a company other than a company which is an issuer of securities as listed on a financial instruments exchange or securities registered in a securities registry of over-the-counter transactions as prescribed in Article 67-11, paragraph (1) of the Financial Instruments and Exchange Act, which company is a stock company corresponding to any of the following items:

一 中小企業の新たな事業活動の促進に関する法律（平成十一年法律第十八号）第二条第一項に規定する中小企業者であつて、設立の日以後五年を経過しておらず、かつ、前事業年度若しくは前年においてイに掲げる金額のロに掲げる金額に対する割合が百分の三を超えているもの

(i) a stock company that is a small and medium sized enterprise operator as prescribed in Article 2, paragraph (1) of the Act on Facilitating New Business Activities of Small and Medium-Sized Enterprises (Act No. 18 of 1999), for which ten years have not elapsed since the date of incorporation, and for which the percentage of the amount set forth in (a) compared to the amount set forth in (b) exceeds three percent in the preceding business year or preceding year:

イ 試験研究費その他新たな技術若しくは新たな経営組織の採用、市場の開拓又は新たな事業の開始のために特別に支出される費用の合計額

(a) total amount of testing and research expenses and other expenses specially paid for recruitment of new technology or new management organization, market cultivation, or commencement of new business;

ロ 総収入金額から固定資産又は法人税法（昭和四十年法律第三十四号）第二条第二十一号に規定する有価証券の譲渡による収入金額を控除した金額

(b) the amount that is the result of deducting the income amount by transfer of fixed assets or securities as prescribed in Article 2, item (xxi) of the Corporation Tax Act (Act No. 34 of 1965) from the total income amount;

二 中小企業の新たな事業活動の促進に関する法律第二条第一項に規定する中小企業者であつて、設立の日以後一年を経過しておらず、常勤の研究者の数が二人以上であり、かつ、当該研究者の数の常勤の役員及び従業員の数の合計に対する割合が十分の一以上であるもの

(ii) a stock company that is a small or medium-sized enterprise operator as prescribed in Article 2, paragraph (1) of the Act on Facilitating New Business Activities of Small and Medium-Sized Enterprises, for which one year has not elapsed since the date of incorporation, for which the number of full-time researchers is two or more, and for which the percentage of the number of said researchers to the total number of full-time officers and employees is ten percent or more; or

三 中小企業の新たな事業活動の促進に関する法律第九条第一項に規定する承認を受けている会社

(iii) a company that is authorized as prescribed in Article 9, paragraph (1) of the Act on Facilitating New Business Activities of Small and Medium-Sized Enterprises;

四 中小企業の新たな事業活動の促進に関する法律第十一条第一項に規定する認定を受けている会社

(iv) a company that is certified as prescribed in Article 11, paragraph (1) of the Act on Facilitating New Business Activities of Small and Medium-Sized Enterprises;

五 産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第五条第一項、第七条第一項、第九条第一項、第十一条第一項、第十四条第一項若しくは第十六条第一項に規定する認定を受けている会社又は同法第三十九

条の二第一項に規定する認定に係る同項の中小企業承継事業再生計画に従って事業を承継している会社

(v) a company certified as prescribed in Article 5, paragraph (1), Article 7, paragraph (1), Article 9, paragraph (1), Article 11, paragraph (1), Article 14, paragraph (1), or Article 16, paragraph (1) of the Act on Special Measures for Industrial Revitalization and Industrial Innovation (Act No. 131 of 1999) or a company that succeeded a business according to the Plan for Revitalization of Succeeded Business of Small and Medium-sized Enterprises in Article 39-2, paragraph (1) pertaining to the certification prescribed in the same paragraph;

六 民事再生法（平成十一年法律第二百二十五号）第二条第三号に規定する再生計画につき同法の規定による再生計画認可の決定を受けている会社

(vi) a company for which a rehabilitation plan is authorized pursuant to the provisions of the Civil Rehabilitation Act (Act No. 225 of 1999) with regard to the revitalization plan prescribed in Article 2, item (iii) of the same Act;

七 会社更生法（平成十四年法律第百五十四号）第二条第二項に規定する更生計画につき同法の規定による更生計画認可の決定を受けている会社

(vii) a company for which a reorganization plan is authorized pursuant to the provisions of the Corporate Reorganization Act (Act No. 154 of 2002) with regard to the reorganization plan prescribed in Article 2, paragraph (2) of the same Act;

八 株式会社企業再生支援機構法（平成二十一年法律第六十三号）第二十五条第四項に規定する支援決定を受けている会社

(viii) a company to which it has been decided to give support prescribed Article 25, paragraph (4) of the Act on Organization for Support of Stock Company Enterprises (Act No. 63 of 2009);

九 合理的な経営改善のための計画（法第五十二条の六十一第一項に規定する銀行等、株式会社商工組合中央金庫、保険会社（外国保険会社等を含む。）、銀行持株会社、長期信用銀行持株会社若しくは保険業法第二条第十六項に規定する保険持株会社又はこれらの子会社（以下この号において「特定金融機関等」という。）が、当該特定金融機関等に対する会社の債務について次に掲げる措置のいずれかを実施することを内容とするものであつて、当該措置の実施により相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）を実施している会社

(ix) a company that implements a plan for reasonable improvement of management (limited to a plan in which a Bank etc., prescribed in Article 52-61, paragraph 1 of the Act, Shoko Chukin Bank Limited, an insurance corporation (including foreign insurance corporations, etc.), a Bank Holding Company, a long-term credit bank holding company or a Holding Company of insurance provider prescribed in Article 2, paragraph 16 of the Insurance Business Act, or a Subsidiary Company of the above (hereinafter referred to as "Specified Financial Institution, etc." in this item) implements, with

regard to a debt the company owes to said Specified Financial Institution, etc., any of the following measures and by the implementation of which the business management condition of said company is expected to improve within a reasonable period of time):

イ 当該債務の全部又は一部を免除する措置

(a) a measure to release said company from all or part of said debt

ロ 当該債務の全部又は一部を消滅させるために株式を取得する措置

(b) a measure to acquire shares in order to extinguish all or part of said debt.

ハ 当該債務に係る債権の全部又は一部が当該会社に対する他の債権に後れることとする措置（当該会社の財務指標が当該特定金融機関等及び当該会社の間であらかじめ定めた一定の基準を下回った場合に、当該会社が期限の利益を喪失する措置を併せて講じているものに限る。）

(c) a measure to subordinate all or part of the claims pertaining to said debt to other claims to said company (limited to a measure that also arranges so that said company loses its benefit of time if financial indexes of said company declines below certain standards agreed upon in advance between said Specified Financial Institution, etc. and said company).

7 前項に規定する会社のほか、株式会社であつて、その議決権を銀行又はその子会社（子会社となる会社を含む。以下この項において同じ。）により第十七条の四第一項第一号又は第二号に掲げる事由によらずに取得されたとき（当該株式会社の議決権が当該銀行又はその子会社により二回以上にわたり取得された場合においては、第十七条の四第一項第一号又は第二号に掲げる事由によらずに最後に取得されたとき）に前項に規定する会社に該当していたものも、その議決権が当該銀行又はその子会社により第十七条の四第一項第一号又は第二号に掲げる事由によらずに新たに取得されない限り、当該銀行に係る法第十六条の二第一項第十二号及び第十六条の三第七項に規定する内閣府令で定める会社に該当するものとする。

(7) Beyond companies as prescribed in the preceding paragraph, a person that is a stock company that corresponds to a company as prescribed in the preceding paragraph when its voting rights are acquired by a Bank or its Subsidiary Company (including a company that will become a Subsidiary Company; hereinafter the same applies in this paragraph) not due to reasons as set forth in Article 17-4, paragraph (1), item (i) or (ii), also corresponds to a company as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xii) and Article 16-3, paragraph (7) of the Act pertaining to said Bank unless such voting rights are newly acquired by said Bank or its Subsidiary Company not due to reasons as set forth in Article 17-4, paragraph (1), item (i) or (ii).

8 前二項の規定にかかわらず、次項に規定する会社（以下この項において「特定子会社」という。）がその取得した前二項に規定する会社（以下この項及び第十七条の六第一項第九号において「新規事業分野開拓会社等」という。）の議決権をその取得の日から十年を経過する日（以下この項において「処分基準日」という。）までに処分

しないときは、当該新規事業分野開拓会社等は、処分基準日の翌日から当該銀行に係る法第十六条の二第一項第十二号及び第十六条の三第七項に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行又はその子会社が保有する当該新規事業分野開拓会社等の議決権の数が当該処分基準日における基礎議決権数（国内の会社（法第十六条の三第一項に規定する国内の会社をいう。以下この章及び第五章において同じ。）の議決権についてはその総株主の議決権に百分の五を乗じて得た議決権の数、外国の会社の議決権についてはその総株主の議決権に百分の五十を乗じて得た議決権の数をいう。以下この項において同じ。）を下回ることとなる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行又はその子会社の保有する当該新規事業分野開拓会社等の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(8) Notwithstanding the provisions of the preceding two paragraphs, when a company (hereinafter referred to as a "Specified Subsidiary Company" in this paragraph) as prescribed in the following paragraph does not dispose of the acquired voting rights of a company (hereinafter referred to as a "Company Cultivating New Business Field, etc." in this paragraph and Article 17-6, paragraph (1), item (ix)) as prescribed in the preceding two paragraphs by the date that ten years elapse from the date of the acquisition (hereinafter referred to as "Base Disposition Day" in this paragraph), said Company Cultivating New Business Field, etc. is not to correspond to a company as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xii) and Article 16-3, paragraph (7) of the Act pertaining to said Bank from the date following the Base Disposition Day; provided, however, that this does not apply when, if said disposition is performed, the number of voting rights of said Company Cultivating New Business Field, etc. held by said Bank or its Subsidiary Company declines below the base number of voting rights (with regard to voting rights of a company in Japan (which means a company in Japan as prescribed in Article 16-3, paragraph (1) of the Act; the same applies hereinafter in this Chapter and Chapter V), which means the number of voting rights obtained by multiplying five percent to the voting rights held by all of shareholders, and with regard to voting rights of a foreign company, which means the number of voting rights obtained by multiplying fifty percent to the voting rights held by all of shareholders; hereinafter the same applies in this paragraph) on the said Base Disposition Day, and if said Specified Subsidiary Company disposes of a portion of voting rights exceeding the base number of voting rights as of the Base Disposition Day among the voting rights of said Company Cultivating New Business Field, etc. held by said Bank or its Subsidiary Company, during the period from the date of said acquisition to the Base Disposition Day.

9 法第十六条の二第一項第十二号に規定する内閣府令で定めるものは、次条第二項第

十二号に掲げる業務及びこれに附帯する業務を専ら営む会社とする。

(9) A company as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xii) of the Act is a company that carries out only business as set forth in paragraph (2), item (xii) of the following Article and business incidental to this.

10 法第十六条の二第一項第十三号に規定する内閣府令で定めるものは、次に掲げるものとする。ただし、当該持株会社が次条第一項各号に掲げる業務を営む場合にあっては、当該業務は金融庁長官が定める基準により主として銀行、その子会社又は第四項各号に掲げる者の営む業務のために営むものでなければならない。

(10) A Holding Company as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (1), item (xiii) of the Act is the following; provided, however, that when said Holding Company carries out business as set forth in each item of paragraph (1) of the following Article, said business must, based on the standards specified by the Commissioner of the Financial Services Agency, be carried out for the business, which is carried out mainly by a Bank, its Subsidiary Company, or a person as set forth in each item of paragraph (4):

一 法第十六条の二第一項第三号に規定する証券専門会社（以下「証券専門会社」という。）、同項第四号に規定する証券仲介専門会社（以下「証券仲介専門会社」という。）又は同項第八号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）及び同項第六号に規定する信託専門会社（以下「信託専門会社」という。）又は同項第十号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第二十四号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号、第五号の二、第七号及び第九号に規定する会社を有しない場合に限る。次号及び第三号を除き、以下同じ。）

(i) with regard to a Holding Company which holds, as a Subsidiary Company, a company specialized in securities business as prescribed in Article 16-2, paragraph (1), item (iii) of the Act (hereinafter referred to as a "Company Specialized in Securities Business"), a company specialized in securities introducing brokerage services as prescribed in item (iv) of the same paragraph (hereinafter referred to as a "Company Specialized in Securities Introducing Brokerage Services") or a foreign company (excluding a foreign company corresponding to that which carries out Banking) carrying out securities-related business as prescribed in item (viii) of the same paragraph, and a company specialized in Trust Business as prescribed in item (vi) of the same paragraph (hereinafter referred to as a "Company Specialized in Trust Business"), or a foreign company (excluding a foreign company corresponding to that which carries out Banking) that carries out Trust Business as prescribed in item (x) of the same paragraph, a Holding Company that

carries out only business to manage the business of said Subsidiary Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) to (xxxiv)) (limited to the cases where the Holding Company does not hold, as a Subsidiary Company, a company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v), (v)-2, (vii), and (ix); the same applies hereinafter except for the following item and item (iii));

二 証券専門会社、証券仲介専門会社又は法第十六条の二第一項第八号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号から第七号まで、第九号及び第十号に規定する会社を有しない場合に限る。）

(ii) with regard to a Holding Company which holds, as a Subsidiary Company, a Company Specialized in Securities Business, a Company Specialized in Securities Introducing Brokerage Services, or a foreign company (excluding a foreign company corresponding to that which carries out Banking) that carries out securities-related business as prescribed in Article 16-2, paragraph (1), item (viii) of the Act, a Holding Company that carries out only business to manage the business of said Subsidiary Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) to (xxxvii)) (limited to the cases where a Holding Company does not hold, as a Subsidiary Company, a company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v) to (vii), (ix) and (x));

三 信託専門会社又は法第十六条の二第一項第十号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第三号から第五号の二まで及び第七号から第九号までに規定する会社を有しない場合に限る。）

(iii) with regard to a Holding Company that holds, as a Subsidiary Company, a Company Specialized in Trust Business or a foreign company (excluding a foreign company corresponding to that which carries out Banking) that carries out Trust Business as prescribed in Article 16-2, paragraph (1), item (x) of the Act, a Holding Company that carries out only business to manage the business of said Subsidiary Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (ixx) to (xxxiv)) (limited to the cases where the Holding Company does not hold, as a

Subsidiary Company, a company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (iii) to (v)-2, and (vii) to (ix));

四 法第十六条の二第一項第二号の二、第十一号及び第十二号に規定する会社を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十七号までを除く。）に掲げる業務を営むもの

(iv) with regard to a Holding Company that holds a company as prescribed in Article 16-2, paragraph (1), items (ii)-2, (xi) or (xii) of the Act as a Subsidiary Company, a Holding Company that carries out only business to manage the business of said Subsidiary Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (ixx) to (xxxvii));

五 法第十六条の二第二項第六号ハに規定する当該銀行の子会社である証券専門会社又は証券仲介専門会社の子会社のうち次条第六項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの

(v) with regard to a Holding Company as specified in paragraph (6) of the following Article among companies that are a Subsidiary Company of a Company Specialized in Securities Business or a Company Specialized in Securities Introducing Brokerage Services that is a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (vi), sub-item (c) of the Act, , a Holding Company that carries out only business to manage the business of said Subsidiary Company of a Holding Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (xxiv) to (xxxvii));

六 法第十六条の二第二項第七号ハに規定する当該銀行の子会社である保険会社又は少額短期保険業者（保険業法第二条第十八項に規定する少額短期保険業者をいう。以下同じ。）の子会社のうち次条第七項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第二十三号まで及び第三十五号から第三十七号までを除く。）に掲げる業務を営むもの

(vi) with regard to a Holding Company as specified in paragraph (7) of the following Article among companies that are a Subsidiary Company of an insurance corporation or a small amount and short-term insurance provider (which means a small amount and short-term insurance provider as prescribed in Article 2, paragraph (18) of the Insurance Business Act; the same applies hereinafter) that are a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (vii), sub-item (c) of the Act, a Holding Company that carries out only business to manage the business of a

Subsidiary Company of said Holding Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (ixx) to (xxiii), and items (xxxv) to (xxxvii));

七 法第十六条の二第二項第八号ニに規定する当該銀行の子会社である信託兼営銀行又は信託専門会社の子会社のうち次条第八項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに次条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(vii) with regard to a Holding Company as specified in paragraph (8) of the following Article among companies that are a Subsidiary Company of a Trust Bank or a Company Specialized in Trust Business that is a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (viii), sub-item (d) of the Act, a Holding Company that carries out only business to manage the business of a Subsidiary Company of said Holding Company and business incidental to this, and business as set forth in each item of paragraph (1) and each item of paragraph (2) of the following Article (excluding items (ixx) to (xxxiv)).

1 1 法第二条第十一項の規定は、第六項及び第七項に規定する議決権について準用する。

(11) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraphs (7) and (8).

(銀行の子会社の範囲等)

(Scope of a Subsidiary Company of a Bank)

第十七条の三 法第十六条の二第二項第一号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 17-3 (1) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (i) of the Act is the following:

一 他の事業者のための不動産（原則として、自らを子会社とする銀行又はその子会社から取得し、又は賃借した事業用不動産に限る。）の賃貸又は他の事業者の所有する不動産若しくはそれに付随する設備の保守、点検その他の管理を行う業務

(i) a business of the leasing of real property (as a general rule, limited to real property for business acquired or leased from a Bank that is a Subsidiary Company, or its Subsidiary Company) for another business operator, or maintenance, inspection, or other management of real property or its accompanying equipment that is owned by another business operator;

二 他の事業者の役員又は職員のための福利厚生に関する事務を行う業務

(ii) a business providing services concerning a benefit or welfare program for officers or employees of another business operator;

三 他の事業者の事務の用に供する物品の購入又は管理を行う業務

- (iii) a business of purchase or management of goods for business use of another business operator;
- 四 他の事業者の事務に係る文書、証票その他の書類の印刷又は製本を行う業務
- (iv) a business of printing or bookbinding of documents, vouchers, or other statements pertaining to services of another business operator;
- 五 他の事業者の業務に関する広告又は宣伝を行う業務
- (v) a business of advertisement or promotion concerning business of another business operator;
- 六 他の事業者のための自動車の運行又は保守、点検その他の管理を行う業務
- (vi) a business of operation, maintenance, inspection, or other management of automobiles for another business operator;
- 七 他の事業者の業務に関し必要となる調査又は情報の提供を行う業務（第十号に該当するものを除く。）
- (vii) a business of investigation or provision of information to be necessary for the business of another business operator (except for that corresponding to item (x));
- 八 他の事業者の現金自動支払機等の保守、点検その他の管理を行う業務
- (viii) a business of maintenance, inspection, or other management of Cash Dispensers, etc. of another business operator;
- 九 他の事業者の業務に係る契約の締結についての勧誘又は当該契約の内容に係る説明を行う葉書又は封書の作成又は発送を行う業務
- (ix) a business of preparation or dispatch of postcards or sealed documents that solicit the conclusion of contracts pertaining to business of another business operator or that explain the contents of said contracts;
- 十 他の事業者の行う資金の貸付けその他の信用供与に係る債権の担保の目的となる財産の評価、当該担保の目的となつている財産の管理その他当該財産に関し必要となる事務を行う業務
- (x) a business of evaluation of properties that is the object of security for a claim pertaining to loan or other credit extended executed by another business operator, maintenance of property that is the object of said security or other necessary services for said properties;
- 十一 他の事業者の行う資金の貸付け（住宅の購入に必要な資金の貸付けその他の消費者に対する資金の貸付けに限る。）に関し相談に応ずる業務又は当該資金の貸付けに係る事務の取次ぎその他当該資金の貸付けに関し必要となる事務を行う業務
- (xi) a business of consulting service for loan (limited to a loan necessary to purchase a housing or a loan to any other consumers) provided by another business operator, or an introducing brokerage of services pertaining to said loan, or performing other services necessary for said loan;
- 十二 他の事業者の行う外国為替取引、信用状若しくは旅行小切手に関する業務又は輸出入その他の対外取引のため直接必要な資金に関する貸付け、手形の割引、債務の保証若しくは手形の引受けに関し必要となる事務を行う業務

(xii) a business pertaining to foreign funds transfer transactions carried out by another business operator, letters of credit, or traveler's checks, or a business to carry out services necessary for the loan of funds directly necessary for import or export or any other international transactions, discounting of bills and notes, a debt guarantee, or the acceptance of bills and notes;

十三 他の事業者の事務に係る計算を行う業務

(xiii) a business of calculations pertaining to services of another business operator;

十四 他の事業者の事務に係る文書、証票その他の書類の作成、整理、保管、発送又は配送を行う業務

(xiv) a business of preparation, arrangement, custody, dispatching, or delivery of documents pertaining to services of another business operator, vouchers, or any other documents;

十五 他の事業者と当該他の事業者の顧客との間の事務の取次ぎを行う業務

(xv) a business as an introducing brokerage to carry out services between another business operator and customers of said other business operator;

十六 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（昭和六十年法律第八十八号）第二条第三号に規定する労働者派遣事業又は職業安定法（昭和二十二年法律第百四十一号）第三十条第一項の規定に基づき許可を得て行う職業紹介事業

(xvi) a worker dispatch business as prescribed in Article 2, item (iii) of the Act Concerning Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) or an employment placement business that is carried out after obtaining a permission based on the provisions of Article 30, paragraph (1) of the Employment Security Act (Act No. 141 of 1947);

十七 他の事業者のために電子計算機に関する事務を行う業務（電子計算機を使用することにより機能するシステムの設計若しくは保守又はプログラムの設計、作成、販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）若しくは保守を行う業務を含む。）

(xvii) a business to carry out services concerning computers for another business operator (including businesses performing design or maintenance of a system that functions by using a computer, or the design, development, or sales of a software program (including sales of attachments to be necessary for sale of the software program) or its maintenance);

十八 他の事業者の役員又は職員に対する教育又は研修を行う業務

(xviii) a business to provide education or training to officers or employees of another business operator;

十九 他の事業者の現金、小切手、手形又は有価証券の輸送を行う業務（次号及び第二十一号に該当するものを除く。）

(xix) a business of transportation of cash, checks, bills and notes, or securities of another business operator (except those corresponding to the following item and item (xxi));

二十 他の事業者の主要な取引先に対する現金、小切手、手形又は証書の集配を行う業務

(xx) a business of collection and delivery of cash, checks, bills and notes, or certificates to principal customers of another business operator;

二十一 他の事業者の主要な取引先との間で当該他の事業者の業務に係る有価証券の受渡しを行う業務

(xxi) a business of acceptance and delivery of securities pertaining to the business of another business operator with principal customers of said other business operator;

二十二 他の事業者のために現金、小切手、手形又は有価証券を整理し、その金額若しくは枚数を確認し、又は一時的にその保管を行う業務

(xxii) a business of arrangement of cash, checks, bills and notes, or securities, confirmation of the amount or count, or retaining custody temporarily on behalf of another business operator;

二十三 自らを子会社とする保険会社（法第十六条の二第一項第五号に規定する保険会社をいう。以下同じ。）のために投資を行う業務

(xxiii) a business of investment on behalf of an insurance corporation (which means an insurance corporation as prescribed in Article 16-2, paragraph (1), item (v) of the Act; the same applies hereinafter) that is a Subsidiary Company;

二十四 自らを子会社とする銀行、その子会社である銀行、長期信用銀行又は保険会社（以下この号において「親銀行等」という。）が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合又は金融機関が共同で出資し設立した不動産担保付債権の買取会社（以下この号において「買取会社」という。）が当該親銀行等から買い取った不動産担保付債権の回収のために担保権を実行する必要がある場合に、当該親銀行等又は当該買取会社のためにこれらの債権の担保の目的となつている不動産を適正な価格で購入し、並びに購入した不動産の所有及び管理その他当該不動産に関し必要となる事務を行う業務

(xxiv) when a Bank that is a Subsidiary Company, its Subsidiary Company that is a Bank, a long-term credit bank, or an insurance corporation (hereinafter referred to as "Parent Bank, etc." in this item) requires exercise of the security interest for the calling of credit pertaining to a loan of funds or any other credit extended, or when a purchasing company of claims secured with real property that is contributed and incorporated jointly by financial institutions (hereinafter referred to as "Purchasing Company" in this item) requires exercise of the security interest in order to call claims secured with real property purchased from said Parent Bank, etc., a business to purchase the real property that is the object of security for these claims at

an appropriate price for said Parent Bank, etc. or said Purchasing Company and a business to own and manage purchased real property and any other necessary services concerning said real property;

二十五 その他第一号から前号までに掲げる業務に準ずるものとして金融庁長官が定める業務

(xxv) other business as provided by the Commissioner of the Financial Services Agency as equivalent to business as set forth in items (i) to the preceding item; or

二十六 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxvi) business incidental to business as set forth in each of the preceding items (limited to business carried out by a person that engages in business as set forth in each said item).

2 法第十六条の二第二項第二号に規定する内閣府令で定めるものは、次に掲げるものとする。

(2) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (ii) of the Act is the following:

一 銀行、長期信用銀行又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の業務（第一号の五に掲げる業務を除く。）の代理又は媒介

(i) agency services or intermediary of a business (excluding business as set forth in item (i)-5) of a Bank, a long-term credit bank or a Shinkin Bank, Credit Cooperatives or Labor Bank (including federations organized with these corporations);

一の二 農業協同組合若しくは農業協同組合連合会が行う農業協同組合法第十一条第二項に規定する信用事業（第一号の五に掲げる業務を除く。）、漁業協同組合若しくは漁業協同組合連合会若しくは水産加工業協同組合若しくは水産加工業協同組合連合会が行う水産業協同組合法第五十四条の二第二項に規定する信用事業（第一号の五に掲げる業務を除く。）又は農林中央金庫の業務（第一号の五に掲げる業務を除く。）の代理又は媒介

(i)-2 agency services or intermediary of Trust Business (excluding business as set forth in item (i)-5) that is as prescribed in Article 11, paragraph (2) of the Agricultural Co-operatives Act and is carried out by an agricultural cooperative or a federation of agricultural cooperatives; Trust Business (excluding a business as set forth in item (i)-5) that is as prescribed in Article 54-2, paragraph (2) of the Fishery Cooperative Act and is carried out by a fisheries cooperative or a federation of fisheries cooperatives, or a fishery processing cooperative or a federation of fishery processing cooperative, or a business (excluding a business as set forth in item (i)-5) of the Norinchukin Bank;

一の三 銀行業を営む外国の会社の業務の代理又は媒介（国内において営む場合にあ

つては、有価証券の保護預り、顧客からの指図に基づく有価証券の取引に関する決済、当該保管している有価証券に係る利金等の授受、指図に基づく当該保管している有価証券の第三者への貸付け若しくは当該保管している有価証券の指図に基づく権利の行使又はこれらに附帯する業務の媒介に限る。）

(i)-3 agency services or intermediary of business of a foreign company that carries out Banking (in the cases of carrying out business in Japan, limited to intermediary of custody of securities, settlement concerning transactions of securities based on the instruction of customers, transfer of profits, etc. pertaining to said securities in custody, lending of said securities in custody to a third party based on the instruction or exercise of rights of said securities in custody, or business incidental to the above);

一の四 資金移動業者が営む資金移動業の代理又は媒介

(i)-4 agency or intermediary service for a fund transfer business operated by a fund transfer operator;

一の五 信託業法第二条第八項に規定する信託契約代理業（金融機関の信託業務の兼営等に関する法律施行令第三条第二号及び金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第二号に掲げるものを除く。）

(i)-5 agency service of a trust contract as prescribed in Article 2, paragraph (8) of the Trust Business Act (excluding agency services as set forth in Article 3, item (ii) of the Order for Enforcement of the Act on Engagement in Trust Business by a Financial Institution and Article 3, paragraph (1), item (ii) of the Ordinance for Enforcement of the Act on Engagement in Trust Business by a Financial Institution);

一の六 信託業務を営む金融機関が営む金融機関の信託業務の兼営等に関する法律第一条第一項第三号から第七号までに掲げる業務（金融機関の信託業務の兼営等に関する法律施行令第三条第三号及び金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第三号から第五号までに掲げる業務を除く。）を受託する契約の締結の代理又は媒介

(i)-6 agency services or intermediary of conclusion of a contract that a financial institution that carries out Trust Business accepts as an entrustment of business as set forth in Article 1, paragraph (1), items (iii) to (vii) of the Act on Engagement in Trust Business by a Financial Institution (excluding business as set forth in Article 3, item (iii) of the Order for Enforcement of the Act on Engagement in Trust Business by a Financial Institution, and business as set forth in Article 3, paragraph (1), items (iii) to (v) of the Ordinance for Enforcement of the Act on Engagement in Trust Business by a Financial Institution);

二 金銭の貸付け又は金銭の貸借の媒介（手形の割引、売渡担保その他これらに類する方法によつてする金銭の交付又は当該方法によつてする金銭の授受の媒介を含む。）であつて業として行うもの（第一号から第一号の三までに掲げる業務を除く。）

- (ii) intermediary of a monetary loan (including intermediary of the granting of money by the discounting of bills and notes, security by way of transfer, or by another method similar to these, or transfer of money by said method) that is carried out as a business (excluding business as set forth in items (i) to (i)-3);
- 二の二 金銭の貸付け以外の取引に係る業務であつて、金銭の貸付けと同視すべきもの（宗教上の規律の制約により利息を受領することが禁じられており、かつ、当該取引が金銭の貸付け以外の取引であることにつき宗教上の規律について専門的な知見を有する者により構成される合議体の判定に基づき行われるものに限る。）
- (ii)-2 Business pertaining to a transaction other than a monetary loan, but equivalent to a monetary loan (limited to business in which the receiving of interest is forbidden by religious discipline and which is conducted based on the judgment of a collegiate system comprised of persons with expert knowledge on religious discipline with regard to said transaction being a transaction other than a monetary loan).
- 三 法第十条第二項に規定する業務（同項第八号及び第八号の二に掲げる業務、有価証券関連業その他金融庁長官の定める業務に該当するものを除く。）
- (iii) a business as prescribed in Article 10, paragraph (2) of the Act (excluding business as set forth in item (viii) and item (viii)-2 of the same paragraph, securities-related business, and other business corresponding to business as specified by the Commissioner of the Financial Services Agency);
- 三の二 債権管理回収業に関する特別措置法（平成十年法律第二百二十六号）第二条第二項に規定する債権管理回収業及び同法第十二条各号に掲げる業務（同条第二号に規定する業務を行う場合にあつては、金融庁長官の定める基準をすべて満たす場合に限る。）
- (iii)-2 a servicer as prescribed in Article 2, paragraph (2) of the Act on Special Measures Concerning Servicer (Act No. 126 of 1998), and business as set forth in each item of Article 12 of the same Act (in the cases of carrying out business as prescribed in item (ii) of the same Article, limited to the cases where all standards specified by the Commissioner of the Financial Services Agency are satisfied);
- 三の三 確定拠出年金法（平成十三年法律第八十八号）第二条第七項に規定する確定拠出年金運営管理業又は同法第六十一条第一項各号に掲げる事務を行う業務
- (iii)-3 defined contribution pension plan operational management as prescribed in Article 2, paragraph (7) of the Defined Contribution Pension Act (Act No. 88 of 2001) or a business to engage in services as set forth in each item of Article 61, paragraph (1) of the same Act;
- 三の四 保険業法第二条第二十六項に規定する保険募集（第二十七号及び第三十四条の四十八第一項において「保険募集」という。）
- (iii)-4 solicitation for insurance prescribed in Article 2, paragraph (26) of the Insurance Business Act (referred to as "Solicitation for Insurance" in item (xxvii) and Article 34-48, paragraph (1)).

四 金融商品取引法第二条第八項第七号、第十三号及び第十五号に掲げる行為を行う業務

(iv) a business to perform acts as set forth in Article 2, paragraph (8), items (vii), (xiii), and (xv) of the Financial Instruments and Exchange Act;

五 削除

(v) [deleted];

六 商品投資に係る事業の規制に関する法律第二条第三項に規定する商品投資顧問業

(vi) a commodity investment advisory business as prescribed in Article 2, paragraph (3) of the Act on Control for Business Pertaining to Commodity Investment;

七 それと引換えに、又はそれを提示し若しくは通知して特定の販売業者又は役務提供事業者から商品若しくは権利を購入し又は役務の提供を受けることができる証券その他の物又は番号、記号その他の符号（以下この号及び次号において「証券等」という。）をこれにより商品若しくは権利を購入しようとする者又は役務の提供を受けようとする者（以下この号及び次号において「利用者」という。）に交付し又は付与し、当該利用者がその証券等と引換えに、又はそれを提示し若しくは通知して特定の販売業者又は役務提供事業者から商品若しくは権利を購入し又は役務の提供を受けたときは、当該利用者から当該商品若しくは当該権利の代金又は当該役務の対価に相当する額を受領し、当該販売業者又は当該役務提供事業者に当該金額を交付する業務

(vii) when granting a voucher, other item or number, a code or other mark (hereinafter referred to as "Voucher, etc." in this item and the following item) that enables the purchase of goods or rights, or to receive the provision of service by exchange or presentation of the Voucher, etc., or by notification, from a specified seller or service provider, to a person intending to purchase goods or rights, or a person intending to receive the provision of service with the Voucher, etc. (hereinafter referred to as "User" in this item and the following item), and said User purchased goods or rights or received the provision of service by exchanging or presenting the Voucher, etc., or by notification, from the specified seller or service provider, a business to receive the cost for said goods or said rights, or amount equivalent to compensation for said service from said User, and to grant said amount to said seller or said service provider;

八 利用者が証券等を利用することなく特定の販売業者又は役務提供事業者からの商品若しくは権利の購入又は役務の提供を条件として、当該販売業者又は当該役務提供事業者から当該商品若しくは当該権利の代金又は当該役務の対価に相当する額を交付し、当該利用者から当該金額を受領する業務

(viii) under the conditions that a User purchases goods or rights or receives the provision of service from a specified seller or service provider without using a Voucher, etc., a business to grant the cost of said goods or said rights or the amount equivalent to compensation for said service to said seller or said

service provider, and to receive said amount from said User;

九 資金決済に関する法律第三条第四項に規定する自家型前払式支払手段を発行する業務若しくは同条第五項に規定する第三者型前払式支払手段を発行する業務又はこれらの手段を販売する業務

(ix) a business to issue self-issued, prepaid means of payment prescribed in Article 3, paragraph (4) of the Act on Fund Settlement or a business to issue third party-issued, prepaid means of payment prescribed in paragraph (5) of the same Article, or a business to sell these means of payment.

十 削除

(x) Deleted

十一 機械類その他の物品又は物件（以下この号において「リース物品等」という。）を使用させる業務（次に掲げる要件をすべて満たす契約に基づいて、金融庁長官が定める基準により主として当該業務が行われる場合に限る。）

(xi) a business to lease machinery, etc., other goods or articles (hereinafter referred to as "Leased Object, etc." in this item) (limited to the cases where said business is mainly carried out pursuant to the standards as specified by the Commissioner of the Financial Services Agency, based on a contract that satisfies all of the requirements as set forth in the following):

イ リース物品等を使用させる期間（以下この号において「使用期間」という。）の開始の日（以下この号において「使用開始日」という。）以後又は使用開始日から一定期間を経過した後当事者の一方又は双方がいつでも解約の申入れをすることができる旨の定めがないこと。

(a) there is no stipulation that a party or both parties may provide notice of termination after the commencement date (hereinafter referred to as "Commencement Day of Service" in this item) of the period when the Leased Object, etc. may be used (hereinafter referred to as "Service Period" in this item) or after a certain period has elapsed from the Commencement Day of Service;

ロ 使用期間において、リース物品等の取得価額から使用期間が満了した後における当該リース物品等の見積残存価額を控除した額並びに利子、固定資産税、保険料及び手数料の額を対価として受領することを内容とするものであること。

(b) the contents of business are that the amount as a result of deducting the estimated residual price of the Leased Object, etc. after expiry of the Service Period from the acquisition price of said Leased Object, etc. and the amount of interest, fixed asset tax, insurance premium and payment, as compensation, during the Service Period are received; and

ハ 使用期間が満了した後、リース物品等の所有権その他の権利が相手方に移転する旨の定めがないこと。

(c) there is no stipulation that ownership or other rights of the Leased Object, etc. are transferred to the other party after expiry of the Service Period;

十二 次に掲げる行為により他の株式会社に対しその事業に必要な資金を供給する業

務

(xii) a business to provide funds to another stock company of which funds are necessary for its business by performing the following acts:

イ 株式に係る配当を受け取り又は株式に係る売却益を得ることを目的として当該会社の発行する株式を取得すること。

(a) to acquire shares issued by said company with the purpose to receive dividends pertaining to shares or to gain profit from a sale pertaining to said shares;

ロ 当該会社の発行する社債（法第十条第三項第一号に掲げる短期社債を除く。）を取得すること。

(b) to acquire corporate bonds (excluding short-term bonds as set forth in Article 10, paragraph (3), item (i) of the Act) issued by said company; or

ハ イ又はロに掲げる行為を行うことを目的とする民法第六百六十七条第一項に規定する組合契約又は投資事業有限責任組合契約に関する法律第三条第一項に規定する投資事業有限責任組合契約を締結すること。

(c) to conclude a partnership agreement as prescribed in Article 667, paragraph (1) of the Civil Code with the purpose to perform acts as set forth in item (a) or (b), or an investment business limited partnership contract as prescribed in Article 3, paragraph (1) of the Limited Partnership Act for Investment;

十三 投資信託委託会社又は資産運用会社として行う業務（外国においてはこれらと同種類のもの。投資信託委託会社がその運用の指図を行う投資信託財産又は資産運用会社が資産の運用を行う投資法人の資産に属する不動産の管理を行う業務を含む。）

(xiii) a business carried out as an investment trust management company or an asset management company (in a foreign state, entities similar to these; including a business to manage real property that belongs to investment trust assets for which an investment trust management company instructs its management, or assets of an investment corporation that are assets managed by an asset management company);

十四 投資助言業務（金融商品取引法第二十八条第六項に規定する投資助言業務をいう。）又は投資一任契約に係る業務

(xiv) an investment advisory business (which means an investment advisory business as prescribed in Article 28, paragraph (6) of the Financial Instruments and Exchange Act) or a business pertaining to an discretionary investment contract;

十四の二 投資信託及び投資法人に関する法律施行令（平成十二年政令第四百八十八号）第三条第一号、第二号及び第六号から第八号までに掲げる資産に対する投資として、他人のため金銭その他の財産の運用（その指図を含む。）を行う業務（第四号及び前二号に該当するものを除く。）

(xiv)-2 a business (excluding business corresponding to item (iv) and the

preceding two items) to manage (including its instruction) money or other property for others as an investment in assets set forth in Article 3, items (i) and (ii), and items (vi) to (viii) of the Order for Enforcement of the Act on Investment Trusts and Investment Corporations (Cabinet Order No. 480 of 2000);

十四の三 他の事業者の事業の譲渡、合併、会社の分割、株式交換若しくは株式移転に関する相談に応じ、又はこれらに関し仲介を行う業務

(xiv)-3 a business of consulting service concerning transfer of business, merger, company split, share exchange, or share transfer of another business operator, or for introducing brokerage concerning these;

十五 他の事業者の経営に関する相談に応ずる業務

(xv) a business of consulting service concerning management of another business operator;

十六 金融その他経済に関する調査又は研究を行う業務

(xvi) a business of investigation or research concerning finance or other economics;

十七 個人の財産形成に関する相談に応ずる業務

(xvii) a business of consulting service concerning the asset formation of individuals;

十八 主として銀行持株会社、長期信用銀行持株会社若しくは子会社対象会社（法第十六条の二第一項に規定する子会社対象会社又は法第五十二条の二十三第一項に規定する子会社対象会社をいう。次号、第三十二号及び次項において同じ。）に該当する会社その他金融庁長官の定める金融機関の業務に関するデータ又は事業者の財務に関するデータの処理を行う業務、及びこれらのデータの伝送役務を提供する業務

(xviii) in principle, a business to process data concerning business of a Bank Holding Company, a long-term credit bank holding company, a company corresponding to a company eligible as a Subsidiary Company (which means a company eligible as a Subsidiary Company as prescribed in Article 16-2, paragraph (1) of the Act, or a company subject to Subsidiary Company as prescribed in Article 52-23, paragraph (1) of the Act; the same applies in the following item, item (xxxii) and the following paragraph), or other financial institution as specified by the Commissioner of the Financial Services Agency, or data concerning finance of a business operator, and a business to provide transmission service of these data;

十八の二 主として銀行持株会社、長期信用銀行持株会社若しくは子会社対象会社に該当する会社その他金融庁長官の定める金融機関の業務又は事業者の財務に関する電子計算機のプログラムの作成若しくは販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）を行う業務及び計算受託業務（第三十二号に該当するものを除く。）

(xviii)-2 in principle, business of a Bank Holding Company, a long-term credit

bank holding company, or a company corresponding to a company corresponding to a c companies eligible as a Subsidiary Company, or other financial institution as specified by the Commissioner of the Financial Services Agency, or a business for creation or sale of a software program for a computer concerning finances of a business operator (including sale of attachments that become necessary due to sale of the software program), or a business of entrusted calculation (excluding those corresponding to item (xxxii));

十八の三 確定給付企業年金法（平成十三年法律第五十号）第二条第一項に規定する確定給付企業年金その他これに準ずる年金に係る掛金又は給付金等の計算に関する業務及び書類等の作成又は授受に関する業務

(xviii)-3 a business concerning calculation of premium or benefits concerning a defined benefit corporate pension as prescribed in Article 2, paragraph (1) of the Defined Benefit Corporate Pension Act (Act No. 50 of 2001) or other pension equivalent to this, and a business concerning preparation or transfer of such documents, etc.;

十八の四 法第十一条第四号に掲げる業務

(xviii)-4 business set forth in Article 11, item (iv) of the Act;

十八の五 電子記録債権法（平成十九年法律第百二号）第五十一条第一項に規定する電子債権記録業

(xviii)-5 Electronic Monetary Claims Recording Business prescribed in Article 51, paragraph (1) of Electronically Recorded Monetary Claims Act;

十九 有価証券の所有者と発行者との間の当該有価証券に関する事務の取次ぎを行う業務

(xix) a business as an introducing brokerage between an owner and issuer of securities of the services concerning said securities;

二十 有価証券に関する顧客の代理

(xx) agency of a customer concerning securities;

二十一 株式会社の株式の発行による事業資金の調達を容易にすることを目的として当該株式会社に係る広告、宣伝又は調査を行う業務その他当該株式会社に対する投資者の評価を高めることに資する業務

(xxi) a business, with the purpose to facilitate business finance by issuance of shares of a stock company, of advertisement, promotion, or investigation pertaining to said stock company, or other business contributing to the increase of the reputation of an investor in said stock company;

二十二 有価証券に関連する情報の提供又は助言（第十九号及び前号に該当するものを除く。）

(xxii) the provision of information concerning securities or advisory service (excluding business corresponding to item (ixx) and the preceding item);

二十三 民法第六百六十七条第一項に規定する組合契約又は商法第五百三十五条に規定する匿名組合契約の締結の媒介、取次ぎ又は代理を行う業務（有価証券関連業に

- 該当するものを除く。)
- (xxiii) a business for intermediary, as an introducing brokerage or as an agency of conclusion of a partnership agreement as prescribed in Article 667, paragraph (1) of the Civil Code or a silent partnership agreement as prescribed in Article 535 of the Commercial Code (excluding business corresponding to securities-related business);
- 二十四 保険会社又は少額短期保険業者の保険業に係る業務の代理（第三号の四に掲げる業務に該当するものを除く。）又は事務の代行
- (xxiv) agency of a business pertaining to insurance business of an insurance corporation or a small amount and short-term insurance provider (excluding business corresponding to that as set forth in item (iii)-4), or act of such services;
- 二十五 削除
- (xxv) Deleted;
- 二十六 保険事故その他の保険契約に係る事項の調査を行う業務
- (xxvi) a business of investigation of matters pertaining to an accident covered by insurance or other insurance contract;
- 二十七 保険募集を行う者の教育を行う業務
- (xxvii) a business of education of a person who performs Solicitation for Insurance;
- 二十八 老人福祉施設等（老人福祉法（昭和三十八年法律第百三十三号）第五条の三に規定する老人福祉施設及び同法第二十九条第一項に規定する有料老人ホームをいう。）に関する役務その他老人、身体障害者等の福祉に関する役務の提供を行う業務
- (xxviii) a business to provide services concerning welfare facilities for the elderly, etc. (which means a welfare facility for the elderly as prescribed in Article 5-3 of the Old Age Welfare Act (Act No. 133 of 1963) and a fee-charging home for the aged as prescribed in Article 29, paragraph (1) of the same Act), and other services concerning welfare for persons who are aged, disabled, etc.;
- 二十九 健康の維持若しくは増進のための運動を行う施設又は温泉を利用して健康の維持若しくは増進を図るための施設の運営を行う業務
- (xxix) a business to manage facilities for exercise in order to maintain or improve health, or facilities for the promotion of maintaining or improving health by use of a hot spring;
- 三十 事故その他の危険の発生の防止若しくは危険の発生に伴う損害の防止若しくは軽減を図るため、又は危険の発生に伴う損害の規模等を評価するための調査、分析又は助言を行う業務
- (xxx) a business of investigation, analysis, or advisory service in order to prevent occurrence of accidents or other risks, to prevent or reduce damage due to occurrence of risks, or to evaluate the size, etc. of damage due to the

occurrence of risks;

三十一 健康、福祉又は医療に関する調査、分析又は助言を行う業務

(xxxix) a business of investigation, analysis, or advisory service concerning health, welfare, or medical care;

三十二 主として保険持株会社、少額短期保険持株会社（保険業法第二百七十二条の三十七第二項に規定する少額短期保険持株会社をいう。）、子会社対象会社に該当する会社（保険会社、少額短期保険業者又は保険業を営む外国の会社に限る。）又は保険募集人の業務に関する電子計算機のプログラムの作成又は販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）を行う業務及び計算受託業務

(xxxix) in principle, a business of creation or sale (including sale of attachments that become necessary due to sale of a software program) of a computer software program concerning business of a Holding Company insurance corporation, a Holding Company of small amount and short-term insurance provider (which means a small amount and a Holding Company of small amount and short-term insurance provider as prescribed in Article 272-37, paragraph (2) of the Insurance Business Act), a company corresponding to a company eligible as a Subsidiary Company (limited to an insurance corporation, small amount and short-term insurance provider, or a foreign company that carries out insurance business), or an insurance agent, or the business of entrusted calculations;

三十三 自動車修理業者等のあつせん又は紹介に関する業務

(xxxix) a business concerning intermediary or introduction of an automobile repairer, etc.;

三十四 保険契約者からの保険事故に関する報告の取次ぎを行う業務又は保険契約に関し相談に応ずる業務

(xxxix) a business as an introducing brokerage of reporting concerning an accident covered by insurance from an insurance contractor or a business of consulting service concerning an insurance contract;

三十五 財産の管理に関する業務（第三号に掲げる業務に該当するものを除き、当該業務を営む会社の議決権を保有する信託子会社等が受託する信託財産と同じ種類の財産につき、業務方法書に規定する信託財産の管理の方法と同じ方法により管理を行うものに限る。）及び当該業務に係る代理事務

(xxxix) a business concerning management of assets (excluding business corresponding to those as set forth in item (iii), limited to business that is a Trust Subsidiary Company, etc. that holds voting rights of a company carrying out said business, manages the same type of assets as accepting trust assets by the same method as a management method of trust assets as prescribed in a statement of operational procedures) or an agency pertaining to said business;

三十六 金融機関の信託業務の兼営等に関する法律第一条第一項第四号から第七号までに掲げる業務（第六号及び前号、金融機関の信託業務の兼営等に関する法律施行

令第三条第三号並びに金融機関の信託業務の兼営等に関する法律施行規則第三条第一項第三号及び第四号に掲げる業務に該当するものを除き、当該業務を行う会社を子会社とする銀行又は当該業務を行う会社を子会社とする銀行持株会社の子会社である銀行の信託子会社等のうちに信託兼営銀行に相当するものがない場合における当該業務の範囲については、当該信託子会社等が信託業法第二十一条第二項の承認を受けた業務に係るものに限る。)

(xxxvi) a business as set forth in Article 1, paragraph (1), items (iv) to (vii) of the Act on Engagement in Trust Business by a Financial Institution (excluding business corresponding to item (vi) and the preceding item; Article 3, item (iii) of the Order for Enforcement of the Act on Engagement in Trust Business by a Financial Institution; Article 3, paragraph (1), items (iii) and (iv) of the Ordinance for Enforcement of the Act on Engagement in Trust Business by a Financial Institution, with regard to the scope of said business when there is not a company equivalent to a Trust Bank among the Bank that holds a company carrying out said business as a Subsidiary Company, or a Trust Subsidiary Company, etc. of a Bank which is a Subsidiary Company of a Bank Holding Company that holds a company carrying out said business as a Subsidiary Company, limited to business pertaining to business for which said Trust Subsidiary Company, etc. obtained an approval pursuant to the provisions of Article 21, paragraph (2) of the Trust Business Act);

三十七 信託を引き受ける場合におけるその財産（不動産を除く。）の評価に関する業務

(xxxvii) in the cases of accepting trust, a business concerning evaluation of assets (excluding real property);

三十八 その他第一号から前号までに掲げる業務に準ずるものとして金融庁長官が定める業務

(xxxviii) other business as specified by the Commissioner of the Financial Services Agency as equivalent to business as set forth in item (i) to the preceding item; or

三十九 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxxix) a business incidental to business as set forth in each preceding item (limited to a business carried out by a person that carries out a business as set forth in each said item).

3 法第十六条の二第二項第三号に規定する内閣府令で定めるものは、次に掲げるものとする。

(3) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (iii) of the Act is the following:

一 前項第十九号から第二十三号までに掲げる業務

(i) a business as set forth in items (ixx) to (xxiii) of the preceding paragraph;

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

- (ii) other business as specified by the Commissioner of the Financial Services Agency as equivalent to business as set forth in the preceding item; or
 - 三 前項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの
 - (iii) among business as set forth in item (xxxix) of the preceding paragraph, that pertaining to business incidental to business as set forth in the preceding two items.
- 4 法第十六条の二第二項第四号に規定する内閣府令で定めるものは、次に掲げるものとする。
- (4) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (iv) of the Act is as set forth in the following:
- 一 第二項第二十四号から第三十四号までに掲げる業務
 - (i) a business as set forth in paragraph (2), items (xxiv) to (xxxiv);
 - 二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務
 - (ii) other business as specified by the Commissioner of the Financial Services Agency as equivalent to business as set forth in the preceding item; or
 - 三 第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの
 - (iii) among business as set forth in paragraph (2), item (xxxix), that pertaining to business incidental to business as set forth in the preceding two items.
- 5 法第十六条の二第二項第五号に規定する内閣府令で定めるものは、次に掲げるものとする。
- (5) Business as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (v) of the Act is as set forth in the following:
- 一 第二項第三十五号から第三十七号までに掲げる業務
 - (i) a business as set forth in paragraph (2), items (xxxv) to (xxxvii);
 - 二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務
 - (ii) other business as specified by the Commissioner of the Financial Services Agency as equivalent to business as set forth in the preceding item; or
 - 三 第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの
 - (iii) among business as set forth in paragraph (2), item (xxxix), that pertaining to business incidental to business as set forth in the preceding two items.
- 6 法第十六条の二第二項第六号ハに規定する内閣府令で定めるものは、当該銀行の子会社である証券専門会社又は証券仲介専門会社が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。
- (6) The companies as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (vi), sub-item (c) of the Act are a Holding Company as prescribed in paragraph (1), item (xiii) of the same Article, of which voting rights exceeding fifty percent of the Holding Company's All Shareholders', etc. Voting Rights are held by a Company Specialized in

Securities Business or a Company Specialized in Securities Introducing Brokerage Services that is a Subsidiary Company of said Bank.

7 法第十六条の二第二項第七号ハに規定する内閣府令で定めるものは、当該銀行の子会社である保険会社又は少額短期保険業者が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。

(7) The companies as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (vii), sub-item (c) of the Act are a Holding Company as prescribed in paragraph (1), item (xiii) of the same Article, of which voting rights exceeding fifty percent of the Holding Company's All Shareholders', etc. Voting Rights are held by an insurance corporation or a small amount and short-term insurance provider that is a Subsidiary Company of said Bank.

8 法第十六条の二第二項第八号ニに規定する内閣府令で定めるものは、当該銀行の子会社である信託兼営銀行又は信託会社が、その総株主等の議決権の百分の五十を超える議決権を保有する同条第一項第十三号に規定する持株会社とする。

(8) The companies as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (2), item (viii), sub-item (d) of the Act are a Holding Company as prescribed in paragraph (1), item (xiii) of the same Article, of which voting rights exceeding fifty percent of the Holding Company's All Shareholders', etc. Voting Rights are held by a Trust Bank or a trust company that is a Subsidiary Company of said Bank.

9 第一条の六第三項の規定は、前三項の場合においてこれらの規定に規定する者が保有する議決権について準用する。この場合において、同条第三項中「第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）」とあるのは「第四百七条第一項又は第四百八条第一項」と、「株式又は出資」とあるのは「株式」と読み替えるものとする。

(9) The provisions in Article 1-6, paragraph (3) are applied mutatis mutandis to the voting rights held by the persons prescribed in these provisions in the case of the preceding three paragraphs. In this case, the phrase "Article 147, paragraph (1) or Article 148, paragraph (1) (including cases where these provisions are applied mutatis mutandis in Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the part pertaining to item (ii) of the Act)" and the term "shares or contribution" are deemed to be replaced with "Article 147, paragraph (1) or Article 148, paragraph (1)" and "shares", respectively, in paragraph (3) of that Article.

(法第十六条の二第一項の規定等が適用されないこととなる事由)

(Reasons Why the Provisions of Article 16-2, paragraph (1) of the Act Do Not Apply)

第十七条の四 法第十六条の二第三項に規定する内閣府令で定める事由は、次に掲げる

事由とする。

Article 17-4 (1) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (3) of the Act are the following reasons:

一 銀行又はその子会社の担保権の実行による株式等の取得

(i) acquisition of Shares, etc. by exercise of the security interest of a Bank or its Subsidiary Company;

二 銀行又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of Shares, etc. by an acceptance of substitute performance of a Bank or its Subsidiary Company;

三 銀行又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iii) acquisition of voting rights pertaining to shares or ownership interest that may not exercise voting rights, held by a Bank or its Subsidiary Company (limited to an acquisition due to occurrence of an event that is not based on the intension of said Bank or its Subsidiary Company);

四 銀行又はその子会社が株式を所有する会社の株式の転換（当該株式がその発行会社に取得され、その引換えに他の種類の株式が交付されることをいう。以下同じ。）（当該銀行又はその子会社の請求による場合を除く。）

(iv) conversion of shares (which means that said shares are acquired by an issuing company of said shares, and another type of share is granted in exchange for said shares; the same applies hereinafter) of a company for which shares are held by a Bank or its Subsidiary Company (excluding the cases where conversion is requested by said Bank or its Subsidiary Company);

五 銀行又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て（会社法第百八十五条に規定する株式無償割当てをいう。以下同じ。）

(v) consolidation or split of Shares, etc. of a company, for which Shares, etc. are held by a Bank or its Subsidiary Company, or an allotment of shares without contribution (which means an allotment of shares without a contribution as prescribed in Article 185 of the Companies Act; the same applies hereinafter);

六 銀行又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更

(vi) change of the content of rights or number of share units pertaining to Shares, etc. due to a change of articles of incorporation of a company for which Shares, etc. are held by a Bank or its Subsidiary Company; or

七 銀行又はその子会社が株式等を所有する会社の自己の株式等の取得

(vii) acquisition of its own Shares, etc. by a company for which Shares, etc. are held by a Bank or its Subsidiary Company.

2 法第十六条の二第五項に規定する内閣府令で定める事由は、前項各号に掲げる事由とする。

(2) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (5) of the Act are reasons as set forth in each item of the preceding paragraph.

(子会社対象会社のうち子会社対象銀行等から除かれるもの)

(Companies Eligible as a Subsidiary Company That Is Excluded from Banks Subject to Subsidiary Company)

第十七条の四の二 法第十六条の二第四項に規定する内閣府令で定めるものは、次に掲げる業務を専ら営む会社とする。

Article 17-4-2 The companies as provided by Cabinet Office Ordinance as prescribed in Article 16-2, paragraph (4) of the Act are a company that carries out only the following business:

一 第十七条の三第二項第一号から第十八号の五までに掲げる業務

(i) a business as set forth in Article 17-3, paragraph (2), items (i) to (xviii)-5;

二 第十七条の三第二項第三十八号に掲げる業務（同条第三項第二号、第四項第二号及び第五項第二号に掲げる業務を除く。）

(ii) a business as set forth in Article 17-3, paragraph (2), item (xxxviii)

(excluding business as set forth in paragraph (3), item (ii); paragraph (4), item (ii); and paragraph (5), item (ii) of the same Article); or

三 第十七条の三第二項第三十九号に掲げる業務（同条第三項第三号、第四項第三号及び第五項第三号に掲げる業務を除く。）

(iii) a business as set forth in Article 17-3, paragraph (2), item (xxxix)

(excluding business as set forth in paragraph (3), item (iii); paragraph (4), item (iii); and paragraph (5), item (iii) of the same Article).

(子会社対象銀行等を子会社とすることについての認可の申請等)

(Application of Authorization for Making a Bank Subject to Subsidiary Company as a Subsidiary Company)

第十七条の五 銀行は、子会社対象銀行等（法第十六条の二第四項に規定する子会社対象銀行等をいう。以下この条において同じ。）を子会社とすることの認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 17-5 (1) A Bank, when intending to obtain an authorization to make a Bank, etc. subject to Subsidiary Company (which means a Bank, etc. subject to Subsidiary Company as prescribed in Article 16-2, paragraph (4) of the Act; hereinafter the same applies in this Article) as a Subsidiary Company, must attach the following documents to an written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

- (i) a written statement of reasons;
二 当該銀行に関する次に掲げる書面
- (ii) the following documents concerning said Bank:
イ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面
(a) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss;
ロ 当該認可後における収支の見込みを記載した書面
(b) a document stating an estimation of income and expenditures after obtaining said authorization;
ハ 株式交換により子会社対象銀行等を子会社とする場合には、次に掲げる書面
(c) in the cases of holding a Bank, etc. subject to Subsidiary Company due to a share exchange, the documents as set forth in the following:
(1) 株主総会の議事録その他必要な手続があつたことを証する書面
1. minutes of shareholders meetings or other documents certifying that necessary procedures are followed;
(2) 株式交換契約の内容を記載した書面
2. a document stating the content of the share exchange contract; and
(3) 株式交換費用を記載した書面
3. a document stating the cost for the share exchange;
- 三 当該銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。以下この号及び次項において同じ。）に関する次に掲げる書面
- (iii) the following documents concerning said Bank and its Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this item and the following paragraph):
イ 当該銀行及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面
(a) with regard to said Bank and its Subsidiary Company, etc., the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, other documents that provide the latest condition of business, assets, and profit and loss of these companies; and
ロ 当該認可後における当該銀行及びその子会社等（子会社となる会社を含む。）の収支及び連結自己資本比率（法第十四条の二第二号に規定する基準に係る算式により得られる比率をいう。次項第二号、第十九条の三第二号及び第三号、第二十二條第十二号、第二十二條の二第十二号、第二十三條第七号並びに第三十五條第一項において同じ。）の見込みを記載した書面
(b) a document stating an estimation of income and expenditures and the consolidated capital adequacy ratio (which means the percentage obtained

by calculations pertaining to standards as prescribed in Article 14-2, item (ii) of the Act; the same applies in item (ii) of the following paragraph; Article 19-3, items (ii) and (iii); Article 22, item (xii); Article 22-2, item (xii); Article 23, item (vii); and Article 35, paragraph (1) of said Bank and its Subsidiary Company, etc. (including the company to become a Subsidiary Company) after obtaining said authorization;

四 当該認可に係る子会社対象銀行等に関する次に掲げる書面

(iv) the following documents concerning a Bank, etc. subject to Subsidiary Company pertaining to said authorization:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its principal business office or office;

ロ 業務の内容を記載した書類

(b) a document stating the content of business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the title and name of officers (when an officer is a corporation, including the persons who are to engage in the duties);

五 当該認可に係る子会社対象銀行等を子会社とすることにより、当該銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数（法第十六条の三第一項に規定する基準議決権数をいう。次条及び第十七条の七において同じ。）を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) when said Bank or its Subsidiary Company becomes to hold voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held (which means the maximum threshold for voting rights held as prescribed in Article 16-3, paragraph (1) of the Act; the same applies in the following Article and Article 17-7) by making a Bank, etc. subject to Subsidiary Company pertaining to said authorization as a Subsidiary Company, a document stating the name and content of business of said company in Japan; and

六 その他次項に規定する審査をするため参考となるべき事項を記載した書面

(vi) other documents stating matters to be referenced for an examination as prescribed in the following paragraph.

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

- (2) The Commissioner of the Financial Services Agency, when an application of authorization pursuant to the provisions of the preceding paragraph is filed, is to examine whether it conforms to the following standards:
- 一 当該申請をした銀行（以下この項において「申請銀行」という。）の資本金の額が当該申請に係る子会社対象銀行等の議決権を取得し、又は保有するに足りる十分な額であること。
 - (i) the amount of stated capital of the Bank which filed said application (hereinafter referred to as "Applicant Bank" in this paragraph) is of sufficient amount to acquire or hold voting rights of the Bank, etc. subject to Subsidiary Company pertaining to said application;
 - 二 申請銀行及びその子会社等（当該認可に係る子会社対象銀行等を含む。）の連結自己資本比率が適正な水準となることが見込まれること。
 - (ii) the consolidated capital adequacy ratio of the Applicant Bank and its Subsidiary Company, etc. (including the Bank, etc. subject to Subsidiary Company pertaining to said authorization) is estimated to be at the proper level;
 - 三 申請銀行の最近における業務、財産及び損益の状況が良好であること。
 - (iii) the latest condition of business, assets, and profit and loss of the Applicant Bank is satisfactory;
 - 四 当該申請時において申請銀行及びその子会社等の収支が良好であり、当該認可に係る子会社対象銀行等を子会社とした後も良好に推移することが見込まれること。
 - (iv) income and expenditures of the Applicant Bank and its Subsidiary Company, etc. are satisfactory at the time of said application and are estimated to change satisfactorily after making the Bank, etc. subject to Subsidiary Company pertaining to said authorization as a Subsidiary Company;
 - 五 申請銀行が子会社対象銀行等の業務の健全かつ適切な遂行を確保するための措置を講ずることができること。
 - (v) the Applicant Bank may take measures in order to secure sound and appropriate performance of business of the Bank, etc. subject to Subsidiary Company; and
 - 六 当該認可に係る子会社対象銀行等がその業務を的確かつ公正に遂行することができること。
 - (vi) the Bank, etc. subject to Subsidiary Company pertaining to said authorization may perform its business properly and fairly.

3 前二項の規定は、法第十六条の二第五項ただし書の規定による認可について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to an authorization pursuant to the provisions of Article 16-2, proviso of paragraph (5) of the Act.

4 第一項の規定は、法第十六条の二第六項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to an authorization pursuant to the provisions of Article 16-2, paragraph (6) of the Act.

5 法第二条第十一项の規定は、第一項第五号（前二項において準用する場合を含む。）に規定する議決権について準用する。

(5) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (v) (including the cases where it is applied mutatis mutandis pursuant to the preceding two paragraphs).

（法第十六条の三第一項の規定が適用されないこととなる事由）

(Reasons Why the Provisions of Article 16-3, paragraph (1) of the Act Do Not Apply)

第十七条の六 法第十六条の三第二項に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 17-6 (1) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 16-3, paragraph (2) of the Act are the following reasons:

一 銀行又はその子会社の担保権の実行による株式等の取得

(i) acquisition of Shares, etc. by the exercise of the security interest of a Bank or its Subsidiary Company;

二 銀行又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of Shares, etc. by acceptance of substitute performance of a Bank or its Subsidiary Company;

三 銀行又はその子会社の、その取引先である会社との間の合理的な経営改善のための計画に基づく株式等の取得（当該銀行又はその子会社に対する当該会社の債務を消滅させるために行うものであつて、当該株式等の取得によつて相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）

(iii) acquisition of Shares, etc. (limited to an acquisition that is for the extinguishment of debt of said company to said Bank or its Subsidiary Company and for which the status of said company's management is estimated to improve by said acquisition of Shares, etc. within a reasonable period of time) by a Bank or its Subsidiary Company based on a plan for reasonable improvement of management of a company that is its customer;

四 銀行又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iv) acquisition of voting rights pertaining to shares or an ownership interest that may not exercise voting rights, held by a Bank or its Subsidiary Company (limited to an acquisition due to occurrence of an event that is not based on the intention of said Bank or its Subsidiary Company);

五 銀行又はその子会社が株式を所有する会社の株式の転換（当該銀行又はその子会社の請求による場合を除く。）

- (v) conversion of shares of a company for which shares are held by a Bank or its Subsidiary Company (excluding cases where conversion is requested by said Bank or its Subsidiary Company);
六 銀行又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て
- (vi) consolidation or split of Shares, etc. of a company for which Shares, etc. are held by a Bank or its Subsidiary Company, or an allotment of share without contribution;
七 銀行又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更
- (vii) change of content of rights or number of share units pertaining to Shares, etc. due to a change of articles of incorporation of a company for which Shares, etc. are held by a Bank or its Subsidiary Company;
八 銀行又はその子会社が株式等を所有する会社の自己の株式等の取得
- (viii) acquisition of its own Shares, etc. by a company for which Shares, etc. are held by a Bank or its Subsidiary Company;
九 第十七条の二第八項の規定による新規事業分野開拓会社等の議決権の処分を行うとするとするときにおいて、やむを得ないと認められる理由により当該議決権を譲渡することが著しく困難であるため当該議決権を処分することができないこと。
- (ix) when intending to dispose of voting rights of a Company Cultivating New Business Field, etc. pursuant to the provisions of Article 17-2, paragraph (8), said voting rights are unable to be disposed of since it is extremely difficult to transfer said voting rights due to reasons that are found to be compelling;
十 元本の補てんのない信託に係る信託財産以外の財産における議決権数が基準議決権数以内となる場合における株式等の取得
- (x) an acquisition of Shares, etc. when the number of voting rights that are for assets other than trust assets pertaining to a trust without compensation of principal is within the maximum threshold for voting rights held;
十一 銀行又はその子会社の取引先である会社との間の合理的な経営改善のための計画に基づき取得した当該会社の発行する株式を当該会社の経営の状況の改善に伴い相当の期間内に処分するために必要な当該株式の転換（第五号に掲げる事由に該当するものを除く。）その他の合理的な理由があることについてあらかじめ金融庁長官の承認を受けた場合
- (xi) when an approval of the Commissioner of the Financial Services Agency is obtained in advance for the share exchange (excluding matters corresponding to reasons as set forth in item (v)) or other reasonable causes that are necessary for disposing of shares issued by a company, for which shares were acquired based on a plan for the reasonable improvement of management of said company that is a customer of the Bank or its Subsidiary Company, within a reasonable period of time due to improvement of the condition of said company's management.

2 前項第十一号の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) When intending to obtain an approval as prescribed in item (xi) of the preceding paragraph, a written application for approval attached with the following documents must be submitted to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の商号及び業務の内容を記載した書面

(ii) a document stating the trade name of a company in Japan pertaining to said approval and content of its business;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針を記載した書面

(iii) a document stating policies concerning methods of disposing of a portion of voting rights of a company in Japan pertaining to said approval that voting rights are acquired or held exceeding its maximum threshold for voting rights held; and

四 その他次項に規定する審査をするため参考となるべき事項を記載した書面

(iv) other documents stating matters to be referenced in an examination as prescribed to the following paragraph.

3 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行が基準議決権数を超えて議決権を所有し、又は保有することについて合理的な理由があるかどうか、及び提出される基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針が妥当なものであるかどうかを審査するものとする。

(3) The Commissioner of the Financial Services Agency, when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there are reasonable causes for the Bank that filed said application to possess or hold voting rights exceeding the maximum threshold for voting rights held, and whether the policy concerning the disposition method of a portion of voting rights that have been acquired or held exceeding the maximum threshold for voting rights held, for which the policy may be submitted, is reasonable or not.

(基準議決権数を超えて議決権を保有することについての承認の申請)

(Application of Approval for Holding Voting Rights Exceeding the Maximum Threshold for Voting Rights Held)

第十七条の七 銀行は、法第十六条の三第二項ただし書の規定による基準議決権数を超えて議決権を保有することについての承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 17-7 (1) A Bank, when intending to obtain an approval for holding voting

rights exceeding the maximum threshold for voting rights held pursuant to the provisions of Article 16-3, proviso of paragraph (2) of the Act, must submit a written application for approval attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の名称及び業務の内容を記載した書面

(ii) a document stating the name of a company in Japan pertaining to said approval and content of its business;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方針に関する方針を記載した書面

(iii) a document stating policies concerning the method of disposing of a portion of voting rights that are acquired or held exceeding the maximum threshold for voting rights held among voting rights of a company in Japan pertaining to said approval; and

四 その他次項に規定する審査をするため参考となるべき事項を記載した書面

(iv) other documents stating matters to be referenced in an examination pursuant to the following paragraph.

2 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行又はその子会社が基準議決権数を超えて議決権を保有することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there are reasons, which are found to be compelling, for the Bank that filed said application or its Subsidiary Company to hold voting rights exceeding the maximum threshold for voting rights held.

3 法第二条第十一項の規定は、第一項第三号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights prescribed in paragraph (1), item (iii).

(基準議決権数を超えて議決権を保有することができる場合)

(Cases That Voting Rights May Be Held Exceeding the Maximum Threshold for Voting Rights Held)

第十七条の七の二 法第十六条の三第四項第一号に規定する内閣府令で定める場合は、当該銀行が法第十六条の二第四項の認可を受けて他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

Article 17-7-2 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 16-3, paragraph (4), item (i) of the Act are the cases where said Bank makes another Bank, long-term credit bank, a Company Specialized in Securities Business, a Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or small amount and short-term

insurance provider, as its Subsidiary Company after obtaining an approval pursuant to Article 16-2, item (iv) of the Act.

2 法第十六条の三第四項第五号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) The cases as provided by Cabinet Office Ordinance as prescribed in Article 16-3, paragraph (4), item (v) of the Act are as set forth in the following:

一 当該銀行が法第三十条第二項の認可を受けて吸収分割により他の銀行又は長期信用銀行の事業を承継した場合

(i) if said Bank has succeeded to the business of another Bank or a long-term credit bank due to an absorption-type company split after obtaining an authorization pursuant to the provisions of Article 30, paragraph (2) of the Act; or

二 当該銀行が法第三十条第二項の認可を受けて吸収分割により事業を承継したことにより他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合（前号に掲げる場合を除く。）

(ii) when said Bank makes another Bank, long-term credit bank, a Company Specialized in Securities Business, a Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or a small amount and short-term insurance provider as its Subsidiary Company by succeeding to business due to an absorption-type company split after obtaining an authorization pursuant to Article 30, paragraph (2) of the Act (excluding cases as set forth in the preceding item).

3 法第十六条の三第四項第六号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) The cases as provided by Cabinet Office Ordinance as prescribed in Article 16-3, paragraph (4), item (vi) of the Act are the following cases:

一 当該銀行が法第三十条第三項の認可を受けて他の銀行若しくは長期信用銀行又は信用金庫、信用協同組合若しくは労働金庫（これらの法人をもつて組織する連合会を含む。）の事業の譲受けをした場合

(i) when said Bank makes a business acquisition of another Bank or long-term credit bank, or Shinkin Bank, credit cooperatives, or labor bank (including a federation organized with these corporations) after obtaining an approval pursuant to the provisions of Article 30, paragraph (3) of the Act; or

二 当該銀行が法第三十条第三項の認可を受けて事業の譲受けをしたことにより他の銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合（前号に掲げる場合を除く。）

(ii) when said Bank makes another Bank, a long-term credit bank, a Company Specialized in Securities Business, a Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or a small amount and short-term insurance provider as its Subsidiary Company by making a business acquisition after obtaining authorization pursuant to the provisions

of Article 30, paragraph (3) of the Act (excluding cases as set forth in the preceding item).

第四章 経理

Chapter IV Accounting

(法第十八条の規定による準備金の計上)

(Record of Reserve Pursuant to the Provisions of Article 18 of the Act)

第十七条の七の三 銀行が剰余金の配当をする場合には、剰余金の配当後の資本準備金の額は、当該剰余金の配当の直前の資本準備金の額に、次の各号に掲げる場合の区分に応じ、当該各号に定める額を加算して得た額とする。

Article 17-7-3 (1) When a Bank pays dividends from surplus, the amount of capital reserve after the payment of dividends from surplus is the amount obtained by adding, corresponding to the category of cases as set forth in each of the following items, the amount specified in said each item to the amount of capital reserve immediately before said payment of dividends from surplus:

一 当該剰余金の配当をする日における資本準備金又は利益準備金（以下この条において「準備金」と総称する。）の額が当該日における資本金の額以上である場合
零

(i) when the amount of capital reserve or retained earnings reserve (hereinafter referred to generally as "Reserve" in this Article) on the date of payment of said dividends from surplus is the amount of stated capital or more on the said date: nil;

二 当該剰余金の配当をする日における準備金の額が当該日における資本金の額未満である場合 イ又はロに掲げる額のうちいずれか少ない額に資本剰余金配当割合（次条第一号イに掲げる額を会社法第四百四十六条第六号に掲げる額で除して得た割合をいう。）を乗じて得た額

(ii) when the amount of Reserve on the date of payment of said dividends from surplus is less than the amount of stated capital on said date: the amount obtained by multiplying the lesser of the amount among the amounts as set forth in sub-items (a) and (b) by the dividend rate of capital reserve (which means the percentage obtained by dividing the amount as set forth in item (i), sub-item (a) of the following Article by the amount as set forth in Article 446, item (vi) of the Companies Act):

イ 当該剰余金の配当をする日における準備金計上限度額（資本金の額から準備金の額を減じて得た額をいう。以下この条において同じ。）

(a) the upper limit of Reserve to be recorded on the date of payment of dividends from surplus (which means the amount obtained by deducting the amount of Reserve from the amount of stated capital; hereinafter the same applies in this Article);

ロ 会社法第四百四十六条第六号に掲げる額に五分の一を乗じて得た額

(b) the amount obtained by multiplying the amount as set forth in Article 446, item (vi) of the Companies Act by twenty percent.

2 銀行が剰余金の配当をする場合には、剰余金の配当後の利益準備金の額は、当該剰余金の配当の直前の利益準備金の額に、次の各号に掲げる場合の区分に応じ、当該各号に定める額を加算して得た額とする。

(2) When a Bank pays dividends from surplus, the amount of retained earnings reserve after the payment of dividends from surplus is the amount obtained by adding, corresponding to the category of cases as set forth in each of the following items, the amount specified in said each item to the amount of retained earnings reserve immediately before said payment of dividends from surplus:

一 当該剰余金の配当をする日における準備金の額が当該日における資本金の額以上である場合 零

(i) when the amount of Reserve on the date of payment of said dividends from surplus is the amount of stated capital or more on the said date: nil;

二 当該剰余金の配当をする日における準備金の額が当該日における資本金の額未満である場合 イ又はロに掲げる額のうちいずれか少ない額に利益剰余金配当割合（次条第二号イに掲げる額を会社法第四百四十六条第六号に掲げる額で除して得た割合をいう。）を乗じて得た額

(ii) when the amount of Reserve on the date of payment of said dividends from surplus is less than the amount of stated capital on said date: the amount obtained by multiplying the smaller of the amount among the amounts as set forth in sub-items (a) and (b) by the dividend rate of retained earnings reserve (which means the percentage obtained by dividing the amount as set forth in item (ii), sub-item (a) of the following Article by the amount as set forth in Article 446, item (vi) of the Companies Act):

イ 当該剰余金の配当をする日における準備金計上限度額

(a) the upper limit of Reserve to be recorded on the date of payment of dividends from said surplus;

ロ 会社法第四百四十六条第六号に掲げる額に五分の一を乗じて得た額

(b) the amount obtained by multiplying the amount as set forth in Article 446, item (vi) of the Companies Act by twenty percent.

(減少する剰余金の額)

(Amount of Surplus to Be Deducted)

第十七条の七の四 銀行が剰余金の配当をする場合には、剰余金の配当後の次の各号に掲げる額は、当該剰余金の配当の直前の当該額から、当該各号に定める額を減じて得た額とする。

Article 17-7-4 When a Bank pays a dividend payment from surplus, the amount as set forth in each of the following items after the payment of dividends from surplus is the amount obtained by deducting the amount as specified in said

each item from said amount immediately before said payment of dividends from surplus:

一 その他資本剰余金の額 次に掲げる額の合計額

(i) amount of other stated capital surplus: the total of the amounts as set forth in the following:

イ 会社法第四百四十六条第六号に掲げる額のうち、銀行がその他資本剰余金から減ずるべき額と定めた額

(a) among the amounts as set forth in Article 446, item (vi) of the Companies Act, amounts specified by a Bank to be deducted from other stated capital surplus; and

ロ 前条第一項第二号に掲げるときは、同号に定める額

(b) in the case as set forth in paragraph (1), item (ii) of the preceding Article, the amount as specified in the same item;

二 その他利益剰余金の額 次に掲げる額の合計額

(ii) amount of other retained earnings surplus: the total of the following amounts:

イ 会社法第四百四十六条第六号に掲げる額のうち、銀行がその他利益剰余金から減ずるべき額と定めた額

(a) among the amounts as set forth in Article 446, item (vi) of the Companies Act, amounts specified by a Bank to be deducted from other retained earnings surplus; and

ロ 前条第二項第二号に掲げるときは、同号に定める額

(b) in the case as set forth in paragraph (2), item (ii) of the preceding Article, the amount as specified in the same item.

(業務報告書等)

(Business Report)

第十八条 法第十九条第一項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の業務及び財産の状況について、中間事業概況書、中間貸借対照表、中間損益計算書、中間株主資本等変動計算書及び中間キャッシュ・フロー計算書（外国銀行支店にあつては中間事業概況書、中間貸借対照表及び中間損益計算書）に分けて、別紙様式第一号（特定取引勘定設置銀行にあつては別紙様式第一号の二、外国銀行支店にあつては別紙様式第二号（特定取引勘定届出外国銀行支店にあつては別紙様式第二号の二））により作成し、当該期間経過後三月以内に金融庁長官等に提出しなければならない。

Article 18 (1) An interim business report pursuant to the provisions of Article 19, paragraph (1) of the Act must be prepared, with regard to the condition of business and assets during the period from the beginning date of the business year to September 30 of said business year, by separating data into an interim summary statement of business, interim balance sheet, interim profit and loss statement, interim statement of changes in net assets, and interim cash flow

statement (with regard to a Foreign Bank Branch, an interim summary statement of business, interim balance sheet, and interim profit and loss statement) pursuant to item (i) of the appended form (with regard to a Bank with Specified Transaction Account, item (i)-2 of the appended form; with regard to a Foreign Bank Branch, item (ii) of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (ii)-2 of the appended form)), and must be submitted to the Commissioner of the Financial Services Agency, etc. within three months after the close of said period.

2 法第十九条第一項の規定による業務報告書は、事業概況書、貸借対照表、損益計算書、株主資本等変動計算書及びキャッシュ・フロー計算書（外国銀行支店にあつては事業概況書、貸借対照表及び損益計算書）に分けて、別紙様式第三号（特定取引勘定設置銀行にあつては別紙様式第三号の二、外国銀行支店にあつては別紙様式第四号（特定取引勘定届出外国銀行支店にあつては別紙様式第四号の二））により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

(2) The business report pursuant to the provisions of Article 19, paragraph (1) of the Act must be prepared by separating data into a summary statement of business, balance sheet, profit and loss statement, a statement of changes in net assets, and cash flow statement (with regard to a Foreign Bank Branch, a summary statement of business, balance sheet, and profit and loss statement) pursuant to item (iii) of the appended form (with regard to a Bank with Specified Transaction Account, item (iii)-2 of the appended form; with regard to a Foreign Bank Branch, item (iv) of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (iv)-2 of the appended form)), and must be submitted to the Commissioner of the Financial Services Agency, etc. within three months after the close of said period.

3 法第十九条第二項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。以下この章、次章及び第三十五条第一項において同じ。）の業務及び財産の状況について、中間事業概況書及び中間連結財務諸表に分けて、別紙様式第五号により作成し、当該期間経過後三月以内に金融庁長官等に提出しなければならない。

(3) An interim business report pursuant to the provisions of Article 19, paragraph (2) of the Act must be prepared pursuant to item (v) of the appended form, with regard to the condition of business and assets of a Bank and its Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this Chapter, the following Chapter, and Article 35, paragraph (1)) for the period from the beginning date of the business year to September 30 of said business year, by separating data into an interim summary statement of

business and interim consolidated financial statements, and must be submitted to the Commissioner of the Financial Services Agency, etc. within three (3) months after the close of said period.

4 法第十九条第二項の規定による業務報告書は、事業概況書及び連結財務諸表に分けて、別紙様式第五号の二により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

(4) The business report pursuant to the provisions of Article 19, paragraph (2) of the Act must be prepared pursuant to item (v)-2 of the appended form by separating data into a summary of business report and consolidated financial statements, and must be submitted to the Commissioner of the Financial Services Agency, etc. within three months after the close of said period.

5 銀行は、やむを得ない理由により前各項に規定する期間内に中間業務報告書又は業務報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の二の規定により当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(5) A Bank, if an interim business report or business report is unable to be reported within the period specified in each of the preceding paragraphs due to compelling reasons, may obtain an approval of the Commissioner of the Financial Services Agency (in a case, pursuant to the provisions of Article 17-2 of the Order, the Director General of the Local Finance Bureau (when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau) that has jurisdiction over the location of the head office of said Bank receives said reports, its Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau), in advance, and may postpone said submission.

6 銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(6) A Bank, when intending to obtain an approval pursuant to the provisions of the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency, etc.

7 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした銀行が第五項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(7) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there are reasons that are found to be compelling or not, with regard to said Bank that filed said application, to postpone the submission

pursuant to the provisions of paragraph (5).

(貸借対照表等の公告)

(Public Notice of Balance Sheet)

第十九条 法第二十条第一項の規定により作成すべき中間貸借対照表等（同項に規定する中間貸借対照表等をいい、同条第三項の規定により作成された電磁的記録（同項に規定する電磁的記録をいう。以下同じ。）を含む。第六項において同じ。）は別紙様式第六号第一（特定取引勘定設置銀行にあつては別紙様式第六号の二第一、外国銀行支店にあつては別紙様式第七号第一（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の二第一））により、貸借対照表等（同条第一項に規定する貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第六号の三第一（特定取引勘定設置銀行にあつては別紙様式第六号の四第一、外国銀行支店にあつては別紙様式第七号の三第一（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の四第一））により作成しなければならない。

Article 19 (1) An interim balance sheet, etc., which is to be prepared pursuant to the provisions of Article 20, paragraph (1) of the Act (which means an interim balance sheet, etc., as prescribed in the same paragraph; including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of the same Article (which means an electronic or magnetic record as prescribed in the same paragraph; the same applies hereinafter); the same applies in paragraph (6)), must be prepared pursuant to item (vi), 1 of the appended form (with regard to a Bank with Specified Transaction Account, item (vi)-2, 1 of the appended form; with regard to a Foreign Bank Branch, item (vii), 1 of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (vii)-2, 1 of the appended form)), and balance sheet, etc. (which means a balance sheet, etc., as prescribed in paragraph (1) of the same Article; including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of the same Article; the same applies in paragraph (6)) must be prepared pursuant to item (vi)-3, 1 of the appended form (with regard to a Bank with Specified Transaction Account, item (vi)-4, 1 of the appended form; with regard to a Foreign Bank Branch, item (vii)-3, 1 of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (vii)-4, 1 of the appended form)).

2 法第二十条第二項の規定により作成すべき中間連結貸借対照表等（同項に規定する中間連結貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第八号第一により、連結貸借対照表等（同条第二項に規定する連結貸借対照表等をいい、同条第三項の規定により作成された電磁的記録を含む。第六項において同じ。）は別紙様式第八号の二第一により作成しなければならない。

(2) The interim consolidated balance sheet, etc., which is to be prepared pursuant

to the provisions of Article 20, paragraph (2) of the Act (which means the interim consolidated balance sheet, etc., as prescribed in the same paragraph and including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of the same Article; the same applies in paragraph (6)) must be prepared pursuant to item (viii), 1 of the appended form, and the consolidated balance sheet, etc. (which means the consolidated balance sheet, etc., as prescribed in paragraph (2) of the same Article, and including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of the same Article; the same applies in paragraph (6)) must be prepared pursuant to item (viii)-2, 1 of the appended form.

3 法第二十条第三項に規定する内閣府令で定めるものは、磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものとする。

(3) Matters as provided by Cabinet Office Ordinance as prescribed in Article 20, paragraph (3) of the Act are a file which is prepared with matters, in which certain matters can be recorded surely by magnetic disk, or other method equivalent to this, and in which information is recorded.

4 銀行は、法第二十条第四項ただし書の規定による公告の延期の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(4) A Bank, when intending to obtain an approval for postponement of public notice pursuant to the provisions of Article 20, proviso of paragraph (4) of the Act, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が法第二十条第四項ただし書の規定による公告の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) The Commissioner of the Financial Services Agency, etc., when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether said Bank, which filed said application, has reasons found to be compelling for the postponement of the public notice pursuant to the provisions of Article 20, proviso of paragraph (4) of the Act.

6 法第二十条第五項の規定により銀行が公告すべき中間貸借対照表等の要旨は別紙様式第六号第二（特定取引勘定設置銀行にあつては別紙様式第六号の二第二、外国銀行支店にあつては別紙様式第七号第二（特定取引勘定届出外国銀行支店にあつては、別紙様式第七号の二第二））に、貸借対照表等の要旨は別紙様式第六号の三第二（特定取引勘定設置銀行にあつては別紙様式第六号の四第二、外国銀行支店にあつては別紙様式第七号の三第二（特定取引勘定届出外国銀行支店にあつては、別紙様式七号の四第二））に、中間連結貸借対照表等の要旨は別紙様式第八号第二に、連結貸借対照表等の要旨は別紙様式第八号の二第二に定めるものとする。

(6) The gist of an interim balance sheet, etc., which is to be provided by public notice by a Bank pursuant to the provisions of Article 20, paragraph (5) of the

Act, is to be as specified in item (vi), 2 of the appended form (with regard to a Bank with Specified Transaction Account, item (vi)-2, 2 of the appended form; with regard to a Foreign Bank Branch, item (vii), 2 of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (vii)-2, 2 of the appended form)), the gist of the balance sheet, etc. is to be as specified in item (vi)-3, 2 of the appended form (with regard to a Bank with Specified Transaction Account, item (vi)-4, 2 of the appended form; with regard to a Foreign Bank Branch, item (vii)-3, 2 of the appended form (with regard to a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account, item (vii)-4, 2 of the appended form)), the gist of the interim consolidated balance sheet, etc. is to be as specified in item (viii)-2 of the appended form, and the gist of the consolidated balance sheet, etc. is to be as specified in item (viii)-2, 2 of the appended form.

7 法第二十条第六項に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものは、次に掲げる方法とする。

(7) The method to use as an electronic data processing system as prescribed in Article 20, paragraph (6) of the Act or other method to use information and communications technologies as provided by Cabinet Office Ordinance is the following method:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) among methods to use as an electronic data processing system, those as set forth in (a) or (b):

イ 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a method to transmit via a telecommunications line that is connected to a computer pertaining to the use of a sender and a computer pertaining to the use of a receiver, and to record in a file kept in a computer pertaining to the use of the receiver; or

ロ 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

(b) a method to provide the content of information recorded in a file kept in a computer pertaining to the use of a sender available through a telecommunications line for inspection of a person that receives the provision of information, and to record said information in a file kept in a computer pertaining to the use of the person that receives said provision of information;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもつて調製するファイルに情報を記録したものを交付する方法

(ii) a method to deliver a file which is prepared with matters, in which certain matters can be recorded surely by magnetic disk, or other method equivalent to this, and in which information is recorded.

8 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(8) Methods as set forth in each item of the preceding paragraph must enable a receiver to prepare documents by outputting information to a file.

9 法第二十条第六項の規定による措置は、第七項第一号ロに掲げる方法のうち、インターネットに接続された自動公衆送信装置（公衆の用に供する電気通信回線に接続することにより、その記録媒体のうち自動公衆送信の用に供する部分に記録され、又は当該装置に入力される情報を自動公衆送信する機能を有する装置をいう。以下同じ。）を使用する方法によつて行うものとする。

(9) Measures pursuant to the provisions of Article 20, paragraph (6) of the Act are to be taken by a method to use an automatic public transmission server (which means a server with functions, by connecting a telecommunications line for the use of the public, to record in the section for the use of automated public transmission in its recording medium or to transmit the information which is input in said server through the automated public transmission server; the same applies hereinafter) that is connected to the Internet, among methods as set forth in paragraph (7), item (i), sub-item (b).

（業務及び財産の状況に関する説明書類の縦覧等）

(Public Inspection of Written Explanation Concerning the Condition of Business and Assets)

第十九条の二 法第二十一条第一項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間事業年度に係る説明書類（以下「中間説明書類」という。）にあつては、第一号イ及びハからトまで、第二号、第三号ロ（11）、第四号並びに第五号チに掲げる事項を除く。）とする。

Article 19-2 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 21, first sentence of paragraph (1) of the Act are the matters as set forth in the following (with regard to a written explanation pertaining to an interim period of business year (hereinafter referred to as "Interim Written Explanation"), excluding matters as set forth in item (i), sub-items (a) and (c) to (g), item (ii), item (iii), sub-item (b), 11, item (iv), and item (v), sub-item (h):

一 銀行の概況及び組織に関する次に掲げる事項

(i) the following matters concerning the summary and organization of a Bank:

イ 経営の組織

(a) the management organization;

ロ 持株数の多い順に十以上の株主に関する次に掲げる事項

(b) the following matters concerning the largest ten or more shareholders in order of the number of shares held:

- (1) 氏名 (株主が法人その他の団体である場合には、その名称)
1. name (when shareholder is a corporation or other organization, its name);
- (2) 各株主の持株数
2. number of shares held by each shareholder; and
- (3) 発行済株式の総数に占める各株主の持株数の割合
3. percentage of shares held by each shareholder of the total number of issued shares;
- ハ 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) の氏名及び役職名
- (c) name and title of directors and company auditors (with regard to a company with committees, directors and executive officers);
- ニ 会計参与設置会社にあつては、会計参与の氏名又は名称
- (d) with regard to a company with accounting advisors, name of the accounting advisors;
- ホ 営業所の名称及び所在地
- (e) name and location of the business office;
- ヘ 当該銀行を所属銀行とする銀行代理業者に関する次に掲げる事項
- (f) the following matters concerning a Bank Agent for which a Principal Bank is the said Bank:
- (1) 当該銀行代理業者の商号、名称又は氏名
1. trade name or name of said Bank Agent; and
- (2) 当該銀行代理業者が当該銀行のために銀行代理業を営む営業所又は事務所の名称
2. name of the business office or offices that said Bank Agent carries out Bank Agency Services for said Bank;
- ト 外国における法第二条第十四項各号に掲げる行為の受託者に関する次に掲げる事項
- (g) the following matters concerning a trustee of acts as set forth in each item of Article 2, paragraph (14) of the Act in a foreign state:
- (1) 当該受託者の商号、名称又は氏名
1. trade name or name of said trustee; and
- (2) 当該受託者が当該銀行のために法第二条第十四項各号に掲げる行為を行う営業所又は事務所の名称及び所在地
2. name and location of the business office or business offices where said trustee performs acts as set forth in each item of Article 2, paragraph (14) of the Act for said Bank;
- 二 銀行の主要な業務の内容 (信託業務を営む場合においては、信託業務の内容を含む。)
- (ii) content of principal business of the Bank (in the cases of carrying out Trust Business, including the content of the Trust Business);

三 銀行の主要な業務に関する事項として次に掲げるもの

(iii) the following matters as those concerning the principal business of a Bank:

イ 直近の中間事業年度又は事業年度における事業の概況

(a) summary of business in the latest interim of business year or business year;

ロ 直近の三中間事業年度及び二事業年度又は直近の五事業年度における主要な業務の状況を示す指標として次に掲げる事項（（13）から（16）までに掲げる事項については、信託業務を営む場合に限る。）

(b) the following matters as an index of the condition of the principal business in the latest three interim periods of business year and two business years, or, the latest five business years (with regard to matters as set forth in 13 to 16, limited to cases when carrying out Trust Business):

（1） 経常収益

1. ordinary income;

（2） 経常利益又は経常損失

2. ordinary profit or ordinary loss;

（3） 中間純利益若しくは中間純損失又は当期純利益若しくは当期純損失

3. interim net income or interim net loss, or net income for the period or net loss for the period;

（4） 資本金及び発行済株式の総数

4. stated capital and total number of issued shares;

（5） 純資産額

5. amount of net assets;

（6） 総資産額

6. amount of total assets;

（7） 預金残高

7. balance of deposits;

（8） 貸出金残高

8. balance of loans;

（9） 有価証券残高

9. balance of securities;

（10） 単体自己資本比率（法第十四条の二第一号に規定する基準に係る算式により得られる比率をいう。第五号、第二十二條第九号及び第二十二條の二第九号において同じ。）

10. non-consolidated capital adequacy ratio (which means the ratio obtained by the formula pertaining to the standards as prescribed in Article 14-2, item (i) of the Act; the same applies in item (v); Article 22, item (ix); and Article 22-2, item (ix));

（11） 配当性向

11. dividend payout rate;

（12） 従業員数

12. number of employees;

(13) 信託報酬

13. trust remuneration;

(14) 信託勘定貸出金残高

14. loan balance of trust accounts;

(15) 信託勘定有価証券残高

15. balance of securities of trust accounts; and

(16) 信託財産額

16. amount of trust assets;

ハ 直近の二中間事業年度又は二事業年度における業務の状況を示す指標として別表第一に掲げる事項

(c) matters as set forth in Appended Table 1 as an index of the condition of business in the latest two interim periods of business year or two business years;

四 銀行の業務の運営に関する次に掲げる事項

(iv) the following matters concerning business management of the Bank services:

イ リスク管理の体制

(a) risk management system; and

ロ 法令遵守の体制

(b) compliance system;

ハ 次に掲げる場合の区分に応じ、それぞれ次に定める事項

(c) Matters prescribed below for the categories of cases set forth respectively therein:

(1) 指定紛争解決機関が存在する場合 当該銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる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

1. When there exists a Designated Dispute Resolution Organization, the trade name or name of the Designated Dispute Resolution Organization, which is the other party to the Basic Contract for the Implementation of Dispute Resolution Procedures that said Bank takes a measure to conclude, prescribed in Article 12-3, paragraph (1), item (i) of the Act;

(2) 指定紛争解決機関が存在しない場合 当該銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容

2. When there does not exist any Designated Dispute Resolution Organization, the details of the complaint handling measures and the dispute resolution measure of said Bank prescribed in Article 12-3, paragraph (1), item (ii) of the Act; and

五 銀行の直近の二中間事業年度又は二事業年度における財産の状況に関する次に掲げる事項

(v) the following matters concerning the condition of assets of the Bank in the latest two interim periods of business year or two business years:

イ 中間貸借対照表又は貸借対照表、中間損益計算書又は損益計算書及び中間株主資本等変動計算書又は株主資本等変動計算書

(a) interim balance sheet or balance sheet, interim profit and loss statement or profit and loss statement, and interim statement of changes in net assets or statement of changes in net assets;

ロ 貸出金のうち次に掲げるものの額及びその合計額

(b) the amount of each item as set forth in the following among loans, and the total of these amounts:

(1) 破綻先債権（元本又は利息の支払の遅延が相当期間継続していることその他の事由により元本又は利息の取立て又は弁済の見込みがないものとして未収利息を計上しなかつた貸出金（貸倒償却を行つた部分を除く。以下「未収利息不計上貸出金」という。）のうち、法人税法施行令（昭和四十年政令第九十七号）第九十六条第一項第三号のイからホまでに掲げる事由又は同項第四号に規定する事由が生じているものをいう。以下同じ。）に該当する貸出金

1. loans corresponding to claims to debtors in bankruptcy (which means loans (excluding the portion written off as uncollectible; hereinafter referred to as "Loan without Recording of Accrued Interest"), for which accrued interest income has not been recorded since it is considered that there is no chance of collection of principal or interest, or of payment, due to circumstances in which delay in payment of principal or interest has been continuing for a considerable period and other reasons, and for reasons as set forth in Article 96, paragraph (1), item (iii), sub-items (a) to (e) of the Order for Enforcement of the Corporation Tax Act (Cabinet Ordinance No. 97 of 1965) or reasons as prescribed in item (iv) of the same paragraph; the same applies hereinafter);

(2) 延滞債権（未収利息不計上貸出金であつて、（1）に掲げるもの及び債務者の経営再建又は支援を図ることを目的として利息の支払を猶予したものの以外のもをいう。以下同じ。）に該当する貸出金

2. loans corresponding to claims in arrears (which means a Loan without Recording of Accrued Interest that is other than those as set forth in 1 and other than those provided with postponement of interest payments with the purpose to promote reorganization or support of the debtor; the same applies hereinafter);

(3) 三カ月以上延滞債権（元本又は利息の支払が約定支払日の翌日から三月以上遅延している貸出金（（1）及び（2）に掲げるものを除く。）をいう。以下同じ。）に該当する貸出金

3. loans corresponding to a claims in arrears for three months or more

- (which means a loan (excluding those as set forth in 1 and 2) for which payment of principal or interest has been delayed for three months or more from the date following the agreed payment date; the same applies hereinafter); and
- (4) 貸出条件緩和債権（債務者の経営再建又は支援を図ることを目的として、金利の減免、利息の支払猶予、元本の返済猶予、債権放棄その他の債務者に有利となる取決めを行つた貸出金（（1）、（2）及び（3）に掲げるものを除く。）をいう。以下同じ。）に該当する貸出金
4. loans corresponding to a claim with moderate loan conditions (which means a loan (excluding those as set forth in 1, 2 and 3) with agreement of a reduction of money rate, postponement of payment of interest, postponement of payment of principal, waiver of claim, or other agreement which becomes advantageous to a debtor, for the purpose of promoting reorganization or support of the debtor; the same applies hereinafter);
- ハ 元本補てん契約のある信託（信託財産の運用のため再信託された信託を含む。）に係る貸出金のうち破綻先債権、延滞債権、三カ月以上延滞債権及び貸出条件緩和債権に該当するものの額並びにその合計額
- (c) the amount of loans pertaining to a trust (including a trust that is re-entrusted for trust assets management) with a contract for compensation of principal that corresponds to claims to debtors in bankruptcy, claims in arrears, claims in arrears for three months or more, and claims with moderate loan conditions, and the total of these amounts;
- ニ 自己資本の充実の状況について金融庁長官が別に定める事項
- (d) matters as specified separately by the Commissioner of the Financial Services Agency concerning the condition of adequacy of equity capital;
- ホ 次に掲げるものに関する取得価額又は契約価額、時価及び評価損益
- (e) acquisition price, contract price, current price, and appraisal profit or loss of the followings:
- (1) 有価証券
 1. securities;
 - (2) 金銭の信託
 2. money trusts; and
 - (3) 第十三条の三第一項第五号に掲げる取引
 3. transactions as set forth in Article 13-3, paragraph (1), item (v);
- ヘ 貸倒引当金の期末残高及び期中の増減額
- (f) closing balance at the end of business year and changes during the business year of the allowance for doubtful accounts;
- ト 貸出金償却の額
- (g) amount of loan amortization;
- チ 法第二十条第一項の規定により作成した書面（同条第三項の規定により作成さ

れた電磁的記録を含む。) について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨中間貸借対照表又は貸借対照表、中間損益計算書又は損益計算書

(h) if the documents (including an electronic or magnetic record prepared pursuant to the provisions of paragraph (3) of the same Article) prepared pursuant to the provisions of Article 20, paragraph (1) of the Act have been audited by financial auditors pursuant to Article 396, paragraph (1) of the Companies Act, that effect is stated in the interim balance sheet or balance sheet, interim profit and loss statement or profit and loss statement;

リ 銀行が中間貸借対照表又は貸借対照表、中間損益計算書又は損益計算書及び中間株主資本等変動計算書又は株主資本等変動計算書について金融商品取引法第百九十三条の二の規定に基づき公認会計士又は監査法人の監査証明を受けている場合にはその旨

(i) if a Bank has obtained audit certification of a certified public accountant or auditing firm based on provisions of Article 193-2 of the Financial Instruments and Exchange Act for an interim balance sheet or balance sheet, interim profit and loss statement or profit and loss statement, and interim statement of changes in net assets or statement of changes in net assets, that effect; or

ヌ 単体自己資本比率の算定に関する外部監査を受けている場合にはその旨

(j) if an external audit has been conducted concerning the calculation of non-consolidated capital adequacy ratio, that effect.

六 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、当該銀行が将来にわたつて事業活動を継続するとの前提に重要な疑義を生じさせるような事象又は状況その他当該銀行の経営に重要な影響を及ぼす事象（以下この号及び次条第四号において「重要事象等」という。）が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を解消し、又は改善するための対応策の具体的内容

(vi) when, at the end of the business period (in Interim Written Explanation, at the end of interim business period), there exists an event or circumstances that cast serious doubt on the premise that said Bank will continue its business activities in the future or any other event that may have a significant effect on the management of said Bank (hereinafter referred to as "Material Event, etc." in this item and in item (iv) of the following Article), a statement to such effect and the details of such events, the results of analysis and examination of said Material Event, etc. as well as the specific measures to be taken to eliminate or improve said Material Event, etc.

2 前項の規定にかかわらず、外国銀行支店に係る法第二十一条第一項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号イに掲げる事項を除く。）とする。

(2) Notwithstanding the provisions of the preceding paragraph, matters as

provided by Cabinet Office Ordinance as prescribed in Article 21, first sentence of paragraph (1) of the Act pertaining to a Foreign Bank Branch are the following matters (with regard to an Interim Written Explanation, excluding the matters as set forth in item (i), sub-item (a))

一 外国銀行支店の概況に関する次に掲げる事項

(i) the following matters concerning a summary of the Foreign Bank Branch:

イ 外国銀行支店の日本における代表者の氏名及び役職名

(a) name and title of the representative person in Japan of the Foreign Bank Branch;

ロ 外国銀行支店に係る外国銀行の株式等につき、保有の多い順に十以上の株式等の保有者に関する次に掲げる事項

(b) with regard to Shares, etc. of a Foreign Bank pertaining to a Foreign Bank Branch, the following matters concerning the largest ten or more owners of Shares, etc. in order of number of shares held:

(1) 氏名 (株式等の保有者が法人その他の団体である場合には、その名称)

1. name (when an owner of Shares, etc. is a corporation or other organization, its name);

(2) 株式等の各保有者が有する株式等の数又は額

2. number or amount of Shares, etc. held by each owner of Shares, etc.;

(3) 発行済株式等に占める株式等の各保有者が有する株式等の割合

3. percentage of Shares, etc. held by each owner of Shares, etc. of Issued Shares, etc.;

ハ 営業所の名称及び所在地

(c) name and location of the business office;

ニ 当該外国銀行支店を所属銀行とする銀行代理業者に関する次に掲げる事項

(d) the following matters concerning the Bank Agent for which a Principal Bank is said Foreign Bank Branch:

(1) 当該銀行代理業者の商号、名称又は氏名

1. trade name or name of said Bank Agent; and

(2) 当該銀行代理業者が当該外国銀行支店のために銀行代理業を営む営業所又は事務所の名称

2. name of the business office or office where said Bank Agent carries out Bank Agency Services for said Foreign Bank Branch;

三 外国銀行支店の直近の中間事業年度又は事業年度における事業の概況

(ii) summary of business of the Foreign Bank Branch in the latest interim period of business year or business year; and

三 外国銀行支店の直近の二中間事業年度又は二事業年度の中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書

(iii) interim balance sheet or balance sheet, and interim profit and loss statement or profit and loss statement of the Foreign Bank Branch in the latest two interim periods of business year or two business years.

3 外国銀行支店は、前項に規定する事項を記載した説明書類に加え、当該外国銀行支店に係る外国銀行又は当該外国銀行を子会社とする持株会社であつて外国の法令に準拠して設立された会社（次項において「外国銀行持株会社」という。）の業務及び財産の状況に関する事項を記載した書面（日本語以外で記載されたものを含む。）を当該外国銀行支店（無人の営業所を除く。次項において同じ。）に備え置き、公衆の縦覧に供しなければならない。

(3) A Foreign Bank Branch, in addition to written explanations stating matters as prescribed in the preceding paragraph, must keep documents (including those written in any language other than Japanese) stating matters concerning the condition of business and assets of the company that is a Foreign Bank pertaining to said Foreign Bank Branch or a Holding Company that is a Subsidiary Company of said Foreign Bank and is incorporated based on foreign laws and regulations (which is referred to as "Foreign Bank Holding Company" in the following paragraph) at said Foreign Bank Branch (excluding an unmanned business office; the same applies in the following paragraph), and must make the documents available for public inspection.

4 前項に規定する書面が日本語以外で記載されたものである場合には、外国銀行支店は、当該書面に加え、当該外国銀行支店に係る外国銀行又は外国銀行持株会社に係る事業の概況並びに中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書について日本語で記載された書面を作成し、当該外国銀行支店に備え置き、公衆の縦覧に供しなければならない。

(4) When documents as prescribed in the preceding paragraph are stated in a language other than Japanese, a Foreign Bank Branch, in addition to said documents, must prepare documents stating in Japanese the summary of business pertaining to a Foreign Bank pertaining to said Foreign Bank Branch or a Foreign Bank Holding Company and interim balance sheet or balance sheet and interim profit and loss statement or profit and loss statement, keep them at said Foreign Bank Branch, and make them available for public inspection.

5 法第二十一条第一項前段に規定する内閣府令で定める営業所は、次に掲げる営業所とする。

(5) A business office as provided by Cabinet Office Ordinance as prescribed in Article 21, first sentence of paragraph (1) of the Act is the following business offices:

一 銀行の無人の営業所

(i) unmanned business office of a Bank; and

二 銀行の外国に所在する営業所

(ii) a business office of a Bank located in a foreign state.

第十九条の三 法第二十一条第二項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号及び第三号ホに掲げる事項を除く。）とす

る。

Article 19-3 Matters as provided by Cabinet Office Ordinance as prescribed in Article 21, first sentence of paragraph (2) of the Act are the following matters (with regard to an Interim Written Explanation, excluding matters as set forth in item (i) and item (iii), sub-item (e)):

一 銀行及びその子会社等（法第二十一条第二項前段に規定する説明書類の内容に重要な影響を与えない子会社等を除く。以下この条において同じ。）の概況に関する次に掲げる事項

(i) the following matters concerning the summary of a Bank and its Subsidiary Company, etc. (excluding a Subsidiary Company, etc. that does not have a material effect on the content of a written explanation as prescribed in Article 21, first sentence of paragraph (2) of the Act; hereinafter the same applies in this Article):

イ 銀行及びその子会社等の主要な事業の内容及び組織の構成

(a) content of principal business and organizational structure of the Bank and its Subsidiary Company, etc.;

ロ 銀行の子会社等に関する次に掲げる事項

(b) the following matters concerning a Subsidiary Company, etc. of the Bank:

(1) 名称

1. name;

(2) 主たる営業所又は事務所の所在地

2. location of its principal business office or office;

(3) 資本金又は出資金

3. stated capital or contribution in capital;

(4) 事業の内容

4. content of business;

(5) 設立年月日

5. date of establishment;

(6) 銀行が保有する子会社等の議決権の総株主又は総出資者の議決権に占める割合

6. percentage of voting rights of the Subsidiary Company, etc. held by the Bank of the voting rights held by all of shareholders or all of investors; and

(7) 銀行の一の子会社等以外の子会社等が保有する当該一の子会社等の議決権の総株主、総社員又は総出資者の議決権に占める割合

7. percentage of voting rights of a single Subsidiary Company, etc. of a Bank held by another Subsidiary Company, etc. other than said a single Subsidiary Company, etc. of the Bank, of the voting rights of all of shareholders, all of members, or all of investors.

二 銀行及びその子会社等の主要な業務に関する事項として次に掲げるもの

(ii) the following matters concerning the principal business of the Bank and its

Subsidiary Company, etc.:

イ 直近の中間事業年度又は事業年度における事業の概況

(a) summary of business in the latest interim period of business year or business year; and

ロ 直近の三中間連結会計年度（中間連結財務諸表の作成に係る期間をいう。以下同じ。）及び二連結会計年度（連結財務諸表の作成に係る期間をいう。以下同じ。）又は直近の五連結会計年度における主要な業務の状況を示す指標として次に掲げる事項

(b) the following matters as an index of the condition of principal business in the latest three interim periods of consolidated fiscal year (which means a period pertaining to the preparation of interim consolidated financial statements; the same applies hereinafter) and two consolidated fiscal years (which means a period pertaining to preparation of consolidated financial statements; the same applies hereinafter) or the latest five consolidated fiscal years:

（１） 経常収益

1. ordinary income;

（２） 経常利益又は経常損失

2. ordinary profit or ordinary loss;

（３） 中間純利益若しくは中間純損失又は当期純利益若しくは当期純損失

3. interim net income or interim net loss, or net income for the period or net loss for the period;

（４） 純資産額

4. amount of net assets;

（５） 総資産額

5. amount of total assets; and

（６） 連結自己資本比率

6. consolidated capital adequacy ratio;

三 銀行及びその子会社等の直近の二中間連結会計年度又は二連結会計年度における財産の状況に関する次に掲げる事項

(iii) matters concerning the condition of assets of the Bank and its Subsidiary Company, etc., in the latest two interim periods of consolidated fiscal year or two consolidated fiscal years, as set forth in the following:

イ 中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書

(a) interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets;

ロ 貸出金のうち次に掲げるものの額及びその合計額

(b) the amounts as set forth in the following among loans and the total of

these amounts:

- (1) 破綻先債権に該当する貸出金
 1. loans corresponding to claims to debtors in bankruptcy;
 - (2) 延滞債権に該当する貸出金
 2. loans corresponding to claims in arrears;
 - (3) 三カ月以上延滞債権に該当する貸出金
 3. loans corresponding to claims in arrears for three months or more; and
 - (4) 貸出条件緩和債権に該当する貸出金
 4. loans corresponding to claims with moderate loan conditions;
- ハ 自己資本の充実の状況について金融庁長官が別に定める事項
- (c) matters as specified separately by the Commissioner of the Financial Services Agency concerning the condition of adequacy of equity capital;
- ニ 銀行及びその子法人等（令第四条の二第二項に規定する子法人等をいう。）が二以上の異なる種類の事業を営んでいる場合の事業の種類ごとの区分に従い、当該区分に属する経常収益の額、経常利益又は経常損失の額及び資産の額（以下この号において「経常収益等」という。）として算出したもの（各経常収益等の額の総額に占める割合が少ない場合を除く。）
- (d) those amounts calculated in accordance with category by business type when the Bank and its subsidiary corporation, etc. (which means a subsidiary corporation, etc., as prescribed in Article 4-2, paragraph (2) of the Order) carry out two or more different types of business, as the amount of ordinary income, amount of ordinary profit or ordinary loss, and amount of assets (hereinafter referred to as "Ordinary Income, etc." in this item) that pertain to said category (excluding the cases where the percentage to the total amount of each item of Ordinary Income, etc. is immaterial);
- ホ 法第二十条第二項の規定により作成した書面（同条第三項の規定により作成された電磁的記録を含む。）について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨
- (e) if the documents prepared pursuant to the provisions of Article 20, paragraph (2) of the Act (including an electronic or magnetic record that is prepared pursuant to the provisions of paragraph (3) of the same Article) has been audited by financial auditors pursuant to Article 396, paragraph (1) of the Companies Act, that effect;
- ヘ 銀行が中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書について金融商品取引法第九十三条の二の規定に基づき公認会計士又は監査法人の監査証明を受けている場合にはその旨
- (f) if the Bank has obtained audit certification of a certified public accountant or an auditing firm based on the provisions of Article 193-2 of the Financial Instruments and Exchange Act for the interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit

and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets, that effect; and

ト 連結自己資本比率の算定に関する外部監査を受けている場合にはその旨
(g) if an external audit has been conducted concerning the calculation of consolidated capital adequacy ratio, that effect.

四 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、重要事象等が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を解消し、又は改善するための対応策の具体的内容

(iv) when, at the end of the business period (in Interim Written Explanation, at the end of interim business period), there exists a Material Event, etc., a statement to such effect and the details of such events, the results of analysis and examination of said Material Event, etc. as well as the specific measures to be taken to eliminate or improve said Material Event, etc.;

第十九条の四 銀行は、法第二十条第一項又は第二項及び法第二十一条第一項又は第二項の規定により作成した書面（外国銀行支店にあつては、第十九条の二第三項及び第四項に規定する書面を含み、法第二十条第三項及び法第二十一条第三項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）の縦覧を、当該銀行の中間事業年度及び事業年度経過後四月以内（外国銀行支店にあつては、中間事業年度及び事業年度経過後六月以内）に開始し、当該中間事業年度及び事業年度の翌中間事業年度及び翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 19-4 (1) A Bank must commence to make available documents (with regard to a Foreign Bank Branch, including documents prescribed in Article 19-2, paragraphs (3) and (4), and an electronic or magnetic record prepared pursuant to Article 20, paragraph (3) of the Act, and Article 21, paragraph (3) of the Act; hereinafter referred to as "Documents Subject to Public inspection" in this paragraph and the following paragraph) prepared pursuant to the provisions of Article 20, paragraph (1) or paragraph (2) of the Act and Article 21, paragraph (1) or paragraph (2) of the Act, for public inspection within four months after the end of an interim period of business year and business year of said Bank (with regard to a Foreign Bank Branch, within six months after the end of an interim period of business year and business year), and must make the documents available for public inspection until commencement of public inspection of each of the Documents Subject to Public inspection pertaining to the following interim period of business year and the following business year of said interim period of business year and business year.

2 銀行は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行以外の銀行に

あつては、当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長）の承認を受けて、当該縦覧の開始を延期することができる。

(2) If a Bank is unable to commence to make Documents Subject to Public inspection available for public inspection by the period prescribed in the preceding paragraph due to compelling reasons, the Bank may obtain an approval of the Commissioner of the Financial Services Agency in advance (with regard to a Bank other than a Bank as designated by the Commissioner of the Financial Services Agency, the Director General of the Local Finance Bureau that has jurisdiction over the location of the head office of said Bank (with regard to said location within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau)) and may postpone the commencement of said public inspection.

3 銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) A Bank, when intending to obtain an approval pursuant to the provisions of the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there are reasons that are found to be compelling, or not, with regard to the Bank, which filed said application, to postpone commencement of public inspection pursuant to the provisions of paragraph (1).

5 法第二十一条第四項（同条第五項において準用する場合を含む。）に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(5) Measures as provided by Cabinet Office Ordinance as prescribed in Article 21, paragraph (4) of the Act (including the cases where it is applied mutatis mutandis pursuant to paragraph (5) of the same Article) are undertaken for a method to display matters recorded in an electronic or magnetic record on paper or screen.

第十九条の五 銀行は、四半期ごとに、法第二十一条第七項に規定する預金者その他の顧客が当該銀行及びその子会社等の業務及び財産の状況を知るために参考となるべき事項のうち特に重要なもの（金融庁長官が別に定める事項を含む。）の開示に努めなければならない。

Article 19-5 A Bank must conduct the disclosure of especially material matters (including matters as specified separately by the Commissioner of the Financial Services Agency) among matters to be reference for a depositor as prescribed in Article 21, paragraph (7) of the Act and other customers to learn the condition of business and assets of said Bank and its Subsidiary Company, etc.

(事業報告等の記載事項)

(Information for Inclusion in a Business Report)

第二十条 法第二十二條の規定による事業報告は、別紙様式第九号（特定取引勘定設置銀行にあつては別紙様式第九号の二）により作成しなければならない。

Article 20 (1) Business reports as prescribed in Article 22 of the Act must be prepared pursuant to item (ix) of the appended form (with regard to a Bank with Specified Transaction Account, item (ix)-2 of the appended form).

2 法第二十二條の規定による附属明細書は、別紙様式第十号により作成しなければならない。

(2) Annexed detailed statement pursuant to the provisions of Article 22 of the Act must be prepared pursuant to item (x) of the appended form.

(銀行がその経営を支配している法人)

(Corporation for Which Management Is Controlled by a Bank)

第二十一条 法第二十四條第二項に規定する内閣府令で定めるものは、当該銀行の子法人等（当該銀行の子会社を除く。）とする。

Article 21 Matters as provided by Cabinet Office Ordinance as prescribed in Article 24, paragraph (2) of the Act are a subsidiary corporation, etc. of said Bank (excluding a Subsidiary Company of said Bank).

第五章 合併、会社分割又は事業の譲渡若しくは譲受け

Chapter V Mergers, Company Splits, and Business Transfers and Acquisitions

(合併の認可の申請)

(Application of Approval for Merger)

第二十二條 銀行は、法第三十條第一項の規定による合併の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 22 A Bank, when intending to obtain an authorization for merger pursuant to the provisions of Article 30, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

- 二 株主総会の議事録その他必要な手続があつたことを証する書面
(ii) minutes of shareholders meetings and other documents certifying that necessary procedures were followed;
- 三 合併契約の内容を記載した書面
(iii) a document stating the content of the contract of the merger;
- 四 合併費用を記載した書面
(iv) a document stating the merger costs;
- 五 最終の貸借対照表、損益計算書及び株主資本等変動計算書並びに最近の日計表
(v) the latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily statement of accounts;
- 六 会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。以下同じ。）若しくは第七百九十九条第二項又は第八百十条第二項（第三号を除き、同法第八百十三条第二項において準用する場合を含む。以下同じ。）の規定による公告及び催告（同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。以下同じ。）若しくは第七百九十九条第三項又は第八百十条第三項（同法第八百十三条第二項において準用する場合を含む。以下同じ。）の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該合併をしても当該債権者を害するおそれがないことを証する書面
(vi) when there are creditors who received public notice or other notice (when a public notice is given by means of a daily newspaper publishing matters concerning current events or an electronic public notice, in addition to by a gazette, pursuant to the provisions of the Article 789, paragraph (3) of the Companies Act (including cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act; the same applies hereinafter); Article 799, paragraph (3); or Article 810, paragraph (3) (including cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act; the same applies hereinafter), the public notice by these means) pursuant to the provisions of the Article 789, paragraph (2) of the same Act (excluding item (iii), and including cases where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act; the same applies hereinafter); Article 799, paragraph (2); or Article 810, paragraph (2) (excluding item (iii), and including cases where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act; the same applies hereinafter), and said creditor filed an objection, a document certifying that the debt was paid to said creditor, reasonable security was provided to said creditor, or reasonable assets were entrusted for the purpose of payment to said creditor, or there is no risk of loss to said

- creditor if said merger is implemented;
- 七 合併により消滅する会社又は株式の併合をする会社が株券発行会社であるときは、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面
- (vii) when an extinct company due to a merger or a company that consolidates shares is a share certificate-issuing company, a document certifying that public notice was given pursuant to the provisions of the main clause of Article 219, paragraph (1) of the Companies Act, or a document certifying that share certificates have not been issued with regard to all said shares;
- 七の二 合併により消滅する会社が新株予約権を発行しているときは、会社法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面
- (vii)-2 if an extinct company due to a merger has issued share options, a document certifying that public notice was given pursuant to the provisions of Article 293, paragraph (1) of the Companies Act and a document certifying that share options as prescribed in said paragraph have not been issued;
- 八 私的独占の禁止及び公正取引の確保に関する法律（昭和二十二年法律第五十四号）第十五条第二項の規定による届出をしたことを証明する書面
- (viii) a document certifying that a notification was submitted pursuant to the provisions of Article 15-2, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Act No. 54 of 1947);
- 九 合併後存続する銀行又は合併により設立される銀行の定款、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）の履歴書、営業所の位置及び当該銀行を所属銀行とする銀行代理業者の当該銀行のために銀行代理業を営む営業所又は事務所の設置の状況を記載した書面並びに合併後における収支及び単体自己資本比率の見込みを記載した書面
- (ix) articles of incorporation, resumes of directors and company auditors (in the cases of a company with committees, directors and executive officers), and a document stating the location of business offices of the surviving Bank after a merger or the Bank to be incorporated due to the merger, a document stating the status of establishment of business offices or offices where a Bank Agent, for which the Principal Bank is said Bank, carries out Bank Agency Services for said Bank, and a document stating prospective income and expenditures and non-consolidated capital adequacy ratio after the merger;
- 九の二 合併後存続する銀行又は合併により設立される銀行が会計参与設置会社である場合には、当該銀行の会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）
- (ix)-2 when the surviving Bank after a merger or a Bank to be incorporated due to the merger is a company with accounting advisors, resumes of the accounting advisors of said Bank (when an accounting advisor is a corporation, a document stating the history of said accounting advisor and

- resumes of employees who are to engage in the duties);
- 十 合併の当事者の一部が銀行でない場合には、当該銀行でない当事者の従前の定款及び第五号に掲げる書面
- (x) when a part of parties of a merger is not a Bank, prior articles of incorporation of said party that is not a Bank and the documents as set forth in item (v);
- 十一 合併後存続する銀行又は合併により設立される銀行が当該合併により子会社対象会社（法第十六条の二第一項に規定する子会社対象会社をいう。以下この号、次条第十一号及び第二十三条第九号において同じ。）を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面
- (xi) when the surviving Bank after a merger or a Bank to be incorporated due to the merger makes a company eligible as a Subsidiary Company (which means a company eligible as a Subsidiary Company as prescribed in Article 16-2, paragraph (1) of the Act; hereinafter the same applies in this item, item (xi) of the following Article, and Article 23, paragraph (ix)) as its Subsidiary Company, the documents concerning said company eligible as a Subsidiary Company as set forth in Article 17-5, paragraph (1), item (iv);
- 十二 合併後存続する銀行又は合併により設立される銀行が子会社等（法第十四条の二第二号に規定する子会社等をいう。以下この号、次条第十二号及び第二十三条第七号において同じ。）を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面
- (xii) when the surviving Bank after a merger or a Bank to be incorporated due to the merger holds a Subsidiary Company, etc. (which means a Subsidiary Company, etc. as prescribed in Article 14-2, item (ii) of the Act; hereinafter the same applies in this item, item (xii) of the following Article, and Article 23, item (vii)), a document stating income and expenditures and the consolidated capital adequacy ratio of said Bank and said Subsidiary Company, etc. after the merger;
- 十三 合併後存続する銀行若しくは合併により設立される銀行又はその子会社が、当該合併により国内の会社の議決権を合算してその基準議決権数（法第十六条の三第一項に規定する基準議決権数をいう。次条第十四号及び第二十三条第十号において同じ。）を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面
- (xiii) when the surviving Bank after a merger, a Bank to be incorporated due to the merger or its Subsidiary Company holds voting rights for which the total number exceeds the maximum threshold for voting rights held (which means the maximum threshold for voting rights held as prescribed in Article 16-3, paragraph (1) of the Act; the same applies in item (xiv) of the following Article and Article 23, item (x)) of the voting rights of a company in Japan due to said merger, a document stating the name and content of business of said company in Japan; and

十四 その他法第三十一条に規定する審査をするため参考となるべき事項を記載した書面

(xiv) other documents stating matters to be referenced for an examination as prescribed in Article 31 of the Act.

(会社分割の認可の申請)

(Application of Authorization for Company Split)

第二十二條の二 銀行は、法第三十條第二項の規定による会社分割の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 22-2 A Bank, when intending to obtain an authorization for a company split pursuant to the provisions of Article 30, paragraph (2) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders meetings and other documents certifying that necessary procedures were followed;

三 新設分割計画又は吸収分割契約の内容を記載した書面

(iii) a document stating content of the incorporation-type company split plan or the absorption-type company split agreement;

四 会社分割費用を記載した書面

(iv) a document stating the costs of the company split;

五 最終の貸借対照表、損益計算書及び株主資本等変動計算書並びに最近の日計表

(v) the latest balance sheet, profit and loss statement, and statement of changes in net assets, and recent daily statement of accounts;

六 会社法第七百八十九條第二項若しくは第七百九十九條第二項又は第八百十條第二項の規定による公告及び催告（同法第七百八十九條第三項若しくは第七百九十九條第三項又は第八百十條第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告（同法第七百八十九條第三項又は第八百十條第三項の規定により各別の催告をすることを要しない場合以外の場合にあつては、当該公告及び催告））をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該会社分割をしても当該債権者を害するおそれがないことを証する書面

(vi) when there is a creditor that received public notice or other notice (when a public notice is given by means of a daily newspaper publishing matters concerning current events or an electronic public notice, in addition to by means of a gazette, pursuant to the provisions of the Article 789, paragraph

(3) of the Companies Act; Article 799, paragraph (3); or Article 810, paragraph (3), the public notice by these means (when a separate notice is not required pursuant to the provisions of Article 789, paragraph (3) or Article 810, paragraph (3) of the same Act, said public notice and other notice)) pursuant to the provisions of the Article 789, paragraph (2) of the Companies Act; Article 799, paragraph (2); or Article 810, paragraph (2), and said creditor filed an objection, a document certifying that the debt was paid to said creditor, reasonable security was provided to said creditor, or reasonable assets were entrusted for the purpose of payment to said creditor, or there is no risk of loss to said creditor if said company split is implemented;

七 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) when a share certificate-issuing company consolidates shares, a document certifying that public notice was given pursuant to the provisions of Article 219, main clause of paragraph (1) of the Companies Act, or a document certifying that share certificates have not been issued with regard to all said shares;

七の二 会社分割をする会社が新株予約権を発行している場合であつて、会社法第七百五十八条第五号又は第七百六十三条第十号に規定する場合には、同法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if the company to be split has issued share options and if it is as prescribed in Article 758, item (v) or Article 763, item (x) of the Companies Act, a document certifying that public notice was given pursuant to the provisions of Article 293, paragraph (1) of said Act and a document certifying that certificates of share options as prescribed in said paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律第十五条の二第二項又は第三項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(viii) when a notification is required pursuant to the provisions of Article 15-2, paragraphs (2) or (3) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document certifying that said notification was submitted;

九 当該会社分割を行つた後における銀行の定款、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）の履歴書、営業所の位置及び当該銀行を所属銀行とする銀行代理業者の当該銀行のために銀行代理業を営む営業所又は事務所の設置の状況を記載した書面並びに収支及び単体自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of directors and company auditors (in the case of a company with committees, directors and executive officers), and a

document stating the location of business offices of the Bank after said company split, a document stating the condition of the establishment of business offices or offices where a Bank Agent, for which the Principal Bank is said Bank, carries out Bank Agency Services for said Bank, and a document stating prospective income and expenditures and non-consolidated capital adequacy ratio after the company split;

九の二 当該会社分割を行つた後における銀行が会計参与設置会社である場合には、当該銀行の会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(ix)-2 when the Bank after said company split is a company with accounting advisors, resumes of the accounting advisors of said Bank (when an accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of employees who are to engage in the duties);

十 会社分割の当事者の一部が銀行でない場合には、当該銀行でない会社の従前の定款及び第五号に掲げる書面

(x) when part of parties of the company split is not a Bank, prior articles of incorporation of said party that is not a Bank and the documents as set forth in item (v);

十一 当該会社分割により子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面

(xi) in the case of making a company eligible as a Subsidiary Company as its Subsidiary Company due to said company split, the documents concerning said company eligible as a Subsidiary Company as set forth in Article 17-5, paragraph (1), item (iv);

十二 当該会社分割を行つた後における銀行が子会社等を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面

(xii) when the Bank after said company split holds a Subsidiary Company, etc., a document stating the prospective income and expenditures and consolidated capital adequacy ratio of said Bank and said Subsidiary Company, etc.;

十三 当該会社分割により当該銀行の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面

(xiii) when a Subsidiary Company of said Bank is no longer a Subsidiary Company due to said company split, a document stating the name of said Subsidiary Company;

十四 当該会社分割により銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xiv) when the Bank or its Subsidiary Company holds voting rights for which the total number exceeds the maximum threshold for voting rights held of a

company in Japan due to said company split, a document stating the name and content of business of said company in Japan; and
十五 その他法第三十一条に規定する審査をするため参考となるべき事項を記載した書面
(xv) other documents stating matters to be referenced for an examination as prescribed in Article 31 of the Act.

(事業譲渡等の認可の申請)

(Application of Authorization for Transfer of Business)

第二十三条 銀行は、法第三十条第三項の規定による事業の譲渡又は譲受け（以下この条において「事業譲渡等」という。）の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 23 A Bank, when intending to obtain an authorization for a business transfer or acquisition (hereinafter referred to as "Transfer, etc. of Business" in this Article) pursuant to the provisions of Article 30, paragraph (3) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders meetings and other documents certifying that necessary procedures were followed;

三 事業譲渡等の契約の内容を記載した書面

(iii) a document stating the content of the contract of Transfer, etc. of Business;

四 最近の日計表

(iv) recent daily statement of accounts;

五 法第三十四条第一項又は第三十五条第一項の規定による公告及び催告（法第三十四条第三項（法第三十五条第三項において準用する場合を含む。）の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該事業譲渡等をしてても当該債権者を害するおそれがないことを証する書面

(v) when there is a creditor that received public notice or other notice (when a public notice is given by means of a daily newspaper publishing matters concerning current events or an electronic public notice, in addition to by means of a gazette, pursuant to the provisions of Article 34, paragraph (3) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 35, paragraph (3) of the same Act), the public notice by these means) pursuant to the provisions of Article 34, paragraph (1) of the Act or Article 35, paragraph (1), and said creditor filed an objection, a document certifying

that the debt was paid to said creditor, reasonable security was provided to said creditor, or reasonable assets were entrusted for the purpose of payment to said creditor, or there is no risk of loss to said creditor if said Transfer, etc. of Business is implemented;

六 私的独占の禁止及び公正取引の確保に関する法律第十六条第二項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(vi) when a notification is required pursuant to the provisions of Article 16, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document certifying that said notification was submitted;

七 当該事業譲渡等を行つた後における銀行が子会社等を有する場合には、当該銀行及び当該子会社等の収支及び連結自己資本比率の見込みを記載した書面

(vii) when the Bank after said Transfer, etc. of Business holds a Subsidiary Company, etc., a document stating the prospective income and expenditures and consolidated capital adequacy ratio of said Bank and said Subsidiary Company, etc.;

八 当該事業の譲渡により当該銀行の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面

(viii) when a Subsidiary Company of said Bank is no longer a Subsidiary Company due to said transfer of business, a document stating the name of said Subsidiary Company;

九 当該事業の譲受けにより子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第十七条の五第一項第四号に掲げる書面

(ix) in the case of making a company eligible as a Subsidiary Company as a Subsidiary Company due to said business acquisition, the documents concerning said company eligible as a Subsidiary Company as set forth in Article 17-5, paragraph (1), item (iv);

十 当該事業の譲受けにより銀行又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(x) when the Bank or its Subsidiary Company holds voting rights for which the total number exceeds the maximum threshold for voting rights held of a company in Japan due to said business acquisition, a document stating the name and content of business of said company in Japan; and

十一 その他法第三十一条に規定する審査をするため参考となるべき事項を記載した書面

(xi) other documents stating matters to be referenced for an examination as prescribed in Article 31 of the Act.

(合併等の場合に催告を要しない債権者)

(Creditor Not Requiring Demand in Case of Merger)

第二十四条 令第七条に規定する債権者で内閣府令で定めるものは、次に掲げる債権者とする。ただし、第二号から第六号までに掲げる債権者については、法第三十三条の二第一項に規定する会社分割（会社分割により事業を承継させる場合に限る。）の決議をした場合に限る。

Article 24 A creditor as prescribed in Article 7 of the Order as provided by Cabinet Office Ordinance is the following creditors; provided, however that with regard to a creditor as set forth in items (ii) to (vi), limited to the cases of a company split (limited to the case of a succession of business by the company split) as prescribed in Article 33-2, paragraph (1) of the Act, is resolved:

- 一 保護預り契約に係る債権者
(i) a creditor pertaining to a custody contract;
- 二 先物為替取引（一定の基準及び方法により行われるものに限る。）に係る債権者
(ii) a creditor pertaining to a futures funds transfer transaction (limited to transactions conducted with certain standards and methods);
- 三 金利又は外国為替に係る店頭デリバティブ取引（金融商品取引法第二条第二十二項第六号に掲げる取引を除き、公正な商慣習に基づく一定の基準及び方法により行われるものに限る。）に係る債権者
(iii) a creditor pertaining to an over-the-counter derivatives transaction (excluding transactions as set forth in Article 2, paragraph (22), item (vi) of the Financial Instruments and Exchange Act, and limited to transactions conducted with certain standards and methods based on fair commercial customs) pertaining to money rate or foreign exchange;
- 四 信用状取引（国際取引における公正な商慣習に基づく輸出入取引に係るものに限る。）に係る債権者
(iv) a creditor pertaining to a transaction of a letter of credit (limited to transactions pertaining to export and import transactions in international transactions based on fair commercial customs);
- 五 銀行が自己を振出人として振り出した小切手に係る債権者
(v) a creditor pertaining to checks that a Bank issued with itself as the drawer; and
- 六 当せん金付証票法（昭和二十三年法律第百四十四号）第六条第一項に規定する当せん金付証票の発売等に係る債権者
(vi) a creditor pertaining to the distribution, etc. of identification cards attached to prize money as prescribed in Article 6, paragraph (1) of the Act on Identification Card Attached to Prize Money (Act No. 144 of 1948).

第六章 廃業及び解散

Chapter VI Discontinuance of Banking and Dissolution

（廃業及び解散等の認可の申請）

(Application of Approval for Discontinuance of Banking and Dissolution)

第二十五条 銀行は、法第三十七条第一項の規定による銀行業の廃止、合併又は解散の認可を受けようとするときは、認可申請書に、次の各号に掲げる認可事項に応じ、当該各号に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 25 A Bank, when intending to obtain an authorization for abolishment, merger, or dissolution of Banking pursuant to the provisions of Article 37, paragraph (1) of the Act, must submit a written application for authorization attached with following documents to the Commissioner of the Financial Services Agency:

一 銀行業の廃止又は解散

(i) abolishment or dissolution of Banking:

イ 理由書

(a) a written statement of reasons;

ロ 株主総会の議事録（外国銀行支店にあつては、当該事項を決議すべき機関の議事録）

(b) minutes of shareholders meetings (with regard to a Foreign Bank Branch, minutes of the organization that is to resolve said matters);

ハ 最近の日計表

(c) recent daily statement of accounts;

ニ 資産及び負債の内容を明らかにした書面

(d) a document identifying the content of assets and liabilities;

ホ 債権債務の処理の方法を記載した書面

(e) a document stating the disposition method of obligations; and

ヘ その他法第三十七条第二項に規定する審査をするため参考となるべき事項を記載した書面

(f) other documents stating matters to be referenced for an examination as prescribed in Article 37, paragraph (2) of the Act;

二 合併

(ii) merger:

イ 第二十二條各号（第九号、第九号の二及び第十一号を除く。）に掲げる書面

(a) documents as set forth in each item of Article 22 (excluding item (ix), item (ix)-2, and item (xi));

ロ 合併後存続する会社又は合併により設立される会社の定款並びに取締役及び監査役（委員会設置会社にあつては、取締役及び執行役）の履歴書

(b) articles of incorporation of the surviving company after a merger or the company incorporated due to the merger, and resume of directors and auditors (with regard to a company with committees, directors and executive officers);

ハ 合併後存続する会社又は合併により設立される会社が会計参与設置会社である場合には、当該会社の会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(c) when the surviving company after the merger or the company

incorporated due to the merger is a company with accounting advisors, resume of accounting advisors of said company (in the case an accounting advisor is a corporation, a document stating the history of said accounting advisor and resume of members who are to engage in the duties); and

ニ 前号ホ及びへに掲げる書面

(d) documents as set forth in (e) and (g) of the preceding item.

(廃業等の公告等)

(Public Notice of Discontinuance)

第二十六条 銀行は、法第三十八条の規定による公告及び掲示をするときは、預金等その他金融庁長官が定める業務に係る取引の処理の方針を示すものとする。

Article 26 A Bank, when providing public notice or a display pursuant to the provisions of Article 38 of the Act, is to indicate the policies of disposing of deposits, etc. and other transactions pertaining to business as specified by the Commissioner of the Financial Services Agency.

(免許の効力に係る承認の申請等)

(Application of Approval for Effect of License)

第二十七条 法第四条第一項の内閣総理大臣の免許を受けた者は、法第四十一条第四号の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

Article 27 (1) A person that obtained a license from the Prime Minister as prescribed in Article 4, paragraph (1) of the Act, when intending to obtain an approval pursuant to the provisions of Article 41, item (iv) of the Act, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency.

2 金融庁長官は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, when an application of approval pursuant to the provisions of the preceding paragraph is filed, is to examine whether it conforms to the following standards:

一 法第四条第一項の免許を受けた日から六月以内に業務を開始することができないことについてやむを得ないと認められる理由があること。

(i) there are reasons that are be found to be compelling for the business not being able to be commenced within six months from the date when the license, as prescribed in Article 4, paragraph (1) of the Act, is obtained;

二 合理的な期間内に業務を開始することができると見込まれること。

(ii) it is predicted that the business may be commenced within a reasonable period; and

三 当該免許の際に審査の基礎となつた事項について業務の開始が見込まれる時期までに重大な変更がないと見込まれること。

(iii) it is predicted that there will be not material changes with regard to basic matters of the examination of said license until the prospective time for the commencement of business.

第七章 外国銀行支店

Chapter VII Foreign Bank Branches

(外国銀行の営業の免許の申請)

(Application of Foreign Banks' Business Licenses)

第二十八条 外国銀行は、法第四十七条第一項の規定に基づきその主たる外国銀行支店（法第四十七条第一項に規定する主たる外国銀行支店をいう。第三十七条第三項において同じ。）を定めて法第四条第一項の規定による営業の免許を受けようとするときは、当該外国銀行の代表権を有する役員が署名した免許申請書に次に掲げる書面を添付して金融庁長官を経由して内閣総理大臣に提出しなければならない。

Article 28 When a Foreign Bank specifies its principal Foreign Bank Branch (which means a Principal Foreign Bank Branch as prescribed in Article 47, paragraph (1) of the Act; the same applies in Article 37, paragraph (3)) based on the provisions of Article 47, paragraph (1) of the Act and intends to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act, the Foreign Bank must submit a written application for license signed by directors who have the authority of representation of said Foreign Bank attached with the following documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 定款又は当該外国銀行の性質を識別するに足りる書面

(ii) articles of incorporation or a document sufficient for identifying the characteristics of said Foreign Bank;

三 当該外国銀行の主たる営業所の存在を証明する書面

(iii) a document certifying the existence of the principal business office of said Foreign Bank;

四 当該外国銀行の代表権を有する役員の資格を証明する書面

(iv) a document certifying the qualification of directors who have the authority of representation of said Foreign Bank;

五 当該申請に係る外国銀行支店の位置を記載した書面

(v) a document stating the location of the Foreign Bank Branch pertaining to said application;

六 当該申請に係る外国銀行支店の事業開始後三事業年度における収支の見込みを記載した書面

(vi) a document stating the prospective of income and expenditures for three business years after commencement of business of the Foreign Bank Branch

pertaining to said application;

七 当該外国銀行支店の日本における代表者の履歴書

(vii) resume of representative person in Japan of said Foreign Bank Branch;

八 当該外国銀行の主要な株主又は持分を保有する者（以下この号において「主要株主等」という。）の氏名、住所又は居所、国籍及び職業（主要株主等が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する株式の数又は出資の金額を記載した書面

(viii) a document stating the name, domicile or residence, nationality, and occupation of the major shareholder or the person that holds the major ownership interest of said Foreign Bank (hereinafter referred to as "Major Shareholder, etc." in this item) (when the Major Shareholder, etc. is a corporation or other organization, its name, location of its principal business office or office and the content of business carried out) and the number of shares held by the person or the amount of contribution;

九 当該外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(ix) the latest balance sheet of said Foreign Bank, its profit and loss statement, statement of changes in net assets, and other documents providing the recent condition of business, assets, and profit and loss;

十 当該申請に係る外国銀行支店の設置が外国の行政機関の許可、認可その他の行為（以下この号及び第三十二条第二項において「許可等」という。）を要するものである場合には、当該許可等があつたことを証明する書面

(x) when establishment of a Foreign Bank Branch pertaining to said application requires permission, authorization and other acts (hereinafter referred to as "Permission, etc." in this item and Article 32, paragraph (2)) of a foreign administrative organ, a document certifying that said Permission, etc. was granted; and

十一 その他法第四条第二項及び第三項に規定する審査をするため参考となるべき事項を記載した書面

(xi) other documents stating matters to be referenced for an examination as prescribed in Article 4, paragraphs (2) and (3) of the Act.

(外国銀行の営業の免許の予備審査)

(Preliminary Examination of Foreign Banks' Business Licenses)

第二十九条 法第四十七条第一項の規定に基づき法第四条第一項の規定による営業の免許を受けようとする外国銀行は、前条に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 29 A Foreign Bank that intends to obtain a business license pursuant to the provisions of Article 4, paragraph (1) of the Act based on the provisions of Article 47, paragraph (1) of the Act, may submit documents equivalent to those pursuant to the provisions of the preceding Article to the Prime Minister via

the Commissioner of the Financial Services Agency and request a Preliminary Examination.

(外国銀行の業務の代理又は媒介とみなされるもの)

(Acts Deemed as Agency or Intermediary Foreign Bank Services)

第二十九条の二 法第四十七条第三項に規定する内閣府令で定めるものは、外国銀行支店と当該外国銀行支店に係る外国銀行の外国銀行外国営業所を別の法人とみなした場合に、当該外国銀行の外国銀行外国営業所の代理又は媒介に該当すると認められる行為とする。

Article 29-2 An act provided by Cabinet Office Ordinance as prescribed in Article 47, paragraph (3) of the Act is an act that is, when a Foreign Bank Branch and a Business Office in the Home State of a Foreign Bank to which said Foreign Bank Branch belongs are deemed as different corporations, deemed as agency or intermediary of the Business Office in the Home State of said Foreign Bank.

(外国銀行の免許に係る特殊関係者)

(Uniquely Related Persons Pertaining to License of Foreign Banks)

第三十条 令第十一条第四号に規定する内閣府令で定める者は、第三条第二号に規定する国に主たる営業所を設けている二以上の者（そのいずれの者も外国銀行の発行済株式等の百分の五を超える数又は額の株式又は持分を保有しているものに限る。）により合計して外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者とする。

Article 30 A person, as provided by Cabinet Office Ordinance as prescribed in Article 11, item (iv) of the Order, is a person corresponding to any of two or more persons (limited to any said persons that hold fifty percent or more of shares or ownership interest of Issued Shares, etc. of a Foreign Bank), when fifty percent or more of the number of shares or amount of ownership interest of Issued Shares, etc. of a Foreign Bank in total is held by said two or more persons that have established a principal business office in a country as prescribed in Article 3, item (ii).

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Pertaining to the Development of a System to Protect Customers' Interests)

第三十条の二 令第九条の規定により読み替えられた法第十三条の三の二第一項に規定する内閣府令で定める業務は、銀行関連業務とする。

Article 30-2 The business provided by Cabinet Office Ordinance as prescribed in Article 13-3-2, paragraph (1) of the Act, as replaced pursuant to the provisions of Article 9 of the Order, is Bank-Related Business.

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent Customers' Interests from Being Unreasonably Harmed)

第三十条の三 外国銀行支店は、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の親金融機関等（令第九条の規定により読み替えられた法第十三条の三の二第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（令第九条の規定により読み替えられた法第十三条の三の二第三項に規定する子金融機関等をいう。以下この条において同じ。）が行う取引に伴い、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

Article 30-3 (1) A Foreign Bank Branch must, to prevent the customer's interests pertaining to Bank-related Business conducted by said Foreign Bank Branch, Foreign Bank to which said Foreign Bank Branch belongs, a Bank Agent having said Foreign Bank Branch as its Principal Bank, or subsidiary financial institution, etc. (which means a subsidiary financial institution, etc. as prescribed in Article 13-3-2, paragraph (3) of the Act, as replaced pursuant to Article 9 of the Order; hereinafter the same applies in this Article) of Foreign Bank to which said Foreign Bank Branch belongs from being unreasonably harmed in connection with transactions conducted by said Foreign Bank Branch, a Foreign Bank to which said Foreign Bank Branch belongs, Bank Agent having said Foreign Bank Branch as its Principal Bank, or a parent financial institution, etc. (which means a parent financial institution, etc., prescribed in Article 13-3-2, paragraph (2) of the Act, as replaced pursuant to the provisions of Article 9 of the Order; the same applies hereinafter in this Article) or a subsidiary financial institution, etc. of the Foreign Bank to which said Foreign Bank Branch belongs, take the following measures:

一 対象取引を適切な方法により特定するための体制の整備

(i) development of a system to identify the subject transactions in an appropriate manner;

二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制の整備

(ii) development of a system to properly ensure the protection of said customer by the following or any other methods:

イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法

(a) method for separating the department conducting subject transactions and the department conducting transactions with said customer;

ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法

(b) method for changing the conditions or method of subject transactions or transactions with said customer;

ハ 対象取引又は当該顧客との取引を中止する方法

- (c) method for interrupting subject transactions or transactions with said customer;
- ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法
- (d) method for appropriately disclosing to said customer that the customer's interests may be unreasonably harmed in connection with subject transactions.
- 三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表
- (iii) Formulation of the policy of implementation of the measures set forth in the preceding two items and disclosure of their outline by an appropriate method;
- 四 次に掲げる記録の保存
- (iv) keeping the following records on file:
- イ 第一号の体制の下で実施した対象取引の特定に係る記録
- (a) records pertaining to the identification of subject transactions conducted under the system prescribed in item (i);
- ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録
- (b) records pertaining to measures to appropriately ensure the protection of customers conducted under the system prescribed in item (ii);
- 2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。
- (2) The record prescribed in item (iv) of the preceding paragraph must be kept on file for five years from the date of creation.
- 3 第一項の「対象取引」とは、外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の親金融機関等若しくは子金融機関等が行う取引に伴い、当該外国銀行支店、当該外国銀行支店に係る外国銀行、当該外国銀行支店を所属銀行とする銀行代理業者又は当該外国銀行支店に係る外国銀行の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。
- (3) The term "subject transactions" in paragraph (1), when, in connection with transactions conducted by a Foreign Bank Branch, a Foreign Bank to which said Foreign Bank Branch belongs, a Bank Agent having said Foreign Bank Branch as its Principal Bank, or the parent financial institution, etc. or subsidiary financial institution, etc. of a Foreign Bank to which said Foreign Bank Branch belongs, the interests of the customer pertaining to Bank-related Business conducted by said Foreign Bank Branch, the Foreign Bank to which said Foreign Bank Branch belongs, the Bank Agent having said Foreign Bank Branch as its Principal Bank, or the subsidiary financial institution, etc. of said Foreign Bank Branch to which said Foreign Bank Branch belongs may be unreasonably harmed, means such transactions.

(外国銀行支店の資産の国内保有)

(Holding Assets of a Foreign Bank Branch in Japan)

第三十一条 令第十三条第二項の規定により外国銀行支店が国内において保有すべき資産は、次に掲げる資産でなければならない。

Article 31 The assets that a Foreign Bank Branch must hold in Japan pursuant to the provisions of Article 13, paragraph (2) of the Order, must be the following assets:

一 現金及び国内の銀行その他の金融庁長官が別に定める金融機関に対する預貯金

(i) cash, deposits, and savings in a Bank in Japan or other financial institutions as specified separately by the Commissioner of the Financial Services Agency;

二 国債

(ii) Japanese government bonds;

三 地方債

(iii) local government bonds;

四 特別の法律により法人の発行する債券

(iv) bonds issued by a corporation based on a special Act;

五 特別の法律により設立された法人の発行する出資証券

(v) investment securities issued by a corporation that was established based on a special Act;

六 元本の補てんの契約をしている金銭信託の受益権

(vi) right of beneficiary of a money trust with an agreement for compensation of principal;

七 国内の金融商品取引所に上場されている株券を発行する国内の会社の担保付社債

(vii) secured bonds of a company in Japan that issues share certificates listed on a financial instruments exchange in Japan;

八 国内にある者に対する資金の貸付けで国内において確実な担保を受け入れているもの

(viii) loans to a person in Japan that accepts certain security in Japan; and

九 その他金融庁長官が適当と認める資産

(ix) other assets that the Commissioner of the Financial Services Agency finds to be appropriate.

(従たる外国銀行支店の設置等)

(Establishment of a Secondary Foreign Bank Branch)

第三十二条 法第四十七条の二に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 32 (1) Cases as provided by Cabinet Office Ordinance as prescribed in Article 47-2 of the Act are the following cases:

一 出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の設置

(i) establishment of a Sub-Office (limited to a temporary or circuit-type facility

or unmanned equipment); or

二 出張所の廃止

(ii) abolishment of a Sub-Office.

2 外国銀行支店は、法第四十七条の二の規定による従たる外国銀行支店（法第四十七条第二項に規定する従たる外国銀行支店をいう。以下この条において同じ。）の設置、種類の変更又は廃止の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) A Foreign Bank Branch, when intending to obtain an authorization for establishment, change of type, or abolishment of a Secondary Foreign Bank Branch (which means a Secondary Foreign Bank Branch as prescribed in Article 47, paragraph (2) of the Act; hereinafter the same applies in this Article) pursuant to the provisions of Article 47-2 of the Act, must submit an written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 当該従たる外国銀行支店の設置が外国の行政機関の許可等を要するものである場合には、当該許可等があつたことを証明する書面

(ii) when establishment of said Secondary Foreign Bank Branch requires

Permission, etc. of a foreign administrative organ, a document certifying that said Permission, etc. has been obtained; and

三 その他金融庁長官が必要と認める事項を記載した書面

(iii) other documents stating matters that the Commissioner of the Financial Services Agency finds to be necessary.

3 金融庁長官等は、前項の規定による従たる外国銀行支店の設置又は種類の変更の認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(3) The Commissioner of the Financial Services Agency, etc., when an application of authorization for establishment or change of type of a Secondary Foreign Bank Branch pursuant to the provisions of the preceding paragraph is filed, is to examine whether it conforms to the following standards:

一 当該申請をした外国銀行支店の経営の健全性確保に資すると認められるものである場合を除き、当該申請をした外国銀行支店に係る外国銀行の自己資本の充実の状況が銀行法第二十六条第二項に規定する区分等を定める命令第一条第一項の表の非対象区分に相当する区分に該当し、かつ、当該申請をした外国銀行及びその子会社等の自己資本の充実の状況が同条第二項の表の非対象区分に相当する区分に該当するものであること。

(i) excluding cases that it is found to contribute to securing sound business of a Foreign Bank Branch which filed said application, the condition of adequacy of equity capital of the Foreign Bank pertaining to the Foreign Bank Branch that filed said application corresponds to a category equivalent to an exception from the categories of the table in Article 1, paragraph (1) of the

Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act, and the condition of adequacy of equity capital of the Foreign Bank that filed said application and its Subsidiary Company, etc. corresponds to a category equivalent to an exception from the categories of the table in paragraph (2) of the same Article;

二 当該申請をした外国銀行支店の経営管理に係る体制等に照らし、銀行の業務を的確、公正かつ効率的に遂行することができること。

(ii) in light of the systems, etc. pertaining to business management of the Foreign Bank Branch which filed said application, said systems are able to carry out the Bank services accurately, fairly, and effectively; and

三 当該従たる外国銀行支店において必要な犯罪防止措置が講じられ、かつ、顧客の情報の管理が適切に行われること。

(iii) necessary crime prevention measures are taken at said Secondary Foreign Bank Branch and customer information is maintained appropriately.

4 金融庁長官等は、第二項の規定による従たる外国銀行支店の廃止の認可の申請があつたときは、当該営業所の顧客に係る取引が当該申請をした外国銀行支店の他の営業所又は他の金融機関へ支障なく引き継がれるなど当該従たる外国銀行支店の顧客に著しい影響を及ぼさないものであるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application of authorization for abolishment of a Secondary Foreign Bank Branch pursuant to the provisions of paragraph (2) is filed, is to examine whether it will not cause an extreme effect upon the customers of said Secondary Foreign Bank Branch, such as the succession of transactions pertaining to the customers of said business office by another business office of the Foreign Bank Branch which filed said application or another financial institution, without any problems.

(外国銀行支店の届出)

(Notification of a Foreign Bank Branch)

第三十三条 法第四十九条第一項第七号に規定する内閣府令で定める場合は、発行済株式等の百分の五十を超える数又は額の株式又は持分を保有する者に変更があつた場合とする。

Article 33 (1) Cases as provided by Cabinet Office Ordinance as prescribed in Article 49, paragraph (1), item (vii) of the Act are the cases where there is a change of a person that holds a number of shares or an amount of ownership interest exceeding fifty percent or more of said Issued Shares, etc.

2 法第四十九条第二項第一号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) Cases as provided by Cabinet Office Ordinance as prescribed in Article 49, paragraph (2), item (i) of the Act are the following:

一 出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の位置の変更をす

る場合

(i) the cases of changing the location of a Sub-Office (limited to temporary or circuit-type facility or unmanned equipment);

二 増改築その他のやむを得ない理由により位置の変更をする場合（変更前の位置に復することが明らかな場合に限る。）

(ii) the cases of changing the location due to extension and reconstruction or other compelling reasons (limited to the cases where it is obvious to return to the location before the change); and

三 前号に規定する位置の変更に係る外国銀行支店を変更前の位置に復する場合

(iii) the case of returning the Foreign Bank Branch pertaining to a change of location as prescribed in the preceding item to the location before the change.

3 法第四十九条第二項第三号に規定する内閣府令で定める場合は、次に掲げる場合とする。

(3) Cases as provided by Cabinet Office Ordinance as prescribed in Article 49, paragraph (2), item (iii) of the Act are the following cases:

一 出張所（前項第一号の出張所を除く。）を廃止する場合

(i) the case of abolishment of a Sub-Office (excluding a Sub-Office as prescribed in item (i) of the preceding paragraph);

二 銀行代理業を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合（委託した銀行代理業を再委託することについて許諾を行った場合を含む。）

(ii) if a contract to entrust Bank Agency Services has been concluded, if said contract has been changed, or if said contract has been terminated (including the cases where sub-entrustment of an entrusted Bank Agency Services has been authorized); and

三 法第十条第二項に規定する業務に係る契約の締結の代理若しくは媒介を委託する契約を締結し、当該契約を変更し、又は当該契約を終了した場合

(iii) if an entrustment contract for agency or intermediary of the conclusion of a contract pertaining to business as prescribed in Article 10, paragraph (2) of the Act has been concluded, if said contract has been changed, or if said contract has been terminated.

4 外国銀行支店は、法第四十九条の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項を記載した書面を添付して遅滞なく金融庁長官に提出しなければならない。

(4) A Foreign Bank Branch, when intending to submit a notification pursuant to the provisions of Article 49, must submit the written notice attached with a written statement of reasons and other documents stating the matters to be referenced to the Commissioner of the Financial Services Agency without delay.

（外国銀行の駐在員事務所の設置の届出事項）

(Matters to Be Notified for an Establishment of a Liaison Office of a Foreign

Bank)

第三十四条 法第五十二条第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 52, paragraph (1) of the Act are the following matters:

一 外国銀行に関する次に掲げる事項

(i) the following matters concerning a Foreign Bank:

イ 名称

(a) name;

ロ 主たる営業所の所在地

(b) location of the principal business office; and

ハ 業務の内容

(c) content of business;

二 国内に設置しようとする駐在員事務所その他の施設に関する次に掲げる事項

(ii) the following matters concerning a liaison office or other facility to be established in Japan:

イ 名称

(a) name;

ロ 代表者の住所及び氏名

(b) address and name of the representative person;

ハ 設置の理由

(c) reasons for establishment; and

ニ 設置の年月日

(d) date of establishment.

2 外国銀行は、法第五十二条第一項の規定による駐在員事務所その他の施設に係る届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) A Foreign Bank, when intending to submit a notification pertaining to a liaison office or other facility pursuant to the provisions of Article 52, paragraph (1) of the Act, must submit a written notifies attached with the following documents to the Commissioner of the Financial Services Agency:

一 支店その他の営業所及び駐在員事務所の数を記載した書面

(i) a document stating the number of branch offices, other business offices, and liaison offices;

二 資本金の額又は出資の総額を記載した書面

(ii) a document stating the amount of stated capital or total amount of contribution; and

三 代表権を有する役員の役職名及び氏名を記載した書面

(iii) a document stating the title and name of officers who have the authority of representation.

第七章の二 外国銀行代理業務に関する特則

Chapter VII-2 Special Provisions on Foreign Bank Agency Services

(外国銀行代理業務に係る認可の申請等)

(Application for Authorization of Foreign Bank Agency Services)

第三十四条の二 銀行（外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行（法第五十二条の二第一項に規定する所属外国銀行をいう。以下同じ。）として外国銀行代理業務（同項に規定する外国銀行代理業務をいう。以下同じ。）を営もうとする銀行を除く。）は、同項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-2 (1) A Bank (excluding a bank that intends to perform Foreign Bank Agency Services (Foreign Bank Agency Services prescribed in Article 52-2, paragraph (1) of the Act; the same applies hereinafter) having a Business Office in the Home State of a Foreign Bank to which a Foreign Bank Branch belongs as Principal Foreign Bank (Principal Foreign Bank prescribed in the same paragraph; the same applies hereinafter)), when intending to obtain authorization pursuant to the provisions of the same paragraph, must submit a written application for authorization with the Commissioner of the Financial Services Agency with the following documents attached thereto:

一 理由書

(i) a written statement of reasons;

二 所属外国銀行の定款又は性質を識別するに足りる書面

(ii) articles of incorporation of the Principal Foreign Bank or a document sufficient for identifying its characteristics;

三 所属外国銀行の主たる営業所の存在を証明する書面

(iii) a document certifying the existence of the principal business office of the Principal Foreign Bank;

四 所属外国銀行の代表権を有する役員資格を証明する書面

(iv) a document certifying the qualification of the directors who have the authority of representation of the Principal Foreign Bank;

五 所属外国銀行の主要な株主又は持分を保有する者（以下この号において「主要株主等」という。）の氏名、住所又は居所、国籍及び職業（主要株主等が法人その他の団体である場合には、その名称、主たる営業所又は事務所の所在地及び営んでいる事業の内容）並びにその保有する株式の数又は出資の金額を記載した書面

(v) a document stating the name, domicile or residence, nationality, and occupation of the major shareholder or the person that holds the major equity of Principal Foreign Bank (hereinafter referred to as "Major Shareholder, etc." in this item) (when the Major Shareholder, etc. is a corporation or other organization, its name, location of the principal business office or office and the details of business carried out) and the number of shares held or the amount of contribution by the shareholder or person;

- 六 所属外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面
 (vi) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of the business, assets, and profit and loss of the Principal Foreign Bank;
- 七 当該銀行と所属外国銀行との間の資本関係を記載した書面
 (vii) a document stating the capital relationship between said Bank and the Principal Foreign Bank;
- 八 当該銀行と所属外国銀行との間の当該申請に係る外国銀行代理業務の委託契約書の案
 (viii) a draft agreement for entrustment of Foreign Bank Agency Services between said Bank and the Principal Foreign Bank pertaining to said application;
- 九 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面
 (ix) a document stating the details and method of the Foreign Bank Agency Services pertaining to said application;
- 十 その他第三項に規定する審査をするため参考となるべき事項を記載した書面
 (x) other documents providing information useful to the examination prescribed in paragraph (3).
- 2 外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行として外国銀行代理業務を営もうとする銀行は、法第五十二条の二第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面（申請者が外国銀行支店であつて当該外国銀行支店に係る外国銀行の外国銀行外国営業所を所属外国銀行として外国銀行代理業務を営もうとするものである場合には、第二号及び第三号に掲げる書面を除く。）を添付して金融庁長官に提出しなければならない。
- (2) A Bank that intends to perform Foreign Bank Agency Services having a Business Office in the Home State of a Foreign Bank to which a Foreign Bank Branch belongs as Principal Foreign Bank must, when it intends to obtain authorization pursuant to the provisions of Article 52-2, paragraph (i) of the Act, submit a written application for authorization with the Commissioner of the Financial Services Agency together with the following documents (excluding the documents set forth in items (ii) and (iii), when the applicant is a Foreign Bank Branch and it intends to perform Foreign Bank Agency Services having a Business Office in the Home State of a Foreign Bank to which said Foreign Bank Branch belongs as the Principal Foreign Bank):
- 一 理由書
 (i) a written statement of reasons;
- 二 当該銀行と所属外国銀行との間の資本関係を記載した書面
 (ii) a document stating the capital relationship between said Bank and the Principal Foreign Bank;
- 三 当該銀行と所属外国銀行との間の当該申請に係る外国銀行代理業務の委託契約書

の案

(iii) a draft agreement for entrustment of Foreign Bank Agency Services between said Bank and the Principal Foreign Bank pertaining to said application;

四 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面

(iv) a document stating the details and method of the Foreign Bank Agency Services pertaining to said application;

五 その他次項に規定する審査をするため参考となるべき事項を記載した書面

(v) other documents providing information useful to the examination prescribed in the next paragraph.

3 金融庁長官は、前二項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(3) Upon receiving an application for authorization prescribed in the preceding two paragraphs, the Commissioner of the Financial Services Agency is to examine whether said application satisfies the following standards:

一 所属外国銀行が、銀行の業務を健全かつ効率的に遂行するに足りる財産的基礎を有していること。

(i) the Principal Foreign Bank has a sufficient financial basis to conduct the Bank services soundly and efficiently;

二 所属外国銀行が、その人的構成等に照らして、銀行の業務を的確、公正かつ効率的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者であること。

(ii) in light of such matters as its personnel structure, the Principal Foreign Bank has knowledge and experience to conduct the Bank services appropriately, fairly and efficiently, and has sufficient social credibility.;

三 所属外国銀行及び当該所属外国銀行と次に掲げる特殊の関係のある者（ハに掲げる者については所属外国銀行の株式の全部又は一部を保有している者に限る。）の主たる営業所が所在する国において、銀行に対し、法による取扱いと実質的に同等な取扱いが行われていると認められること。ただし、当該審査が、我が国が締結した条約その他の国際約束の誠実な履行を妨げることとなる場合は、この限りでない。

(iii) in a state where the principal business office of the Principal Foreign Bank and persons who are in the following special relationship with said Principal Foreign Bank (limited to, for persons set forth in (c), those who hold all or part of the shares of the Principal Foreign Bank) is located, the Bank is recognized as being given substantially equivalent treatment as under the Act; provided, however, that the foregoing does not apply when such examination is to preclude sincere implementation of the treaties or other international agreements concluded by Japan;

イ 所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分を保有している者

(a) a person who holds a number of shares or an amount of equity exceeding

- fifty percent of Issued Shares, etc. of the Principal Foreign Bank;
- ロ イに掲げる者の発行済株式等の百分の五十を超える数又は額の株式又は持分を保有している者
- (b) a person who holds a number of shares or an amount of equity exceeding fifty percent of Issued Shares, etc. of the person set forth in (a);
- ハ 主たる営業所の所在地を同一の国とする二以上の者により合計して所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者
- (c) when the total number of shares or amount of equity held by two or more persons whose principal business offices are located in the same state exceeds fifty percent of Issued Shares, etc. of the Principal Foreign Bank, any of said two or more persons;
- ニ 第三条第二号に規定する国に主たる営業所を設けている二以上の者（そのいずれの者も所属外国銀行の発行済株式等の百分の五を超える数又は額の株式又は持分を保有しているものに限る。）により合計して所属外国銀行の発行済株式等の百分の五十を超える数又は額の株式又は持分が保有されている場合における当該二以上の者のいずれかに該当する者
- (d) when the total number of shares or amount of equity held by two or more persons (limited to the cases where each of said persons holds a number of shares or an amount of equity exceeding five percent of the Issued Shares, etc. of the Principal Foreign Bank) whose principal business offices are located in the states prescribed in Article 3, item (ii) exceeds fifty percent of Issued Shares, etc. of the Principal Foreign Bank, any of said two or more persons.

(外国銀行代理業務に係る届出)

(Written Notice Pertaining to Foreign Bank Agency Services)

第三十四条の二の二 法第五十二条の二第二項に規定する内閣府令で定める外国銀行は、次に掲げる外国銀行とする。

Article 34-2-2 (1) A Foreign Bank provided by Cabinet Office Ordinance as prescribed in Article 52-2, paragraph (2) of the Act is any of the following Foreign Banks:

一 銀行が次に掲げる認可を受けてその子会社としている外国銀行

(i) a Foreign Bank that a Bank has changed into a Subsidiary Company under any of the following authorizations:

イ 法第十六条の二第四項（同条第六項において準用する場合を含む。）の規定による子会社対象銀行等（同条第四項に規定する子会社対象銀行等をいう。）を子会社とすることの認可

(a) authorization to change a Bank, etc. Eligible for Subsidiary Company prescribed in Article 16-2, paragraph (4) of the Act (including cases where it is applied mutatis mutandis pursuant to the provisions of paragraph (vi)

- of the same article) (which means a Bank, etc. Eligible for Subsidiary Company prescribed in paragraph (iv) of the same Article) into a Subsidiary Company;
- ロ 法第十六条の二第五項ただし書に規定する認可
- (b) authorization prescribed in Article 16-2, proviso of paragraph (5) of the Act;
- ハ 法第三十条第一項から第三項までに規定する認可
- (c) authorization prescribed in Article 30, paragraphs (1) to (3) of the Act;
- ニ 金融機関の合併及び転換に関する法律第五条第一項に規定する認可
- (d) authorization prescribed in Article 5, paragraph (1) the Act on Financial Institutions' Merger and Conversion;
- 二 銀行持株会社が次に掲げる認可を受けてその子会社としている外国銀行（前号に掲げる外国銀行を除く。）
- (ii) a Foreign Bank that a Bank Holding Company has changed into a Subsidiary Company under any of the following authorizations (excluding a Foreign Bank prescribed in the preceding item):
- イ 法第五十二条の二十三第三項（同条第五項において準用する場合を含む。）の規定による子会社対象銀行等（同条第三項に規定する子会社対象銀行等をいう。）を子会社とすることの認可
- (a) authorization to change a Bank, etc. Eligible for Subsidiary Company prescribed in Article 52-23, paragraph (3) of the Act (including cases where it is applied mutatis mutandis pursuant to the provisions of paragraph (5) of the same Article) (which means a Bank, etc. Eligible for Subsidiary Company prescribed in paragraph (3) of the same Article) into a Subsidiary Company;
- ロ 法第五十二条の二十三第四項ただし書に規定する認可
- (b) authorization prescribed in Article 52-23, proviso of paragraph (4) of the Act;
- ハ 法第五十二条の三十五第一項から第三項までに規定する認可
- (c) authorizations prescribed in Article 52-35, paragraphs (1) to (3) of the Act;
- 2 銀行は、法第五十二条の二第二項の規定による届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。
- (2) A Bank, when intending to submit a notification pursuant to the provisions of Article 52-2, paragraph (2) of the Act, must submit the written notification with the Commissioner of the Financial Services Agency, etc. with the following documents attached thereto:
- 一 理由書
- (i) a written statement of reasons;
- 二 所属外国銀行の定款又は性質を識別するに足りる書面
- (ii) articles of incorporation of the Principal Foreign Bank or a document sufficient for identifying its characteristics;

- 三 所属外国銀行の主たる営業所の存在を証明する書面
(iii) a document certifying the existence of the principal business office of the Principal Foreign Bank;
- 四 所属外国銀行の代表権を有する役員資格を証明する書面
(iv) a document certifying the qualification of the directors who have the authority of representation of the Principal Foreign Bank;
- 五 所属外国銀行の最終の貸借対照表、損益計算書及び株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面
(v) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the most recent condition of the business, assets, and profit and loss of the Principal Foreign Bank;
- 六 当該銀行と所属外国銀行との間の資本関係を記載した書面
(vi) a document stating the capital relationship between said Bank and the Principal Foreign Bank;
- 七 当該銀行と所属外国銀行との間の当該届出に係る外国銀行代理業務の委託契約書の案
(vii) a draft agreement for entrustment of Foreign Bank Agency Services between said Bank and the Principal Foreign Bank pertaining to said notification.
- 八 当該申請に係る外国銀行代理業務の内容及び方法を記載した書面
(viii) a document stating the details and method of the Foreign Bank Agency Services pertaining to said application;

(委託契約書の案の記載事項)

(Information for Inclusion in the Draft Agreement for Entrustment)

第三十四条の二の三 第三十四条の二第一項第八号及び第二項第三号並びに前条第二項第七号に掲げる委託契約書の案に記載すべき事項は、次に掲げる事項とする。

Article 34-2-3 The matters to be stated in the Draft Agreement for Entrustment prescribed in paragraph (1), item (viii) and paragraph (2), item (iii) of Article 34-2 as well as paragraph (2), item (vii) of the preceding Article are the following matters:

- 一 外国銀行代理業務を営む営業所の設置、廃止又は位置の変更に関する事項
(i) matters concerning the establishment, abolishment, or change of location of the business office where Foreign Bank Agency Services are carried out;
- 二 外国銀行代理業務の内容（代理又は媒介の別を含む。以下同じ。）に関する事項
(ii) matters concerning the details of the Foreign Bank Agency Services (including whether it is agency or intermediary; the same applies hereinafter);
- 三 外国銀行代理業務の営業日及び営業時間に関する事項
(iii) matters concerning the business days and business hours of the Foreign Bank Agency Services;

四 所属外国銀行が、不当に外国銀行代理銀行（法第五十二条の二の五に規定する外国銀行代理銀行をいう。以下同じ。）の業務上の秘密又は取引先の信用に関する事項を当該外国銀行代理銀行及び当該取引先以外の者に漏らし、又は自己若しくは当該外国銀行代理銀行及び当該取引先以外の者のために利用することを禁ずる規定

(iv) provisions forbidding the Principal Foreign Bank (which means a Foreign Bank's Agent Bank prescribed in Article 52-2-5 of the Act; the same applies hereinafter) to unreasonably disclose information relating to trade secret or credit of a customer to any person other than said Foreign Bank's Agent Bank or said customer or use such information for the interest of any person other than oneself, said Foreign Bank's Agent Bank or said customer;

五 現金、有価証券等の取扱基準及びこれに関連する所属外国銀行の顧客に対する責任に関する事項

(v) matters concerning cash and securities, etc. handling standard and the responsibility of the Principal Foreign Bank toward customers pertaining thereto;

六 契約の期間、更新及び解除に関する事項

(vi) matters concerning the term, renewal, and cancellation of agreements;

七 外国銀行代理業務の内容並びに外国銀行代理業務の営業日及び営業時間の店頭掲示に関する事項

(vii) matters concerning the display at the storefront of the details of the Foreign Bank Agency Services and the business days and business hours of the Foreign Bank Agency Services;

八 その他必要と認められる事項

(viii) other matters found to be necessary.

(外国銀行代理業務の内容及び方法)

(Details and Method of Foreign Bank Agency Services)

第三十四条の二の四 第三十四条の二第一項第九号及び第二項第四号並びに第三十四条の二の二第二項第八号に掲げる外国銀行代理業務の内容及び方法を記載した書面に記載する事項は、次に掲げるものとする。

Article 34-2-4 (1) The matters to be stated in the document stating the details and method of Foreign Bank Agency Services prescribed in Article 34-2, paragraph (1), item (ix), paragraph (2), item (iv) and Article 34-2-2, paragraph (2), item (viii) are the following:

一 取り扱う所属外国銀行の業務の種類

(i) types of the Principal Foreign Bank services that the Bank Agent handles;

二 取り扱う所属外国銀行の業務の種類ごとに当該業務の代理又は媒介のいずれを行うかの別（代理及び媒介のいずれも行う場合はその旨）

(ii) by type of the Principal Foreign Bank services that the Bank Agent handles, whether it acts as an agent or an intermediary of said service (when the agent handles both, a statement to that effect);

三 外国銀行代理業務の実施体制

(iii) system to carry out the Foreign Bank Agency Services.

2 前項第三号に掲げる外国銀行代理業務の実施体制には、法第五十二条の二の十において準用する法第五十二条の四十五各号（第四号を除く。）に掲げる行為その他外国銀行代理業務を適切かつ確実に営むことにつき支障を及ぼす行為を防止するための体制のほか、次の各号に掲げる場合の区分に応じ、当該各号に定める体制を含むものとする。

(2) The system to carry out the Foreign Bank Agency Services prescribed in item (iii) of the preceding paragraph is to include a system to prevent the acts prescribed in the items (excluding item (iv)) of Article 52-45 of the Act, which is applied mutatis mutandis in Article 52-2-10 of the Act, and other acts that may prevent appropriate and reliable conduct of Foreign Bank Agency Services and, according to the classification of categories in the following items, systems prescribed in said items:

一 外国銀行代理行為（外国銀行代理業務に係る行為をいう。以下同じ。）に関して顧客から金銭その他の財産の交付を受ける権限が付与されている場合 当該交付を受ける財産と自己の固有財産とを分別して管理するための体制

(i) when a Bank Agent is authorized to receive delivery of cash or other assets from a customer concerning activities as a foreign bank agent (which means acts pertaining to Foreign Bank Agency Services; the same applies hereinafter); a system to separate and manage said delivered assets from its own assets;

二 電気通信回線に接続している電子計算機を利用して外国銀行代理業務を営む場合顧客が当該外国銀行代理銀行と他の者を誤認することを防止するための体制

(ii) when a Bank Agent operates Foreign Bank Agency Services by using a computer connected with electronic telecommunications lines; a system to prevent a customer from misidentifying said Foreign Bank's Agent Bank for another party.

(契約の種類)

(Types of Contract)

第三十四条の二の五 法第五十二条の二の五において準用する金融商品取引法第三十四条に規定する内閣府令で定めるものは、特定預金等契約とする。

Article 34-2-5 Matters as provided by Cabinet Office Ordinance as prescribed in Article 34 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are a specified deposit, etc. contract.

第三十四条の二の六 削除

Article 34-2-6 Deleted

(申出をした特定投資家に交付する書面の記載事項)

(Information for Inclusion in Documents to Be Delivered to a Professional Investor That Has Made a Request)

第三十四条の二の七 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第三項第四号に規定する内閣府令で定める事項は、申出者（同項に規定する申出者をいう。）は、同条第二項の規定による承諾を行つた外国銀行代理銀行のみから対象契約（同項に規定する対象契約をいう。第三十四条の二の九の二において同じ。）に関して特定投資家以外の顧客として取り扱われることになる旨とする。

Article 34-2-7 Matters as provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (3), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, a statement to the effect that, with regard to a Subject Contract (which means a Subject Contract prescribed in the same paragraph; the same applies in Article 34-2-9-2), the applicant (which means the applicant prescribed in the same paragraph) is treated as a customer other than a Professional Investor only by a Foreign Bank's Agent Bank who gave approval pursuant to the provisions of paragraph (2) of Article 34-2.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第三十四条の二の八 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第四項（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十二項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。以下この条において同じ。）に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 34-2-8 (1) Matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (including the cases where it is applied mutatis mutandis in Article 34-3, paragraph (12) (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act), Article 34-4, paragraph (3), Article 37-3, paragraph (2) and Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act; hereinafter the same applies in this Article) are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) a method to use an electronic data processing system that is in the following:

イ 外国銀行代理銀行（法第五十二条の二の五において準用する金融商品取引法第

三十四条の二第四項に規定する事項の提供を行う外国銀行代理銀行との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該外国銀行代理銀行の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。）の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項（以下この条において「記載事項」という。）を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法（同項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、同項に規定する事項の提供を行う外国銀行代理銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(a) a method to transmit matters to be entered in documents (hereinafter referred to as an "Entry" in this Article) through a telecommunications line that connects computers used by a Foreign Bank's Agent Bank (including a person who keeps a file in a computer managed by said person pursuant to a contract with a Foreign Bank's Agent Bank who provides matters prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act) and makes said file available to other parties providing said matters (hereinafter referred to as "customers" in this Article) or to said Foreign Bank's Agent Bank; hereinafter the same applies in this Article) and computers used by a customer, etc. (which means a customer and a person who keeps a customer file (which means a file that is made available exclusively to said customer; hereinafter the same in this Article) in a computer managed by said person pursuant to a contract with the customer; hereinafter the same applies in this Article) and to record said matters in a customer file kept in the computer used by the customer, etc. (in the case of offering to accept or not to accept the provisions by the method prescribed in the same paragraph, a method to record matters to that effect in the file kept in a computer used by the Foreign Bank's Agent Bank that provides matters prescribed in the same paragraph);

ロ 外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあつては、外国銀行代理銀行の使用に係る電子計算機に備えられたファイルにその旨を記録する方法）

(b) a method to make an Entry recorded in a file kept in a computer used by a Foreign Bank's Agent Bank available for inspection by a customer

through a telecommunications line, and to record said Entry in the customer file of said customer kept in a computer used by the customer, etc. (in the case of offering to accept or not to accept provisions pursuant to a method prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, a method to record matters to that effect in a file kept in a computer used by the Foreign Bank's Agent Bank);

ハ 外国銀行代理銀行の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a method to make an Entry recorded in a customer file kept in a computer used by a Foreign Bank's Agent Bank available for inspection by a customer through a telecommunications line; or

ニ 閲覧ファイル（外国銀行代理銀行の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a method to make an Entry recorded in an inspection file (which means a file that is kept in a computer used by a Foreign Bank's Agent Bank and that is for recording an Entry in order to make it available for inspection by multiple customers simultaneously; hereinafter the same applies in this Article) available for inspection by a customer through a telecommunications line.

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもつて調製するファイルに記載事項を記録したものを交付する方法

(ii) a method to deliver an Entry recorded in a file prepared on a magnetic disk, CD-ROM, or other method equivalent thereto in which certain matters can be recorded securely.

2 前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。

(2) Methods set forth in each item of the preceding paragraph must conform to the following standards:

一 顧客が顧客ファイル又は閲覧ファイルへの記録を出力することにより書面を作成できるものであること。

(i) a method that enables a customer to prepare documents by outputting records in a customer file or inspection file;

二 前項第一号イ、ハ又はニに掲げる方法（顧客の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあつては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を顧客に対し通知するものであること。ただし、顧客が当該記載事項を閲覧していたことを確認したときは、この限りでない。

(ii) with regard to a method set forth in item (i), sub-item (a), (c), or (d) of the

preceding paragraph (excluding a method to record an Entry in a customer file kept in a computer used by the customer), a method to notify the customer that an Entry is to be recorded or was recorded in the customer file or inspection file; provided, however, that this does not apply when it is confirmed that the customer inspected said Entry;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第十四条の三に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) with regard to a method as set forth in item (i), sub-item (c) or (d) of the preceding paragraph, a method that is unable to delete or modify the following matters for five years after the date of a transaction set forth as an Entry was carried out for the final time (if a complaint pertaining to said Entry is filed before the expiration of said period, until said period ends or until said complaint is resolved, whichever occurs later); provided, however, that, when an Entry made available for inspection is delivered in writing, when it is provided by a method set forth in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii) of the same paragraph after obtaining an approval of the customer (which means an approval pursuant to a method prescribed in Article 14-3 of the Order), or when the customer instructs the deletion of said Entry, said Entry may be deleted:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項 (a) with regard to a method set forth in item (i), sub-item (c) of the preceding paragraph, the Entry recorded in the customer file; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項 (b) with regard to a method as set forth in item (i), sub-item (d) of the preceding paragraph, the Entry recorded in the inspection file;

四 前項第一号ニに掲げる方法にあつては、次に掲げる基準に適合するものであること。

(iv) with regard to a method set forth in item (i), sub-item (d) of the preceding paragraph, a method that conforms to the following standards:

イ 顧客が閲覧ファイルを検閲するために必要な情報を顧客ファイルに記録するものであること。

(a) a method to record, in the customer file, information necessary for a customer to inspect the inspection file; and

ロ 前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを検閲するために必要な情報を記録した顧客ファイルと当該閲覧ファイ

ルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) a method that maintains the connection, through a telecommunications line, with the customer file that records information necessary for a customer to inspect the inspection file pursuant to the provisions of (a) and said inspection file until the period prescribed in the preceding item expires; provided, however, that this does not apply if a customer, who is entitled to inspect the file, has declined such maintenance of file connectability.

3 第一項第一号の「電子情報処理組織」とは、外国銀行代理銀行の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は外国銀行代理銀行の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The electronic data processing system prescribed in paragraph (1), item (i) means an electronic data processing system that connects a computer used by a Foreign Bank's Agent Bank and a computer used by a customer, etc. or a Foreign Bank's Agent Bank, on which a customer file is kept, through a telecommunications line.

(電磁的方法の種類及び内容)

(Types and Details of Electronic or Magnetic Methods)

第三十四条の二の九 令第十四条の三第一項及び第十四条の四第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 34-2-9 The types and details of methods to be specified pursuant to the provisions of Article 14-3, paragraph (1) and Article 14-4, paragraph (1) of the Order are the following:

一 前条第一項各号又は第三十四条の二の九の三第一項各号に掲げる方法のうち外国銀行代理銀行が使用するもの

(i) a method set forth in each item of paragraph (1) of the preceding paragraph or each item in Article 34-2-12, paragraph (1) that is used by a Foreign Bank's Agent Bank.

二 ファイルへの記録の方式

(ii) a method to record data in a file

(特定投資家への復帰申出をした者が同意を行う書面の記載事項)

(Information for Inclusion in Documents to Which a Person Who Has Made a Request for Reinstatement as a Professional Investor Gives Its Consent)

第三十四条の二の九の二 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-9-2 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act,

as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following matters:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十一項の規定による承諾をする日（第四号及び第五号において「承諾日」という。）

(i) the date when acceptance is gained (which is referred to as "approval date" in items (iv) and (v)) pursuant to the provisions of Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act;

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that Subject Contract is a specified deposit, etc. contract;

三 復帰申出者（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十一項に規定する復帰申出者をいう。以下この条において同じ。）が次に掲げる事項を理解している旨

(iii) a statement to the effect that the person requesting reinstatement (which means the person requesting reinstatement prescribed in Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article) understands the following matters:

イ 法第五十二条の二の五において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約に関して復帰申出者が当該各号に定める者である場合（同条ただし書に規定する場合を除く。）には適用されない旨

(a) the fact that the provisions set forth in the items of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are not applicable when the person requesting reinstatement, with regard to Subject Contract, is a person prescribed in any of said items (excluding the cases prescribed in the proviso of the same Article);

ロ 対象契約に関して特定投資家として取り扱われることがその知識、経験及び財産の状況に照らして適当ではない者が特定投資家として取り扱われる場合には、当該者の保護に欠けることとなるおそれがある旨

(b) the fact that there is the risk of insufficient protection involved when a person who, in light of the person's knowledge, experience and state of property, is deemed inappropriate to be treated as a Professional Investor with regard to Subject Contracts is treated as a Professional Investor.

四 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、復帰申出者を再び特定投資家として取り扱う旨

(iv) a statement to the effect that the person requesting reinstatement is to be treated again as a Professional Investor when the person requesting reinstatement is solicited to conclude or concludes a Subject Contract on or after the approval date;

五 復帰申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の二第一項の規定による申出ができる旨

(v) a statement to the effect that, at any time on or after the approval date, the person requesting reinstatement may make an application pursuant to Article 34-2, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act;

(情報通信の技術を利用した同意の取得)

(Obtainment of Consent by the Use of Information and Communications Technology)

第三十四条の二の九の三 法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十二項（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第三項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。））において準用する場合を含む。以下この条において同じ。）に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 34-2-9-3 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act), as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article), as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) a method to use an electronic data processing system that is in the following:

イ 外国銀行代理銀行の使用に係る電子計算機と法第五十二条の二の五において準用する金融商品取引法第三十四条の二第十二項の規定により同意を得ようとする相手方（以下この条において「顧客」という。）の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) a method to transmit matters through a telecommunications line that connects computers used by a Foreign Bank's Agent Bank and a computer used by the other party from whom consent is to be obtained pursuant to the provisions of Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act (hereinafter referred to as "a customer") and to record said matters in a file kept in the computer used by the receiver.

ロ 外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに記録された

顧客の同意に関する事項を電気通信回線を通じて当該顧客の閲覧に供し、当該外国銀行代理銀行の使用に係る電子計算機に備えられたファイルに当該顧客の同意に関する事項を記録する方法

(b) a method to make matters concerning a customer's consent recorded in a file kept in a computer used by a Foreign Bank's Agent Bank available for inspection by said customer through a telecommunications line and to record said matters concerning said customer's consent in a file kept in a computer used by said Foreign Bank's Agent Bank;

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもつて調製するファイルに同意に関する事項を記録したものを得る方法

(ii) a method to obtain data concerning the consent recorded in a file prepared on a magnetic disk, CD-ROM, or other methods equivalent thereto in which certain data can be recorded securely.

2 前項各号に掲げる方法は、外国銀行代理銀行がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The methods set forth in each item of the preceding paragraph must be a method that allows a Foreign Bank's Agent Bank to prepare documents by outputting the record in the file.

3 第一項第一号の「電子情報処理組織」とは、外国銀行代理銀行の使用に係る電子計算機と、顧客の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The "electronic data processing system" prescribed in paragraph (1), item (i) means an electronic data processing system that connects a computer used by a Foreign Bank's Agent Bank and a computer used by a customer through a telecommunications line.

(特定投資家以外の顧客である法人が特定投資家とみなされる場合の期限日)

(End Date If a Corporation Who Is a Customer Other than a Professional Investor Is Deemed to Be a Professional Investor)

第三十四条の二の十 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める場合は、外国銀行代理銀行が一定の日を定め、次に掲げる事項を当該外国銀行代理銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 34-2-10 (1) Cases provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are cases where a Foreign Bank's Agent Bank specifies a certain date and publicly discloses the following matters by posting in a place that facilitates public viewing in a business office of said Foreign Bank's Agent Bank or by any other appropriate method:

一 当該日

(i) said date; and

二 次項に規定する日を期限日（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第三十四条の二の十二において同じ。）とする旨

(ii) a statement to the effect that the end date (which means an end date as prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 34-2-12) is the date prescribed in the following paragraph.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する内閣府令で定める日は、外国銀行代理銀行が前項の規定により定めた日であつて承諾日（同条第二項第一号に規定する承諾日をいう。次条第二項第三号及び第三十四条の二の十二において同じ。）から起算して一年以内の日のうち最も遅い日とする。

(2) The date provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is the date that is specified by a Foreign Bank's Agent Bank pursuant to the provisions of the preceding paragraph and is the last day within one year from the approval date (which means the approval date prescribed in paragraph (2), item (i) of the same Article; the same applies in paragraph (2), item (iii) of the following Article and Article 34-2-12).

（申出をした特定投資家以外の顧客である法人が同意を行う書面の記載事項）

(Information for Inclusion in the Document to Which a Corporation, Which Is a Customer Other than a Professional Investor That Has Made a Request, Gives Its Consent)

第三十四条の二の十一 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第五十二条の二の五において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第三十四条の二の十二の二において同じ。）に関して申出者（法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項に規定する申出者をいう。次項において同じ。）が当該各号に定める者である場合（法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 34-2-11 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are a statement to the effect that, with regard to the subject contract (which means the subject contract prescribed in item (ii) of the same paragraph; the same

applies in the following paragraph and Article 34-2-12-2), the provisions in each item of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are not applicable when the applicant (which means the applicant prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act; the same applies in the following paragraph) is a person prescribed in any of said items (except in the case prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act).

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are the following matters:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws and regulations or the stipulations of a contract pertaining to a subject contract concluded before the end date, even if such act is performed after the end date, the fact that an applicant is treated as a Professional Investor;

二 申出者は、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第二項の規定による承諾を行つた外国銀行代理銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) a statement to the effect that, with regard to the subject contract, an applicant is treated as a Professional Investor only by the Foreign Bank Agent Bank that accepted the request pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act;

三 申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第九項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act.

(申出をした特定投資家以外の顧客である法人が更新申出をするために必要な期間)
(Period Necessary for a Corporation, Which Is a Customer Other than a Professional Investor That Has Made a Request, to Make a Request for Renewal)

第三十四条の二の十二 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 34-2-12 (1) The period provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act is 11 months (in the cases set forth in the following items, the period prescribed in respective items):

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) if the period between the approval date and the end date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from said period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the end date does not exceed one month, one day;

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, the term "approval date" in the same paragraph is deemed to read "the day immediately following the previous end date".

(特定投資家以外の顧客への復帰申出をした法人に交付する書面の記載事項)

(Information for Inclusion in Documents to Be Delivered to a Corporation That Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第三十四条の二の十二の二 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-12-2 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following matters:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の三第十項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-3, paragraph (10) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (which is referred to as the "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the Subject Contract is a specified deposit, etc. contract;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第九項の規定による申出をした法人を再び特定投資家以外の顧客として取り扱う旨

(iii) a statement to the effect that when being solicited to conclude or concluding a Subject Contract on or after the approval date, a corporation that has made a request pursuant to Article 34-3, paragraph (9) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is treated again as a customer other than a Professional Investor;

(特定投資家として取り扱うよう申し出ることができる営業者等)

(Business Person Who May Request Treatment as a Professional Investor)

第三十四条の二の十三 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定めるものは、次に掲げる要件のいずれかに該当するものとする。

Article 34-2-13 (1) The person provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, satisfies any of the following requirements:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについてすべての匿名組合員の同意を得ていないこと。

(i) the person has not obtained consent of all silent partners to make the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act.

二 その締結した商法第五百三十五条に規定する匿名組合契約に基づく出資の合計額が三億円未満であること。

(ii) the total amount of contributions under the silent partnership agreement the person has concluded as prescribed in Article 535 of the Commercial Code is less than 300 million yen.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第一号に規定する内閣府令で定める個人は、次に掲げる者とする。

(2) The individuals provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following persons:

一 民法第六百六十七条第一項に規定する組合契約を締結して組合の業務の執行を委任された組合員である個人（次に掲げる要件のすべてに該当する者に限る。）

(i) an individual who is a partner who concluded a partnership agreement prescribed in Article 667, paragraph (1) of the Civil Code and has been entrusted with the execution of business of the partnership (limited to a person satisfying all of the following requirements):

イ 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他のすべての組合員の同意を得ていること。

(a) The individual has obtained the consent of all the other silent partners to make the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; and

ロ 当該組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contributions under said partnership agreement is 300 million yen or more;

二 有限責任事業組合契約に関する法律第三条第一項に規定する有限責任事業組合契約を締結して組合の重要な業務の執行の決定に関与し、かつ、当該業務を自ら執行する組合員である個人（次に掲げる要件のすべてに該当する者に限る。）

(ii) an individual who is a partner who has concluded a limited liability partnership agreement prescribed in Article 3, paragraph (1) of the Limited Liability Partnership Act, participates in decision-making on a major partnership business, and executes said business personally (limited to a person satisfying all of the following requirements):

イ 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項の規定による申出を行うことについて他のすべての組合員の同意を得ていること。

(a) The individual has obtained the consent of all the other partners to make the request prescribed in Article 34-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; and

ロ 当該有限責任事業組合契約に基づく出資の合計額が三億円以上であること。

(b) the total amount of contributions under said limited liability business partnership agreement is 300 million yen or more.

(特定投資家として取り扱うよう申し出ることができる個人)

(Individuals Who May Request Treatment as a Professional Investor)

第三十四条の二の十四 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第一項第二号に規定する内閣府令で定める要件は、次に掲げる要件のすべてに該当することとする。

Article 34-2-14 The requirements provided by Cabinet Office Ordinance as prescribed in Article 34-4, paragraph (1), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are that the individual satisfies all of the following requirements:

一 取引の状況その他の事情から合理的に判断して、承諾日（法第五十二条の二の五

において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第一号に規定する承諾日をいう。次号、次条第二項、第三十四条の二の十六第二項第三号及び第三十四条の二の十六の二において同じ。)における申出者(法第五十二条の二の五において準用する金融商品取引法第三十四条の四第二項に規定する申出者をいう。以下この条及び第三十四条の二の十六において同じ。)の資産の合計額から負債の合計額を控除した額が三億円以上になると見込まれること。

(i) Reasonably judged from the condition of transactions and other circumstances, the difference calculated by deducting the total amount of liabilities from the total amount of assets of the applicant (which means an applicant prescribed in Article 34-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; hereinafter the same applies in this Article and Article 34-2-16) on the approval date (which means the approval date as prescribed in Article 34-3, paragraph (2), item (i) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in the following item, paragraph (2) of the following Article, Article 34-2-16, paragraph (2), item (iii), and Article 34-2-16-2) is estimated to be 300 million yen or more;

二 取引の状況その他の事情から合理的に判断して、承諾日における申出者の資産(次に掲げるものに限る。)の合計額が三億円以上になると見込まれること。

(ii) Reasonably judged from the condition of transactions and other circumstances, the total amount of assets (limited to those set forth in the following items) of the applicant on the approval date is estimated to be 300 million yen or more:

イ 有価証券(ホに掲げるものを除く。)

(a) securities (excluding those set forth in (e));

ロ デリバティブ取引に係る権利

(b) rights pertaining to derivatives transactions;

ハ 法第十三条の四に規定する特定預金等、農業協同組合法第十一条の二の四に規定する特定貯金等、水産業協同組合法第十一条の九に規定する特定貯金等、協同組合による金融事業に関する法律第六条の五の二に規定する特定預金等、信用金庫法第八十九条の二に規定する特定預金等、長期信用銀行法第十七条の二に規定する特定預金等、労働金庫法第九十四条の二に規定する特定預金等、農林中央金庫法第五十九条の三に規定する特定預金等及び株式会社商工組合中央金庫法第二十九条に規定する特定預金等

(c) Specified Deposit, etc. as prescribed in Article 13-4 of the Act; specified savings, etc. as prescribed in Article 11-2-4 of the Agricultural Cooperatives Act; specified savings, etc., as prescribed in Article 11-9 of the Fisheries Cooperatives Act; specified deposit, etc., as prescribed in Article

6-5-2 of the Act on Financial Businesses by Cooperative; specified deposit, etc., as prescribed in Article 89-2 of the Shinkin Bank Act; specified deposit, etc., as prescribed in Article 17-2 of the Long-Term Credit Bank Act; specified deposit, etc., as prescribed in Article 94-2 of the Labor Bank Act; and specified deposit, etc., as prescribed in Article 59-3 of the Norinchukin Bank Act; and specified deposit, etc. as prescribed in Article 29 of the Shoko Chukin Bank Limited Act;

ニ 農業協同組合法第十一条の十の三に規定する特定共済契約、消費生活協同組合法第十二条の三第一項に規定する特定共済契約、水産業協同組合法第十五条の七に規定する特定共済契約、中小企業等協同組合法第九条の七の五第二項に規定する特定共済契約及び保険業法第三百条の二に規定する特定保険契約に基づく保険金、共済金、返戻金その他の給付金に係る権利

(d) rights pertaining to an insurance payment, mutual aid insurance money, refund, or other payment based on a specified mutual aid insurance contract as prescribed in Article 11-10-3 of the Agricultural Co-operatives Act, a specified mutual aid insurance contract as prescribed in Article 12-3, paragraph (1) of the Consumers Cooperatives Act, a specified mutual aid insurance contract as prescribed in Article 15-7 of the Fisheries Cooperatives Act, a specified mutual aid insurance contract as prescribed in Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act, and a specified mutual aid insurance contract as prescribed in Article 300-2 of the Insurance Business Act;

ホ 信託業法第二十四条の二に規定する特定信託契約に係る信託受益権

(e) a beneficiary right of trust pertaining to a specified trust contract as prescribed in Article 24-2 of the Trust Business Act;

ヘ 不動産特定共同事業法第二条第三項に規定する不動産特定共同事業契約に基づく権利

(f) a right based on a real property specified joint enterprise contract as prescribed in Article 2, paragraph (3) of the Real Estate Specified Joint Enterprise Act; and

ト 商品取引所法第二条第八項に規定する先物取引に係る権利

(g) a right pertaining to a futures transaction as prescribed in Article 2, paragraph (8) of the Commodity Exchange Act;

三 申出者が最初に外国銀行代理業務に係る特定預金等契約を締結した日から起算して一年を経過していること。

(iii) one year has elapsed from the date the applicant first concluded a specified deposit, etc. contract pertaining to Foreign Bank Agency Services.

(特定投資家以外の顧客である個人が特定投資家とみなされる場合の期限日)

(End Date If an Individual Who Is a Customer Other than a Professional Investor Is Deemed a Professional Investor)

第三十四条の二の十五 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める場合は、外国銀行代理銀行が一定の日を定め、次に掲げる事項を当該外国銀行代理銀行の営業所の公衆の見やすい場所への掲示その他の適切な方法により公表している場合とする。

Article 34-2-15 (1) The cases provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph 2 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are cases where a Foreign Bank's Agent Bank specifies a certain date and publicly discloses the following matters by posting them in a place that facilitates public viewing in a business office of said Foreign Bank's Agent Bank or by another appropriate method:

一 当該日

(i) said date.

二 次項に規定する日を期限日（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第二号に規定する期限日をいう。次条第二項第一号及び第三十四条の二の十六の二において同じ。）とする旨

(ii) a statement to the effect that the end date (which means the end date prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act; the same applies in paragraph (2), item (i) of the following Article and Article 34-2-16-2) is the date prescribed in the following paragraph.

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項に規定する内閣府令で定める日は、外国銀行代理銀行が前項の規定により定めた日であつて承諾日から起算して一年以内の日のうち最も遅い日とする。

(2) The date provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is a date that is specified by a Foreign Bank's Agent Bank pursuant to the provisions of the preceding paragraph and that is the last day within one year from the approval date.

(申出をした特定投資家以外の顧客である個人が同意を行う書面の記載事項)

(Information for Inclusion in the Document to Which an Individual, Who Is a Customer Other than the Professional Investor That Has Made a Request,

Gives Its Consent)

第三十四条の二の十六 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第四号イに規定する内閣府令で定める事項は、法第五十二条の二の五において準用する金融商品取引法第四十五条各号に掲げる規定は、対象契約（同項第二号に規定する対象契約をいう。次項及び第三十四条の二の十六の三において同じ。）に関して申出者が当該各号に定める者である場合（法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する場合を除く。）には適用されない旨とする。

Article 34-2-16 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (iv), sub-item (a) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are a statement to the effect that, with regard to the subject contract (which means the subject contract prescribed in item (ii) of the same paragraph; the same applies in the following paragraph and Article 34-2-16-3), the provisions of each item of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are not applicable when the applicant is a person prescribed in any of said items (except in the case prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5 of the Act).

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (2), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis in Article 52-2-5 of the Act, are the following matters:

一 期限日以前に締結した対象契約に関して法令の規定又は契約の定めに基づいて行う行為については、期限日後に行うものであつても、申出者を特定投資家として取り扱う旨

(i) with regard to an act performed based on the provisions of laws and regulations or the stipulations of a contract pertaining to a subject contract concluded before the end date, even if such act is performed after the end date, the fact that an applicant is treated as a Professional Investor;

二 申出者は、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第二項の規定による承諾を行った外国銀行代理銀行のみから対象契約に関して特定投資家として取り扱われることになる旨

(ii) a statement to the effect that, with regard to the subject contract, an

applicant is treated as Professional Investor only by the Foreign Bank's Agent Bank that accepted the request pursuant to the provisions of Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis in Article 52-2-5 of the Act;

三 申出者は、承諾日以後いつでも、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第四項の規定による申出ができる旨

(iii) a statement to the effect that, at any time on or after the approval date, an applicant may make an application pursuant to Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act

(申出をした特定投資家以外の顧客である個人が更新申出をするために必要な期間)
(Period Necessary for an Individual, Who Is a Customer Other than a Professional Investor That Has Made a Request, to Make a Request for Renewal)

第三十四条の二の十六の二 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第七項に規定する内閣府令で定める期間は、十一月（次の各号に掲げる場合にあつては、当該各号に定める期間）とする。

Article 34-2-16-2 (1) The period provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (7) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is 11 months (in the cases set forth in the following items, the period prescribed in respective items):

一 承諾日から期限日までの期間が一年に満たない場合（次号に掲げる場合を除く。） 当該期間から一月を控除した期間

(i) if the period between the approval date and the end date is less than one year (excluding the cases set forth in the following item), a period obtained by deducting one month from said period;

二 承諾日から期限日までの期間が一月を超えない場合 一日

(ii) if the period between the approval date and the end date does not exceed one month, one day;

2 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第八項に規定する場合における前項の規定の適用については、同項中「承諾日」とあるのは、「前回の期限日の翌日」とする。

(2) In applying the provisions of the preceding paragraph in the cases prescribed in Article 34-3, paragraph (8) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act,

the term "approval date" in the same paragraph is deemed to read "the day immediately following the previous end date".

(特定投資家以外の顧客への復帰申出をした個人に交付する書面の記載事項)

(Information for Inclusion in Documents to Be Delivered to an Individual Who Has Made a Request for Reinstatement as a Customer Other than a Professional Investor)

第三十四条の二の十六の三 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する同法第三十四条の三第十一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-16-3 The matters provided by Cabinet Office Ordinance as prescribed in Article 34-3, paragraph (11) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the same Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following matters:

一 法第五十二条の二の五において準用する金融商品取引法第三十四条の四第五項の規定により承諾をする日（第三号において「承諾日」という。）

(i) the date when acceptance is made pursuant to the provisions of Article 34-4, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (which is referred to as "approval date" in item (iii));

二 対象契約が特定預金等契約である旨

(ii) a statement to the effect that the Subject Contract is a specified deposit, etc. contract;

三 承諾日以後に対象契約の締結の勧誘又は締結をする場合において、法第五十二条の二の五において準用する金融商品取引法第三十四条の四第四項の規定による申出をした個人を再び特定投資家以外の顧客として取り扱う旨

(iii) a statement to the effect that, when being solicited to conclude or concluding a Subject Contract on or after the approval date, an individual who has made a request pursuant to Article 34-4, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is treated again as a customer other than a Professional Investor.

(広告類似行為)

(Acts Similar to Advertisement)

第三十四条の二の十七 法第五十二条の二の五において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便、ファクシミリ装置を用いて送信する方法、電子メールを送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 34-2-17 The acts provided by Cabinet Office Ordinance as prescribed in each item of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the provision of information with the same contents to a large number of persons by postal mail, by confidential correspondence, by facsimile, by electronic mail, by distributing handouts or brochures, or by other methods (excluding the following):

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) delivery of documents prepared based on a law or regulation or based on a disposition given by a government agency under a law or regulation;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘に使用しないものを配布する方法

(ii) delivery of materials on analysis and evaluation of individual enterprises that are not used for the solicitation of the conclusion of a specified deposit, etc. contract;

三 次に掲げるすべての事項のみが表示されている景品その他の物品（口からニまでに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) provision of a premium or any other object on which all of the following matters alone are indicated (limited to one on which the matters set forth in (b) to (d) are clearly and accurately indicated) (when some of such matters are not indicated on the premium or any other object, this includes the provision of another object on which such missing matters are indicated in combination with said premium or any other object):

イ 商品の名称（通称を含む。）

(a) name of the financial instrument (including a name it is commonly known by);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする外国銀行代理銀行の商号又はその通称

(b) trade name or a commonly used name of the Foreign Bank's Agent Bank who provides the same contents of information to a large number of persons by a method prescribed in this item.

ハ 令第十四条の五第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) matters set forth in Article 14-5, paragraph (2), item (i) of the Order (limited to said matters indicated in letters or numbers of a size that is not substantially different from the largest letters or numbers used to indicate other matters);

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) a statement to the effect that the contents of any of the following documents should be read and understood sufficiently:

(1) 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下この条から第三十四条の二の三十の二までにおいて「契約締結前交付書面」という。）

1. the document prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (hereinafter referred to as "Document Delivered Prior to the Conclusion of a Contract" from this Article to Article 34-2-30-2);

(2) 第三十四条の二の二十五第一項第一号に規定する外貨預金等書面

2. the document on a foreign currency deposit, etc. prescribed in Article 34-2-25, paragraph (1), item (i);

(3) 第三十四条の二の二十五第一項第三号ロに規定する契約変更書面

3. the document on modification of contract prescribed in Article 34-2-25, paragraph (1), item (iii) (b);

(特定預金等契約の締結の代理又は媒介の業務の内容についての広告等の表示方法)
(Method of Indication in Running Advertisement of the Details of Agency or Intermediary Service for the Conclusion of a Specified Deposit Contract)

第三十四条の二の十八 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）をするとき、法第五十二条の二の五において準用する金融商品取引法第三十七条第一項各号に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 34-2-18 (1) When a Foreign Bank's Agent Bank runs an advertisement or performs an act prescribed in the preceding paragraph (which is referred to as an "Advertisement, etc." in the following paragraph) with regard to the details of its agency or intermediary service for the conclusion of a specified deposit, etc. contract, the matters set forth in the items of Article 37, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, must be indicated clearly and accurately;

2 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告等をするとき、令第十四条の五第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(2) When a Foreign Bank's Agent Bank runs an Advertisement, etc. of the details of its agency or intermediary service for the conclusion of a specified deposit, etc. contract, the printed characters and numerals of matters set forth in Article 14-5, paragraph (1), item (ii) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed

characters and numerals of matters other than said matter;

- 3 外国銀行代理銀行がその行う特定預金等契約の締結の代理又は媒介の業務の内容について一般放送事業者の放送設備により放送をさせる方法又は第三十四条の二の二十一第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第十四条の五第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) When a Foreign Bank's Agent Bank runs an Advertisement, etc. of the details of its agency or intermediary service for the conclusion of a specified deposit, etc. contract, by broadcasting through the broadcasting equipment of a general broadcaster or by any of the methods set forth in the items of Article 34-2-21, paragraph (1) (excluding audio broadcasting), notwithstanding the provisions of the preceding paragraph, the printed characters and numerals of matters set forth in Article 14-5, paragraph (2), item (i) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter;

（顧客が支払うべき対価に関する事項）

(Matters Concerning Compensation to Be Paid by a Customer)

第三十四条の二の十九 令第十四条の五第一項第一号に規定する内閣府令で定めるものは、手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあつては、その旨及びその理由とする。

Article 34-2-19 The matters provided by Cabinet Office Ordinance as prescribed in Article 14-5, paragraph (1), item (i) of the Order are the amount or the upper limit of the fee, etc. by type, or the outline of their calculation method (including the percentage to the amount of principal of said specified deposit, etc. contract; hereinafter the same applies in this Article) and the sum of such amounts or the upper limit thereof, or the outline of their calculation method; provided, however, that, when it is not possible to indicate these, said matters are a statement to that effect and the reason therefor.

（顧客の判断に影響を及ぼす重要事項）

(Material Matters Affecting Decision of a Customer)

第三十四条の二の二十 令第十四条の五第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-20 The matters provided by Cabinet Office Ordinance as prescribed in Article 14-5, paragraph (1), item (iii) of the Order are the following:

- 一 当該外国銀行代理銀行の所属外国銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を

下回ることにより顧客に不利となるおそれがある旨

- (i) with regard to a Specified Deposit, etc. for which the Principal Foreign Bank of said Foreign Bank's Agent Bank has a right to extend the deposit period, a statement to the effect that, when said right is exercised, it may be disadvantageous to the customer due to the money rate of said Specified Deposit, etc. falling below the money market rate; or
- 二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実
- (ii) with regard to material matters concerning said specified deposit, etc. contract, other facts that may turn disadvantageous to the customer.

(一般放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Method Equivalent to Having a General Broadcaster Broadcast through Its Broadcasting Equipment)

第三十四条の二の二十一 令第十四条の五第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 34-2-21 (1) The methods provided by Cabinet Office Ordinance as prescribed in Article 14-5, paragraph (2) of the Order are the following:

一 次に掲げる者の放送設備により放送をさせる方法

(i) a method of broadcasting through the broadcasting equipment of the following persons:

イ 有線テレビジョン放送事業者

(a) a person engaged in the business of cable television broadcasting;

ロ 有線ラジオ放送の業務を行う者

(b) a person engaged in the business of cable radio broadcasting; and

ハ 電気通信役務利用放送の業務を行う者

(c) a person engaged in the business of broadcasting using telecommunications services;

二 外国銀行代理銀行又は当該外国銀行代理銀行が行う広告等に係る業務の委託を受けた者の使用に係る電子計算機に備えられたファイルに記録された情報の内容（一般放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) a method of making the details of information recorded in a file kept in a computer used by a Foreign Bank's Agent Bank or by a person entrusted with business pertaining to Advertisement, etc. conducted by said Foreign Bank's Agent Bank (limited to information identical to information provided by broadcasting through the broadcasting equipment of a general broadcaster or by methods set forth in the preceding item) available for inspection by customers through a telecommunications line; or

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲

出させ、又は表示させるもの並びにこれらに類するもの

(iii) a method of indicating information on a constant basis or continuously for a certain period to the public either indoors or outdoors where the information is posted or indicated on a signboard, a billboard, a poster, a placard or an advertising pillar, advertising board, building or any other structure, etc., or a method similar thereto.

2 令第十四条の五第二項第二号に規定する内閣府令で定める事項は、第三十四条の二の十七第三号ニに掲げる事項とする。

(2) The matters provided by Cabinet Office Ordinance as prescribed in Article 14-5, paragraph (2), item (ii) of the Order are the matters set forth in Article 34-2-17, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Matters for Which Misleading Advertisement Is Prohibited)

第三十四条の二の二十二 法第五十二条の二の五において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-22 The matters provided by Cabinet Office Ordinance as prescribed in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5, are the following matters:

一 特定預金等契約の解除に関する事項

(i) matters concerning the cancellation of a specified deposit, etc. contract;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) matters concerning the burden of all or part a loss or guarantee of profit pertaining to a specified deposit, etc. contract;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) matters concerning liquidated damages pertaining to a specified deposit, etc. contract (including a penalty); and

四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) matters concerning the amount of a fee, etc. to be paid by a customer concerning a specified deposit, etc. contract or its calculation method, payment method, and timing, and the payee.

(契約締結前交付書面の記載方法)

(Method of Entry in Document Delivered Prior to the Conclusion of a Contract)

第三十四条の二の二十三 契約締結前交付書面には、法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項を日本工業規格Z 8305に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 34-2-23 (1) In the Document Delivered Prior to the Conclusion of a

Contract, the matters set forth in the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, must be entered clearly and accurately, with letters and numbers of font size 8 points or larger as provided for in the Japanese Industrial Standards Z 8305.

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, in a Document Delivered Prior to the Conclusion of a Contract, the following matters are to be entered inside a frame, clearly and accurately with letters and numbers of font size 12 points or larger as provided for in the Japanese Industrial Standards Z 8305, and following the matters prescribed in the following paragraph:

一 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第三十四条の二の二十七第十一号に掲げる事項

(i) a summary of the matters set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act and the matters set forth in item (v) of the same paragraph, and Article 34-2-27, item (xi); and

二 第三十四条の二の二十七第十二号に掲げる事項

(ii) the matters set forth in Article 34-2-27, item (xii).

3 外国銀行代理銀行は、契約締結前交付書面には、第三十四条の二の二十七第一号に掲げる事項及び法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に重要なものを、日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) In the Document Delivered Prior to the Conclusion of a Contract, a Foreign Bank's Agent Bank is to provide the most critical information that may affect the decision of a customer, selected from among the matters set forth in Article 34-2-27, item (i) and the items of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, in a plain language and with letters and numbers of font size 12 points or larger as provided for in the Japanese Industrial Standards Z 8305 at the very beginning of the Document Delivered Prior to the Conclusion of a Contract.

(情報の提供の方法)

(Methods of Provision of Information)

第三十四条の二の二十四 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することに

より行うものとする。

Article 34-2-24 The provision of information prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, is to be done by delivering a Document Delivered Prior to the Conclusion of a Contract.

(契約締結前交付書面の交付を要しない場合)

(Cases Where Delivery of Document Delivered Prior to the Conclusion of a Contract Is Not Required)

第三十四条の二の二十五 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-2-25 (1) The cases provided by Cabinet Office Ordinance as prescribed in Article 37-3, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act are the following cases:

一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約について法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第一号及び第三号から第五号まで並びに第三十四条の二の二十七第一号、第十一号及び第十七号に掲げる事項を、第三十四条の二の二十三に規定する方法に準ずる方法により記載した書面（以下この条から第三十四条の二の三十の二までにおいて「外貨預金等書面」という。）を交付している場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）

(i) the cases where a document (hereinafter referred to as "Document on a Foreign Currency Deposit, etc." from this Article to Article 34-2-30-2), in which the matters set forth in Article 37-3, paragraph (1), item (i) and items (iii) to (v) and Article 34-2-27, items (i), (xi), and (xvii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, with regard to a specified deposit, etc. contract pertain to foreign currency deposit, etc., are entered by a method equivalent to that prescribed in Article 34-2-23, is delivered to said customer within one year before the conclusion of said specified deposit, etc. contract (limited to the cases where said customer declared the intention not to require the delivery of the Document Delivered Prior to the Conclusion of a Contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結前交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結前交付書面を交付していない場合を含む。）

(ii) the cases where, within one year before the conclusion of a specified deposit, etc. contract, a Document Delivered Prior to the Conclusion of a Contract for a specified deposit, etc. contract, of which the terms are identical to those of

said specified deposit, etc. contract, is delivered to said customer (including the cases where the Document Delivered Prior to the Conclusion of a Contract has not been delivered for said specified deposit, etc. contract of identical terms pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約の締結の代理又は媒介を行う場合においては、次に掲げるとき。

(iii) in the cases of acting as an agent or intermediary for conclusion of a specified deposit, etc. contract aiming at changing part of the terms of the specified deposit, etc. contract already concluded, the cases set forth in the following:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(a) when there is nothing to be changed, pursuant to said change, in the entry of the Document Delivered Prior to the Conclusion of a Contract for the specified deposit, etc. contract already concluded; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面（以下第三十四条の二の三十の二までにおいて「契約変更書面」という。）を交付しているとき。

(b) if, pursuant to said change, there are changes to be made in the entry of the Document Delivered Prior to the Conclusion of a Contract for a specified deposit, etc. contract already concluded, when a document in which said change is stated (hereinafter referred to as "Document on Contract Change" to Article 34-2-30-2) is delivered to said customer.

2 第十四条の十一の二十五第二項の規定は、前項第三号ロの規定による契約変更書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of a Document on Contract Change pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行つた場合（当該顧客から契約締結前交付書面の交付を要しない旨の意思の表明があつた場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a specified deposit, etc. contract pertaining to a Foreign Currency Deposit, etc. is concluded within one year from the date when a Document on a Foreign Currency Deposit, etc. is delivered (including the date when a Document of Foreign Currency Deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases where the customer declared the intention not to require delivery of a Document Delivered Prior to the Conclusion of a Contract), it is deemed that a Document on a Foreign Currency

Deposit, etc. is delivered on the date of said conclusion and the provisions of paragraph (1), item (i) apply.

4 契約締結前交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結前交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結前交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結前交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行つた場合には、当該締結の日において契約締結前交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If, within one year from the date of delivery of Document Delivered Prior to the Conclusion of a Contract (including, if the Document Delivered Prior to the Conclusion of a Contract is not delivered with regard to a specified deposit, etc. contract pursuant to the provisions of paragraph (1), item (i), the date of conclusion of said specified deposit, etc. contract and the date when the Document Delivered Prior to the Conclusion of a Contract is deemed to be delivered pursuant to the provisions of this paragraph), a specified deposit, etc. contract with terms identical to those of the specified deposit, etc. contract pertaining to said Document Delivered Prior to the Conclusion of a Contract is concluded, it is deemed that a Document Delivered Prior to the Conclusion of a Contract is delivered on the date of said conclusion and the provisions of paragraph (1), item (ii) apply.

（顧客が支払うべき対価に関する事項）

(Matters Concerning Compensation to Be Paid by a Customer)

第三十四条の二の二十六 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあつては、その旨及びその理由とする。

Article 34-2-26 The matters provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-2-5, are the amount or the upper limit of the fee, etc. that is to be paid by the customer pertaining to a specified deposit, etc. contract, whether they are known as fees, remunerations, expenses or by any other name, by type, or their calculation method (including the amount as a percentage of the amount of principal of said specified deposit, etc. contract; hereinafter the same applies in this Article) and the sum of such amounts or the upper limit thereof, or their calculation method; provided, however, that, when it is not possible to indicate these, said matters are a statement to that effect and the reason therefor.

(契約締結前交付書面の記載事項)

(Information for Inclusion in Document Delivered Prior to the Conclusion of a Contract)

第三十四条の二の二十七 法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-27 The matters provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following matters:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) a statement to the effect that the content of said Document Delivered Prior to the Conclusion of a Contract should read and understood sufficiently;

二 商品の名称（通称を含む。）

(ii) name of the financial instrument (including a name it is commonly known by)

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) whether it is eligible for the insurance payment prescribed in Article 53 of the Deposit Insurance Act

四 受入れの対象となる者の範囲

(iv) scope of the persons eligible for acceptance;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including whether the deposit will be automatically renewed or not);

六 最低預入金額、預入単位その他の預入れに関する事項

(vi) minimum amount of deposit, unit of deposit, and any other terms of deposit;

七 払戻しの方法

(vii) method of repayment;

八 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) method of setting interest rate, payment method, calculation method, and any other terms pertaining to interest;

九 付加することのできる特約に関する事項

(ix) matters concerning special provisions that may be added;

十 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）

(x) terms of termination of contract before maturity (including the calculation methods of interest and fees);

十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項

(xi) with regard to specified deposit, etc. contract to be concluded by a customer,

when a loss is likely to be incurred by changes in money rate, value of currencies, quotations on a financial instruments market, and other indexes as a direct cause, the matters set forth in the following:

イ 当該指標

(a) said indexes; and

ロ 当該指標に係る変動により損失が生ずるおそれがある理由

(b) reason why fluctuations of said indexes may cause a loss;

十二 当該外国銀行代理銀行の所属外国銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回ることにより顧客に不利となるおそれがある旨

(xii) with regard to a Specified Deposit, etc. for which the Principal Foreign Bank of said Foreign Bank Agent Bank has a right to extend the deposit period, a statement to the effect that, when said right is exercised, it may be disadvantageous to the customer due to the money rate of said Specified Deposit, etc. falling below the money market rate;

十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全額返還される保証のないことその他当該商品に関する詳細

(xiii) when financial instruments are sold that combine Specified Deposit, etc. with those set forth in the following, a statement to the effect that the financial instrument does not guarantee the full repayment at maturity of amount paid at initial deposit and any other details on said instrument:

イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバティブ取引に該当するものを除く。）

(a) a market derivatives transaction or a foreign market derivatives transaction (excluding one falling under securities-related derivatives transactions);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivatives transaction prescribed in Article 10, paragraph (2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a futures foreign funds transfer transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除く。）

(d) a securities-related derivatives transaction (excluding transactions set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act and transactions in a foreign financial instruments market similar to transactions set forth in the same item); and;

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場における同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲

げる有価証券のうち同項第一号の性質を有するものに係るものに限る。)

- (e) a transaction set forth in Article 2, paragraph (21), item (i) of the Financial Instruments and Exchange Act or transactions in a foreign financial instruments market similar to transactions set forth in the same item (limited to a National Government Bond Certificate, etc. and those of securities set forth in paragraph (1), item (xvii) of the same Article which have the characteristics prescribed in item (i) of the same paragraph);
- 十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項
- (xiv) when the establishment method of an index to be the standard for establishing a money rate of a floating rate deposit and money rate are specified, matters concerning said standards, method, and money rate;
- 十五 当該特定預金等契約に関する租税の概要
- (xv) outline of taxation pertaining to said specified deposit, etc. contract;
- 十六 顧客が当該外国銀行代理銀行の所属外国銀行に連絡する方法
- (xvi) a method for the customer to contact the Principal Foreign Bank of said Foreign Bank's Agent Bank;
- 十七 その他特定預金等の預入れに関し参考となると認められる事項
- (xvii) any other information deemed useful concerning the deposit of a Specified Deposit, etc.

(契約締結時交付書面の記載事項)

(Information for Inclusion in Document Delivered upon Conclusion of a Contract)

第三十四条の二の二十八 特定預金等契約が成立したときに作成する法第五十二条の二の五において準用する金融商品取引法第三十七条の四第一項に規定する書面（次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 34-2-28 The following matters must be entered in the document to be prepared when a specified deposit, etc. contract is concluded as prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 (which is referred to as "Document Delivered upon Conclusion of a Contract" in the following Article):

- 一 当該外国銀行代理銀行の所属外国銀行の名称又は商号
- (i) name or trade name of the Principal Foreign Bank of said Foreign Bank's Agent Bank;
- 二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）
- (ii) amount of deposit (when the principal amount is indicated in a foreign currency, the principal amount expressed in said foreign currency);
- 三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

- (iii) whether the financial instrument is eligible for insurance payment prescribed in Article 53 of the Deposit Insurance Act;
- 四 預入日及び満期日（自動継続扱いの有無を含む。）
- (iv) date of deposit and date of maturity (including whether the deposit will be automatically renewed or not);
- 五 払戻しの方法
- (v) method of repayment;
- 六 利息の設定方法、支払方法、計算方法その他の利息に関する事項
- (vi) method of setting interest rates, payment method, calculation method, and other terms pertaining to interest;
- 七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）
- (vii) terms of termination of contract before maturity (including the calculation methods of interest and fees);
- 八 当該特定預金等契約の成立の年月日
- (viii) date of conclusion of said specified deposit, etc. contract;
- 九 当該特定預金等契約に係る手数料等に関する事項
- (ix) terms of Fee, etc. for said specified deposit, etc. contract;
- 十 顧客の氏名又は名称
- (x) name of the customer; and
- 十一 顧客が当該外国銀行代理銀行の所属外国銀行に連絡する方法
- (xi) a method for the customer to contact the Principal Foreign Bank of said Foreign Bank's Agent Bank.

（契約締結時交付書面の交付を要しない場合）

(When Delivery of Document Delivered upon Conclusion of a Contract Is Not Required)

第三十四条の二の二十九 契約締結時交付書面に係る法第五十二条の二の五において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 34-2-29 (1) The cases provided by Cabinet Office Ordinance as prescribed in Article 37-4, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act pertaining to a Document Delivered upon Conclusion of a Contract are the following cases:

- 一 外貨預金等に係る特定預金等契約の締結前一年以内に当該顧客に対し外貨預金等書面を交付している場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があつた場合に限る。）
- (i) the cases where a Document on a Foreign Currency Deposit, etc. is delivered to the customer within one year before the conclusion of said specified deposit, etc. contract pertaining to a foreign currency deposit, etc. (limited to the cases where said customer declared the intention not to require the

delivery of the Document Delivered upon Conclusion of a Contract);

二 特定預金等契約の締結前一年以内に当該顧客に対し当該特定預金等契約と同一の内容の特定預金等契約に係る契約締結時交付書面を交付している場合（前号の規定により当該同一の内容の特定預金等契約について契約締結時交付書面を交付していない場合を含む。）

(ii) the cases where, within one year before the conclusion of a specified deposit, etc. contract, a Document Delivered upon Conclusion of a Contract for a specified deposit, etc. contract, of which terms are identical to said specified deposit, etc. contract, is delivered to said customer (including the cases where the Document Delivered upon Conclusion of a Contract has not been delivered for said specified deposit, etc. contract of identical terms pursuant to the provisions of the preceding item); and

三 既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるとき。

(iii) if a specified deposit, etc. contract has been concluded, aiming at changing part of the terms of another specified deposit, etc. contract that had already been concluded, the cases set forth in the following:

イ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(a) pursuant to said change, when there is nothing to be changed in the entry of the Document Delivered upon Conclusion of a Contract for the specified deposit, etc. contract that has already been concluded; and

ロ 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあっては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(b) pursuant to said change, if there are changes to be made in the entry of the Document Delivered upon Conclusion of a Contract for a specified deposit, etc. contract that has already been concluded, when a document in which said change is stated has been delivered to said customer.

2 第十四条の十一の二十五第二項の規定は、前項第三号ロの規定による書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of a Document pursuant to the provisions of item (iii), sub-item (b) of the preceding paragraph.

3 外貨預金等書面を交付した日（この項の規定により外貨預金等書面を交付したものとみなされた日を含む。）から一年以内に外貨預金等に係る特定預金等契約の締結を行った場合（当該顧客から契約締結時交付書面の交付を要しない旨の意思の表明があった場合に限る。）には、当該締結の日において外貨預金等書面を交付したものとみなして、第一項第一号の規定を適用する。

(3) If a specified deposit, etc. contract pertaining to a Foreign Currency Deposit, etc. is concluded within one year from the date when a Document on a Foreign

Currency Deposit, etc. is delivered (including the date when a Document of Foreign Currency Deposit, etc. is deemed to be delivered pursuant to the provisions of this paragraph) (limited to the cases where the customer declared the intention not to require delivery of a Document Delivered upon Conclusion of a Contract), it is deemed that a Document on a Foreign Currency Deposit, etc. is delivered on the date of said conclusion and the provisions of paragraph (1), item (i) apply.

4 契約締結時交付書面を交付した日（第一項第一号の規定により特定預金等契約について契約締結時交付書面を交付しない場合における当該特定預金等契約の締結の日及びこの項の規定により契約締結時交付書面を交付したものとみなされた日を含む。）から一年以内に当該契約締結時交付書面に係る特定預金等契約と同一の内容の特定預金等契約の締結を行った場合には、当該締結の日において契約締結時交付書面を交付したものとみなして、第一項第二号の規定を適用する。

(4) If, within one year from the date of delivery of Document Delivered upon Conclusion of a Contract (including, if the Document Delivered upon Conclusion is not delivered with regard to a specified deposit, etc. contract pursuant to the provisions of paragraph (1), item (i), the date of conclusion of said specified deposit, etc. contract and the date when the Document Delivered upon Conclusion is deemed to be delivered pursuant to the provisions of this paragraph), a specified deposit, etc. contract with terms identical to those of the specified deposit, etc. contract pertaining to said Document Delivered upon Conclusion of a Contract is concluded, it is deemed that a Document Delivered upon Conclusion of a Contract is delivered on the date of said conclusion and the provisions of paragraph (1), item (ii) apply.

（信用格付業者の登録の意義その他の事項）

(Significance of Registration of a Credit Rating Agency and Other Matters)

第三十四条の二の三十 法第五十二条の二の五において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

Article 34-2-30 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are those set forth in the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付を付与した者に関する次に掲げる事項

(ii) with regard to a person who gave a credit rating, matters set forth in the following:

イ 商号、名称又は氏名

(a) trade name or name.

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) if said person is a corporation (including an organization without legal personality and appoints a representative or an administrator), the name of its officers (in case of an organization without legal personality and appoints a representative or an administrator, such representative or administrator).

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other principal business offices or offices.

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policy and method that the person who gave the credit rating uses to give said credit rating.

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人の付与した信用格付については、法第五十二條の二の五において準用する金融商品取引法第三十八條第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, with regard to Credit Ratings determined by a specified associated corporation, matters provided by Cabinet Office Ordinance as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act are the following:

一 金融商品取引法第六十六條の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六條の三第二項の規定に基づき、その関係法人を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) trade name, name and registration number of Credit Rating Agency whose associated corporation is designated as said specified associated corporation by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 116-3, paragraph (2) of the Cabinet Office Ordinance on Financial Instruments Business;

三 当該特定関係法人が信用格付業を示すものとして使用する呼称

(iii) the name used by said specified associated corporation as a representation of the Credit Rating Business;

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手

する方法

(iv) the outline of the policy and method that the specified associated corporation who gave the credit rating uses to give said credit rating or way to obtain information on the said outline from Credit Rating Agency specified by item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第三十四条の二の三十の二 法第五十二条の二の五において準用する金融商品取引法第三十八条第七号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-2-30-2 The acts provided by Cabinet Office Ordinance as prescribed in Article 38, item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are the following acts:

一 第三十四条の二の四十四各号に掲げる行為

(i) acts set forth in the items of Article 34-2-44;

二 次に掲げる書面の交付に関し、あらかじめ、顧客（特定投資家（法第五十二条の二の五において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第五十二条の二の五において準用する金融商品取引法第三十四条の三第四項（法第五十二条の二の五において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第五十二条の二の五において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（ハに掲げる書面を交付する場合にあつては、当該書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約の締結の代理又は媒介をする行為

(ii) with regard to delivery of the following documents, an act as an agent or an intermediary for the conclusion of a specified deposit, etc. contract without explaining in advance to the customer (excluding a Professional Investor (excluding a person who is deemed to be a customer other than a Professional Investor pursuant to the provisions of Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, and including a person who is deemed to be a Professional Investor pursuant to the provisions of Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act (including cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6)

of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act)); hereinafter the same applies in this item) about matters (when a document set forth in item (c) is delivered, matters that are stated in said document and that are pertaining to matters set forth in Article 37-3, paragraph (1), items (iii) to (v) and (vii) of the Financial Instruments and Exchange Act) set forth in items (iii) to (v) and (vii) of the same paragraph, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, by a method and to a degree deemed necessary for the good understanding by the customer of said matters in light of the customer's knowledge, experience, condition of assets, and purpose of concluding the specified deposit, etc. contract:

イ 契約締結前交付書面

(a) Document Delivered Prior to the Conclusion of a Contract;

ロ 外貨預金等書面

(b) Document on a Foreign Currency Deposit, etc.; and

ハ 契約変更書面

(c) Document on Contract Change;

三 特定預金等契約の締結の勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(iii) with regard to solicitation of conclusion of a specified deposit, etc. contract, an act of misrepresentation or an act of representation that may cause misunderstanding of material matters;

四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) with regard to a specified deposit, etc. contract, an act of promising special benefits to the customer or a person designated by the customer, or an act of offering special benefits to the customer or a third party (including an act of having a third party promise or offer special benefits); and

五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) with regard to conclusion or termination of a specified deposit, etc. contract, an act of soliciting, by telephone or by visiting, at an hour the customer (limited to an individual) finds annoying.

(行為規制の適用除外の例外)

(Exemption of Exclusion from Application of Behavior Regulation)

第三十四条の二の三十一 法第五十二条の二の五において準用する金融商品取引法第四十五条ただし書に規定する内閣府令で定める場合は、法第五十二条の二の五において準用する金融商品取引法第三十七条の四の規定の適用について、顧客の締結した特定預金等契約に関する照会に対して速やかに回答できる体制が整備されていない場合と

する。

Article 34-2-31 The cases as provided by Cabinet Office Ordinance as prescribed in the proviso of Article 45 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, are, with regard to application of provisions of Article 37-4 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-2-5 of the Act, the cases where a system for responding immediately to an inquiry concerning a specified deposit, etc. contract that a customer concluded has not been developed.

(所属外国銀行の説明書類等の縦覧)

(Public Inspection of Explanatory Statements of a Principal Foreign Bank)

第三十四条の二の三十二 外国銀行代理銀行は、その所属外国銀行及び当該所属外国銀行を子会社とする外国銀行持株会社（法第五十二条の二の六第一項に規定する外国銀行持株会社をいう。以下この条において同じ。）がその事業年度ごとに作成した書面であつて、当該所属外国銀行又は当該外国銀行持株会社の業務及び財産の状況に関する事項を記載したもの（法第二十一条第一項及び第二項並びに第五十二条の二十九第一項に規定する事業年度に係る説明書類又はこれに類するものであつて、日本語又は英語により記載したものに限る。以下この条において「縦覧書類」という。）の縦覧を、当該所属外国銀行又は当該所属外国銀行を子会社とする外国銀行持株会社の事業年度経過後六月以内に開始し、当該事業年度の翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-2-32 (1) A Foreign Bank's Agent Bank must start making available for public inspection documents that its Principal Foreign Bank and the Foreign Bank Holding Company (which means the Foreign Bank Holding Company prescribed in Article 52-2-6, paragraph (1) of the Act; hereinafter the same applies in this Article) of which said Principal Foreign Bank is a Subsidiary Company prepare each business year on the state of business and assets of said Principal Foreign Bank or said Foreign Bank Holding Company (which means explanatory documents for the business year prescribed in Article 21, paragraphs (1) and (2) and Article 52-29, paragraph (1) of the Act, or any documents equivalent thereto, and limited to those written in Japanese or English; hereinafter referred to as "Documents for Public Inspection") within six months from the closing of the business year of said Principal Foreign Bank or said Foreign Bank Holding Company having said Principal Foreign Bank as a Subsidiary Company and keep them so available until they start making available for public inspection Documents for Public Inspection for the following business year.

2 縦覧書類が英語で記載されたものである場合には、外国銀行代理銀行は、当該縦覧書類に加え、その所属外国銀行及び当該所属外国銀行を子会社とする外国銀行持株会社に係る事業の概況並びに貸借対照表及び損益計算書について日本語で記載された書

面を作成し、当該外国銀行代理銀行に備え置き、公衆の縦覧に供しなければならない。

(2) When the Documents for Public Inspection are written in English, the Foreign Bank's Agent Bank must, in addition to said documents, prepare documents in Japanese comprised of the overview of business, balance sheet, and profit and loss statement of its Principal Foreign Bank and the Foreign Bank Holding Company having said Principal Foreign Bank as a Subsidiary Company and keep them available for public inspection in said Foreign Bank's Agent Bank.

3 外国銀行代理銀行は、やむを得ない理由により第一項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行以外の外国銀行代理銀行にあつては、当該外国銀行代理銀行の本店所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(3) If a Foreign Bank's Agent Bank is unable to start making Documents for Public Inspection available for public inspection by the time prescribed in paragraph (1) due to compelling reasons, the Foreign Bank's Agent Bank may postpone the start of said public inspection with the prior approval of the Commissioner of the Financial Services Agency (with regard to a Foreign Bank's Agent Bank other than a Bank designated by the Commissioner of the Financial Services Agency, the Director of the Local Finance Bureau that has jurisdiction over the location of the head office of said Foreign Bank's Agent Bank (with regard to said location that is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the head of the Fukuoka Local Finance Branch Bureau))

4 外国銀行代理銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(4) A Foreign Bank's Agent Bank, when intending to obtain an approval prescribed in the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency, etc.

5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした外国銀行代理銀行が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(5) When an application for approval is filed pursuant to the preceding paragraph, the Commissioner of the Financial Services Agency, etc. is to examine the validity of the compelling reasons for the Foreign Bank's Agent Bank, which filed said application, to postpone the start of the public inspection prescribed in paragraph (1).

6 法第五十二条の二の六第二項に規定する内閣府令で定めるものは、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(6) The measure provided by Cabinet Office Ordinance as prescribed in Article 52-2-6, paragraph (2) of the Act is a method to display matters recorded in an

electronic or magnetic record on paper or a screen.

(外国銀行代理業務の健全化措置)

(Measures to Ensure Sound Operation of Foreign Bank Agency Services)

第三十四条の二の三十三 外国銀行代理銀行は、法第五十二条の二の七の規定により、外国銀行代理業務の健全かつ適切な運営を確保するため、次に掲げる措置を講じなければならない。

Article 34-2-33 A Foreign Bank's Agent Bank must, pursuant to the provisions of Article 52-2-7 of the Act, take the following measures to ensure sound and proper operation of Foreign Bank Agency Services).

一 外国銀行代理業務に係る所属外国銀行の業務又は財産の状況に関する照会に対して速やかに回答できる体制の整備等の措置

(i) measures to develop a system that enables it to promptly respond to inquiries about the state of the services and assets of the Principal Foreign Bank pertaining to the Foreign Bank Agency Services;

二 外国銀行代理業務の健全かつ適切な運営を確保するため必要があると認めるときには、所属外国銀行との間の委託契約の内容を変更し、又は解除するための措置

(ii) when it is deemed necessary for the sound and proper operation of the Foreign Bank Agency Services, a measure to modify the terms of or cancel the contract of entrustment with the Principal Foreign Bank;

三 代理又は媒介を行おうとする所属外国銀行の業務について、法第十条第一項及び第二項に規定する業務（代理又は媒介に係る業務及び銀行が同項（第八号及び第八号の二を除く。）の規定により代理又は媒介を行うことができる業務を除く。）に該当するかどうかを必要に応じて自ら審査を行うための措置

(iii) with regard to the Principal Foreign Bank services in which the bank intends to act as an agent or intermediary, a measure to examine by itself, as necessary, whether said business falls under the business prescribed in Article 10, paragraphs (1) and (2) of the Act (excluding business pertaining to agency or intermediary service and the business in which a bank may act as an agent or intermediary pursuant to the provisions of the same paragraph (excluding items (viii) and (viii)-2));

四 所属外国銀行に外国銀行代理銀行から顧客に関する情報を不正に取得させない等、顧客情報の適切な管理を確保するための措置

(iv) measures to ensure the proper management of customer information, including one to prevent the Principal Foreign Bank from illegally obtaining customer information from the Foreign Bank's Agent Bank;

五 外国銀行代理業務を営む営業所の廃止にあつては、当該営業所の顧客に係る取引が、所属外国銀行を同一とする他の外国銀行代理銀行又は他の営業所へ支障なく引き継がれる等、当該営業所の顧客に著しい影響を及ぼさないようにするための措置

(v) in abolishing a business office providing Foreign Bank Agency Services,

measures to ensure that the customers of said business office are not significantly affected, including measures to smoothly hand over the transactions of the customers of said business office to other Foreign Bank's Agent Banks or other business offices of the same Principal Foreign Bank.

六 外国銀行代理業務に係る所属外国銀行の業務に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(vi) measures necessary to properly and promptly address complaints from customers regarding the Principal Foreign Bank services pertaining to the Foreign Bank Agency Services.

(所属外国銀行に関する届出)

(Notification on Principal Foreign Bank)

第三十四条の二の三十四 法第五十二条の二の九第一項第七号に規定する内閣府令で定める場合は、発行済株式等の百分の五十を超える数又は額の株式又は持分を保有する者に変更があつた場合とする。

Article 34-2-34 (1) The cases provided by Cabinet Office Ordinance as prescribed in Article 52-2-9, paragraph (1), item (vii) of the Act are the cases where there have been changes in a person who holds a number of shares or an amount of equity exceeding fifty percent of the Issued Shares, etc.

2 外国銀行代理銀行は、法第五十二条の二の九第一項の規定による届出をしようするときは、届出書に理由書その他参考となるべき事項を記載した書面を添付して、遅滞なく、金融庁長官等に提出しなければならない。

(2) A Foreign Bank's Agent Bank, when intending to file a notification pursuant to the provisions of Article 52-2-9, paragraph (1) of the Act, must submit to the Commissioner of the Financial Services Agency, etc. a written notification without delay, with a statement of reasons and a document stating matters to be referenced attached thereto.

3 外国銀行代理銀行は、法第五十二条の二の九第二項による公告及び掲示をするとき（同条第一項第三号から第六号までに掲げる届出を行つた場合に限る。）は、所属外国銀行における預金等その他その営む外国銀行代理業務に係る取引の処理の方針を示すものとする。

(3) A Foreign Bank's Agent Bank, when posting a public notice and display pursuant to Article 52-2-9, paragraph (2) of the Act (limited to the cases where a notification set forth in paragraph (1), items (iii) to (vi) of the same Article), is to indicate a policy for processing transactions in the Foreign Bank Agency Services it provides, such as deposit, etc. in the Principal Foreign Bank.

(標識の様式)

(Form of Sign)

第三十四条の二の三十五 法第五十二条の二の十において準用する法第五十二条の四十一第一項に規定する内閣府令で定める様式は、別紙様式第十号の二に定めるものとする。

Article 34-2-35 The form provided by Cabinet Office Ordinance as prescribed in Article 52-40, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, is as prescribed in item (x)-2 of the appended form.

(分別管理)

(Separated Management)

第三十四条の二の三十六 外国銀行代理銀行は、法第五十二条の二の十において準用する法第五十二条の四十三の規定に基づき、管理場所を区別することその他の方法により外国銀行代理行為に関して顧客から交付を受けた金銭その他の財産が自己の固有財産であるか、又はいずれの所属外国銀行に係るものであるかが直ちに判別できる状態で管理しなければならない。

Article 34-2-36 A Foreign Bank's Agent Bank, based on the provisions of Article 52-43 of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, must manage money or other assets delivered by customers, with regard to its activities as a foreign bank agent, in a condition that is immediately distinguishable as to whether the asset is its own asset or belongs to any Principal Foreign Bank, by separating the places of management or by other methods.

(明示事項)

(Matters to Be Clearly Indicated)

第三十四条の二の三十七 法第五十二条の二の十において準用する法第五十二条の四十四第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-2-37 The matters provided by Cabinet Office Ordinance as prescribed in Article 52-44, paragraph (1), item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, are the following matters:

一 外国銀行代理行為に関して顧客から金銭その他の財産の交付を受けるときは、当該交付を受けることについての所属外国銀行からの権限の付与がある旨

(i) when receiving the delivery of money or other assets from a customer with regard to activities as a foreign bank agent, a statement to the effect that the Foreign Bank's Agent Bank has been authorized by the Principal Foreign Bank to receive said delivery;

二 所属外国銀行が二以上ある場合において、顧客が締結しようとする外国銀行代理行為に係る契約につき顧客が支払うべき手数料と、当該契約と同種の契約につき他の所属外国銀行に支払うべき手数料が異なるときは、その旨

(ii) when there are two or more Principal Foreign Banks, and when the fees pertaining to activities as a foreign bank agent that the customer is to pay for a contract that the customer intends to conclude differs from the fee to be paid to another Principal Foreign Bank for the same type of contract as said contract, a statement to that effect;

三 所属外国銀行が二以上ある場合において、顧客が締結しようとする外国銀行代理

行為に係る契約と同種の契約の締結の代理又は媒介を他の所属外国銀行のために行っているときは、その旨

(iii) when there are two or more Principal Foreign Banks, and when the Foreign Bank Agent Bank provides agency or intermediary services for the conclusion of the same type of contract as the one the customer intends to conclude through its activity as a foreign bank agent for another Principal Foreign Bank, a statement to that effect;

四 所属外国銀行が二以上ある場合は、顧客の取引の相手方となる所属外国銀行の商号又は名称

(iv) when there are two or more Principal Foreign Banks, the trade name or name of the Principal Foreign Bank that is the other party of the transaction of the customer.

(外国銀行代理銀行の預金者等に対する情報の提供)

(Provision of Information to Depositor by a Foreign Bank's Agent Bank)

第三十四条の二の三十八 第十三条の三の規定は、法第五十二条の二の十において準用する法第五十二条の四十四第二項の規定による外国銀行代理銀行が行う預金者等に対する情報の提供について準用する。

Article 34-2-38 The provisions of Article 13-3 apply mutatis mutandis to the provision of information to Depositor, etc. by a Foreign Bank's Agent Bank pursuant to the provisions of Article 52-44, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act.

(外国銀行代理銀行が締結する契約との誤認防止)

(Prevention of Misidentification of Contract Concluded by a Foreign Bank's Agent Bank)

第三十四条の二の三十九 外国銀行代理銀行は、外国銀行代理行為を行うときは、顧客に対し、次に掲げる事項を説明するものとする。

Article 34-2-39 A Foreign Bank's Agent Bank, when carrying out an activity as a foreign bank agent, is to explain to the customer the following:

一 契約の主体が、当該外国銀行代理銀行ではなく、当該外国銀行代理業務に係る所属外国銀行であること。

(i) that the other party of the contract is not said Foreign Bank's Agent Bank itself but said Principal Foreign Bank entrusting it with Foreign Bank Agent Services; and

二 その他外国銀行代理銀行が締結する契約との誤認防止に関し参考となると認められる事項

(ii) other explanation deemed useful to prevent the customer from confusing the contract with a contract concluded by the Foreign Bank's Agent Bank.

(他の所属外国銀行の同種の契約に係る情報提供)

(Provision of Information Pertaining to the Same Type of Contract Offered by Other Principal Foreign Banks)

第三十四条の二の四十 外国銀行代理銀行は、第三十四条の二の三十七第三号に掲げる事項を明らかにしたときは、顧客の求めに応じ、他の所属外国銀行の同種の契約の内容その他顧客に参考となるべき情報の提供を行わなければならない。

Article 34-2-40 A Foreign Bank's Agent Bank, if it has clarified the matters as prescribed in Article 34-2-37, item (iii), must respond to the request of a customer and provide the content of the same type of contract of another Principal Foreign Bank and other information to serve as a reference for the customer.

(外国銀行代理業務の従事者に対する研修の実施等の措置)

(Training and Other Measures for Employees Engaged in Foreign Bank Agency Services)

第三十四条の二の四十一 外国銀行代理銀行は、外国銀行代理業務の従事者に対し、外国銀行代理業務の指導、外国銀行代理業務に関する法令等（外国の法令等を含む。）を遵守させるための研修の実施等の措置を講じなければならない。

Article 34-2-41 For the employees engaged in Foreign Bank Agency Services, a Foreign Bank's Agent Bank must take such measures as providing guidance in Foreign Bank Agency Services and training in legal compliance in Foreign Bank Agency Services (including foreign laws and regulations).

(外国銀行代理銀行の密接関係者)

(Closely Related Parties of a Foreign Bank's Agent Bank)

第三十四条の二の四十二 法第五十二条の二の十において準用する法第五十二条の四十五第三号に規定する内閣府令で定める外国銀行代理銀行と密接な関係を有する者は、当該外国銀行代理銀行が銀行である場合にあつては、当該銀行の特定関係者（法第十三条の二に規定する特定関係者をいい、当該外国銀行代理銀行である銀行の子会社を除く。）とし、当該外国銀行代理銀行が外国銀行支店である場合にあつては、当該外国銀行支店の特殊関係者（令第九条の規定により読み替えられた法第十三条の二に規定する特殊関係者をいい、当該外国銀行支店に係る外国銀行の子会社を除く。）とする。

Article 34-2-42 A person closely related to a Foreign Bank's Agent Bank provided by Cabinet Office Ordinance as prescribed in Article 52-45, item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, when said Foreign Bank's Agent Bank is a Bank, is a specified related party of said Bank (which means a specified related party prescribed in Article 13-2 of the Act, but excluding a Subsidiary Company of a Bank that is said Foreign Bank's Agent Bank) and, when said Foreign Bank's Agent Bank is a Foreign Bank Branch, be a uniquely related party of said Foreign Bank Branch (which means a uniquely related person prescribed in Article 13-2 of the Act, as

replaced pursuant to the provisions of Article 9 of the Order, but excluding a Subsidiary Company of a Foreign Bank to which said Foreign Bank Branch belongs).

(顧客の保護に欠けるおそれのないもの)

(Acts without the Risk of Lacking Protection of Customers)

第三十四条の二の四十三 法第五十二条の二の十において準用する法第五十二条の四十五第三号に規定する顧客の保護に欠けるおそれがないものとして内閣府令で定めるものは、外国銀行代理銀行が不当に取引を行うことを条件として、資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介をする行為ではないものとする。

Article 34-2-43 The acts provided by Cabinet Office Ordinance as those without risk of lacking the protection of customers as prescribed in Article 52-45, item (iii) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10, are acts that are not an act as an agent or intermediary for the conclusion of a contract for a loan of funds or discounting of bills and notes arranged on the condition that the Foreign Bank's Agent Bank conducts transactions unfairly.

(外国銀行代理業務に係る禁止行為)

(Prohibited Acts in Foreign Bank Agency Services)

第三十四条の二の四十四 法第五十二条の二の十において準用する法第五十二条の四十五第五号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-2-44 The acts provided by Cabinet Office Ordinance as prescribed in Article 52-45, item (v) of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, are the following acts:

一 顧客に対し、不当に、自己又は自己の指定する事業者と取引を行うことを条件として、所属外国銀行の業務に係る契約の締結の代理又は媒介をする行為（法第五十条の二の十において準用する法第五十二条の四十五第三号に掲げるものを除く。）

(i) an act of unjustifiably providing the customer with the agency or intermediary service for the conclusion of a contract pertaining to the Principal Foreign Bank services on the condition that the customer conducts transactions with itself or a business operator it designates (excluding those set forth in Article 52-45, item (iii) of the Act, as applied mutatis mutandis in Article 50-2-10 of the Act)

二 顧客に対し、外国銀行代理銀行としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(ii) an act of causing the customer a disadvantage in the terms or performance of transactions by unjustifiably using its advantageous position as a Foreign Bank's Agent Bank;

三 顧客に対し、不当に、所属外国銀行の業務に係る契約の締結の代理又は媒介を行うことを条件として、自己又は自己の指定する事業者と取引をする行為

(iii) an act of unjustifiably having the customer conduct transactions with itself

or a business operator it designates, on the condition that it provides the customer with the agency or intermediary service for the conclusion of a contract pertaining to the Principal Foreign Bank services;

四 法令等（外国の法令等を含む。）に違反し、又は違反するおそれのある所属外国銀行の行為に係る契約の締結の代理又は媒介を行う行為

(iv) An act of acting as an agent or intermediary in the conclusion of a contract involved in an act of the Principal Foreign Bank that violates or may violate a law or regulation, etc. (including foreign laws and regulations, etc.)

（外国銀行代理業務に関する帳簿書類）

(Books and Documents Concerning Foreign Bank Agency Services)

第三十四条の二の四十五 外国銀行代理銀行は、法第五十二条の二の十において準用する法第五十二条の四十九の規定により、外国銀行代理業務の処理及び計算を明らかにするため、次の各号に掲げる帳簿書類（所属外国銀行の業務の代理を行わない場合は、第三号に掲げるものに限る。）を所属外国銀行ごとに作成し、当該各号に定める期間保存しなければならない。

Article 34-2-45 Pursuant to the provisions of Article 52-49 of the Act, as applied mutatis mutandis pursuant to Article 52-2-10 of the Act, a Foreign Bank's Agent Bank must prepare the books and documents prescribed in the following items (when it does not act as an agent in the Principal Foreign Bank services, limited to those set forth in item (iii)) for each Principal Foreign Bank and keep them on file for the periods prescribed respectively in those items to show the processing and calculations made in the Foreign Bank Agency Services:

一 総勘定元帳 作成の日から五年間

(i) general ledger: five years from the date of preparation;

二 外国銀行代理勘定元帳 作成の日から十年間

(ii) Foreign Bank Agency account ledger: ten years from the date of preparation;

三 外国銀行代理業務に係る顧客に対して行つた所属外国銀行の業務の媒介の内容を記録した書面 当該媒介を行つた日から五年間

(iii) a document describing the intermediary service with the Principal Foreign Bank it provided to customers of Foreign Bank Agency Services: five years from the date on which said intermediary service is provided.

（外国銀行代理業務に関する報告書の様式等）

(Form of a Report on Foreign Bank Agency Services)

第三十四条の二の四十六 法第五十二条の二の十において準用する法第五十二条の五十一第一項の規定による外国銀行代理業務に関する報告書は、別紙様式第十号の二の二により作成し、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

Article 34-2-46 (1) The report on Foreign Bank Agency Services pursuant to the provisions of Article 52-50, paragraph (1) of the Act, as applied mutatis

mutandis pursuant to Article 52-2-10 of the Act, must be prepared pursuant to Appended Form (x)-2-2 and submitted to the Commissioner of the Financial Services Agency, etc., within three months of the end of the business year.

2 外国銀行代理銀行は、やむを得ない理由により前項に規定する期間内に外国銀行代理業務に関する報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の二の規定により当該外国銀行代理銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該外国銀行代理業務に関する報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(2) A Foreign Bank's Agent Bank, if it is unable to submit the report on Foreign Bank Agency Services within the period prescribed in the preceding paragraph for compelling reasons, may postpone said submission under the prior approval of the Commissioner of the Financial Services Agency (when the Director the Local Finance Bureau who has jurisdiction over the location of the head office of said Foreign Bank's Agent Bank (the head of the Fukuoka Local Finance Branch Bureau, when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau) pursuant to the provisions of Article 17-2 of the Order receives said report on Foreign Bank Agency Services, the director of the Local Finance Bureau or the head of Fukuoka Local Finance Branch Bureau).

3 外国銀行代理銀行は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) A Foreign Bank's Agent Bank, when intending to obtain an approval prescribed in the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした外国銀行代理銀行が第二項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) When an application for approval is filed pursuant to the preceding paragraph, the Commissioner of the Financial Services Agency, etc. is to examine the validity of the compelling reasons for the Foreign Bank's Agent Bank, the applicant, to postpone the submission as prescribed in paragraph (2).

第八章 株主

Chapter VIII Shareholders

第一節 通則

Section 1 General Rules

(銀行議決権保有届出書の提出等)

(Submission of a Statement of Holdings in Bank Voting Rights)

第三十四条の二の四十七 法第五十二条の二の十一第一項の規定により同項に規定する銀行議決権保有届出書（以下この項及び第三十四条の五において「銀行議決権保有届出書」という。）を提出すべき者は、別紙様式第十号の二の三により当該銀行議決権保有届出書を作成し、金融庁長官等に提出しなければならない。

Article 34-2-47 (1) A person that is to submit a Statement of Holdings in Bank Voting Rights (hereinafter referred to as "statement of holdings in bank voting rights" in this paragraph and Article 34-5) as prescribed in Article 52-2-11, paragraph (1) of the Act pursuant to the same paragraph, must prepare said statement of holdings in bank voting rights pursuant to item (x)-2-3 of the appended form, and submit it to the Commissioner of the Financial Services Agency, etc.

2 法第五十二条の二の十一第一項に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(2) The cases as provided by Cabinet Office Ordinance as prescribed in Article 52-2-11, paragraph (1) of the Act and the day provided by Cabinet Office Ordinance are the case as set forth in each of the following items and the day specified in said each item corresponding to the category:

一 保有する議決権の数に増加がない場合（第三号に掲げる場合を除く。） 銀行議決権大量保有者（法第五十二条の二の十一第一項に規定する銀行議決権大量保有者をいう。以下この条並びに第三十四条の四第二項第二号及び第三号において同じ。）となつたことを知つた日から五日（日曜日及び令第十五条の二に規定する休日の日数は、算入しない。以下この号及び第三十四条の四第二項第一号において同じ。）を経過した日又は銀行議決権大量保有者となつた日を含む月の翌月十五日から五日を経過した日（当該日が銀行議決権大量保有者となつた日から一月を経過した日前である場合にあつては、銀行議決権大量保有者となつた日から一月を経過した日）のいずれか早い日

(i) when there is no increase of the holding number of voting rights (excluding the case as set forth in item (iii)): the earliest day among the day when five days (Sunday and the number of holidays as prescribed in Article 15-2 of the Order are not counted; hereinafter the same applies in this item and Article 34-4, paragraph (2), item (i)) have elapsed from the day that a person learns to becoming a Major Holder of Voting Rights in a Bank (which means a Major Holder of Voting Rights in a Bank as prescribed in Article 52-2-11, paragraph (1) of the Act; hereinafter the same applies in this Article and Article 34-4, paragraph (2), items (ii) and (iii)), or, the day when five days have elapsed from the 15th day of the month following the month that includes the day when a person becomes a Major Holder of Voting Rights in a Bank (if said day is less than one month that elapses from the day when a person became a Major Holder of Voting Rights in a Bank, the day that one month elapses from the day when a person becomes a Major Holder of Voting Rights in a Bank);

二 銀行議決権大量保有者となつた者が外国人又は外国の法人（法第三条の二第一項第一号に掲げる者を含む。次号並びに第三十四条の四第二項第二号及び第三号において同じ。）である場合（次号に掲げる場合を除く。） 銀行議決権大量保有者となつた日から一月を経過した日

(ii) when a person that becomes a Major Holder of Voting Rights in a Bank is a foreign national or foreign corporation (including a person as set forth in Article 3-2, paragraph (1), item (i) of the Act; the same applies in the following item and Article 34-4, paragraph (2), items (ii) and (iii)) (excluding a case as set forth in the following item): the day when one month elapses from the day when a person becomes a Major Holder of Voting Rights in a Bank; or

三 銀行議決権大量保有者となつた者が外国人又は外国の法人であつてその保有する議決権の数に増加がない場合 銀行議決権大量保有者となつたことを知つた日から一月を経過した日又は銀行議決権大量保有者となつた日を含む月の翌月十五日から一月を経過した日（当該日が銀行議決権大量保有者となつた日から二月を経過した日前である場合にあつては、銀行議決権大量保有者となつた日から二月を経過した日）のいずれか早い日

(iii) when a person that becomes a Major Holder of Voting Rights in a Bank is a foreign national or a foreign corporation and there is no increase of the person's held number of voting rights: the earliest day among the day when one month elapses from the day when the person learns to becoming a Major Holder of Voting Rights in a Bank, or the day when one month elapses from the 15th day of the month that following the month that includes the day when the person becomes a Major Holder of Voting Rights in a Bank (if said day is before the day when two months elapse from the day when a person became a Major Holder of Voting Rights in a Bank, the day when two months elapse from the day when a person becomes a Major Holder of Voting Rights in a Bank).

（国等が保有する議決権とみなされる議決権）

(Voting Rights Deemed to Be Held by the National Government)

第三十四条の三 次の各号に掲げる者は、それぞれ当該各号に定める議決権の保有について、令第十五条の法人とみなす。

Article 34-3 A person as set forth in each of the following items is deemed to be a corporation as prescribed in Article 15 of the Order with regard to the holding of voting rights as specified in said each item, respectively:

一 預金保険法附則第七条第一項第一号に規定する協定銀行 同法附則第二十二条第一項に規定する協定に基づく譲受け等に係る株式に係る議決権、金融機能の早期健全化のための緊急措置に関する法律（平成十年法律第百四十三号。以下「金融機能早期健全化緊急措置法」という。）第四条第二項に規定する株式等の発行等に係る株式に係る議決権、金融機能の再生のための緊急措置に関する法律（平成十年法律

第百三十二号) 附則第五条の規定によりなおその効力を有することとされる旧金融機能の安定化のための緊急措置に関する法律(平成十年法律第五号)第四条第一項第一号に規定する優先株式等の発行等に係る株式に係る議決権及び金融機能の強化のための特別措置に関する法律(平成十六年法律第二百二十八号)第三十五条第二項第六号に規定する取得株式等である株式に係る議決権

- (i) a tariff bank as prescribed in Article 7, paragraph (1), item (i) of the supplementary provisions of the Deposit Insurance Act: voting rights pertaining to shares pertaining to acquisition, etc. based on an agreement as prescribed in Article 22, paragraph (1) of the supplementary provisions of the same Act; voting rights pertaining to shares pertaining to the issue, etc. of Shares, etc. as prescribed in Article 4, paragraph (2) of the Act Concerning Emergency Measures for Early Strengthening of Financial Functions (Act No. 143 of 1998; hereinafter referred to as "Financial Strengthening Act"); voting rights pertaining to shares pertaining to the issue, etc. of preferred shares, etc. as prescribed in Article 4, paragraph (1), item (i) of the Act (prior to revision) on Emergency Measures for Stabilization of Financial Functions (Act No. 5 of 1998), which remains in effect by the provisions of Article 5 of the supplementary provisions of the Act Concerning [Emergency Measures for the Revitalization of the Financial Functions (Act No. 132 of 1998); and voting rights pertaining to shares which are acquisition shares, etc. as prescribed in Article 35, paragraph (2), item (vi) of the Act on Special Measures for Strengthening Financial Functions (Act No. 128 of 2004);
- 二 農水産業協同組合貯金保険法(昭和四十八年法律第五十三号)第七十四条第一号に規定する協定債権回収会社 同法第七十七条第一項の規定による資産の買取りの委託に係る株式に係る議決権
- (ii) a tariff servicer as prescribed in Article 74, item (i) of the Agricultural and Fishery Cooperation Savings Insurance Act (Act No. 53 of 1973): voting rights pertaining to shares pertaining to the entrustment of purchase of assets pursuant to the provisions of Article 77, item (i) of the same Act;
- 三 保険業法附則第一条の二の三第一号に規定する協定銀行 同法附則第一条の二の十二第一項に規定する協定に基づく資産の買取りに係る株式に係る議決権
- (iii) a tariff bank as prescribed in Article 1-2-3, item (i) of the supplementary provisions of the Insurance Business Act: voting rights pertaining to shares pertaining to purchase of assets based on an agreement as prescribed in Article 1-2-12, paragraph (1) of the supplementary provisions of the same Act.

(変更報告書の提出等)

(Submission of Statement of Changes)

第三十四条の四 法第五十二条の三第一項の規定により同項に規定する変更報告書(以下この項及び第三項並びに次条において「変更報告書」という。)を提出すべき者は、別紙様式第十号の二の三により当該変更報告書を作成し、金融庁長官等に提出しなけ

ればならない。

Article 34-4 (1) A person that is to submit a Statement of Changes (hereinafter referred to as a "statement of changes" in this paragraph and paragraph (3), and the following Article) as prescribed in Article 52-3, paragraph (1) of the Act pursuant to the provisions of the same paragraph, must prepare said statement of changes according to item (x)-2-3 of the appended form and submit it to the Commissioner of the Financial Services Agency, etc.

2 法第五十二条の三第一項本文に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(2) The cases as provided by Cabinet Office Ordinance as prescribed in Article 52-3, paragraph (1) of the Act and the day provided by Cabinet Office Ordinance are the cases as set forth in each of the following items and the day specified by each said item corresponding to the category:

一 保有する議決権の数に増加又は減少がない場合（議決権保有割合（法第五十二条の二の十一第一項第一号に規定する議決権保有割合をいう。以下この条及び次条において同じ。）が百分の一以上増加し又は減少した場合に限り、第三号に掲げる場合を除く。） 議決権保有割合が百分の一以上増加し若しくは減少したことを知った日から五日を経過した日又は議決権保有割合が百分の一以上増加し若しくは減少した日を含む月の翌月十五日から五日を経過した日のいずれか早い日

(i) when there is no increase or decrease of the holding number of voting rights (limited to the cases where the proportion of voting rights held (which means the proportion of voting rights held as prescribed in Article 52-2-11, paragraph (1), item (i) of the Act; hereinafter the same applies in this Article and the following Article) increases or decreases by one percent or more, and excluding cases as set forth in item (iii)): the earliest day among the day when five days elapse from the day when a person learns of an increase or decrease by one percent or more of said person's proportion of voting rights held, or the day when five days elapse from the 15th day of the month following the month that includes the day when the proportion of voting rights held increases or decreases by one percent or more;

二 銀行議決権大量保有者が外国人又は外国の法人である場合（次号に掲げる場合を除く。） 法第五十二条の二の十一第一項各号に掲げる事項の変更があつた日から一月を経過した日

(ii) when a Major Holder of Voting Rights in a Bank is a foreign national or a foreign corporation (excluding cases as set forth in the following item): the day when one month elapses from the day when a matter as set forth in Article 52-2-11, paragraph (1) of the Act changes; and

三 銀行議決権大量保有者が外国人又は外国の法人であつてその保有する議決権の数に増加又は減少がない場合（議決権保有割合が百分の一以上増加し又は減少した場合に限る。） 議決権保有割合が百分の一以上増加し若しくは減少したことを知った日から一月を経過した日又は議決権保有割合が百分の一以上増加し若しくは減少

した日を含む月の翌月十五日から一月を経過した日のいずれか早い日

(iii) when a Major Holder of Voting Rights in a Bank is a foreign national or a foreign corporation and there is no increase or decrease of said person's holding number of voting rights (limited to cases where the proportion of voting rights held increases or decreases by one percent or more): the earliest day among the day when one month elapses from the day when a person learns that said person's proportion of voting rights held increases or decreases by one percent or more, or the day when one month elapses from the 15th day of the month following the month that includes the day when the proportion of voting rights held increases or decreases by one percent or more.

3 法第五十二条の三第一項ただし書に規定する内閣府令で定める場合は、議決権保有割合が百分の一以上減少したことによる変更報告書で当該変更報告書に記載された議決権保有割合が百分の五以下であるものを既に提出している場合とする。

(3) The cases as specified by Cabinet Office Ordinance as prescribed in Article 52-3, proviso of paragraph (1) of the Act are the cases where a statement of changes prepared due to a decrease by one percent or more in the proportion of voting rights held, with the proportion of voting rights held being stated in the said statement of changes as five percent or less, is submitted.

(特例対象議決権に係る銀行議決権保有届出書の提出等)

(Submission of a Statement of Holdings in Bank Voting Rights Pertaining to Voting Rights Subject to Exceptions)

第三十四条の五 法第五十二条の四第一項の規定により銀行議決権保有届出書を提出すべき者又は同条第二項の規定により変更報告書を提出すべき者は、別紙様式第十号の三により当該銀行議決権保有届出書又は当該変更報告書を作成し、金融庁長官等に提出しなければならない。

Article 34-5 (1) The person that is to submit a statement of holdings in bank voting rights pursuant to the provisions of Article 52-4, paragraph (1) of the Act, or is to submit a statement of changes pursuant to the provisions of paragraph (2) of the said Article, must prepare the said statement of holdings in bank voting rights or the said statement of changes in accordance with item (x)-3 of the appended form and must submit the notice or statement of changes to the Commissioner of the Financial Services Agency, etc.

2 法第五十二条の四第一項に規定する内閣府令で定める者は、次に掲げる者とする。

(2) The persons as provided by Cabinet Office Ordinance as prescribed in Article 52-4, paragraph (1) of the Act are the following persons:

一 銀行、長期信用銀行、金融商品取引業者（有価証券関連業又は投資運用業（金融商品取引法第二十八条第四項に規定する投資運用業をいう。次号において同じ。）を営む者に限る。）、信託会社（信託業法第三条又は第五十三条第一項の免許を受けたものに限る。）、保険会社、農林中央金庫、商工組合中央金庫及び独立行政法

人郵便貯金・簡易生命保険管理機構

(i) a Bank, a long-term credit bank, or a financial instruments business operator (limited to a person who carries out securities-related business or an investment management business (which means an investment management business as prescribed in Article 28, paragraph (4) of the Financial Instruments and Exchange Act; the same applies in the following item)), a trust company (limited to a person that has obtained a license as prescribed in Article 3 or Article 53, paragraph (1) of the Trust Business Act), an insurance corporation (including a foreign insurance corporation, etc.), the Norinchukin Bank, the Shoko Chukin Bank Limited, and the Management Organization for Postal Savings and Postal Life Insurance;

二 外国の法令に準拠して外国において銀行業、有価証券関連業、投資運用業、信託業又は保険業を営む者であつて前号に掲げる者以外の者

(ii) a person who carries out a Banking, securities-related business, investment management business, Trust Business, or insurance business in a foreign state pursuant to laws and regulations of a foreign state, who is other than those as set forth in the preceding item;

三 前二号に掲げる者（以下この号及び第四項において「銀行等」という。）を共同保有者とする者であつて銀行等以外の者

(iii) a person who is a joint owner with those persons as set forth in the preceding two items (hereinafter referred to as "Bank, etc." in this item and paragraph (4)) that are other than Bank, etc.

3 法第五十二条の四第一項に規定する内閣府令で定める数は、百分の十とする。

(3) The number specified by Cabinet Office Ordinance as prescribed in Article 52-4, paragraph (1) of the Act is ten percent.

4 法第五十二条の四第一項に規定する内閣府令で定める場合は、銀行等に銀行等でない共同保有者がいる場合において、当該共同保有者に銀行等である共同保有者がいないものとみなして計算した当該共同保有者の議決権保有割合が百分の一を超える場合とする。

(4) Cases provided by Cabinet Office Ordinance as prescribed in Article 52-4, paragraph (1) of the Act, when there is any joint holder that is other than a Bank, etc. in a Bank, etc., are the cases where the proportion of voting rights held by the said joint holder that is calculated by deeming the said joint holder as having no joint holders that are Bank, etc. exceeds one percent.

5 法第五十二条の四第二項第二号に規定する内閣府令で定める基準は、議決権保有割合が同条第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合より百分の二・五以上増加し又は減少したこととする。

(5) In the standards as provided by Cabinet Office Ordinance as prescribed in Article 52-4 paragraph (2), item (ii) of the Act, the proportion of voting rights held is deemed as an increase or decrease from that in the statement of holdings in bank voting rights submitted or to be submitted pursuant to the

provisions of paragraph (1) of said Article by two-point-five percent or more.

6 法第五十二条の四第二項第四号に規定する内閣府令で定める場合及び内閣府令で定める日は、次の各号に掲げる場合及びその区分に応じ当該各号に定める日とする。

(6) The cases as specified by Cabinet Office Ordinance as prescribed in Article 52-4, paragraph (2), item (iv) of the Act, and the days specified by Cabinet Office Ordinance are the cases as set forth in the following items, and the days specified in the said item according to the category:

一 変更報告書に係る基準日（法第五十二条の四第三項に規定する基準日をいう。以下この条において同じ。）の属する月の後の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(i) if the proportion of voting rights held on the last day of the month following the month that includes the standard day pertaining to a statement of changes (which means the standard day as prescribed in Article 52-4, paragraph (3) of the Act; hereinafter the same applies in this Article) has increased or decreased from the proportion of voting rights held that is stated in said statement of changes by two-point-five percent or more: the 15th day of the month following the month that includes said last day;

二 変更報告書に記載された議決権保有割合が基準日以外の月の末日におけるものである場合において、その月の後の基準日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該後の基準日の属する月の翌月十五日

(ii) when the proportion of voting rights held stated in the statement of changes was recorded on the last day of the month other than the month that includes the standard day, if the proportion of voting rights held on the standard day after said month has increased or decreased from the proportion of voting rights held that is stated in the said statement of changes by one percent or more, or any other change occurred in any of the material matters to be stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes the standard day;

三 変更報告書に記載された議決権保有割合が基準日以外の月の末日におけるものである場合において、その月の後の基準日以外の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該後の基準日以外の月の末日の属する月の翌月十五日

(iii) when the proportion of voting rights held stated in the statement of changes was recorded on the last day of the month other than the month that includes the standard day, if the proportion of voting rights held on the last day of the month that does not include a standard day after the month in the case and has increased or decreased from the proportion of voting rights held

that is stated in the said statement of changes by two-point-five percent or more: the 15th day of the said month that does not include a standard day after the month in the case;

四 法第五十二条の三第一項の規定により提出され、又は提出されるべき変更報告書に記載された議決権保有割合の計算の基礎となつた日の後の基準日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該基準日の属する月の翌月十五日

(iv) if the proportion of voting rights held on the standard day after the base day of the calculation of the proportion of voting rights held that is stated in the statement of changes submitted or to be submitted pursuant to the provisions of Article 52-3, paragraph (1) of the Act, has increased or decreased from the proportion of voting rights held that is stated in the said statement of changes by one percent or more, or any other change occurred in any of the material matters to be stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes said standard day;

五 法第五十二条の三第一項の規定により提出され、又は提出されるべき変更報告書に記載された議決権保有割合の計算の基礎となつた日の後の基準日以外の月の末日における議決権保有割合が当該変更報告書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(v) if the proportion of voting rights held on the last day of the month other than the month of the standard day after the base day of the calculation of the proportion of voting rights held that is stated in the statement of changes submitted to be submitted pursuant to the provisions of Article 52-3, paragraph (1) of the Act, has increased or decreased from the proportion of voting rights held that is stated in the said statement of changes by two-point-five percent or more: the 15th day of the month that includes said last day;

六 法第五十二条の二の十一第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合の計算の基礎となつた日の後の基準日における議決権保有割合が当該銀行議決権保有届出書に記載された議決権保有割合より百分の一以上増加し又は減少した場合その他の銀行議決権保有届出書に記載すべき重要な事項の変更があつた場合 当該基準日の属する月の翌月十五日

(vi) if the proportion of voting rights held on the standard day after the base day of the calculation of the proportion of voting rights held that is stated in the statement of holdings in bank voting rights submitted or to be submitted pursuant to the provisions of Article 52-2-11, paragraph (1) of the Act, has increased or decreased from the proportion of voting rights held that is stated in the said statement of holdings in bank voting rights by one percent or more, or any other change occurred in any of the material matters to be

stated in the statement of holdings in bank voting rights: the 15th day of the month following the month that includes said standard day;

七 法第五十二条の二の十一第一項の規定により提出され、又は提出されるべき銀行議決権保有届出書に記載された議決権保有割合の計算の基礎となつた日の後の基準日以外の月の末日における議決権保有割合が当該銀行議決権保有届出書に記載された議決権保有割合より百分の二・五以上増加し又は減少した場合 当該末日の属する月の翌月十五日

(vii) if the proportion of voting rights held on the last day of the month other than the month of the standard day after the base day of the calculation of the proportion of voting rights held that is stated in the statement of holdings in bank voting rights submitted or to be submitted pursuant to the provisions of Article 52-2-11, paragraph (1) of the Act, has increased or decreased from the proportion of voting rights held that is stated in the said statement of holdings in bank voting rights by two-point-five percent or more: the 15th day of the month following the month that includes said last day.

7 基準日の届出又は当該基準日の変更をしようとする者は、別紙様式第十号の四により届出書を作成し、金融庁長官等に提出しなければならない。

(7) A person, who intends to submit a notice of the standard day or of the change of the said standard day, must prepare the written notice in accordance with item (x)-4 of the appended form and must submit the notice to the Commissioner of the Financial Services Agency, etc.

第二節 銀行主要株主に係る特例

Section 2 Special Provisions on a Bank's Major Shareholder

第一款 通則

Subsection 1 General Rules

(銀行の主要株主基準値以上の数の議決権を保有する者になろうとする場合の認可の申請等)

(Application of Authorization for the Case to Become a Person Holding a Number of Voting Rights in a Bank Which Is Equal to or Greater than the Major Shareholder Threshold)

第三十四条の六 法第五十二条の九第一項各号に掲げる取引又は行為により一の銀行の主要株主基準値以上の数の議決権を保有する者になろうとする会社その他の法人は、同項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-6 (1) A company or other corporation that intends to hold a number of voting rights in a single Bank which is equal to or greater than the Major Shareholder Threshold through transactions or acts as set forth in each item of Article 52-9, paragraph (1) of the Act, when obtaining an authorization

pursuant to the provisions of the same paragraph, must submit an written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該法人に関する次に掲げる書面（当該法人が外国の法人であること等の理由により次に掲げる書面の一部がない場合は、当該書面に相当する書面）

(ii) the following documents concerning said corporation (when a part of the following documents cannot be provided due to the reason that said corporation is a foreign corporation, etc., a document equivalent to said document):

イ 定款

(a) articles of incorporation;

ロ 法人の登記事項証明書

(b) a certificate of registered matters of the corporation;

ハ 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）の履歴書

(c) resumes of the directors and auditors (with regard to a company with committees; directors and executive officers);

ニ 会計参与設置会社にあつては、会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(d) with regard to a company with accounting advisors, resumes of the accounting advisors (when an accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of members who are to engage in duties);

ホ その総株主又は総出資者の議決権の百分の五を超える議決権を保有する者の氏名、住所又は居所、国籍及び職業（当該者が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面

(e) a document stating the name of any person that holds voting rights exceeding five percent of voting rights held by all of shareholders or all of investors, said person's domicile or residence, nationality, and occupation (when said person is a corporation or other organization, its name, location of principal business office, and the content of business carried out) and the number of shares held by the person;

ヘ 当該認可に係る法第五十二条の九第一項各号に掲げる取引又は行為が株主総会又は取締役会（これらに準ずる機関を含む。）の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録（これらに準ずる機関において必要な手続があつたことを証する書面を含む。）

(f) when transactions or acts as set forth in each item of Article 52-9, paragraph (1) of the Act pertaining to said approval require the resolution at the shareholders meeting or of the board of directors (including

organizations equivalent to these), minutes of the shareholders meetings or minutes of board of directors concerning this matter (including a document certifying that necessary procedures were followed by organizations equivalent to these);

ト 主たる事務所の位置を記載した書面

(g) a document stating the location of the principal office;

チ 業務の内容を記載した書面

(h) a document stating the content of business;

リ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該法人の最近における業務、財産及び損益の状況を知ることができる書面

(i) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss of said corporation;

ヌ 当該銀行の議決権の保有に係る体制を記載した書面

(j) a document stating the system pertaining to holding of voting rights of said Bank;

ル その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面

(k) a document stating the holding number of voting rights of said Bank and the number of voting rights of said Bank to be acquired or held after said authorization; and

ヲ その子会社等の名称、主たる営業所又は事務所の位置及び業務の内容を記載した書面

(l) a document stating the name of its Subsidiary Company, etc., location of principal business office or office, and content of business.

三 当該認可後五事業年度におけるその保有する当該銀行の議決権に係るキャッシュ・フローの見込み及び当該見込みのネットプレゼントバリュウ（当該議決権の保有を直接又は間接の原因とする収入又は支出の増加及び減少のそれぞれを当該議決権の取得資金に係るそれぞれに対応する期間の金利を用いて現在価値として割り引いて得た値を合計した値をいう。第三項において同じ。）を記載した書面

(iii) a document stating prospective cash flow pertaining to the holding of voting rights of said Bank for the five business years after said authorization and net present value of said forecast (which means the total value of the amount obtained by discounting each increase and decrease of revenue or expenditures caused directly or indirectly by the holding of said voting rights to current value by applying a money rate for the corresponding period pertaining to funds of acquisition of said voting rights, respectively; the same applies in paragraph (3));

四 前号のネットプレゼントバリュウに係るストレステスト（ネットプレゼントバリュウの計算の前提となる事項について当該事項の過去の一定期間の変化その他の合理的な範囲での変化があつたものとして、当該ネットプレゼントバリュウとは異なる

る値を別途計算することをいう。第三項において同じ。)の結果を記載した書面
(iv) a document stating the result of a stress test (which means to calculate separately a different value from said net present value on the assumption that, with regard to matters based on the calculation of net present value, that there were and will be changes of said matters for a certain period in the past and other changes within a reasonable scope; the same applies in paragraph (3)) pertaining to the net present value calculation of the preceding paragraph;

五 当該認可後に当該銀行との間に有することを予定する人事、資金、技術、取引等における関係及び当該関係に係る方針（当該関係が当該銀行の業務の運営に影響を与える可能性がある場合にあつては、当該銀行の業務の健全かつ適切な運営を確保するための体制を含む。第三項において同じ。）

(v) the relationships of personnel affairs, funds, technologies, transactions, etc., which are scheduled to exist with said Bank after said authorization and policies pertaining to said relationships (if said relationships may have an effect on the operation of the services of said Bank, including a system to secure the sound and appropriate operation of the services of said Bank; the same applies in paragraph (3)); and

六 その他法第五十二条の十第一号に規定する審査をするため参考となるべき事項を記載した書面

(vi) other documents stating matters to be referenced for an examination as prescribed in the Article 52-10, item (i) of the Act.

2 法第五十二条の九第一項各号に掲げる取引又は行為により一の銀行の主要株主基準値以上の数の議決権を保有する者になろうとする者（前項に規定する者を除く。）は、同項の規定による認可を受けようとするときは、認可申請書に前項第一号及び第三号から第五号までに掲げる書面並びに次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) A person that intends to become a holder of a number of voting rights in a single Bank which is equal to or greater than the Major Shareholder Threshold through transactions or acts as set forth in each item of Article 52-9, paragraph (1) of the Act (excluding a person as prescribed in the preceding paragraph), when intending to obtain an authorization pursuant to the provisions of the same paragraph, must submit a written application for authorization attached with documents as set forth in item (i), items (iii) to (v) of the preceding paragraph and the following documents to the Commissioner of the Financial Services Agency:

一 当該者の名称又は氏名、主たる事務所の所在地又は住所若しくは居所及び営んでいる事業又は職業を記載した書面

(i) a document stating the name, location of principal business office, or domicile or residence, and the business being carried out or occupation of said person;

二 その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面

(ii) a document stating the holding number of voting rights of said Bank and the number of voting rights of said Bank to be acquired or held after said authorization;

三 当該者が総株主又は総出資者の議決権の百分の二十以上の数の議決権を保有する法人の名称、主たる営業所又は事務所の位置及び業務の内容を記載した書面

(iii) a document stating the name, location of principal business office or offices, and content of the business of a corporation of which said person holds twenty percent or more of the voting rights held by all of shareholders or all of investors; and

四 その他法第五十二条の十第二号に規定する審査をするため参考となるべき事項を記載した書面

(iv) other documents stating matters to be referenced for an examination as prescribed in Article 52-10, item (ii) of the Act.

3 一の銀行の主要株主基準値以上の数の議決権を保有する会社その他の法人の設立をしようとする者は、法第五十二条の九第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(3) A person who intends to incorporate a company or other corporation that holds a number of voting rights in a single Bank which is equal to or greater than the Major Shareholder Threshold, when intending to obtain an authorization pursuant to the provisions of Article 52-9, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該認可を受けて設立される会社その他の法人（以下この項において「設立法人」という。）に関する次に掲げる書面（当該設立法人が外国の法人であること等の理由により次に掲げる書面の一部がない場合は、当該書面に相当する書面）

(ii) the following documents concerning a company or other corporation to be incorporated based on said authorization (hereinafter referred to as "corporation to be incorporated" in this paragraph) (if a part of the following documents cannot be provided due to the reason that said corporation to be incorporated is a foreign corporation, etc., a document equivalent to said document):

イ 定款

(a) articles of incorporation;

ロ 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）の履歴書

(b) resumes of the directors and auditors (with regard to a company with committees; directors and executive officers);

ハ 会計参与設置会社にあつては、会計参与の履歴書（会計参与が法人であるとき

- は、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書)
- (c) with regard to a company with accounting advisors, resumes of the accounting advisors (when the accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of members who are to engage in duties);
- ニ その総株主又は総出資者の議決権の百分の五を超える議決権を保有することとなる者の氏名、住所又は居所、国籍及び職業（当該者が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面
- (d) a document stating the name of any person that will hold voting rights exceeding five percent of voting rights held by all of shareholders or all of investors, said person's domicile or residence, nationality, and occupation (when said person is a corporation or other organization, its name, location of principal business office, and the content of business carried out) and number of shares held by the person;
- ホ 当該設立が創立総会の決議を要するものである場合には、これに関する創立総会の議事録（当該設立法人が株式移転、合併又は会社分割により設立される場合にあっては、これに関する株主総会の議事録その他必要な手続があつたことを証する書面
- (e) when said incorporation requires resolution at the organizational meeting, minutes of the organizational meetings concerning the above (in the cases of the incorporation of said corporation to be incorporated due to share transfer, merger, or company split, minutes of the shareholders meetings concerning the above or other document certifying that necessary procedures were followed);
- へ 主たる事務所の位置を記載した書面
- (f) a document stating the location of the principal office;
- ト 業務の内容を記載した書面
- (g) a document stating the content of business;
- チ 資本金の額その他の当該設立後における財産の状況を知ることができる書面
- (h) a document providing the amount of stated capital and other conditions of assets after said incorporation;
- リ 当該銀行の議決権の保有に係る体制を記載した書面
- (i) a document stating the system pertaining to the holding of voting rights of said Bank;
- ヌ その保有する当該銀行の議決権の数及び当該認可後に取得又は保有しようとする当該銀行の議決権の数を記載した書面
- (j) a document stating the holding number of voting rights of said Bank and the number of voting rights of said Bank to be acquired or held after said approval; and
- ル その子会社等の名称、主たる営業所又は事務所の位置及び業務の内容を記載し

た書面

(k) a document stating the name of its Subsidiary Company, etc., location of principal business office or offices, and content of business;

三 当該設立後五事業年度におけるその保有する当該銀行の議決権に係るキャッシュ・フローの見込み及び当該見込みのネットプレゼントバリュを記載した書面

(iii) a document stating prospective cash flow and prospective net present value pertaining to the holding of voting rights of said Bank for five business years after said incorporation;

四 前号のネットプレゼントバリュに係るストレステストの結果を記載した書面

(iv) a document stating the result of a stress test pertaining to the net present value as prescribed in the preceding item;

五 当該設立後に当該銀行との間に有することを予定する人事、資金、技術、取引等における関係及び当該関係に係る方針

(v) the relationships of personnel affairs, funds, technologies, transactions, etc., which are scheduled to exist with said Bank after said incorporation and policies pertaining to said relationships; and

六 その他法第五十二条の十第一号に規定する審査をするため参考となるべき事項を記載した書面

(vi) other documents stating matters to be referenced for an examination as prescribed in Article 52-10, item (i) of the Act.

4 金融庁長官は、前三項の規定による認可の申請に係る法第五十二条の十に規定する審査をするときは、次に掲げる事項に配慮するものとする。

(4) The Commissioner of the Financial Services Agency, when conducting an examination as prescribed in Article 52-10 of the Act pertaining to an application for authorization pursuant to the provisions of the preceding three paragraphs, is to consider the following matters:

一 当該認可の申請をした者又は当該認可を受けて設立される法人（以下この項において「申請者等」という。）が当該銀行の議決権を取得又は保有する目的が銀行の業務の公共性を損なわないことが明らかであり、かつ、当該申請者等の財産及び収支の状況、当該保有に基づき当該申請者等が当該銀行と有する関係その他の当該保有に係る事由により当該銀行の業務の健全かつ適切な運営が損なわれるおそれが極めて少ないと認められる体制が整備されていること。

(i) it is clear that the purposes of acquisition or holding of voting rights of said Bank by a person who filed for said authorization or a corporation to be incorporated after said authorization (hereinafter referred to as "Applicant, etc." in this paragraph) will not harm the public nature of the Bank services, and the system that is deemed, based on the condition of assets, and income and expenditures of said Applicant, etc., and said holding, to have an extremely small possibility of damaging sound and appropriate operation of the services of said Bank due to the relationships that said Applicant, etc. has with said Bank and other reasons pertaining to said holding;

二 当該銀行の議決権の保有に係る体制等に照らし、申請者等が当該銀行の的確かつ公正な経営管理の遂行を妨げないことが明らかであり、かつ、十分な社会的信用を有する者であること。

(ii) in light of the system, etc. pertaining to the holding of voting rights of said Bank, it is clear that Applicant, etc. will not preclude said Bank from carrying out accurate and fair business management, and is a person who has sufficient social creditability.

5 法第五十二条の九第一項第一号に規定する内閣府令で定める事由は、次に掲げる事由とする。

(5) Reasons provided by Cabinet Office Ordinance as prescribed in Article 52-9, paragraph (1), item (i) of the Act are the following matters:

一 担保権の実行による株式の取得

(i) acquisition of shares by exercise of the security interest;

二 代物弁済の受領による株式の取得

(ii) acquisition of shares by acceptance of substitute performance;

三 当該銀行の議決権を行使することができない株式に係る議決権の取得によるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の意思によらない事象の発生により取得するものに限る。）

(iii) increase in the proportion of holding voting rights to the voting rights held by all shareholders of said Bank by acquisition of voting rights pertaining to shares which may not exercise voting rights of said Bank (limited to an acquisition due to occurrence of an event that is not based on the intention of a person who intends to become a holder of voting rights of said Bank);

四 当該銀行が株式の転換を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の請求による場合を除く。）

(iv) increase in the proportion of holding voting rights to the voting rights held by all shareholders of said Bank by a share transfer conducted by said Bank (excluding the case of a request by a person who intends to become a holder of voting rights of said Bank);

五 当該銀行が株式の併合若しくは分割又は株式無償割当てを行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(v) increase in the proportion of holding voting rights to the voting rights held by all shareholders of said Bank by consolidation or split of shares, or allotment of shares without a contribution by said Bank;

六 当該銀行が定款の変更による株式に係る権利の内容又は一単元の株式の数を変更したことによるその総株主の議決権に占める保有する議決権の割合の増加

(vi) increase in the proportion of holding voting rights to the voting rights held by all shareholders of said Bank by changes of content of a right or number of unit shares pertaining to shares due to the articles of incorporation of said Bank being changed;

七 当該銀行が自己の株式の取得を行ったことによるその総株主の議決権に占める保有する議決権の割合の増加

(vii) increase in the proportion of holding voting rights to the voting rights held by all shareholders of said Bank by acquisition of own shares of said Bank;

八 元本の補てんのない信託に係る信託財産以外の財産における議決権数が主要株主基準値以内となる場合における株式等の取得

(viii) acquisition of Shares, etc. when the number of voting rights in assets other than trust asset pertaining to a trust without compensation for principal is within the Major Shareholder Thresholds.

6 前項の規定は、令第十五条の四第一号に規定する内閣府令で定める事由について準用する。

(6) The provisions of the preceding paragraph apply mutatis mutandis to the reasonable grounds as provided by Cabinet Office Ordinance as prescribed in Article 15-4, item (i) of the Order.

(銀行の主要株主基準値以上の数の議決権の保有者になろうとする場合の予備審査)
(Preliminary Examination When Intending to Become a Holder of a Number of Voting Rights in a Bank Which Is Equal to or Greater than the Major Shareholder Threshold)

第三十四条の七 銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者は、法第五十二条の九第一項の規定による認可を受けようとするときは、前条第一項、第二項又は第三項に定めるところに準じた書面を金融庁長官に提出して予備審査を求めることができる。

Article 34-7 A person who intends to become a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, or a person that intends to incorporate a company or other corporation that holds a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, when intending to obtain an authorization pursuant to the provisions of Article 52-9, paragraph (1) of the Act, may request a preliminary examination by submitting the documents equivalent to those applicable as provided by paragraphs (1), (2), and (3) of the preceding Article to the Commissioner of the Financial Services Agency.

(特定主要株主に係る認可の申請)

(Application of Authorization Pertaining to Specified Major Shareholders)

第三十四条の八 特定主要株主（法第五十二条の九第二項に規定する特定主要株主をいう。）は、同項ただし書の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-8 (1) A specified major shareholder (which means a specified major shareholder as prescribed in Article 52-9, paragraph (2) of the Act), when

intending to obtain an authorization pursuant to the provisions of the proviso of the same paragraph, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 第三十四条の六第一項第二号ハからホまで、トからヌまで及びヲ並びに同項第三号から第六号までに掲げる書面

(ii) the documents as set forth in Article 34-6, paragraph (1), item (i), sub-items (c) to (e), (g) to (j), (l), and items (iii) to (vi) of the same paragraph; and

三 その保有する当該銀行の議決権の数を記載した書面

(iii) a document stating the number of the holding voting rights of said Bank.

2 第三十四条の六第四項の規定は、前項の規定による認可の申請に係る法第五十二条の十に規定する審査について準用する。

(2) The provisions of Article 34-6, paragraph (4) apply mutatis mutandis to an examination as prescribed in Article 52-10 of the Act pertaining to an application for authorization pursuant to the provisions of the preceding paragraph.

第二款 監督

Subsection 2 Supervision

(銀行主要株主と特殊の関係のある会社)

(Company Having a Special Relationship with a Bank's Major Shareholder)

第三十四条の九 法第五十二条の十四第一項に規定する内閣府令で定める特殊の関係のある会社は、次に掲げる者とする。

Article 34-9 (1) A company that has a special relationship as provided by Cabinet Office Ordinance as prescribed in Article 52-14, paragraph (1) of the Act, is the following persons:

一 当該銀行主要株主（連結基準対象会社（法第三条の二第一項第二号に規定する連結基準対象会社をいう。第三号において同じ。）である者に限る。次号において同じ。）の子会社（第一条の五第二項第一号に規定する子会社をいう。）

(i) a Subsidiary Company (which means a Subsidiary Company as prescribed in Article 1-5, paragraph (2), item (i) of said Bank's Major Shareholder (limited to a person that is a company subject to standards for consolidation (which means a company subject to standards for consolidation as prescribed in Article 3-2, paragraph (1), item (ii) of the Act; the same applies in item (iii)); the same applies in the following item);

二 当該銀行主要株主の関連会社（第一条の五第二項第三号に規定する関連会社をいう。）

(ii) a relevant company (which means a relevant company as prescribed in

Article 1-5, paragraph (2), item (iii) of said Bank's Major Shareholder; and
三 当該銀行主要株主（連結基準対象会社以外の者に限る。）がその総株主等の議決権の百分の五十を超える議決権を保有する会社その他の法人

(iii) a company or other corporation of which voting rights exceeding fifty percent of the All Shareholders', etc. Voting Rights are held by said Bank's Major Shareholder (limited to a person other than a company subject to standards for consolidation).

2 第一条の六第三項の規定は、前項第三号の場合において同号の銀行主要株主が保有する議決権について準用する。

(2) The provisions of Article 1-6, paragraph (3) are applied mutatis mutandis to the voting rights held, in the case of item (iii) of the preceding paragraph, by the Bank's Major Shareholder in that item.

第三節 銀行持株会社に係る特例

Section 3 Special Provisions on a Bank Holding Company

第一款 通則

Subsection 1 General Rules

（銀行を子会社とする持株会社になろうとする場合の認可の申請等）

(Application of Authorization for a Case of Intending to Become a Holding Company of a Subsidiary Company that Is a Bank)

第三十四条の十 銀行を子会社とする持株会社になろうとする会社は、法第五十二条の十七第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官を経由して内閣総理大臣に提出しなければならない。

Article 34-10 (1) A company that intends to become a Holding Company of which Subsidiary Company is a Bank, when intending to obtain an authorization pursuant to the provisions of Article 52-17, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該会社に関する次に掲げる書面

(ii) the following documents concerning said company:

イ 定款

(a) articles of incorporation;

ロ 会社の登記事項証明書

(b) a certificate of registered matters of the company;

ハ 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）の履歴書

(c) resumes of the directors and auditors (with regard to a company with committees; directors and executive officers);

- ニ 会計参与設置会社にあつては、会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）
- (d) with regard to a company with accounting advisors, resumes of the accounting advisors (when an accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of members who are to engage in duties);
- ホ 株主の氏名、住所又は居所、国籍及び職業（株主が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面
- (e) a document stating each shareholder's name, domicile or residence, nationality and occupation (when a shareholder is a corporation or other organization, its name, location of principal business office, and the content of business being carried out) and number of shares held by the shareholder;
- ヘ 当該認可に係る法第五十二条の十七第一項各号に掲げる取引又は行為が株主総会又は取締役会の決議を要するものである場合には、これに関する株主総会の議事録又は取締役会の議事録
- (f) when transactions or acts as set forth in each item of Article 52-17, paragraph (1) of the Act pertaining to said authorization require a resolution at the shareholders meeting or of the board of directors, minutes of the shareholders meeting or minutes of the board of directors concerning the above;
- ト 事務所の位置を記載した書面
- (g) a document stating the location of offices;
- チ 業務の内容を記載した書面
- (h) a document stating the content of business;
- リ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該会社の最近における業務、財産及び損益の状況を知ることができる書面
- (i) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss of said company;
- ヌ 当該会社が行う子会社（子会社となる会社を含む。以下この項において同じ。）の経営管理に係る体制を記載した書面
- (j) a document stating the system pertaining to the business management of a Subsidiary Company (including a company to become a Subsidiary Company; hereinafter the same applies in this paragraph) conducted by said company; and
- ル 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面
- (k) a document stating the condition of securing employees with knowledge and experience concerning the Bank services;
- 三 当該会社の子会社等（法第五十二条の二十二第一項本文に規定する子会社等又は

法第五十二条の二十五に規定する子会社等のいずれかに該当するものをいう。以下この条において同じ。) に関する次に掲げる書面

(iii) the following documents concerning a Subsidiary Company, etc. (which means a Subsidiary Company corresponding to any Subsidiary Company, etc., as prescribed in Article 52-22, main clause of paragraph (1) of the Act, or a Subsidiary Company, etc., as prescribed in Article 52-25 of the Act; hereinafter the same applies in this Article) of said company:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of the principal business office or office;

ロ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(b) a document stating the title and name of the directors (when a director is a corporation, including the persons who are to engage in the duties); and

ハ 前号チ及びリに掲げる書面

(c) documents set forth in (h) and (i) of the preceding item;

四 当該認可後三事業年度における当該会社及びその子会社等の収支及び連結自己資本比率（法第五十二条の二十五に規定する基準に係る算式により得られる比率をいう。第三十四条の十九の四第二項第二号を除き、以下この節及び第三十五条第三項において同じ。）の見込みを記載した書面

(iv) a document stating prospective income and expenditures, and consolidated capital adequacy ratio (which means the ratio obtained by a formula pertaining to the standards as prescribed in Article 52-25 of the Act; hereinafter the same applies in this Section excluding Article 34-19-4, paragraph (2), item (ii) and Article 35, paragraph (3)) of said company and its Subsidiary Company, etc. for three business years after said authorization;

五 当該会社が銀行を子会社とする持株会社になることにより、当該会社又はその子会社が国内の会社（法第五十二条の二十四第一項に規定する国内の会社をいう。以下この節において同じ。）の議決権を合算してその基準議決権数（同項に規定する基準議決権数をいう。以下この節において同じ。）を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) when said company or its Subsidiary Company comes to hold voting rights of a company in Japan (which means a company in Japan as prescribed in Article 52-24, paragraph (1); hereinafter the same applies in this Section) for which the total number exceeds its maximum threshold for voting rights held (which means the maximum threshold for voting rights held as prescribed in the same paragraph; hereinafter the same applies in this Section) by said company that becomes a Holding Company of which a Subsidiary Company is a Bank, a document stating the name and content of the business of said company in Japan; and

六 その他法第五十二条の十八第一項に規定する審査をするため参考となるべき事項を記載した書面

(vi) other documents stating matters to be referenced for an examination as prescribed in Article 52-18, paragraph (1) of the Act.

2 銀行を子会社とする持株会社の設立をしようとする者は、法第五十二条の十七第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官を経由して内閣総理大臣に提出しなければならない。

(2) A person who intends to incorporate a Holding Company, of which a Subsidiary Company is a Bank, when intending to obtain an authorization pursuant to the provisions of Article 52-17, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該認可を受けて設立される会社（以下この項において「設立会社」という。）に関する次に掲げる書面

(ii) the following documents concerning a company to be incorporated after obtaining said authorization (hereinafter referred to as "Company to Be Incorporated" in this paragraph):

イ 定款

(a) articles of incorporation;

ロ 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）の履歴書

(b) resumes of the directors and auditors (with regard to a company with committees; directors and executive officers);

ハ 会計参与設置会社にあつては、会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(c) with regard to a company with accounting advisors, resumes of the accounting advisors (when an accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of members who are to engage in duties);

ニ 株主となる者の氏名、住所又は居所、国籍及び職業（株主が法人その他の団体である場合には、その名称、主たる事務所の所在地及び営んでいる事業の内容）並びにその保有する議決権の数を記載した書面

(d) a document stating the name of each person to become a shareholder, its domicile or residence, nationality and occupation (when a shareholder is a corporation or other organization, its name, location of principal business office, and the content of business carried out) and number of shares held by the shareholder;

ホ 当該設立が創立総会の決議を要するものである場合には、これに関する創立総会の議事録（当該設立会社が株式移転、合併又は会社分割により設立される場合

にあつては、これに関する株主総会の議事録その他必要な手続があつたことを証する書面)

(e) when said incorporation requires a resolution at an organizational meeting, minutes of the organizational meeting concerning the above (when said Company to Be Incorporated is incorporated by share transfer, merger, or company split, minutes of shareholders meeting concerning the above and other documents certifying that necessary procedures were followed);

へ 事務所の位置を記載した書面

(f) a document stating the location of offices;

ト 業務の内容を記載した書面

(g) a document stating content of the business;

チ 資本金の額その他の当該設立後における財産の状況を知ることができる書面

(h) a document providing the amount of stated capital and other condition of assets after said incorporation;

リ 当該設立会社が行う子会社（子会社となる会社を含む。以下この項及び次項において同じ。）の経営管理に係る体制を記載した書面

(i) a document stating the system pertaining to business management of a Subsidiary Company (including a company to become a Subsidiary Company; hereinafter the same applies in this paragraph and the following paragraph) conducted by said Company to Be Incorporated; and

ヌ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(j) a document stating the condition of securing employees with knowledge and experience concerning the Bank services;

三 当該設立会社の子会社等に関する次に掲げる書面

(iii) the following documents concerning a Subsidiary Company, etc. of said Company to Be Incorporated;

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and location of the principal business office or office;

ロ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(b) a document stating the title and name of the directors (when a director is a corporation, including the persons who are to engage in the duties);

ハ 業務の内容を記載した書面

(c) a document stating the content of business; and

ニ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他当該会社の最近における業務、財産及び損益の状況を知ることができる書面

(d) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss of said company;

四 当該設立後三事業年度における設立会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(iv) a document stating prospective revenue and expenditures, and consolidated capital adequacy ratio of the Company to Be Incorporated and its Subsidiary Company, etc. for three business years after said incorporation;

五 当該設立により、設立会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(v) when a Company to Be Incorporated or its Subsidiary Company comes to hold the voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held due to said incorporation, a document stating the name and content of the business of said company in Japan; and

六 その他法第五十二条の十八第一項に規定する審査をするため参考となるべき事項を記載した書面

(vi) other documents stating matters to be referenced for an examination as prescribed in Article 52-18, paragraph (1) of the Act.

3 内閣総理大臣は、前二項の規定による認可の申請に係る法第五十二条の十八第一項に規定する審査をするときは、次に掲げる事項に配慮するものとする。

(3) The Prime Minister, when conducting an examination pursuant to the provisions of Article 52-18, paragraph (1) of the Act pertaining to an application of authorization pursuant to the provisions of the preceding two paragraphs, is to consider the following:

一 当該認可の申請をした会社又は当該認可を受けて設立される会社（以下この項において「申請者等」という。）及びその子会社等の収支が当該認可後又は設立後三事業年度において良好に推移することが見込まれること。

(i) the income and expenditures of the company which filed said application or the company to be incorporated based on said authorization (hereinafter referred to as "Applicant, etc." in this paragraph), and its Subsidiary Company, etc. have the prospect of remaining in a good business condition for three business years after said authorization or incorporation;

二 申請者等及びその子会社等の連結自己資本比率が当該認可後又は設立後三事業年度において適正な水準となることが見込まれること。

(ii) consolidated capital adequacy ratio of Applicant, etc., and its Subsidiary Company, etc. is expected to be the proper level for three business years after said authorization or incorporation; and

三 銀行の業務に関する十分な知識及び経験を有する役員又は従業員の確保の状況、子会社の経営管理に係る体制等に照らし、申請者等が、その子会社であり、又はその子会社となる銀行の経営管理を的確かつ公正に遂行することができ、かつ、十分な社会的信用を有する者であること。

(iii) in light of the conditions of securing directors or employees with sufficient knowledge and experience concerning the Bank services and the system pertaining to business management of a Subsidiary Company, the Applicant, etc. is a person that can manage business accurately and properly of the Bank which is or is to be its Subsidiary Company, and a person with sufficient social creditability.

4 法第五十二条の十七第一項第一号に規定する内閣府令で定める事由は、次に掲げる事由とする。

(4) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 52-17, paragraph (1), item (i) of the Act are the following reasons:

一 担保権の実行による株式の取得

(i) acquisition of shares by exercise of the security interest;

二 代物弁済の受領による株式の取得

(ii) acquisition of shares by acceptance of substitute performance;

三 有価証券関連業を営む金融商品取引業者が業務として株式を取得する場合におけるその業務の実施

(iii) when a financial instruments business operator that carries out securities-related business acquires shares as its business, the implementation of its business;

四 当該銀行の議決権を行使することができない株式に係る議決権の取得によるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の意思によらない事象の発生により取得するものに限る。）

(iv) increase in the proportion of holding voting rights to the voting rights held by all of shareholders of said Bank by acquisition of voting rights pertaining to shares which may not exercise voting rights of said Bank (limited to an acquisition due to occurrence of an event that is not based on the intention of a person who intends to become a holder of voting rights of said Bank);

五 当該銀行が株式の転換を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加（当該銀行の議決権の保有者になろうとする者の請求による場合を除く。）

(v) increase in the proportion of holding voting rights to the voting rights held by all of shareholders of said Bank by share transfer conducted by said Bank (excluding the cases of the request of a person who intends to become a holder of voting rights of said Bank);

六 当該銀行が株式の併合若しくは分割又は株式無償割当てを行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(vi) increase in the proportion of holding voting rights to the voting rights held by all of shareholders of said Bank by consolidation or split of shares, or allotment of shares without a contribution by said Bank;

七 当該銀行が定款の変更による株式に係る権利の内容又は一単元の株式の数を変更したことによるその総株主の議決権に占める保有する議決権の割合の増加

(vii) increase in the proportion of holding voting rights to the voting rights held by all of shareholders of said Bank by changes of content of right or number of unit shares pertaining to shares due to a change of the articles of incorporation of said Bank; and

八 当該銀行が自己の株式の取得を行つたことによるその総株主の議決権に占める保有する議決権の割合の増加

(viii) increase in the proportion of holding voting rights to the voting rights held by all of shareholders of said Bank by acquisition of own shares of said Bank.

5 前項の規定は、令第十六条の二第一号に規定する内閣府令で定める事由について準用する。

(5) The provisions of the preceding paragraph apply mutatis mutandis to reasonable grounds as provided by Cabinet Office Ordinance as prescribed in Article 16-2, item (i) of the Order.

6 法第二条第十一項の規定は、第一項第五号及び第二項第五号に規定する議決権について準用する。

(6) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to the voting rights as prescribed in paragraph (1), item (v) and paragraph (2), item (v).

(銀行を子会社とする持株会社になろうとする場合の認可の予備審査)

(Preliminary Examination for Authorization When Intending to Become a Holding Company of Which a Subsidiary Company Is a Bank)

第三十四条の十一 銀行を子会社とする持株会社になろうとする会社又は銀行を子会社とする持株会社の設立をしようとする者は、法第五十二条の十七第一項の規定による認可を受けようとするときは、前条第一項又は第二項に定めるところに準じた書面を金融庁長官を経由して内閣総理大臣に提出して予備審査を求めることができる。

Article 34-11 A company that intends to become a Holding Company of which a Subsidiary Company is a Bank or a person that intends to incorporate a Holding Company of which a Subsidiary Company is a Bank, when intending to obtain an authorization pursuant to the provisions of Article 52-17, paragraph (1) of the Act, may request a preliminary examination by submitting documents equivalent to those pursuant to paragraph (1) or paragraph (2) of the preceding Article to the Prime Minister via the Commissioner of the Financial Services Agency.

(特定持株会社に係る届出事項等)

(Notification Matters Pertaining to a Specified Holding Company)

第三十四条の十二 法第五十二条の十七第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-12 (1) Matters as provided by Cabinet Office Ordinance as prescribed

in Article 52-17, paragraph (2) of the Act are the following matters:

一 当該会社が銀行を子会社とする持株会社になつた旨

(i) the fact that said company became a Holding Company of which a Subsidiary Company is a Bank;

二 当該会社が銀行を子会社とする持株会社になつた事由及びその時期

(ii) the reasonable grounds for, and timing when, said company became a Holding Company of which a Subsidiary Company is a Bank;

三 当該会社及びその子会社の名称及び業務の内容

(iii) the name and content of the business of said company and its Subsidiary Company; and

四 その他金融庁長官が必要と認める事項

(iv) other matters that the Commissioner of the Financial Services Agency finds to be necessary.

2 特定持株会社（法第五十二条の十七第二項に規定する特定持株会社をいう。以下この条及び次条において同じ。）は、法第五十二条の十七第二項の規定による届出（特定持株会社が銀行を子会社とする外国の持株会社（令第十六条の四に規定する銀行を子会社とする外国の持株会社をいう。以下同じ。）である場合にあっては、令第十六条の五の規定による届出）をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(2) A specified Holding Company (which means a specified Holding Company as prescribed in Article 52-17, paragraph (2) of the Act; hereinafter the same applies in this Article and the following Article), when intending to submit a notification (when the specified Holding Company is a foreign Holding Company of which a Subsidiary Company is a Bank (which means a foreign Holding Company of which a Subsidiary Company is a Bank as prescribed in Article 16-4 of the Order; the same applies hereinafter), notification pursuant to the provisions of Article 16-5 of the Order) pursuant to provisions of Article 52-17, paragraph (2) of the Act, must submit the notification attached with the following documents to the Commissioner of the Financial Services Agency, etc.:

一 定款

(i) articles of incorporation;

二 会社の登記事項証明書

(ii) a certificate of registered matters of the company; and

三 当該特定持株会社及びその子会社の最終の貸借対照表

(iii) the latest balance sheet of said specified Holding Company and its Subsidiary Company.

3 特定持株会社が銀行を子会社とする外国の持株会社である場合には、当該銀行を子会社とする外国の持株会社は、令第十六条の五ただし書の規定による届出の期限の延長の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) when the specified Holding Company is a foreign Holding Company of which a Subsidiary Company is a Bank, said foreign Holding Company of which a Subsidiary Company is a Bank, when intending to obtain an approval for postponement of the limit for notification pursuant to the provisions of the proviso of Article 16-5 of the Order, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした外国の持株会社が令第十六条の五ただし書の規定による届出の期限の延長をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application for approval pursuant to the provisions of the preceding paragraph is filed, is to examine whether there are reasons found to be compelling with regard to the foreign Holding Company that filed said application, to postpone the limit for notification pursuant to the provisions of the proviso of Article 16-5 of the Order.

5 特定持株会社は、法第五十二条の十七第四項の規定による届出をしようとするときは、届出書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

(5) The specified Holding Company, when intending to submit a notification pursuant to the provisions of Article 52-17, paragraph (4) of the Act, must submit a written notice attached with the following documents to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 当該特定持株会社が銀行を子会社とする持株会社でなくなつた時期を記載した書面

(ii) a document stating the timing of when said specified Holding Company will no longer be a Holding Company of which a Subsidiary Company is a Bank;
and

三 当該特定持株会社が銀行を子会社とする持株会社でなくなるために講じた措置又は銀行を子会社とする持株会社でなくなつた事由を記載した書面

(iii) a document stating measures that said specified Holding Company undertook in order not to become a Holding Company of which a Subsidiary Company is a Bank or the reasonable grounds for said specified Holding Company no longer being a Holding Company of which a Subsidiary Company is a Bank.

(特定持株会社に係る認可の申請)

(Application of Authorization Pertaining to a Specified Holding Company)

第三十四条の十三 特定持株会社は、法第五十二条の十七第三項ただし書の規定による認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官を

經由して内閣総理大臣に提出しなければならない。

Article 34-13 (1) A specified Holding Company, when intending to obtain an authorization pursuant to the provisions of Article 52-17, proviso of paragraph (3) of the Act, must submit a written application for authorization attached with the following documents to the Prime Minister via the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons; and

二 第三十四条の十第一項第二号ハからホまで及びトからルまで並びに同項第三号から第六号までに掲げる書面

(ii) the documents as set forth in Article 34-10, paragraph (1), item (ii), sub-items (c) to (e) and (g) to (k) of the Act, and items (iii) to (vi) of the same paragraph.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の十八第一項に規定する審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination as prescribed in Article 52-18, paragraph (1) of the Act pertaining to the application of authorization pursuant to the provisions of the preceding paragraph.

(銀行持株会社の取締役の兼職の認可の申請)

(Application of Authorization for Concurrent Holding of Positions as a Director of Bank Holding Company)

第三十四条の十四 銀行持株会社の常務に従事する取締役（委員会設置会社にあつては執行役、外国所在銀行持株会社（銀行を子会社とする外国の持株会社であつて、法第五十二条の十七第一項の認可を受けて設立され、又は同項若しくは同条第三項ただし書の認可を受けているものをいう。以下同じ。）にあつては当該外国所在銀行持株会社の常務に従事する取締役若しくは執行役又はこれらに類する職にある者。次項において同じ。）は、法第五十二条の十九第一項の規定により、他の会社の常務に従事することについて認可を受けようとするときは、認可申請書に次に掲げる書面を添付し、当該銀行持株会社を經由して金融庁長官等に提出しなければならない。

Article 34-14 (1) Directors who engage in the ordinary business of a Bank Holding Company (with regard to a company with committees, executive officers; with regard to a bank holding company located in a foreign state (which means a foreign Holding Company, of which Subsidiary Company is a Bank, and which was incorporated after obtaining an authorization as prescribed in Article 52-17, paragraph (1) of the Act or which has obtained the authorization as prescribed in the proviso of paragraph (3) of the same Article; the same applies hereinafter), directors or executive officers who engage in the ordinary business of said bank holding company located in a foreign state, or a person who is assigned to equivalent duties to the above; the same applies in

the following paragraph), when intending to obtain an authorization for engaging in ordinary business of other company, pursuant to the provisions of Article 52-19, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency, etc. via said Bank Holding Company:

一 理由書

(i) a written statement of reasons;

二 履歴書

(ii) a resume;

三 銀行持株会社及び当該他の会社における常務の処理方法を記載した書面

(iii) a document stating the methods of conducting ordinary business at the Bank Holding Company and said other company;

四 銀行持株会社又はその子会社と当該他の会社との取引その他の関係を記載した書面

(iv) a document stating transactions between the Bank Holding Company and its Subsidiary Company and said other company, and other relationships; and

五 当該他の会社の定款（これに準ずるものを含む。）、最終の事業報告、貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(v) said other company's articles of incorporation (including documents equivalent to this), the latest business report, balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest condition of business, assets, and profit and loss.

2 金融庁長官等は、前項の規定による認可の申請があつたときは、当該申請をした銀行持株会社の常務に従事する取締役が他の会社の常務に従事することにより当該銀行持株会社の子会社である銀行の業務の健全かつ適切な運営を妨げるおそれがないかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application of authorization pursuant to the provisions of the preceding paragraph is filed, is to examine whether conditions are likely to preclude sound and appropriate operation of the services of the Bank that is a Subsidiary Company of said Bank Holding Company by the director who engages in ordinary business of a Bank Holding Company who filed said application, if engaged in the ordinary business of said other company.

第二款 業務及び子会社等

Subsection 2 Business and Subsidiary Company

(顧客の利益の保護のための体制整備に係る業務の範囲)

(Scope of Business Pertaining to the Development of a System to Protect

Customers' Interests)

第三十四条の十四の二 法第五十二条の二十一の二第一項に規定する内閣府令で定める業務は、銀行関連業務とする。

Article 34-14-2 The business provided by Cabinet Office Ordinance as prescribed in Article 52-21-2, paragraph (1) of the Act is Bank-related Business.

(顧客の利益が不当に害されることのないよう必要な措置)

(Measures Necessary to Prevent a Customer's Interests from Being Unreasonably Harmed)

第三十四条の十四の三 銀行持株会社は、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の親金融機関等（法第五十二条の二十一の二第二項に規定する親金融機関等をいう。以下この条において同じ。）若しくは子金融機関等（同条第三項に規定する子金融機関等をいう。以下この条において同じ。）が行う取引に伴い、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されることのないよう、次に掲げる措置を講じなければならない。

Article 34-14-3 (1) A Bank Holding Company must, to prevent the customer's interests pertaining to Bank-related Business conducted by a Bank that is a Subsidiary Company of said Bank Holding Company, a Bank Agent having a Bank that is a Subsidiary Company of said Bank Holding Company as its Principal Bank, or subsidiary financial institution, etc. of said Bank Holding Company from being unreasonably harmed in connection with transactions conducted by said Bank that is a Subsidiary Company of said Bank Holding Company, a Bank Agent having said Bank that is a Subsidiary Company of said Bank Holding Company as its Principal Bank, or a parent financial institution, etc. (which means a parent financial institution, etc., prescribed in Article 52-21-2, paragraph (2) of the Act; hereinafter the same applies in this Article) or a subsidiary financial institution, etc. (which means a subsidiary financial institution, etc. as prescribed in paragraph (3) of that Article; hereinafter the same applies in this Article) of said Bank Holding Company, take the following measures:

一 対象取引を適切な方法により特定するための体制の整備

(i) development of a system to identify the subject transactions in an appropriate manner;

二 次に掲げる方法その他の方法により当該顧客の保護を適正に確保するための体制の整備

(ii) development of a system to properly ensure the protection of said customer by the following or any other methods:

イ 対象取引を行う部門と当該顧客との取引を行う部門を分離する方法

(a) method for separating the department conducting subject transactions

- and the department conducting transactions with said customer
- ロ 対象取引又は当該顧客との取引の条件又は方法を変更する方法
- (b) method for changing the conditions or method of subject transactions or transactions with said customer
- ハ 対象取引又は当該顧客との取引を中止する方法
- (c) method for interrupting subject transactions or transactions with said customer
- ニ 対象取引に伴い、当該顧客の利益が不当に害されるおそれがあることについて、当該顧客に適切に開示する方法
- (d) method for appropriately disclosing to said customer that the customer's interests may be unreasonably harmed in connection with subject transactions;
- 三 前二号に掲げる措置の実施の方針の策定及びその概要の適切な方法による公表
- (iii) formulation of the policy of implementation of the measures set forth in the preceding two items and disclosure of their outline by an appropriate method;
- 四 次に掲げる記録の保存
- (iv) keeping the following records on file:
- イ 第一号の体制の下で実施した対象取引の特定に係る記録
- (a) records pertaining to the identification of subject transactions conducted under the system prescribed in item (i)
- ロ 第二号の体制の下で実施した顧客の保護を適正に確保するための措置に係る記録
- (b) records pertaining to measures to appropriately ensure the protection of customers conducted under the system prescribed in item (ii).
- 2 前項第四号に規定する記録は、その作成の日から五年間保存しなければならない。
- (2) The record prescribed in item (iv) of the preceding paragraph must be kept on file for five years from the date of creation.
- 3 第一項の「対象取引」とは、銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の親金融機関等若しくは子金融機関等が行う取引に伴い、当該銀行持株会社の子会社である銀行、当該銀行持株会社の子会社である銀行を所属銀行とする銀行代理業者又は当該銀行持株会社の子金融機関等が行う銀行関連業務に係る顧客の利益が不当に害されるおそれがある場合における当該取引をいう。
- (3) The term "subject transactions" in paragraph (1), when, in connection with transactions conducted by a Bank that is a Subsidiary Company of a Bank Holding Company, Bank Agent having a Bank that is a Subsidiary Company of said Bank Holding Company as its Principal Bank, or the parent financial institution, etc. or subsidiary financial institution, etc. of said Bank Holding Company, the interests of the customer pertaining to Bank-related Business conducted by the Bank that is a Subsidiary Company of said Bank Holding

Company, the Bank Agent having a Bank that is a Subsidiary Company of said Bank Holding Company as its Principal Bank, or the subsidiary financial institution, etc. of said Bank Holding Company may be unreasonably harmed, means such transactions.

(銀行持株会社に係る同一人に対する信用の供与等)

(Credit Extended to a Single Person Pertaining to a Bank Holding Company)

第三十四条の十五 第十四条の四の規定は、法第五十二条の二十二第一項本文に規定する当該銀行持株会社と内閣府令で定める特殊の関係のある者について準用する。

Article 34-15 (1) The provisions of Article 14-4 apply mutatis mutandis to a party which is in a special relationship as provided by Cabinet Office Ordinance with a Bank Holding Company as prescribed in Article 52-22, main clause of paragraph (1) of the Act.

2 第十四条の二の規定は、銀行持株会社又はその子会社等（法第五十二条の二十二第一項本文に規定する子会社等をいう。以下この条において同じ。）の同一人に対する信用の供与等（同項本文に規定する信用の供与等をいう。以下この条において同じ。）の額の計算方法その他同項の規定の適用に関し必要な事項について準用する。この場合において、「当該銀行」とあるのは、「当該銀行持株会社」と読み替えるものとする。

(2) The provisions of Article 14-2 apply mutatis mutandis to the calculation method of the amount of credit extended, etc. (which means credit extended, etc. as prescribed in Article 52-22, main clause of paragraph (1) of the Act; hereinafter the same applies in this Article) to a single person of a Bank Holding Company or its Subsidiary Company, etc. (which means a Subsidiary Company, etc. prescribed in the main clause of the same paragraph; hereinafter the same applies in this Article) and other necessary matters concerning application of provisions of the same paragraph. In this case, the term "said Bank" is deemed to be replaced with the "said Bank Holding Company."

3 銀行持株会社又はその子会社等の同一人に対する信用の供与等の額は、当該銀行持株会社又はその子会社等それぞれについて、前項において準用する第十四条の二第一項の規定の例により計算した信用の供与等の総額の合計額（当該銀行持株会社が当該同一人に対してする第十四条第三項に規定する出資の額を除く。）から当該同一人に係る調整対象額を控除して計算するものとする。

(3) The amount of credit extended, etc. to a single person of a Bank Holding Company and its Subsidiary Company, etc., with regard to each of said Bank Holding Company or its Subsidiary Company, etc., is to be calculated by deducting the amount subject to the adjustment pertaining to said single person from the total amount of credit extended, etc. that is calculated in accordance with the example as prescribed in the provisions of Article 14-2, paragraph (1) as applied mutatis mutandis pursuant to the preceding

paragraph (except for the amount contributed by said Bank Holding Company to said single person as prescribed in Article 14, paragraph (3)).

4 前項に規定する「調整対象額」とは、当該子会社等のする資金の貸付けの額のうち当該銀行持株会社又は他の子会社等が保証している額その他金融庁長官が定める額をいう。

(4) The term "amount subject to the adjustment" as prescribed in the preceding paragraph means the amount of loans provided by said Subsidiary Company, etc. or any other amounts specified by the Commissioner of the Financial Services Agency among the amount guaranteed by said Bank Holding Company or its Subsidiary Company, etc..

5 法第五十二条の二十二第一項本文に規定する自己資本の純合計額は、法第五十二条の二十五に規定する基準に従い算出される自己資本の額について金融庁長官が定めるところにより必要な調整を加えた額とする。

(5) The net total amount of equity capital as prescribed in Article 52-22, main clause of paragraph (1) of the Act is the amount of equity capital calculated in accordance with the standards as prescribed in Article 52-25 of the Act after adding necessary adjustments pursuant to the provisions specified by the Commissioner of the Financial Services Agency.

6 銀行持株会社は、法第五十二条の二十二第一項ただし書の規定による当該銀行持株会社又はその子会社等の同一人に対する信用の供与等の合計額が同項本文に規定する銀行持株会社に係る信用供与等限度額を超えることの承認を受けようとするときは、承認申請書に第十四条の三第三項各号に掲げる書面を添付して金融庁長官等に提出しなければならない。

(6) A Bank Holding Company, when intending to obtain an approval for the total amount of credit extended, etc. to a single person of the Bank Holding Company or its Subsidiary Company, etc. as prescribed in the proviso of Article 52-22, paragraph (1) of the Act that exceeds the limit on extensions of credit, etc. pertaining to the Bank Holding Company as prescribed in the main clause of said paragraph, must attach the documents set forth in each item of Article 14-3, paragraph (3) to a written application for approval and submit them to the Commissioner of the Financial Services Agency, etc.

7 銀行持株会社は、何らの名義によつてするかを問わず、法第五十二条の二十二第一項本文の規定による禁止を免れる取引又は行為をしてはならない。

(7) A Bank Holding Company, under whatever name, must not perform any transaction or act to evade prohibitions as prescribed in Article 52-22, main clause of paragraph (1) of the Act.

(銀行持株会社の子会社の範囲等)

(Scope of a Subsidiary Company of a Bank Holding Company)

第三十四条の十六 法第五十二条の二十三第一項第十号及び第六項に規定する主として銀行持株会社、その子会社その他これらに類する者として内閣府令で定めるものは、

次に掲げるものとする。

Article 34-16 (1) Persons provided by Cabinet Office Ordinance primarily as a Bank Holding Company, its Subsidiary Company, and any other person similar to the above, as prescribed in Article 52-23, paragraph (1), item (x) and paragraph (6) of the Act, are the following:

一 当該銀行持株会社の銀行持株会社集団（当該銀行持株会社の二以上の子会社の集団又は当該銀行持株会社及びその子会社の集団のうち、銀行又は法第五十二条の二十三第一項第一号若しくは第六号に掲げる会社を含むものをいう。次号において同じ。）

(i) a group of bank holding companies of said Bank Holding Company (which means a group which includes a Bank or companies set forth in Article 52-23, paragraph (1), item (i) or item (vi) of the Act among a group of two or more Subsidiary Companies of said Bank Holding Company or a group of said Bank Holding Company and its Subsidiary Companies; the same applies in the following item);

二 当該銀行持株会社の銀行持株会社集団及び次に掲げる者

(ii) a group of bank holding companies of said Bank Holding Company and the following persons:

イ 第十七条の二第四項第四号に掲げる者

(a) a person set forth in Article 17-2, paragraph (4), item (iv);

ロ 他の銀行持株会社の銀行持株会社集団

(b) a group of bank holding companies of other Bank Holding Company; and

ハ 長期信用銀行持株会社の長期信用銀行持株会社集団

(c) a group of long-term credit bank holding companies of a long-term credit bank holding company.

2 前項第二号ハに規定する「長期信用銀行持株会社集団」とは、長期信用銀行持株会社の二以上の子会社の集団又は当該長期信用銀行持株会社及びその子会社の集団のうち、長期信用銀行又は長期信用銀行法第十六条の四第一項第一号若しくは第六号に掲げる会社を含むものをいう。

(2) The term a "group of long-term credit bank holding companies" as prescribed in the preceding paragraph, item (ii), sub-item (c) means a group that includes a long-term credit bank or companies set forth in Article 16-4, paragraph (1), item (i) or (vi) of the Long-Term Credit Bank Act among a group of two or more Subsidiary Companies of a group of long-term credit bank holding companies or a group of said long-term credit bank holding companies and its Subsidiary Companies, etc.

3 法第五十二条の二十三第一項第十号イに規定する内閣府令で定めるものは、次に掲げる業務とする。

(3) Business as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (1), item (x), sub-item (a) of the Act is the following:

一 他の事業者のための不動産（原則として、自らを子会社とする銀行持株会社又は

その子会社から取得し、又は賃借した事業用不動産に限る。) の賃貸又は他の事業者の所有する不動産若しくはそれに付随する設備の保守、点検その他の管理を行う業務

(i) a business of leasing of real property (as a general rule, limited to real property for business acquired from or leased to a Bank Holding Company is a Subsidiary Company, or its Subsidiary Company) for another business operator, or maintenance, inspection, or other management of real property or incidental equipment to the real property that is owned by another business operator;

二 他の事業者の役員又は職員のための福利厚生に関する事務を行う業務

(ii) a business of providing services concerning a benefit or welfare program for officers or employees of another business operator;

三 他の事業者の事務の用に供する物品の購入又は管理を行う業務

(iii) a business of purchase or management of goods for business use of another business operator;

四 他の事業者の事務に係る文書、証票その他の書類の印刷又は製本を行う業務

(iv) a business of printing or bookbinding of documents, vouchers or other statements pertaining to services of another business operator;

五 他の事業者の業務に関する広告又は宣伝を行う業務

(v) a business of advertisement or promotion concerning business of another business operator;

六 他の事業者のための自動車の運行又は保守、点検その他の管理を行う業務

(vi) a business of operation, maintenance, inspection, or other management of automobiles for another business operator;

七 他の事業者の業務に関し必要となる調査又は情報の提供を行う業務 (第十号に該当するものを除く。)

(vii) a business of investigation or provision of information to be necessary for the business of another business operator (except for that corresponding to item (x));

八 他の事業者の現金自動支払機等の保守、点検その他の管理を行う業務

(viii) a business of maintenance, inspection, or other management of Cash Dispensers, etc. of another business operator;

九 他の事業者の業務に係る契約の締結についての勧誘又は当該契約の内容に係る説明を行う葉書又は封書の作成又は発送を行う業務

(ix) a business of preparation or dispatch of postcards or sealed documents that solicit the conclusion of contracts pertaining to business of another business operator or that explain the contents of said contracts;

十 他の事業者の行う資金の貸付けその他の信用供与に係る債権の担保の目的となる財産の評価、当該担保の目的となつている財産の管理その他当該財産に関し必要となる事務を行う業務

(x) a business of evaluation of properties that is the object of security for a

claim pertaining to financing or other credit extended executed by another business operator, maintenance of property that is the object of said security or other necessary services for said properties;

十一 他の事業者の行う資金の貸付け（住宅の購入に必要な資金の貸付けその他の消費者に対する資金の貸付けに限る。）に関し相談に応ずる業務又は当該資金の貸付けに係る事務の取次ぎその他当該資金の貸付けに関し必要となる事務を行う業務

(xi) a business of consulting service for loan (limited to a loan necessary to purchase a housing or a loan to any other consumers) provided by another business operator, or an introducing brokerage of services pertaining to said loan, or performing other services necessary for said loan;

十二 他の事業者の行う外国為替取引、信用状若しくは旅行小切手に関する業務又は輸出入その他の対外取引のため直接必要な資金に関する貸付け、手形の割引、債務の保証若しくは手形の引受けに関し必要となる事務を行う業務

(xii) a business pertaining to foreign funds transfer transactions carried out by another business operator, letters of creditor traveler's checks, or a business to carry out services necessary for the loan of funds directly necessary for import or export or any other international transactions, discounting of bills and notes, a debt guarantee, or accepting of bills and notes;

十三 他の事業者の事務に係る計算を行う業務

(xiii) a business of calculations pertaining to services of another business operator;

十四 他の事業者の事務に係る文書、証票その他の書類の作成、整理、保管、発送又は配送を行う業務

(xiv) a business of preparation, arrangement, custody, dispatching, or delivery of documents pertaining to services of another business operator, vouchers, or any other documents;

十五 他の事業者と当該他の事業者の顧客との間の事務の取次ぎを行う業務

(xv) a business as an introducing brokerage to carry out services between another business operator and customers of said other business operator;

十六 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第二条第三号に規定する労働者派遣事業又は職業安定法第三十条第一項の規定に基づき許可を得て行う職業紹介事業

(xvi) a worker dispatch business as provided in Article 2, item (iii) of the Act Concerning Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, or employment placement business carried out after obtaining a permission pursuant to the provisions of Article 30, paragraph (1) of the Employment Security Act;

十七 他の事業者のために電子計算機に関する事務を行う業務（電子計算機を使用することにより機能するシステムの設計若しくは保守又はプログラムの設計、作成、販売（プログラムの販売に伴い必要となる附属機器の販売を含む。）若しくは保守

- を行う業務を含む。)
- (xvii) a business to carry out services concerning computers for another business operator (including businesses performing design or maintenance of a system that functions by using a computer, or the design, development, or sales of a software program (including sales of attachments to be necessary for sale of the software program) or its maintenance);
- 十八 他の事業者の役員又は職員に対する教育又は研修を行う業務
- (xviii) a business to provide education or training to officers or employees of another business operator;
- 十九 他の事業者の現金、小切手、手形又は有価証券の輸送を行う業務（次号及び第二十一号に該当するものを除く。）
- (xix) a business of transportation of cash, checks, bills and notes, or securities of another business operator (except those corresponding to the following item and item (xxi));
- 二十 他の事業者の主要な取引先に対する現金、小切手、手形又は証券の集配を行う業務
- (xx) a business of collection and delivery of cash, checks, bills and notes, or certificates to principal customers of another business operator;
- 二十一 他の事業者の主要な取引先との間で当該他の事業者の業務に係る有価証券の受渡しを行う業務
- (xxi) a business of acceptance and delivery of securities pertaining to the business of another business operator with the principal customers of said business operator;
- 二十二 他の事業者のために現金、小切手、手形又は有価証券を整理し、その金額若しくは枚数を確認し、又は一時的にその保管を行う業務
- (xxii) a business of arrangement of cash, checks, bills and notes, or securities, confirmation of the amount or count, or retaining custody temporarily on behalf of another business operator;
- 二十三 自らを子会社とする保険会社のために投資を行う業務
- (xxiii) a business of investment on behalf of an insurance corporation which is a Subsidiary Company;
- 二十四 自らを子会社とする銀行持株会社の子会社である銀行、長期信用銀行又は保険会社（以下この号において「兄弟銀行等」という。）が資金の貸付けその他の信用供与に係る債権の回収のために担保権を実行する必要がある場合又は金融機関が共同で出資し設立した不動産担保付債権の買取会社（以下この号において「買取会社」という。）が当該兄弟銀行等から買い取った不動産担保付債権の回収のために担保権を実行する必要がある場合に、当該兄弟銀行等又は当該買取会社のためにこれらの債権の担保の目的となつている不動産を適正な価格で購入し、並びに購入した不動産の所有及び管理その他当該不動産に関し必要となる事務を行う業務
- (xxiv) when a Bank, a long-term credit bank, or an insurance corporation (hereinafter referred to as "Fellow Bank, etc." in this item) that is a

Subsidiary Company of a Bank Holding Company, which is a Subsidiary Company, requires to exercise the security interest for the calling of credit pertaining to a loan of funds or any other credit extended, or when a purchasing company of claims secured with real property that is contributed and incorporated jointly by financial institutions (hereinafter referred to as "Purchasing Company" in this item) requires to exercise the security interest in order to call claims secured with real property purchased from said Fellow Bank, etc., a business to purchase the real property that is the object of security for this claims at an appropriate price for said Fellow Bank, etc. or said Purchasing Company and a business to own and manage purchased real property and any other necessary services concerning said real property;

二十五 その他第一号から前号までに掲げる業務に準ずるものとして金融庁長官が定める業務

(xxv) other business as provided by the Commissioner of the Financial Services Agency as equivalent to the business set forth in items (i) to the preceding item; or

二十六 前各号に掲げる業務に附帯する業務（当該各号に掲げる業務を営む者が営むものに限る。）

(xxvi) business incident to the business set forth in each of the preceding items (limited to business carried out by a person who engages in business as set forth in each said item).

4 法第五十二条の二十三第一項第十一号及び第五十二条の二十四第七項に規定する内閣府令で定める会社は、第十七条の二第六項に規定する株式会社とする。

(4) A company as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (1), item (xi) and Article 52-24, paragraph (7) of the Act means a stock company as prescribed in Article 17-2, paragraph (6).

5 前項に規定する会社のほか、株式会社であつて、その議決権を銀行持株会社又はその子会社（子会社となる会社を含む。以下この項において同じ。）により第三十四条の十七第一項第一号又は第二号に掲げる事由によらず取得されたとき（当該株式会社の議決権が当該銀行持株会社又はその子会社により二回以上にわたり取得された場合において、第三十四条の十七第一項第一号又は第二号に掲げる事由によらず最後に取得されたとき）に前項に規定する会社に該当していたものも、その議決権が当該銀行持株会社又はその子会社により第三十四条の十七第一項第一号又は第二号に掲げる事由によらず新たに取得されない限り、当該銀行持株会社に係る法第五十二条の二十三第一項第十一号及び第五十二条の二十四第七項に規定する内閣府令で定める会社に該当するものとする。

(5) Beyond a company as provided in the preceding paragraph, a stock company that corresponds to a company as prescribed in the preceding item when its voting rights are acquired by a Bank Holding Company or its Subsidiary Company (including a company that is to become a Subsidiary Company; hereinafter the same applies in this paragraph) due to reasons other than

those set forth in Article 34-17, paragraph (1), item (i) or (ii) (when voting rights of said stock company are acquired by said Bank Holding Company or its Subsidiary Company in two or more transactions, the last acquisition due to reasons other than those set forth in Article 34-17, paragraph (1), item (i) or (ii)) also corresponds to a company as provided by Cabinet Office Ordinance, as prescribed in Article 52-23, paragraph (1), item (xi) and Article 52-24, paragraph (7) of the Act pertaining to said Bank Holding Company, unless said voting rights are newly acquired by said Bank Holding Company or its Subsidiary Company due to reasons other than those set forth in Article 34-17, paragraph (1), item (i) or (ii).

6 前二項の規定にかかわらず、第十七条の三第二項第十二号に掲げる業務及びこれに附帯する業務を専ら営む銀行持株会社の子会社（以下この項において「特定子会社」という。）がその取得した前二項に規定する会社（以下この項及び第三十四条の二十第一項第九号において「新規事業分野開拓会社等」という。）の議決権をその取得の日から十年を経過する日（以下この項において「処分基準日」という。）までに処分しないときは、当該新規事業分野開拓会社等は、処分基準日の翌日からは当該銀行持株会社に係る法第五十二条の二十三第一項第十一号及び第五十二条の二十四第七項に規定する内閣府令で定める会社に該当しないものとする。ただし、当該処分を行えば当該銀行持株会社又はその子会社が保有する当該新規事業分野開拓会社等の議決権の数が当該処分基準日における基礎議決権数（国内の会社の議決権についてはその総株主の議決権に百分の十五を乗じて得た議決権の数、外国の会社の議決権についてはその総株主の議決権に百分の五十を乗じて得た議決権の数をいう。以下この項において同じ。）を下回る事となる場合において、当該特定子会社が当該取得の日から処分基準日までの間に当該銀行持株会社又はその子会社の保有する当該新規事業分野開拓会社等の議決権のうち当該処分基準日における基礎議決権数を超える部分の議決権を処分したときは、この限りでない。

(6) Notwithstanding the preceding two items, when a Subsidiary Company of a Bank Holding Company that carries out only in business set forth in Article 17-3, paragraph (2), item (xii) and other business incidental to this (hereinafter referred to as "Specified Subsidiary Company" in this paragraph) does not dispose of the purchased voting rights of a company as prescribed in the preceding two paragraphs (hereinafter referred to as "Company Cultivating New Business Field, etc." in this paragraph and in Article 34-20, paragraph (1), item (ix)) no later than the day after ten years from the date of the acquisition (hereinafter referred to as "Base Disposition Day" in this paragraph), said Company Cultivating New Business Field, etc. on or after the day following the Base Disposition Day does not correspond to a company as provided by Cabinet Office Ordinance, as prescribed in Article 52-23, paragraph (1), item (xi) and Article 52-24, paragraph (7) of the Act pertaining to said Bank Holding Company; provided, however, that this does not apply when the number of voting rights of said Company Cultivating New Business Field, etc. held by

said Bank Holding Company or its Subsidiary Company decreases below the base voting right holding number on said Base Disposition Day (which means the number of voting rights obtained by multiplying all of the stockholder voting rights by fifteen percent with regard to the voting rights of a company in Japan (which means a company in Japan prescribed in Article 16-3, paragraph (1) of the Act; hereinafter the same applies in this Chapter and Chapter V), and the number of voting rights obtained by multiplying all of the stockholder voting rights by fifty percent with regard to the voting rights of a foreign company; hereinafter the same applies in this paragraph), and when said Specified Subsidiary Company disposes of voting rights, which correspond to the portion exceeding the base voting right holding number on said Base Disposition Day, of said Company Cultivating New Business Field, etc. held by said Bank or its Subsidiary Company during from said day of acquisition to the Base Disposition Day.

7 法第五十二条の二十三第一項第十一号に規定する内閣府令で定めるものは、第十七条の三第二項第十二号に掲げる業務及びこれに附帯する業務を専ら営む会社とする。

(7) The companies as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (1), item (xi) of the Act mean a company that carries out only in business as set forth in Article 17-3, paragraph (2), item (xii) and businesses incidental to this.

8 法第五十二条の二十三第一項第十二号に規定する内閣府令で定めるものは、次に掲げるものとする。ただし、当該持株会社が第十七条の三第一項各号に掲げる業務を営む場合にあつては、当該業務は、金融庁長官が定める基準により主として銀行、その子会社又は第一項各号に掲げる者の営む業務のために営むものでなければならない。

(8) The companies as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (1), item (xii) of the Act are the following; provided, however that when said Holding Company carries out a business as set forth in each item of Article 17-3, paragraph (1), said business must be that carried out for business that is carried out primarily by a Bank, its Subsidiary Company, or a person as set forth in each item of paragraph (1) pursuant to the standards specified by the Commissioner of the Financial Services Agency:

一 証券専門会社、証券仲介専門会社又は法第五十二条の二十三第一項第七号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）及び信託専門会社又は同項第九号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号、第五号の二、第七号及び第九号に規定する会社を有しない場合に限る。次号及び第三号を除き、以下同じ。）

(i) with regard to a Holding Company of which Subsidiary Company is a

Company Specialized in Securities Business, a Company Specialized in Securities Introducing Brokerage Services, or a foreign company that carries out securities-related business as prescribed in Article 52-23, paragraph (1), item (vii) of the Act (excluding a foreign company that carries out Banking) and Company Specialized in Trust Business or a foreign company that carries out Trust Business as prescribed in item (ix) of the same paragraph (excluding a foreign company that carries out Banking), a company that carries out business to engage only in management of said Subsidiary Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxiv)) (limited to cases where the company does not hold the company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v), (v)-2, (vii), and (ix) of the Act as its Subsidiary Company; the same applies hereinafter except in the following item and item (iii));

二 証券専門会社、証券仲介専門会社又は法第五十二条の二十三第一項第七号に規定する有価証券関連業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第五号から第七号まで、第九号及び第十号に規定する会社を有しない場合に限る。）

(ii) with regard to a Holding Company of which Subsidiary Company is a Company Specialized in Securities Business, Company Specialized in Securities Introducing Brokerage Services, or a foreign company that carries out securities-related business as prescribed in Article 52-23, paragraph (1), item (vii) of the Act (excluding a foreign company that carries out Banking), a company that carries out business to engage only in management of said Subsidiary Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxvii)) (limited to cases where the company does not hold the company as prescribed in Article 16-2, paragraph (1), items (i), (ii), (v) to (vii), (ix), and (x) of the Act as its Subsidiary Company);

三 信託専門会社又は法第五十二条の二十三第一項第九号に規定する信託業を営む外国の会社（銀行業を営む外国の会社に該当するものを除く。）を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの（子会社として法第十六条の二第一項第一号、第二号、第三号から第五号の二まで及び第七号から第九号までに規定する会社を有しない場合に限る。）

(iii) with regard to a Holding Company of which Subsidiary Company is a Company Specialized in Trust Business or a foreign company that carries out

Trust Business as provided in Article 52-23, paragraph (1), item (ix) of the Act (excluding a foreign company that carries out Banking), a company that carries out business to engage only in management of said Subsidiary Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (ixx) to (xxxiv)) (limited to cases where the company does not hold the company as provided in Article 16-2, paragraph (1), items (i), (ii), (iii) to (v)-2, and (vii) to (ix) of the Act as its Subsidiary Company);

四 法第五十二条の二十三第一項第一号の二、第十号及び第十一号に規定する会社を子会社とする持株会社にあつては、専ら当該子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(iv) with regard to a Holding Company of which Subsidiary Company is a company as provided in Article 52-23, paragraph (1), items (i)-2, (x) and (xi) of the Act, a company that carries out business to engage only in management of said Subsidiary Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (ixx) to (xxxiv));

五 法第十六条の二第二項第六号ハに規定する当該銀行の子会社である証券専門会社又は証券仲介専門会社の子会社のうち第十七条の三第六項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第二十四号から第三十七号までを除く。）に掲げる業務を営むもの

(v) with regard to a Holding Company as prescribed in Article 17-3, paragraph (6) of the Act among a Company Specialized in Securities Business or a Company Specialized in Securities Introducing Brokerage Services that is a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (vi), sub-item (c) of the Act, a company that carries out business to engage only in management of a Subsidiary Company of said Holding Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xxiv) to (xxxvii));

六 法第十六条の二第二項第七号ハに規定する当該銀行の子会社である保険会社の子会社のうち第十七条の三第七項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに第十七条の三第一項各号及び第二項各号（第十九号から第二十三号まで及び第三十五号から第三十七号までを除く。）に掲げる業務を営むもの

(vi) with regard to a Holding Company as prescribed in Article 17-3, paragraph (7) of the Act among Subsidiary Companies of an insurance corporation that is a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (vii), sub-item (c) of the Act, a company that carries out business to engage only in management of a Subsidiary Company of said

Holding Company, business incidental to this, and business as set forth in each item of Article 17-3, paragraphs (1) and (2) (excluding items (xiv) to (xxiii), and (xxxv) to (xxxvii)); or

七 法第十六条の二第二項第八号ニに規定する当該銀行の子会社である信託兼営銀行又は信託専門会社の子会社のうち第十七条の三第八項に定める持株会社にあつては、専ら当該持株会社の子会社の経営管理を行う業務及びこれに附帯する業務並びに同条第一項各号及び第二項各号（第十九号から第三十四号までを除く。）に掲げる業務を営むもの

(vii) with regard to a Holding Company as prescribed in Article 17-3, paragraph (8) of the Act among Subsidiary Companies of a Trust Bank or a Company Specialized in Trust Business, which is a Subsidiary Company of said Bank as prescribed in Article 16-2, paragraph (2), item (viii), sub-item (d) of the Act, a company that carries out business to engage only in management of a Subsidiary Company of said Holding Company, business incidental to this, and business as set forth in each item, paragraphs (1) and (2) of the same Article (excluding items (xiv) to (xxxiv)).

9 法第二条第十一項の規定は、第五項及び第六項に規定する議決権について準用する。

(9) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraphs (5) and (6).

(法第五十二条の二十三第一項の規定等が適用されないこととなる事由)

(Reasons Why the Provisions of Article 52-23, paragraph (1) of the Act Do Not Apply)

第三十四条の十七 法第五十二条の二十三第二項に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 34-17 (1) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (2) of the Act are the following reasons:

一 銀行持株会社又はその子会社の担保権の実行による株式等の取得

(i) acquisition of Shares, etc. by execution of a security interest of a Bank Holding Company or its Subsidiary Company;

二 銀行持株会社又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of Shares, etc. by acceptance of substitute performance of a Bank Holding Company or its Subsidiary Company;

三 銀行持株会社又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行持株会社又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iii) acquisition of voting rights pertaining to shares or ownership interest that may not exercise voting rights held by a Bank Holding Company or its Subsidiary Company (limited to acquisition due to the occurrence of an event that is not based on the intention of said Bank Holding Company or its Subsidiary Company);

四 銀行持株会社又はその子会社が株式を所有する会社の株式の転換（当該銀行持株会社又はその子会社の請求による場合を除く。）

(iv) conversion of shares of a company for which shares are held by a Bank Holding Company or its Subsidiary Company (excluding the cases of conversion that are requested by said Bank Holding Company or its Subsidiary Company);

五 銀行持株会社又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て

(v) consolidation, split, allotment of share without contribution of Shares, etc. of a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company;

六 銀行持株会社又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更

(vi) change of content of rights or number of share units pertaining to Shares, etc. due to a change of articles of incorporation of a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company;
or

七 銀行持株会社又はその子会社が株式等を所有する会社の自己の株式等の取得

(vii) acquisition of its own Shares, etc. of a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company.

2 法第五十二条の二十三第四項に規定する内閣府令で定める事由は、前項各号に掲げる事由とする。

(2) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (4) of the Act are the reasons set forth in each item of the preceding paragraph.

(子会社対象会社のうち子会社対象銀行等から除かれるもの)

(Exclusions from Bank Eligible as Subsidiary Companies among Companies Eligible as a Subsidiary Company)

第三十四条の十八 法第五十二条の二十三第三項に規定する内閣府令で定めるものは、次に掲げる業務を専ら営む会社とする。

Article 34-18 The companies as provided by Cabinet Office Ordinance as prescribed in Article 52-23, paragraph (3) of the Act are a company that carries out only in the following business:

一 第十七条の三第二項第一号から第十八号の五までに掲げる業務

(i) business set forth in Article 17-3, paragraph (2), items (i) to (xviii)-5;

二 その他前号に掲げる業務に準ずるものとして金融庁長官が定める業務

(ii) other business as provided by the Commissioner of the Financial Services Agency as being similar to business set forth in the preceding item; or

三 第十七条の三第二項第三十九号に掲げる業務のうち、前二号に掲げる業務に附帯する業務に係るもの

(iii) business pertaining to business incidental to business set forth in the preceding two items among business set forth in Article 17-3, paragraph (2), item (xxxix).

(子会社対象銀行等を子会社とすることについての認可の申請等)

(Application of an Authorization for Making a Bank Eligible as Subsidiary Companies as a Subsidiary Company)

第三十四条の十九 銀行持株会社は、法第五十二条の二十三第三項の規定による子会社対象銀行等（同項に規定する子会社対象銀行等をいう。以下この条において同じ。）を子会社とすることの認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-19 (1) A Bank Holding Company, when intending to obtain an authorization for making a Bank, etc. eligible as a Subsidiary Companies (which means Bank, etc. eligible as a Subsidiary Companies as prescribed in Article 52-23, paragraph (3) of the Act; hereinafter the same applies in this Article) as its Subsidiary Company pursuant to the provisions of the same paragraph, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社に関する次に掲げる書面

(ii) the following documents concerning said Bank Holding Company:

イ 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(a) documents stating the system pertaining to management of a Subsidiary Company executed by said Bank Holding Company;

ロ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(b) documents stating the situation of securing employees with knowledge and experience concerning the Bank services;

ハ 株式交換により子会社対象銀行等を子会社とする場合には、次に掲げる書面

(c) in the cases of making a Bank, etc. eligible as a Subsidiary Companies by means of a share exchange, the following documents:

(1) 株主総会の議事録その他必要な手続があつたことを証する書面

1. minutes of shareholders meeting and other documents certifying that necessary procedures were followed;

(2) 株式交換契約の内容を記載した書面

2. documents stating the contents of the share exchange agreement;

(3) 株式交換費用を記載した書面

3. documents stating the cost for the share exchange;

三 当該銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。以下この号、次項、第三十四条の二十九第一項第五号及び第九号、第三十四条の三十第一項第五号及び第九号、第三十四条の三十一第一項第四号及び第六号

- 並びに第三十五条第三項において同じ。)に関する次に掲げる書面
- (iii) the following documents concerning said Bank Holding Company and its Subsidiary Company, etc. (which means a Subsidiary Company, etc., as prescribed in Article 52-25 of the Act; hereinafter the same applies in this item and the following paragraph; Article 34-29, paragraph (1), items (v) and (ix); Article 34-30, paragraph (1), items (v) and (ix); Article 34-31, paragraph (1), items (iv) and (vi); and Article 35, paragraph (3)):
- イ 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面
- (a) with regard to said Bank Holding Company and its Subsidiary Company, etc., the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest status of business, assets, and profit and loss in these companies; and
- ロ 当該認可後における当該銀行持株会社及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面
- (b) documents stating an estimation of income and expenditures and consolidated capital adequacy ratio of said Bank Holding Company and its Subsidiary Company, etc. (including a company to become a Subsidiary Company, etc.) after obtaining said authorization;
- 四 当該認可に係る子会社対象銀行等に関する次に掲げる書面
- (iv) the following documents concerning a Bank, etc. eligible as a Subsidiary Companies, etc. pertaining to said authorization:
- イ 名称及び主たる営業所又は事務所の位置を記載した書面
- (a) documents stating the name, the location of its principal business office or office;
- ロ 業務の内容を記載した書面
- (b) documents stating the content of business;
- ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近の業務、財産及び損益を知ることができる書面
- (c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide the latest status of business, assets, and profit and loss; and
- ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面
- (d) documents stating the titles and names of officers (when an officer is a corporation, including a person who will be engaged in the duties).
- 五 当該認可に係る子会社対象銀行等を子会社とすることにより、当該銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

- (v) when said Bank Holding Company or its Subsidiary Company comes to hold voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held due to holding a Bank, etc. eligible as a Subsidiary Companies, etc., documents stating the name and content of business of said company in Japan; and
- 六 その他次項に規定する審査をするため参考となるべき事項を記載した書面
- (vi) other documents stating matters to be referenced for an examination as prescribed in the following paragraph.
- 2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。
- (2) The Commissioner of the Financial Services Agency, when an application of authorization pursuant to the provisions of the preceding paragraph is filed, is to examine whether it conforms to the following standards:
- 一 当該申請時において申請をした銀行持株会社及びその子会社等の収支が良好であり、当該認可に係る子会社対象銀行等を子会社とした後も良好に推移することが見込まれること。
- (i) income and expenditures of the Bank Holding Company that filed an application and its Subsidiary Company, etc. are satisfactory at the time of said application and are estimated to change satisfactorily after making a Bank, etc. eligible as a Subsidiary Companies, etc. pertaining to said authorization as its Subsidiary Company;
- 二 申請をした銀行持株会社及びその子会社等（当該認可に係る子会社対象銀行等を含む。）の連結自己資本比率が適正な水準となることが見込まれること。
- (ii) consolidated capital adequacy ratio of the Bank Holding Company that filed an application and its Subsidiary Company, etc. (including a Bank, etc. eligible as a Subsidiary Companies, etc. pertaining to said authorization) is expected be the proper level;
- 三 申請をした銀行持株会社が、その人的構成及び子会社の経営管理に係る体制等に照らし、当該認可に係る子会社対象銀行等の経営管理を的確かつ公正に遂行することができること。
- (iii) the Bank Holding Company which filed the application, in light of systems, etc. pertaining to its personnel structure and business management of the Subsidiary Company, may carry out proper and fair business management of a Bank, etc. eligible as a Subsidiary Companies, etc. pertaining to said authorization; and
- 四 当該認可に係る子会社対象銀行等がその業務を的確かつ公正に遂行することができること。
- (iv) a Bank, etc. eligible as a Subsidiary Companies, etc. pertaining to said authorization may carry out proper and fair business.
- 3 前二項の規定は、法第五十二条の二十三第四項ただし書の規定による認可について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to an authorization pursuant to the provisions of Article 52-23, proviso of paragraph (4) of the Act.

4 第一項の規定は、法第五十二条の二十三第五項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to an authorization pursuant to the provisions of Article 52-23, paragraph (5) of the Act.

5 法第二条第十一項の規定は、第一項第五号（前二項において準用する場合を含む。）に規定する議決権について準用する。

(5) The provisions of Article 2, paragraph (1) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (v) (including the cases where it is applied mutatis mutandis pursuant to the preceding two paragraphs).

（銀行持株会社及びその子会社に類する者）

(Persons Similar to a Bank Holding Company and Its Subsidiary Company)

第三十四条の十九の二 法第五十二条の二十三の二第一項第一号イに規定する内閣府令で定めるものは、第三十四条の十六第一項各号に掲げるものとする。

Article 34-19-2 Persons provided by Cabinet Office Ordinance as prescribed in Article 52-23-2, paragraph (1) item (i), sub-item (a) of the Act are those set forth in the items of Article 34-16, paragraph (1) of the Act.

（特例子会社対象業務）

(Business Subject to Special Subsidiary Company)

第三十四条の十九の三 法第五十二条の二十三の二第二項に規定する内閣府令で定めるものは、法第十条第二項第十四号に規定する金融等デリバティブ取引に係る同号に規定する商品の売買とする。

Article 34-19-3 Those provided by Cabinet Office Ordinance as prescribed in Article 52-23-2, paragraph (2) of the Act are the purchase and sale of instruments prescribed in Article 10, paragraph (2), item (xiv) of the Act pertaining to financial derivatives transactions prescribed in the same item.

（特例子会社対象会社を持株特定子会社とすることについての認可の申請等）

(Application for Authorization of Making a Company Subject to Special Subsidiary Company a Specified Special Subsidiary Company)

第三十四条の十九の四 銀行持株会社は、法第五十二条の二十三の二第三項の規定による特例子会社対象会社（同条第一項に規定する特例子会社対象会社をいう。以下この条において同じ。）を持株特定子会社（同条第一項に規定する持株特定子会社をいう。以下この条及び次条において同じ。）とすることの認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-19-4 (1) A Bank Holding Company, when intending to obtain an authorization to make a Company Subject to Special Subsidiary pursuant to

the provisions of Article 52-23-2, paragraph (3) of the Act (which means a Company Subject to Special Subsidiary prescribed in paragraph (1) of the same Article; hereinafter the same applies in this Article) a Holding Specified Subsidiary Company (which means a Holding Specified Subsidiary Company prescribed in paragraph (1) of the same Article; hereinafter the same applies in this Article and the following Articles), must attach the following documents to an written application for authorization and submit them to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該銀行持株会社に関する次に掲げる書面

(ii) the following documents pertaining to said Bank Holding Company:

イ 当該銀行持株会社が行う持株特定子会社の経営管理に係る体制を記載した書面

(a) a document describing the system of management of the Specified Special Subsidiary Company that said Bank Holding Company exercises;

ロ 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(b) a document describing the status of recruitment of personnel having knowledge and experience in Bank services;

ハ 株式交換により特例子会社対象会社を持株特定子会社とする場合には、次に掲げる書面

(c) when making a Company Subject to a Special Subsidiary Company a Holding Specified Subsidiary Company by means of share exchange, the following documents:

(1) 株主総会の議事録その他必要な手続があつたことを証する書面

1. minutes of shareholders meetings and other documents certifying that necessary procedures are followed;

(2) 株式交換契約の内容を記載した書面

2. a document describing the details of the share exchange contract; and

(3) 株式交換費用を記載した書面

3. a document stating the cost of the share exchange;

三 当該銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。以下この号及び次項第一号において同じ。）に関する次に掲げる書面

(iii) the following documents concerning said Bank Holding Company and its Subsidiary Company, etc. (which means the Subsidiary Company, etc. prescribed in Article 52-25 of the Act; hereinafter the same applies in this item and the following paragraph, item (i)):

イ 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(a) with regard to said Bank Holding Company and its Subsidiary Company, etc., the latest consolidated balance sheet, profit and loss statement,

statement of changes in net assets, and other documents that provide information on the latest conditions of the business, assets, and profit and loss of these companies; and

ロ 当該認可後における当該銀行持株会社及びその子会社等（子会社等となる会社を含む。）の収支及び連結自己資本比率の見込みを記載した書面

(b) a document giving an estimate of income and expenditures and the consolidated capital adequacy ratio of said Bank Holding Company and its Subsidiary Company, etc. (including the company to become a Subsidiary Company, etc.) after obtaining said authorization;

四 当該認可に係る特例子会社対象会社に関する次に掲げる書面

(iv) the following documents concerning a Company Subject to Special Subsidiary Company on said authorization:

イ 名称及び主たる営業所又は事務所の位置を記載した書面

(a) a document stating the name and the location of its principal business office or office;

ロ 業務の内容を記載した書面

(b) a document describing the details of business;

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近の業務、財産及び損益を知ることができる書面

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents that provide information on the latest conditions of business, assets, and profit and loss; and

ニ 役員（役員が法人であるときは、その職務を行うべき者を含む。）の役職名及び氏名又は名称を記載した書面

(d) a document stating the titles and names of the officers (when an officer is a corporation, including the persons who fulfill such function);

五 その他次項に規定する審査をするために参考となるべき事項を記載した書面

(v) any other documents providing information that would be useful to the examination prescribed in the following paragraph;

2 金融庁長官は、前項の規定による認可の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency is to, when an application for authorization pursuant to the provisions of the preceding paragraph is filed, examine whether it conforms to the following standards:

一 当該申請時において申請をした銀行持株会社及びその子会社等の収支が良好であり、当該認可に係る特例子会社対象会社を持株特定子会社とした後も良好に推移することが見込まれること。

(i) income and expenditures of the applicant Bank Holding Company and its Subsidiary Company, etc. are satisfactory at the time of said application and estimated to change satisfactorily after the Company Subject to Special Subsidiary Company under examination for said authorization is made a

Holding Specified Subsidiary Company;

- 二 当該申請時において申請をした銀行持株会社及びその子会社等（法第五十二条の二十五に規定する子会社等をいう。）の連結自己資本比率（同条に規定する基準に係る算式により得られる比率をいう。）、当該銀行持株会社の子会社である銀行及びその子会社等（法第十四条の二第二号に規定する子会社等をいう。）の連結自己資本比率（同号に規定する基準に係る算式により得られる比率をいう。）並びに当該銀行の単体自己資本比率（法第十四条の二第一号に規定する基準に係る算式により得られる比率をいう。）がいずれも十分な水準にあり、当該認可に係る特例子会社対象会社を持株特定子会社とした後も十分な水準となることが見込まれること。
- (ii) the consolidated capital adequacy ratio (which means the ratio obtained by the formula of the criteria prescribed in Article 52-25 of the Act) of the applicant Bank Holding Company and its Subsidiary Company, etc. (which means Subsidiary Company, etc. prescribed in the same Article), the consolidated capital adequacy ratio (which means the ratio obtained by the formula of the criteria prescribed in Article 14-2, item (ii) of the Act) of a bank that is a Subsidiary Company of said Bank Holding Company and its Subsidiary Company, etc. (which means Subsidiary Company, etc. prescribed in the same item), and the non-consolidated capital adequacy ratio of said bank (which means the ratio obtained by the formula of the criteria prescribed in Article 14-2, item (i) of the Act) are all at satisfactory levels at the time of said application and are estimated to remain at satisfactory levels after the Company Subject to Special Subsidiary Company under examination for said authorization is made a Holding Specified Subsidiary Company.
- 三 申請をした銀行持株会社が、その人的構成及び子会社の経営管理に係る体制等に照らし、当該認可に係る特例子会社対象会社の経営管理を的確かつ公正に遂行することができること。
- (iii) In light of such matters as its personnel structure and the system of management of the Subsidiary Company, the applicant Bank Holding Company is capable of ensuring a proper and fair management of the Company Subject to Special Subsidiary Company under examination for said authorization.
- 四 当該認可に係る特例子会社対象会社とその業務を的確かつ公正に遂行することができること。
- (iv) the Company Subject to Special Subsidiary Company under examination for said authorization is capable of conducting its business properly and fairly.
- 五 申請をした銀行持株会社の業務の状況に照らし、当該銀行持株会社が当該認可に係る特例子会社対象会社を持株特定子会社とした後も当該銀行持株会社の子会社である銀行の業務の健全かつ適切な運営に支障を来すおそれがないこと。
- (v) In light of the status of business of the applicant Bank Holding Company,

there is no risk that may affect the sound and proper operation of the services of the Bank that is a Subsidiary Company of said Bank Holding Company even after the said Bank Holding Company has made the Company Subject to Special Subsidiary Company under examination for said authorization a Holding Specified Subsidiary Company.

3 前二項の規定は、法第五十二条の二十三の二第五項ただし書の規定による認可について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to an authorization pursuant to the provisions of Article 52-23-2, proviso of paragraph (5) of the Act.

4 第一項の規定は、法第五十二条の二十三の二第六項の規定による認可について準用する。

(4) The provisions of paragraph (1) apply mutatis mutandis to an authorization pursuant to the provisions of Article 52-23-2, paragraph (6) of the Act.

(銀行持株会社の子会社である銀行の業務の健全かつ適切な運営を確保するために必要と認められる要件)

(Requirements Deemed Necessary to Ensure Sound and Proper Operation of the Services of a Bank That Is a Subsidiary Company of a Bank Holding Company)

第三十四条の十九の五 法第五十二条の二十三の二第四項に規定する内閣府令で定めるもののうち、第三十四条の十九の三に規定する業務に係るものは、次に掲げるものとする。

Article 34-19-5 (1) The Requirements provided by Cabinet Office Ordinance as prescribed in Article 52-23-2, paragraph (4) of the Act and that pertain to the business prescribed in Article 34-19-3 of the Act are the following:

一 当該持株特定子会社が第三十四条の十九の三に規定する業務の結果として保有する商品の額の合計額が、金融庁長官の定める額を超えないこと。

(i) the total amount of the commodity held by said Holding Specified Subsidiary Company as a result of the business prescribed in Article 34-19-3 does not exceed the amount prescribed by the Commissioner of the Financial Services Agency;

二 商品の保管又は運搬のための施設を保有しないこと。

(ii) the company does not own any facility for the storage or transport of the commodity; and

三 商品の精製、加工その他の処理を行わないこと。

(iii) the company does not perform any conversion of the commodity such as refining and processing;

2 前項第一号に規定する商品の額は時価によるものとする。ただし、当該商品の額の合計額が当該商品を取得したときの価額（当該商品の価額の低下について損益計算上損失として処理した場合においては、当該処理をした額を差し引いた金額）を合計し

た金額を超える額である場合は、当該合計した金額とする。

(2) The amount of the commodity prescribed in item (i) of the preceding paragraph is accounted for at market value; provided, however, that, when the total amount of said commodity exceeds the sum of the prices of acquisition of said commodity (when the decline in the value of said merchandise is deducted as loss in the calculation of profit and loss, the balance of said deduction), the amount is said sum.

(法第五十二条の二十四第一項の規定が適用されないこととなる事由)

(Reasons Why the Provisions of Article 52-24, paragraph (1) of the Act Do Not Apply)

第三十四条の二十 法第五十二条の二十四第二項に規定する内閣府令で定める事由は、次に掲げる事由とする。

Article 34-20 (1) Reasons as provided by Cabinet Office Ordinance as prescribed in Article 52-24, paragraph (2) of the Act are the following reasons:

一 銀行持株会社又はその子会社の担保権の実行による株式等の取得

(i) acquisition of Shares, etc. by exercise of the security interest of a Bank Holding Company or its Subsidiary Company;

二 銀行持株会社又はその子会社の代物弁済の受領による株式等の取得

(ii) acquisition of Shares, etc. by acceptance of substitute performance of a Bank Holding Company or its Subsidiary Company;

三 銀行持株会社又はその子会社の、その取引先である会社との間の合理的な経営改善のための計画に基づく株式等の取得（当該銀行持株会社又はその子会社に対する当該会社の債務を消滅させるために行うものであつて、当該株式等の取得によつて相当の期間内に当該会社の経営の状況が改善されることが見込まれるものに限る。）

(iii) acquisition of Shares, etc. by a Bank Holding Company or its Subsidiary Company, based on a plan for reasonable management improvement with the company which is its customer (limited to cases of said acquisition of Shares, etc. is executed in order to extinguish a debt of said company to said Bank Holding Company or its Subsidiary Company, and the cases where the business management of said company is expected to be improved within a reasonable period by said acquisition of Shares, etc.);

四 銀行持株会社又はその子会社が所有する議決権を行使することができない株式又は持分に係る議決権の取得（当該銀行持株会社又はその子会社の意思によらない事象の発生により取得するものに限る。）

(iv) acquisition of voting rights pertaining to shares or ownership interest for which the voting rights held by a Bank Holding Company or its Subsidiary Company may not be exercised (limited to those shares or voting rights acquired due to occurrence of an event that is not based on the intention of said Bank Holding Company or its Subsidiary Company);

五 銀行持株会社又はその子会社が株式を所有する会社の株式の転換（当該銀行持株会社又はその子会社の請求による場合を除く。）

(v) conversion of shares of a company of whose shares are held by a Bank Holding Company or its Subsidiary Company (excluding cases where said conversion is executed by request of said Bank Holding Company or its Subsidiary Company);

六 銀行持株会社又はその子会社が株式等を所有する会社の株式等の併合若しくは分割又は株式無償割当て

(vi) consolidation, split or allotment of share without contribution of Shares, etc. of a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company;

七 銀行持株会社又はその子会社が株式等を所有する会社の定款の変更による株式等に係る権利の内容又は一単元の株式の数の変更

(vii) change of the content of rights or a the number of share unit pertaining to Shares, etc. due to a change of articles of incorporation of a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company;

八 銀行持株会社又はその子会社が株式等を所有する会社の自己の株式等の取得
(viii) acquisition of own Shares, etc. by a company for which Shares, etc. are held by a Bank Holding Company or its Subsidiary Company;

九 第三十四条の十六第六項の規定による新規事業分野開拓会社等の議決権の処分を行おうとするときにおいて、やむを得ないと認められる理由により当該議決権を譲渡することが著しく困難であるため当該議決権を処分することができないこと。

(ix) when intending to dispose of the voting rights of a Company Cultivating New Business Field, etc. pursuant to the provisions of Article 34-16, paragraph (6), said voting rights are unable to be disposed of because transfer of said voting rights is extremely difficult due to a reason found to be compelling;

十 元本の補てんのない信託に係る信託財産以外の財産における議決権数が基準議決権数以内となる場合における株式等の取得

(x) acquisition of Shares, etc. when the number of voting rights in assets other than trust assets pertaining to a trust without compensation for principal is within the maximum threshold for voting rights held; and

十一 銀行持株会社又はその子会社の取引先である会社との間の合理的な経営改善のための計画に基づき取得した当該会社の発行する株式を当該会社の経営の状況の改善に伴い相当の期間内に処分するために必要な当該株式の転換（第五号に掲げる事由に該当するものを除く。）その他の合理的な理由があることについてあらかじめ金融庁長官の承認を受けた場合

(xi) with regard to shares that were issued by a company which is a customer of a Bank Holding Company or its Subsidiary Company, and acquired based on reasonable plans with said client company, if an approval by the

Commissioner of the Financial Services Agency has been obtained in advance for a transfer of said shares (excluding those corresponding to reasons set forth in item (v)) necessary in order to dispose of said shares within a reasonable period of time in accordance with improvement in management of said client company, or for that there are other reasonable reasons.

2 前項第十一号の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

(2) When intending to obtain an approval described in item (xi) in the preceding paragraph, a written application for approval attached with the following documents must be submitted to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の商号及び業務の内容を記載した書面

(ii) a document stating the trade name and content of business of a company in Japan pertaining to said approval;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針を記載した書面

(iii) a document stating the policies concerning the method of disposition of a portion of voting rights of a company in Japan pertaining to said approval that voting rights are acquired or held exceeding the maximum threshold for voting rights held; and

四 その他次項に規定する審査をするため参考となるべき事項を記載した書面

(iv) other documents stating matters to be referenced in an examination as prescribed in the following paragraph.

3 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が基準議決権数を超えて議決権を所有し、又は保有することについて合理的な理由があるかどうか、及び提出される基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針が妥当なものであるかどうかを審査するものとする。

(3) The Commissioner of the Financial Services Agency, when an application for an approval is filed pursuant to the preceding paragraph, is to examine whether there is a reasonable cause for the Bank Holding Company that filed said application to own or hold the number of voting rights exceeding the maximum threshold for voting rights held, and whether it is proper or not that the policies concerning method to dispose of portion of voting rights exceeding the maximum threshold for voting rights held which is to be acquired or possessed.

(基準議決権数を超えて議決権を保有することについての承認の申請)

(Application for Approval for Holding of Voting Rights Exceeding the Maximum

Threshold for Voting Rights Held)

第三十四条の二十一 銀行持株会社は、法第五十二条の二十四第二項ただし書の規定による承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-21 (1) A Bank Holding Company, when intending to obtain an approval pursuant to the provisions of Article 52-24, proviso of paragraph (2) of the Act, must submit a written application for approval attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 当該承認に係る国内の会社の名称及び業務の内容を記載した書類

(ii) a document stating the trade name and content of business of a company in Japan pertaining to said approval;

三 当該承認に係る国内の会社の議決権のうちその基準議決権数を超えて取得し、又は保有することとなつた部分の議決権の処分の方法に関する方針を記載した書類

(iii) a document stating the policies concerning the method of disposition of a portion of the voting rights of a company in Japan pertaining to said approval, for which was acquired or possessed in number exceeding the maximum threshold for voting rights held; and

四 その他次項に規定する審査をするため参考となるべき事項を記載した書類

(iv) other documents stating matters to be referenced for the examination as prescribed in the following paragraph.

2 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社又はその子会社が基準議決権数を超えて議決権を保有することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether the Bank Holding Company that filed said application or its Subsidiary Company has a reason, which is found to be unavoidable, to hold voting rights exceeding the maximum threshold for voting rights held, or not.

3 法第二条第十一項の規定は、第一項第三号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply to the voting rights prescribed in paragraph (1), item (iii).

(基準議決権数を超えて議決権を保有することができる場合)

(Cases That Voting Rights May Be Held Exceeding the Maximum Threshold for Voting Rights Held)

第三十四条の二十二 法第五十二条の二十四第四項第四号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の二十三第三項の認可を受けて銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

Article 34-22 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 52-24, paragraph (4) of the Act are the cases that said Bank Holding Company made a Bank, a long-term credit bank, a Company Specialized in Securities Business, Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or a small amount and short-term insurance provider as its Subsidiary Company in accordance with an authorization as prescribed in Article 52-23, paragraph (3) of the Act.

2 法第五十二条の二十四第四項第六号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の三十五第二項の認可を受けて吸収分割により事業を承継したことにより銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

(2) The cases as provided by Cabinet Office Ordinance as prescribed in Article 52-24, paragraph (4), item (vi) of the Act are the cases that said Bank Holding Company made a Bank, a long-term credit bank, a Company Specialized in Securities Business, Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or a small amount and short-term insurance provider as its Subsidiary Company due to succession of business based on an absorption-type company split after obtaining an authorization as prescribed in Article 52-35, paragraph (2) of the Act.

3 法第五十二条の二十四第四項第七号に規定する内閣府令で定める場合は、当該銀行持株会社が法第五十二条の三十五第三項の認可を受けて事業の譲受けをしたことにより銀行、長期信用銀行、証券専門会社、証券仲介専門会社、保険会社又は少額短期保険業者を子会社とした場合とする。

(3) The cases as provided by Cabinet Office Ordinance as prescribed in Article 52-24, paragraph (4), item (vii) of the Act are the cases that said Bank Holding Company holds a Bank, a long-term credit bank, a Company Specialized in Securities Business, Company Specialized in Securities Introducing Brokerage Services, an insurance corporation, or a small amount and short-term insurance provider as its Subsidiary Company due to a business acquisition after obtaining an authorization as prescribed in Article 52-35, paragraph (3) of the Act.

(銀行持株会社の子会社等)

(Subsidiary Company of a Bank Holding Company)

第三十四条の二十三 法第五十二条の二十五に規定する内閣府令で定める特殊の関係のある会社は、次に掲げる者とする。

Article 34-23 A company that has a special relationship as provided by Cabinet Office Ordinance as prescribed in Article 52-25, of the Act is the following:

一 当該銀行持株会社の子法人等（令第四条の二第二項に規定する子法人等をいう。第三十五条第三項において同じ。）

(i) a subsidiary corporation, etc. of said Bank Holding Company (which means

- a subsidiary corporation, etc. as prescribed in Article 4-2, paragraph (2) of the Order; the same applies in Article 35, paragraph (3)); or
- 二 当該銀行持株会社の関連法人等（令第四条の二第三項に規定する関連法人等をいう。）
- (ii) an affiliated corporation, etc. of said Bank Holding Company (which means an Affiliated Corporation, etc. as prescribed in Article 4-2, paragraph (3) of the Order).

第三款 経理

Subsection 3 Accounting

（銀行持株会社に係る業務報告書等）

(Business Report Pertaining to a Bank Holding Company)

第三十四条の二十四 法第五十二条の二十七第一項の規定による中間業務報告書は、事業年度開始の日から当該事業年度の九月三十日までの間の業務及び財産の状況について、中間事業概況書、中間連結財務諸表に分けて、別紙様式第十一号により作成し、当該期間経過後三月以内（外国所在銀行持株会社にあつては、当該期間経過後六月以内）に金融庁長官等に提出しなければならない。

Article 34-24 (1) An interim business report pursuant to the provisions of Article 52-27, paragraph (1) of the Act must be prepared pursuant to item (xi) of the appended form in regard to the condition of business and assets in the period from the starting date of the business year to September 30 of said business year in an interim summary statement of business and in interim consolidated financial statements separately, and must be submitted to the Commissioner of the Financial Services Agency, etc. within three months after the close of said period (with regard to a bank holding company located in a foreign state, within six months after the close of said period).

2 法第五十二条の二十七第一項の規定による業務報告書は、事業概況書、連結財務諸表に分けて、別紙様式第十二号により作成し、事業年度経過後三月以内（外国所在銀行持株会社にあつては、事業年度経過後六月以内）に金融庁長官等に提出しなければならない。

(2) A business report pursuant to the provisions of Article 52-27, paragraph (1) of the Act must be prepared pursuant to item (xii) of the appended form in a summary statement of business and in consolidated financial statements separately, and must be submitted to the Commissioner of the Financial Services Agency, etc. within three months after the close of the business year (with regard to a bank holding company located in a foreign state, within six months after the close of the business year).

3 銀行持株会社は、やむを得ない理由により前二項に規定する期間内に中間業務報告書又は業務報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の三の規定により当該銀行持株会社の主たる事務所の所在地を管轄する財務

局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(3) A Bank Holding Company, if an interim business report or a business report is unable to be submitted within the period prescribed in the preceding two paragraphs due to compelling reasons, said Bank Holding Company may postpone said submission after obtaining an approval from the Commissioner of the Financial Services Agency in advance (when the Director General of the Local Finance Bureau, who has jurisdiction over the location of the main office of said Bank Holding Company pursuant to the provisions of Article 17-3 of the Order, receives said report (when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau), the Director General of the Local Finance Bureau, or the Director General of the Fukuoka Local Finance Branch Bureau).

4 銀行持株会社は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(4) A Bank Holding Company, when intending to obtain an approval pursuant to the provisions of the preceding paragraph, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

5 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が中間業務報告書又は業務報告書の提出を延期することについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) The Commissioner of the Financial Services Agency, etc., when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether the Bank Holding Company that filed said application has a compelling reason to postpone submission of an interim business report or business report.

（銀行持株会社に係る貸借対照表等の公告）

(Public Notice of Balance Sheet Pertaining to a Bank Holding Company)

第三十四条の二十五 法第五十二条の二十八第一項の規定により作成すべき中間連結貸借対照表等（同項に規定する中間連結貸借対照表等をいい、同条第二項の規定により作成された電磁的記録を含む。第四項において同じ。）は別紙様式第十三号第一により、連結貸借対照表等（同条第一項に規定する連結貸借対照表等をいい、同条第二項の規定により作成された電磁的記録を含む。第四項において同じ。）は別紙様式第十三号の二第一により作成しなければならない。

Article 34-25 (1) An interim consolidated balance sheet, etc. that is to be prepared pursuant to the provisions of Article 52-28, paragraph (1) of the Act (which means an interim consolidated balance sheet, etc. as specified in the

same paragraph; including an electronic or magnetic record prepared pursuant to the provisions of same Article, paragraph (2); the same applies hereinafter in paragraph (4)) must be prepared in accordance with item (xiii), 1 of the appended form and a consolidated balance sheet, etc. (which means a consolidated balance sheet, etc. as specified in paragraph (1) of same Article; including an electronic or magnetic record prepared pursuant to the provisions of paragraph (2) of same Article; hereinafter the same applies in paragraph (4)) must be prepared in accordance with item (xiii)-2, 1 of the appended form.

2 銀行持株会社は、法第五十二条の二十八第三項ただし書の規定による公告の延期の承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(2) A Bank Holding Company, when intending to obtain an approval for postponement of public notice pursuant to the provisions of Article 52-28, proviso of paragraph (3) of the Act, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

3 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が法第五十二条の二十八第三項ただし書の規定による公告の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(3) The Commissioner of the Financial Services Agency, etc., when an application for approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there is a reason found to be compelling for postponement of public notice by a Bank Holding Company that filed said application pursuant to the provisions of the proviso of Article 52-28, paragraph (3) of the Act.

4 法第五十二条の二十八第四項の規定により銀行持株会社が公告すべき中間連結貸借対照表等の要旨は別紙様式第十三号第二に、連結貸借対照表等の要旨は別紙様式第十三号の二第二に定めるものとする。

(4) The gist of the interim consolidated balance sheet, etc. that a Bank Holding Company is to announce pursuant to the provisions of Article 52-28, paragraph (4) of the Act is to be specified in item (xiii), 2 of the appended form, and the gist of the consolidated balance sheet, etc. is to be specified in item (xiii)-2, 2 of the appended form.

5 法第五十二条の二十八第五項の規定による措置は、第十九条第七項第一号ロに掲げる方法のうち、インターネットに接続された自動公衆送信装置を使用する方法によつて行うものとする。

(5) Measures pursuant to the provisions of Article 52-28, paragraph (5) of the Act are to be undertaken by means of the use of an automatic public transmission server connected to the Internet among the means set forth in Article 19, paragraph (7), item (i), sub-item (b).

(銀行持株会社に係る業務及び財産の状況に関する説明書類の縦覧等)

(Public Inspection of Written Explanations Concerning the Condition of Business and Assets Concerning a Bank Holding Company)

第三十四条の二十六 法第五十二条の二十九第一項前段に規定する内閣府令で定めるものは、次に掲げる事項（中間説明書類にあつては、第一号イ、ニ及びホ、第二号並びに第四号ホに掲げる事項を除く。）とする。

Article 34-26 (1) Matters provided by Cabinet Office Ordinance as prescribed in Article 52-29, the first sentence of paragraph (1) of the Act are the following matters (with regard to Interim Written Explanation, except the matters set forth in item (i), sub-items (a), (d) and (e); item (ii), item (iv), sub-item (e)):

一 銀行持株会社の概況及び組織に関する次に掲げる事項

(i) the following matters concerning the general condition and organization of a Bank Holding Company:

イ 経営の組織（銀行持株会社の子会社等（法第五十二条の二十五に規定する子会社等（法第五十二条の十三第一項前段に規定する説明書類の内容に重要な影響を与えない子会社等を除く。）をいう。以下この項において同じ。）の経営管理に係る体制を含む。）

(a) the organization of business management (including the system pertaining to business management of a Subsidiary Company, etc. of a Bank Holding Company (which means a Subsidiary Company, etc. as prescribed in Article 52-25 of the Act (excluding a Subsidiary Company, etc. that does not have material effects to the content of the written explanations prescribed in the first sentence of Article 52-13, paragraph (1) of the Act); hereinafter the same applies in this item);

ロ 資本金及び発行済株式の総数

(b) stated capital and total number of issued shares;

ハ 持株数の多い順に十以上の株主に関する次に掲げる事項

(c) the following matters concerning the largest ten or more shareholders in order of the number of shares held

(1) 氏名（株主が法人その他の団体である場合には、その名称）

1. name (when shareholder is a corporation or other organization, its name);

(2) 各株主の持株数

2. number of shares held by each shareholder; and

(3) 発行済株式の総数に占める各株主の持株数の割合

3. percentage of shares held by each shareholder of the total number of issued shares;

ニ 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）の氏名及び役職名

(d) name and title of directors and company auditors (with regard to a company with committees, directors and executive officers); and

- ホ 会計参与設置会社にあつては、会計参与の氏名又は名称
- (e) with regard to a company with accounting advisors, name of the accounting advisors;
- 二 銀行持株会社及びその子会社等の概況に関する次に掲げる事項
- (ii) the following matters concerning the general condition of the Bank Holding Company and its Subsidiary Company, etc.:
- イ 銀行持株会社及びその子会社等の主要な事業の内容及び組織の構成
- (a) content of principal business and structure of the organization of the Bank Holding Company and its Subsidiary Company, etc.:
- ロ 銀行持株会社の子会社等に関する次に掲げる事項
- (b) the following matters concerning a Subsidiary Company, etc. of the Bank Holding Company:
- (1) 名称
 1. name;
 - (2) 主たる営業所又は事務所の所在地
 2. the location of its principal business office or office;
 - (3) 資本金又は出資金
 3. stated capital or contribution in capital;
 - (4) 事業の内容
 4. content of business;
 - (5) 設立年月日
 5. date of incorporation;
 - (6) 銀行持株会社が保有する子会社等の議決権の総株主又は総出資者の議決権に占める割合
 6. percentage of voting rights of a Subsidiary Company, etc. held by a Bank Holding Company to the number of voting rights held by all of shareholders or all of investors; and
 - (7) 銀行持株会社の一の子会社等以外の子会社等が保有する当該一の子会社等の議決権の総株主又は総出資者の議決権に占める割合
 7. percentage of voting rights of a single Subsidiary Company, etc. of a Bank Holding Company, held by another Subsidiary Company, etc. other than said single Subsidiary Company, etc. to the number of voting rights held by all of shareholders or all of investors;
- 三 銀行持株会社及びその子会社等の主要な業務に関する事項として次に掲げるもの
- (iii) the following matters concerning the principal business of a Bank Holding Company and its Subsidiary Company, etc.:
- イ 直近の中間事業年度又は事業年度における事業の概況
- (a) general condition of business in the latest interim period of the business year or business year; and
- ロ 直近の三中間連結会計年度及び二連結会計年度又は直近の五連結会計年度における主要な業務の状況を示す指標として次に掲げる事項

(b) the following matters set forth as indexes that indicate the condition of the principal business in the latest three interim periods of consolidated fiscal year and two consolidated fiscal years, or, in the latest five consolidated fiscal years:

- (1) 経常収益
- 1. ordinary income;
- (2) 経常利益又は経常損失
- 2. ordinary profit or ordinary loss;
- (3) 中間純利益若しくは中間純損失又は当期純利益若しくは当期純損失
- 3. interim net income or interim net loss, or net income for the period or net loss for the period;
- (4) 純資産額
- 4. amount of net assets;
- (5) 総資産額
- 5. amount of total assets; and
- (6) 連結自己資本比率
- 6. consolidated capital adequacy ratio;

四 銀行持株会社及びその子会社等の直近の二中間連結会計年度又は二連結会計年度における財産の状況に関する次に掲げる事項

(iv) the following matters concerning the condition of assets of a Bank Holding Company and its Subsidiary Company, etc. in the latest two interim periods of consolidated fiscal year or two consolidated fiscal years:

イ 中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書

(a) interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets;

ロ 貸出金のうち次に掲げるものの額及びその合計額

(b) amount of loans which correspond to the following and its total amount:

- (1) 破綻先債権に該当する貸出金
- 1. loans corresponding to claims to debtors in bankruptcy;
- (2) 延滞債権に該当する貸出金
- 2. loans corresponding to claims in arrears;
- (3) 三カ月以上延滞債権に該当する貸出金
- 3. loans corresponding to claims in arrears for three months or more;
- (4) 貸出条件緩和債権に該当する貸出金
- 4. loans corresponding to claims with moderate loan conditions;

ハ 自己資本の充実の状況について金融庁長官が別に定める事項

(c) matters as specified separately by the Commissioner of the Financial Services Agency concerning the condition of adequacy of equity capital;

ニ 銀行持株会社及びその子法人等（令第四条の二第二項に規定する子法人等をいう。）が二以上の異なる種類の事業を営んでいる場合の事業の種類ごとの区分に従い、当該区分に属する経常収益の額、経常利益又は経常損失の額及び資産の額（以下この号において「経常収益等」という。）として算出したもの（各経常収益等の額の総額に占める割合が少ない場合を除く。）

(d) in accordance with categories by the type of business when a Bank Holding Company or its subsidiary corporation, etc. (which means a subsidiary corporation, etc., as prescribed in Article 4-2, paragraph (2) of the Order) engages in two or more different types of business, the amount calculated as the amount of ordinary income, the amount of ordinary profit or ordinary loss, and the amount of assets (hereinafter referred to as "Ordinary Income, etc." in this item) that belong to said business category (except for cases that the percentage of each type of Ordinary Income, etc. that accounts for the total amount is small);

ホ 法第五十二条の二十八第一項の規定により作成した書面（同条第二項の規定により作成された電磁的記録を含む。）について会社法第三百九十六条第一項による会計監査人の監査を受けている場合にはその旨

(e) when documents prepared pursuant to the provisions of Article 52-28, paragraph (1) of the Act (including an electronic or magnetic record prepared pursuant to the provisions of paragraph (2) of said Article) are audited by financial auditors pursuant to the provisions of Article 396, paragraph (1) of the Companies Act, that effect thereof;

ヘ 銀行持株会社が中間連結貸借対照表又は連結貸借対照表、中間連結損益計算書又は連結損益計算書及び中間連結株主資本等変動計算書又は連結株主資本等変動計算書について金融商品取引法第百九十三条の二の規定に基づき公認会計士又は監査法人の監査証明を受けている場合にはその旨

(f) when a Bank Holding Company obtains an audit certification of a certified public accountant or auditing firm based on Article 193-2 of the Financial Instruments and Exchange Act, for an interim consolidated balance sheet or consolidated balance sheet, interim consolidated profit and loss statement or consolidated profit and loss statement, and interim consolidated statement of changes in net assets or consolidated statement of changes in net assets, that effect; or

ト 連結自己資本比率の算定に関する外部監査を受けている場合にはその旨

(g) if an external audit has been conducted concerning the calculation of consolidated capital adequacy ratio, that effect.

五 事業年度の末日（中間説明書類にあつては、中間事業年度の末日）において、当該銀行持株会社が将来にわたつて事業活動を継続するとの前提に重要な疑義を生じさせるような事象又は状況その他当該銀行持株会社の経営に重要な影響を及ぼす事象（以下この号において「重要事象等」という。）が存在する場合には、その旨及びその内容、当該重要事象等についての分析及び検討内容並びに当該重要事象等を

解消し、又は改善するための対応策の具体的内容

- (v) if, at the end of the business period (in Interim Written Explanation, at the end of the interim business period), there exists an event or circumstances that cast serious doubt on the premise that said Bank Holding Company will continue its business activities in the future or any other event that may have a significant effect on the management of said Bank Holding Company (hereinafter referred to as "Material Event, etc." in this item), a statement to such effect and the details of such events, the results of analysis and examination of said Material Event, etc. as well as the specific measures to be taken to eliminate or improve said Material Event, etc.;
- 2 前項の規定にかかわらず、外国所在銀行持株会社は、当該外国所在銀行持株会社の業務及び財産の状況に関する事項を記載した書面（日本語以外で記載されたものを含む。）を当該外国所在銀行持株会社の子会社である銀行の営業所（無人の営業所及び外国に所在する営業所を除く。次項において同じ。）に備え置き、公衆の縦覧に供しなければならない。
- (2) Notwithstanding the provisions of the preceding paragraph, a bank holding company located in a foreign state must keep documents (including those written in any language other than Japanese) stating matters concerning the condition of business and assets of said bank holding company located in a foreign state at a business office of a Bank that is a Subsidiary Company of said bank holding company located in a foreign state (excluding an unmanned business office, and a business office located in a foreign state; the same applies in the following paragraph) and must make the documents available for public inspection.
- 3 前項に規定する書面が日本語以外で記載されたものである場合には、外国所在銀行持株会社は、当該書面に加え、当該外国所在銀行持株会社に関する事業の概況並びに中間貸借対照表又は貸借対照表及び中間損益計算書又は損益計算書について日本語で記載された書面を作成し、当該外国所在銀行持株会社の子会社である銀行の事業所に備え置き、公衆の縦覧に供しなければならない。
- (3) When the documents specified in the preceding paragraph are stated in a language other than Japanese, a bank holding company located in a foreign state, in addition to said documents stating general conditions of business concerning said bank holding company located in a foreign state, interim balance sheet or balance sheet, and interim profit and loss statement or profit and loss statement, must prepare documents stated in Japanese, keep such documents in an office of a Bank that is a Subsidiary Company of said bank holding company located in a foreign state, and must make such documents available for public inspection.
- 4 法第五十二条の二十九第一項前段に規定する内閣府令で定める営業所は、次に掲げる営業所とする。
- (4) A business office as provided by Cabinet Office Ordinance as prescribed in the

first sentence of Article 52-29, paragraph (1) of the Act is the following office:

一 銀行持株会社の子会社である銀行の無人の営業所

(i) an unmanned business office of a Bank that is a Subsidiary Company of a Bank Holding Company; or

二 銀行持株会社の子会社である銀行の外国に所在する営業所

(ii) a business office located in a foreign state of a Bank that is a Subsidiary Company of a Bank Holding Company.

第三十四条の二十七 銀行持株会社は、法第五十二条の二十八第一項及び第五十二条の二十九第一項の規定により作成した書面（外国所在銀行持株会社にあつては、前条第二項及び第三項に規定する書面）（法第五十二条の二十八第二項及び法第五十二条の二十九第二項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）の縦覧を、当該銀行持株会社の中間事業年度及び事業年度経過後四月以内（外国所在銀行持株会社にあつては、中間事業年度及び事業年度経過後六月以内）に開始し、当該中間事業年度及び事業年度の翌中間事業年度及び翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-27 (1) A Bank Holding Company must make available for public inspection the documents prepared pursuant to the provisions of Article 52-28, paragraph (1) and Article 52-29, paragraph (1) of the Act (with regard to a bank holding company located in a foreign state, the documents prescribed in paragraphs (2) and (3) of the preceding Article) (including an electronic or magnetic record prepared pursuant to the provisions of Article 52-28, paragraph (2) and Article 52-29, paragraph (2) of the Act; hereinafter referred to as "Documents for Public Inspection" in this paragraph and the following paragraph) no later than four months after the end of an interim period of business year and business year of said Bank Holding Company (with regard to a bank holding company located in a foreign state, no later than six months after the end of an interim period of business year and business year) and keep said documents available for public inspection until the time that the Bank Holding Company commences to make available Documents for Public Inspection concerning the interim period of business year or business year following said interim period of business year and business year.

2 銀行持株会社は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行持株会社以外の銀行持株会社にあつては、当該銀行持株会社の主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(2) If a Bank Holding Company is unable to commence to make available for public inspection the Documents for Public Inspection by the date specified in the preceding paragraph due to an compelling reason, said Bank Holding

Company may postpone the commencement of said public inspection after obtaining an approval of the Commissioner of the Financial Services Agency in advance (in the case of a Bank Holding Company other than a Bank Holding Company designated by the Commissioner of the Financial Services Agency, the Director General of the Local Finance Bureau that has jurisdiction over the location of the principal office of said Bank Holding Company (when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau)).

3 銀行持株会社は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して、金融庁長官等に提出しなければならない。

(3) A Bank Holding Company, when intending to obtain an approval pursuant to the provisions of the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行持株会社が第一項の規定による縦覧の開始の延期をすることについてやむを得ない理由があるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application for an approval pursuant to the provisions of the preceding paragraph is filed, is to examine whether there is a compelling reason for postponing the commencement date of public inspection pursuant to the provisions of paragraph (1) by the Bank Holding Company that submitted said application.

5 法第五十二条の二十九第三項に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(5) Measures as provided by Cabinet Office Ordinance as prescribed in Article 52-29, paragraph (3) of the Act are conducted by means of displaying matters recorded in an electronic or magnetic record on paper or a screen.

第三十四条の二十七の二 銀行持株会社は、四半期ごとに、法第五十二条の二十九第五項に規定する当該銀行持株会社の子会社である銀行の預金者その他の顧客が当該銀行持株会社及びその子会社等の業務及び財産の状況を知るために参考となるべき事項のうち特に重要なもの（金融庁長官が別に定める事項を含む。）の開示に努めなければならない。

Article 34-27-2 A Bank Holding Company must endeavor to disclose by quarterly period of each business year matters of special materiality (including matters specified separately by the Commissioner of the Financial Services Agency) among those matters which are to be referenced for depositors and other customers of a Bank that is a Subsidiary Company of said Bank Holding Company as prescribed in Article 52-29, paragraph (5) of the Act to understand the condition of business and assets of said Bank Holding Company and its

Subsidiary Company, etc.

(銀行持株会社の事業報告等の記載事項)

(Information for Inclusion in a Business Report of a Bank Holding Company)

第三十四条の二十八 法第五十二条の三十の規定による事業報告は、別紙様式第十四号により作成しなければならない。

Article 34-28 (1) A business report pursuant to the provisions of Article 52-30 of the Act must be prepared in accordance with item (xiv) of the appended form.

2 法第五十二条の三十の規定による附属明細書は、別紙様式第十五号により作成しなければならない。

(2) The annexed detailed statement as prescribed in the provisions of Article 52-30 of the Act must be prepared in accordance with item (xv) of the appended form.

第四款 合併、会社分割又は事業の譲渡若しくは譲受け

Subsection 4 Mergers, Company Splits, and Business Transfers and Acquisitions

(銀行持株会社に係る合併の認可の申請)

(Written Application for Approval for Merger Pertaining to a Bank Holding Company)

第三十四条の二十九 銀行持株会社は、法第五十二条の三十五第一項の規定による合併の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官に提出しなければならない。

Article 34-29 (1) A Bank Holding Company, when intending to obtain an authorization for merger pursuant to Article 52-35, paragraph (1) of the Act, must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders meetings and other documents certifying that necessary proceedings were followed;

三 合併契約の内容を記載した書面

(iii) documents stating the content of the merger agreement;

四 合併費用を記載した書面

(iv) documents stating the cost of the merger;

五 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(v) with regard to said Bank Holding Company and its Subsidiary Company,

etc., the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest condition of business, assets and profit and loss of these companies;

六 会社法第七百八十九条第二項若しくは第七百九十九条第二項又は第八百十条第二項の規定による公告及び催告（同法第七百八十九条第三項若しくは第七百九十九条第三項又は第八百十条第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告）をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該合併をしても当該債権者を害するおそれがないことを証する書面

(vi) when there are creditors who gave a public notice or other notice (when a public notice is given by means of a daily newspaper publishing matters concerning current events or an electronic public notice in addition to by means of an official gazette pursuant to the provisions of Article 789, paragraph (3); Article 799, paragraph (3); or Article 810, paragraph (3) of the Companies Act, the public notice by these means) pursuant to the provisions of Article 789, paragraph (2); Article 799, paragraph (2); or Article 810, paragraph (2) of the Companies Act, a document certifying that the debt was paid to said creditor, reasonable security was provided to said creditor, or reasonable assets was entrusted for the purpose of payment to said creditor, or that there is no risk of loss to said creditor if said merger is implemented;

七 合併により消滅する会社又は株式の併合をする会社が株券発行会社であるときは、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) when an extinct company due to a merger or a company that consolidates its shares is a company that issues share certificates, a document certifying that public notice was given pursuant to the provisions of Article 219, the main clause of paragraph (1) of the Companies Act, or a document certifying that share certificates have not been issued pertaining to all of said shares;

七の二 合併により消滅する会社が新株予約権を発行しているときは、会社法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if an extinct company due to a merger has issued share options, a document certifying that public notice was given pursuant to the provisions of Article 293, paragraph (1) of the Companies Act, or a document certifying that share option certificates as prescribed in the same paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律第十五条第二項の規定による届出をしたことを証明する書面

(viii) a document certifying that notification was given pursuant to the

provisions of Article 15, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade;

九 合併後存続する銀行持株会社の定款、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）の履歴書並びに事務所の位置を記載した書面並びに合併後における銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of the directors and auditors (in the cases of a company with committees, directors and executive officers), a document stating the location of offices of a Bank Holding Company surviving the merger, and documents stating the prospective income and expenditures and consolidated capital adequacy ratio of the Bank Holding Company and its Subsidiary Company, etc. after the merger;

九の二 合併後存続する銀行持株会社又は合併により設立される銀行持株会社が会計参与設置会社である場合には、当該銀行持株会社の会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(ix)-2 when a Bank Holding Company surviving the merger or a Bank Holding Company that is incorporated by the merger is a company with accounting advisors, resumes of the accounting advisors of said Bank Holding Company (when the accounting advisor is a corporation, a document stating the history of said accounting advisor and resumes of members who are to engage in the duties);

十 合併の当事者の一部が銀行持株会社でない場合には、当該銀行持株会社でない当事者の従前の定款並びに最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(x) when part of the parties of the merger is not a Bank Holding Company, articles of incorporation, the latest balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest condition of business, assets, and profit and loss of said party who is not said Bank Holding Company;

十一 合併後存続する銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(xi) a document stating the system pertaining to management of a Subsidiary Company conducted by the Bank Holding Company surviving the merger;

十二 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(xii) a document stating the condition of securing employees with knowledge and experience concerning Bank services;

十三 合併後存続する銀行持株会社が当該合併により子会社対象会社（法第五十二条の二十三第一項に規定する子会社対象会社をいう。以下この号、次条第一項第十四号及び第三十四条の三十一第一項第十号において同じ。）を子会社とする場合には、当該子会社対象会社に関する第三十四条の十九第一項第四号に掲げる書面

(xiii) when a Bank Holding Company surviving the merger makes a company eligible as a Subsidiary Company (which means a company eligible as a Subsidiary Company as prescribed in Article 52-23, paragraph (1) of the Act; hereinafter the same applies in this item, paragraph (1), item (xiv) of the following Article, and Article 34-31, paragraph (1), item (x)) as a Subsidiary Company, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning said company eligible as a Subsidiary Company;

十四 合併後存続する銀行持株会社又はその子会社が、当該合併により国内の会社の議決権を合算してその基準議決権数を超過して保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xiv) when a Bank Holding Company surviving the merger or its Subsidiary Company comes to hold voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held due to said merger, a document stating the name and content of business of said company in Japan; and

十五 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項に規定する審査をするため参考となるべき事項を記載した書面

(xv) other documents stating matters to be referenced for an examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の三十五第四項において準用する法第五十二条の十八第一項に規定する審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act pertaining to an application for authorization pursuant to the provisions of the preceding paragraph.

3 法第二条第十一項の規定は、第一項第十四号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (xiv).

(銀行持株会社に係る会社分割の認可の申請)

(Written Application for Approval of a Company Split Pertaining to a Bank Holding Company)

第三十四条の三十 銀行持株会社は、法第五十二条の三十五第二項の規定による会社分割の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-30 (1) A Bank Holding Company, when intending to obtain an approval for a company split as prescribed in the provisions of Article 52-35, paragraph (2) of the Act, must submit a written application for authorization

attached with the following documents to the Commissioner of the Financial Services Agency:

一 理由書

(i) a written statement of reasons;

二 株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders meetings and other documents certifying that necessary proceedings were followed;

三 新設分割計画又は吸収分割契約の内容を記載した書面

(iii) a document stating the content of the incorporation-type company split plan or absorption-type company split agreement;

四 会社分割費用を記載した書面

(iv) a document stating the cost of the company split;

五 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(v) the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets of said Bank Holding Company and its Subsidiary Company, etc., and other documents providing the latest condition of business, assets, and profit and loss of these companies;

六 会社法第七百八十九条第二項若しくは第七百九十九条第二項又は第八百十条第二項の規定による公告及び催告（同法第七百八十九条第三項若しくは第七百九十九条第三項又は第八百十条第三項の規定により公告を官報のほか時事に関する事項を掲載する日刊新聞紙又は電子公告によつてした場合にあつては、これらの方法による公告（同法第七百八十九条第三項又は第八百十条第三項の規定により各別の催告をすることを要しない場合以外の場合にあつては、当該公告及び催告））をしたこと並びに異議を述べた債権者があるときは、当該債権者に対し弁済し若しくは相当の担保を提供し若しくは当該債権者に弁済を受けさせることを目的として相当の財産を信託したこと又は当該会社分割をしても当該債権者を害するおそれがないことを証する書面

(vi) when there are creditors who gave public notice or other notice (when a public notice is made by means of daily newspaper publishing matters concerning current events or an electronic public notice, in addition to by means of an official gazette pursuant to the provisions of Article 789, paragraph (3); Article 799, paragraph (3); or Article 810, paragraph (3) the Companies Act, the public notice by these means (when a separate notice is not required pursuant to the provisions of Article 789, paragraph (3) or Article 810, paragraph (3) of the same Act, said public notice and other notice)) pursuant to the provisions of Article 789, paragraph (2); Article 799, paragraph (2); or Article 810, paragraph (2) of the Companies Act, a document certifying that the debt was paid to said creditor, reasonable security was provided to said creditor, or reasonable assets were entrusted

for the purpose of payment to said creditor, or there is no risk of loss to said creditor if said company split is implemented;

七 株券発行会社が株式の併合をする場合には、会社法第二百十九条第一項本文の規定による公告をしたことを証する書面又は当該株式の全部について株券を発行していないことを証する書面

(vii) when a share certificate-issuing company consolidates shares, a document certifying that public notice was given pursuant to the provisions of Article 219, the main clause of paragraph (1) of the Companies Act, or a document certifying that share certificates have not been issued with regard to all of said shares;

七の二 会社分割をする会社が新株予約権を発行している場合であつて、会社法第七百五十八条第五号又は第七百六十三条第十号に規定する場合には、同法第二百九十三条第一項の規定による公告をしたことを証する書面又は同項に規定する新株予約権証券を発行していないことを証する書面

(vii)-2 if a company to be split has issued share options and the cases as prescribed in Article 758, item (v) or Article 763, item (x) of the Companies Act, a document certifying that public notice was given pursuant to the provisions of Article 293, paragraph (1) of said Act and a document certifying that share options as prescribed in said paragraph have not been issued;

八 私的独占の禁止及び公正取引の確保に関する法律第十五条の二第二項又は第三項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(viii) when a notification is required pursuant to the provisions of Article 15-2, paragraph (2) or (3) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document certifying that said notification was submitted;

九 当該会社分割を行つた後における銀行持株会社の定款、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）の履歴書並びに事務所の位置を記載した書面並びに銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(ix) articles of incorporation, resumes of directors and auditors (in the cases of a company with committees, directors and executive officers), and a document stating the location of offices of the Bank Holding Company after said company split, and a document stating the prospective income and expenditures and consolidated capital adequacy ratio of the Bank Holding Company and its Subsidiary Company, etc.;

九の二 当該会社分割を行つた後における銀行持株会社が会計参与設置会社である場合には、当該銀行持株会社の会計参与の履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面及びその職務を行うべき社員の履歴書）

(ix)-2 when a Bank Holding Company after said company split is a company with accounting advisors, resumes of the accounting advisors of said Bank Holding Company (when an accounting advisor is a corporation, a document

stating the history of said accounting advisor and resumes of members who are to engage in the duties;

十 会社分割の当事者の一部が銀行持株会社でない場合には、当該銀行持株会社でない当事者の従前の定款並びに最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書面

(x) when part of the parties of a company split is not a Bank Holding Company, the prior articles of incorporation, the latest balance sheet, profit and loss statement, statement of changes in net assets and other documents providing the latest condition of business, assets, and profit and loss of said parties which is not a Bank Holding Company;

十一 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(xi) a document stating the system pertaining to business management of a Subsidiary Company conducted by said Bank Holding Company;

十二 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

(xii) a document stating the condition of securing employees with knowledge and experience concerning Bank services;

十三 当該会社分割により当該銀行持株会社の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面

(xiii) when a Subsidiary Company of said Bank Holding Company is no longer be a Subsidiary Company after said company split, a document stating the name of said Subsidiary Company;

十四 当該会社分割により子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第三十四条の十九第一項第四号に掲げる書面

(xiv) when making a company eligible as a Subsidiary Company as a Subsidiary Company due to said company split, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning said company eligible as a Subsidiary Company;

十五 当該会社分割により銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面

(xv) when a Bank Holding Company or its Subsidiary Company comes to hold voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held due to said company split, a document stating the name and content of business of said company in Japan; and

十六 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項に規定する審査をするため参考となるべき事項を記載した書面

(xvi) other documents stating matters to be referenced for an examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.

2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条

の三十五第四項において準用する法第五十二条の十八第一項に規定する審査について準用する。

(2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to an examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) pertaining to an application of an approval pursuant to the provisions of the preceding paragraph.

3 法第二条第十一項の規定は、第一項第十五号に規定する議決権について準用する。

(3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (xv).

(資産の額等)

(Amount of Assets)

第三十四条の三十の二 令第十六条の二の四第一項第二号イに規定する債務の額として内閣府令で定める額は、第一号に掲げる額から第二号に掲げる額を減じて得た額とする。

Article 34-30-2 (1) The amount as provided by Cabinet Office Ordinance as the amount of debts as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the Order is the amount obtained by deducting the amount set forth below in item (ii) from the amount set forth in item (i):

一 吸収分割の直後に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の負債の部に計上すべき額から会社法第七百九十五条第二項第二号の株式等（社債（吸収分割の直前に当該銀行持株会社が有していた社債を除く。）に限る。）につき会計帳簿に付すべき額を減じて得た額

(i) the amount obtained by deducting the amounts which are to be stated in the accounting books pertaining to Shares, etc. as prescribed in Article 795, paragraph (2), item (ii) of the Companies Act (limited to corporate bonds (excluding a corporate bond that was held by said Bank Holding Company immediately before the absorption-type company split)) from the amount, when a balance sheet of said Bank Holding Company is deemed to be prepared immediately after the absorption-type company split, which should be included as the liabilities of said balance sheet;

二 吸収分割の直前に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の負債の部に計上すべき額

(ii) the amount, when a balance sheet of said Bank Holding Company is deemed to be prepared immediately before the absorption-type company split, which should be included as the liabilities of said balance sheet.

2 令第十六条の二の四第一項第二号イに規定する資産の額として内閣府令で定める額は、第一号に掲げる額から第二号に掲げる額を減じて得た額とする。

(2) The amount as provided by Cabinet Office Ordinance as the amount of assets as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the

Order is the amount obtained by deducting the amount set forth in item (ii) from the amount set forth in item (i):

一 吸収分割の直後に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の資産の部に計上すべき額

(i) the amount which is to be included as the assets of said balance sheet, when a balance sheet of said Bank Holding Company is deemed to be prepared immediately after an absorption-type company split;

二 吸収分割の直前に当該銀行持株会社の貸借対照表の作成があつたものとする場合における当該貸借対照表の資産の部に計上すべき額から会社法第七百九十五条第二項第二号に規定する金銭等（同号の株式等のうち吸収分割の直前に当該銀行持株会社が有していた社債を含む。）の帳簿価額を減じて得た額

(ii) the amount obtained by deducting the book value of money, etc. as prescribed in Article 795, paragraph (2), item (ii) of the Companies Act (including corporate bonds held by said Bank Holding Company immediately before the absorption-type company split among Shares, etc. as prescribed in the same item) from the amount, when a balance sheet of said Bank Holding Company is deemed to be prepared immediately before the absorption-type company split, which should be included as the assets of said balance sheet.

3 前項の規定にかかわらず、当該銀行持株会社が連結配当規制適用会社である場合において、吸収分割会社（会社法第七百五十八条第一号に規定する吸収分割会社をいう。）が当該銀行持株会社の子会社であるときは、令第十六条の二の四第一項第二号イに規定する資産の額として内閣府令で定める額は、次に掲げる額のうちいずれか高い額とする。

(3) Notwithstanding the provisions of the preceding paragraph, when said Bank Holding Company is a company subject to restriction of consolidated dividends, when a splitting company in an absorption-type company split (which means a splitting company in an absorption-type company split as prescribed in Article 758, item (i) of the Companies Act) is a Subsidiary Company of said Bank Holding Company, the amount as provided by Cabinet Office Ordinance as the amount of assets as prescribed in Article 16-2-4, paragraph (1), item (ii), sub-item (a) of the Order is the larger of the following:

一 第一項第一号に掲げる額から同項第二号に掲げる額を減じて得た額

(i) the amount obtained by deducting the amount set forth in paragraph (1), item (ii) from the amount set forth in item (i) of the same paragraph;

二 前項第一号に掲げる額から同項第二号に掲げる額を減じて得た額

(ii) the amount obtained by deducting the amount set forth in item (ii) of the preceding paragraph from the amount set forth in item (i) of the preceding paragraph.

（銀行持株会社に係る事業譲渡等の認可の申請）

(Written Application for Authorization for Business Transfer Pertaining to a

Bank Holding Company)

第三十四条の三十一 銀行持株会社は、法第五十二条の三十五第三項の規定による事業の譲渡又は譲受け（以下この条において「事業譲渡等」という。）の認可を受けようとするときは、認可申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-31 (1) A Bank Holding Company, when intending to obtain an authorization for a business transfer or acquisition pursuant to the provisions of Article 52-35, paragraph (3) of the Act (hereinafter referred to as "Business Transfer, etc." in this Article), must submit a written application for authorization attached with the following documents to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 株主総会の議事録その他必要な手続があつたことを証する書面

(ii) minutes of shareholders meetings and other documents certifying that necessary proceedings were followed;

三 事業譲渡等の契約の内容を記載した書面

(iii) documents stating the content of the contract of the Business Transfer, etc.;

四 当該銀行持株会社及びその子会社等につき連結して記載した最終の貸借対照表、損益計算書、株主資本等変動計算書その他これらの会社の最近における業務、財産及び損益の状況を知ることができる書面

(iv) with regard to said Bank Holding Company and its Subsidiary Company, etc., the latest consolidated balance sheet, profit and loss statement, statement of changes in net assets, and other documents providing the latest condition of business, assets, and profit and loss of said companies;

五 私的独占の禁止及び公正取引の確保に関する法律第十六条第二項の規定による届出を要する場合には、当該届出をしたことを証明する書面

(v) when it requires notification pursuant to the provisions of Article 16, paragraph (2) of the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade, a document certifying that said notification was submitted;

六 当該事業譲渡等を行つた後における銀行持株会社及びその子会社等の収支及び連結自己資本比率の見込みを記載した書面

(vi) documents stating the prospective income and expenditures, and consolidated capital adequacy ratio of the Bank Holding Company and its Subsidiary Company, etc., after said Business Transfer, etc.;

七 当該銀行持株会社が行う子会社の経営管理に係る体制を記載した書面

(vii) a document stating the system pertaining to business management of a Subsidiary Company conducted by said Bank Holding Company;

八 銀行の業務に関する知識及び経験を有する従業員の確保の状況を記載した書面

- (viii) a document stating the condition of securing employees with knowledge and experience concerning Bank services;
- 九 当該事業の譲渡により当該銀行持株会社の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書面
- (ix) when a Subsidiary Company of said Bank Holding Company is no longer a Subsidiary Company due to said business transfer, documents stating the name of said Subsidiary Company;
- 十 当該事業の譲受けにより子会社対象会社を子会社とする場合には、当該子会社対象会社に関する第三十四条の十九第一項第四号に掲げる書面
- (x) when making a company eligible as a Subsidiary Company as a Subsidiary Company due to said business acquisition, the documents set forth in Article 34-19, paragraph (1), item (iv) concerning said company eligible as a Subsidiary Company;
- 十一 当該事業の譲受けにより銀行持株会社又はその子会社が国内の会社の議決権を合算してその基準議決権数を超えて保有することとなる場合には、当該国内の会社の名称及び業務の内容を記載した書面
- (xi) when the Bank Holding Company or its Subsidiary Company is to come to hold voting rights of a company in Japan for which the total number exceeds the maximum threshold for voting rights held due to said business acquisition, documents stating the name and content of business of said company in Japan; and
- 十二 その他法第五十二条の三十五第四項において準用する法第五十二条の十八第一項に規定する審査をするため参考となるべき事項を記載した書面
- (xii) other documents stating matters to be referenced for an examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) of the Act.
- 2 第三十四条の十第三項の規定は、前項の規定による認可の申請に係る法第五十二条の三十五第四項において準用する法第五十二条の十八第一項に規定する審査について準用する。
- (2) The provisions of Article 34-10, paragraph (3) apply mutatis mutandis to the examination as prescribed in Article 52-18, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 52-35, paragraph (4) pertaining to an application for an approval pursuant to the provisions of the preceding paragraph.
- 3 法第二条第十一项の規定は、第一項第十一号に規定する議決権について準用する。
- (3) The provisions of Article 2, paragraph (11) of the Act apply mutatis mutandis to voting rights as prescribed in paragraph (1), item (xi).

第八章の二 銀行代理業

Chapter VIII-2 Bank Agency Services

第一節 通則

Section 1 General Rules

(銀行代理業の許可の申請書の記載事項)

(Information for Inclusion in a Written Application for Permission of Bank Agency Services)

第三十四条の三十二 法第五十二条の三十七第一項第六号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-32 (1) The matters as provided by Cabinet Office Ordinance as prescribed in Article 52-37, paragraph (1), item (vi) of the Act are the following:

一 個人であるときは、次に掲げる事項

(i) when a Bank Agent is an individual, the following matters:

イ 他の法人の常務に従事する場合にあつては、当該他の法人の商号又は名称、主たる営業所又は事務所の所在地及び業務の種類

(a) when said individual engages in ordinary business of another corporation, the trade name or name, the location of its principal business office or office, and the types of business of said another corporation;

ロ 当該個人に係る次に掲げる法人等（会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含み、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。）をいう。以下この条において同じ。）の商号又は名称、主たる営業所又は事務所の所在地、代表者の氏名又は名称及び業務の種類

(b) the trade name or name, the location of its principal business office or office, name of the representative person, and the types of business of the following corporation, etc. (which means a company, partnership or other equivalent business entity (including a business entity in a foreign state equivalent to the above and excluding a business entity that has no business office, office or other facilities equivalent thereto in Japan), hereinafter the same applies in this Article) pertaining to said individual:

(1) 当該個人がその総株主等の議決権の百分の五十を超える議決権を保有する法人等

1. a business entity, etc. of which said individual holds voting rights exceeding fifty percent of the All Shareholders', etc. Voting Rights;

(2) (1)に掲げる法人等の子法人等（外国の法人その他の団体であつて、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。次号ロにおいて同じ。）

2. a subsidiary corporation, etc. (excluding a foreign corporation or other organization that has no business office, office or other facilities equivalent thereto in Japan; the same applies in the following item (b)) of a corporation, etc. as set forth in 1.;

二 法人であるときは、次に掲げる事項

(ii) when a Bank Agent is a corporation, the following matters:

イ その役員が、他の法人の常務に従事し、又は事業を営む場合にあつては、当該役員の名、当該他の法人又は事務所の商号若しくは名称、主たる営業所又は事務所の所在地及び業務の種類

(a) when an officer of said corporation engages in ordinary business or carries out business of another corporation, the name of said officer, trade name, the location of its principal business office or office and types of business of said corporation;

ロ 当該法人に係る次に掲げる法人等の商号又は名称、主たる営業所又は事務所の所在地、代表者の氏名又は名称及び業務の種類

(b) the trade name or name, the location of its principal business office or office, name of the representative person or corporation, and types of business of the following corporation, etc. pertaining to said corporation:

(1) 当該法人の子法人等

1. a subsidiary corporation, etc. of said corporation, etc.;

(2) 当該法人の親法人等（令第四条の二第二項に規定する親法人等をいい、外国の法人その他の団体であつて、国内に営業所、事務所その他これらに準ずるものを有していない者を除く。）

2. the parent corporation, etc. of said corporation, etc. (which means a parent corporation, etc. as prescribed in Article 4-2, paragraph (2) of the Order and excludes a foreign corporation or other organization that has no business office, office or other facilities equivalent thereto in Japan)

(3) 当該法人の親法人等の子法人等（(1)に掲げる者を除く。）

3. other subsidiary corporation, etc. of the parent corporation, etc. of said corporation, etc. (other than entity as prescribed in 1.);

三 銀行代理業再委託者（法第五十二条の五十八第二項に規定する銀行代理業再委託者をいう。以下同じ。）の再委託を受けるときは、当該銀行代理業再委託者の商号、名称又は氏名及び主たる営業所又は事務所の所在地

(iii) when a Bank Agent receives re-entrustment from a Principal Bank Agent (which means a Principal Bank Agent as prescribed in Article 52-28, paragraph (2) of the Act, the same applies hereinafter), the trade name or business name and the location of its principal business office or office of said Principal Bank Agent;

四 銀行代理業を再委託するとき、当該再委託を受ける銀行代理業再委託者（法第五十二条の五十八第二項に規定する銀行代理業再委託者をいう。以下同じ。）の商号、名称又は氏名及び主たる営業所又は事務所の所在地

(iv) when providing sub-entrustment of Bank Agency Services, the trade name or name and the location of its principal business office or office of a Secondary Bank Agent which receives said sub-entrustment (which means a Secondary Bank Agent as prescribed in Article 52-58, paragraph (2) of the

Act; the same applies hereinafter).

2 前項の規定にかかわらず、法第五十二条の六十一第一項に規定する銀行等が同条第三項の規定に基づき届け出ることとされている法第五十二条の三十七第一項第六号に規定する内閣府令で定める事項は、前項第三号及び第四号に掲げる事項とする。

(2) Notwithstanding the provisions of the preceding paragraph, the matters as provided by Cabinet Office Ordinance as prescribed in Article 52-37, paragraph (1), item (vi) of the Act, for which a Bank, etc. is to give notice pursuant to the provisions of Article 52-61, paragraph (3), etc. of the Act as prescribed in paragraph (1) of the same Article, are the matters as set forth in items (iii) and (iv) of the preceding paragraph.

3 第一条の六第三項の規定は、第一項第一号ロ（1）の場合において法第五十二条の三十七第一項に規定する申請者が保有する議決権について準用する。

(3) The provisions of Article 1-6, paragraph (3) are applied mutatis mutandis to the voting rights held, in the case of the paragraph (1), item (i), sub-item (b), 1., by the applicant prescribed in Article 52-37, paragraph (1) of the Act.

(銀行代理業の業務の内容及び方法)

(Content and Method of Services of Bank Agency Services)

第三十四条の三十三 法第五十二条の三十七第二項第二号に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 34-33 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 52-37, paragraph (2), item (ii) of the Act are the following:

一 取り扱う法第二条第十四項各号に規定する契約の種類（預金の種類並びに貸付先の種類及び貸付けに係る資金の用途を含む。）

(i) the type of contract as prescribed in each item of Article 2, paragraph (14) of the Act that a Bank Agent handles (including type of deposit, type of borrower, and use of funds borrowed);

二 取り扱う法第二条第十四項各号に規定する契約の種類ごとに契約の締結の代理又は媒介のいずれを行うかの別（代理及び媒介のいずれも行う場合はその旨）

(ii) whether conducting agency services or intermediary pertaining to each type of contract as prescribed in each item of Article 2, paragraph (14) of the Act that a Bank Agent handles (when both agency services and intermediary are conducted, that effect);

三 銀行代理業の実施体制

(iii) the system of carrying out Bank Agency Services.

2 前項第三号に規定する銀行代理業の実施体制には、法第五十二条の四十五各号に掲げる行為その他銀行代理業を適正かつ確実に営むことにつき支障を及ぼす行為を防止するための体制のほか、次の各号に掲げる場合の区分に応じ、当該各号に掲げる体制を含むものとする。

(2) The system of carrying out Bank Agency Services as prescribed in item (iii) of the preceding paragraph, is to include, in addition to a system to prevent

actions as prescribed in each item of Article 52-45 of the Act and other actions which may harm proper and sure operations of Bank Agency Services, a system as set forth in each of the following item corresponding to the following categories of case:

- 一 銀行代理行為（法第五十二条の四十三に規定する銀行代理行為をいう。以下同じ。）に関して顧客から金銭その他の財産の交付を受ける権限が付与されている場合 当該交付を受ける財産と自己の固有財産とを分別して管理するための体制
(i) when a Bank Agent is authorized to receive delivery of cash or other assets from a customer concerning activities as a bank agent (which means activities as a bank agent as prescribed in Article 52-43 of the Act; the same applies hereinafter), a system in order to separate and manage said assets from its own assets;
- 二 電気通信回線に接続している電子計算機を利用して銀行代理業を営む場合 顧客が当該銀行代理業者と他の者を誤認することを防止するための体制
(ii) when a Bank Agent operates Bank Agency Services by using a computer connected with electronic telecommunications lines: a system to prevent a customer from misidentifying said Bank Agent for another party;
- 三 兼業業務（銀行代理業及び銀行代理業に付随する業務以外の業務をいう。以下同じ。）を営む場合 銀行代理行為に関して取得した顧客に関する情報の適正な取扱いのための体制
(iii) when concurrent business (which means a business other than Bank Agency Services and business incidental to Bank Agency Services; the same applies hereinafter) is carried out: a system to handle properly information of customers that is acquired concerning activities as a bank agent.

（許可申請書のその他の添付書類）

(A Written Application for Permission and Other Documents Attached Thereto)
第三十四条の三十四 法第五十二条の三十七第二項第三号に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 34-34 The documents as provided by Cabinet Office Ordinance as prescribed in Article 52-37, paragraph (2), item (iii) of the Act are the following documents:

- 一 個人であるときは、履歴書及び住民票の抄本（これらの者が外国人であり、かつ、国内に居住している場合には、外国人登録証明書の写し、登録原票の写し又は登録原票記載事項証明書。以下同じ。）又はこれに代わる書面及び第三十四条の三十七第四号に該当しないことを誓約する書面
(i) when a Bank Agent is an individual, a resume and extract of certification of residence (when said individual is a foreign national and resides in Japan, a copy of the certificate of alien registration, a copy of the registration card of or certificate of registered matters; the same applies hereinafter) or alternative documents thereto, and documents pledging not to be or to

- become subject to the provisions of Article 34-37, item (iv);
- 二 法人であるときは、役員（役員が法人であるときは、その職務を行うべき者を含む。以下この号、第三十四条の三十七及び第三十四条の四十八第一項において同じ。）の履歴書（役員が法人であるときは、当該役員沿革を記載した書面を含む。）及び役員（国内における営業所又は事務所に駐在する役員に限る。）の住民票の抄本（役員が法人であるときは、当該役員登記事項証明書を含む。）又はこれに代わる書面、第三十四条の三十七第五号に該当しないことを誓約する書面及び役員が第三十四条の三十七第四号イからチまでのいずれにも該当しない者であることを当該役員が誓約する書面
- (ii) when a Bank Agent is a corporation, a resume (when an officer is a corporation, including documents stating its history) of each officer (when an officer is a corporation, including the person who is to engage in the duties; hereinafter the same applies in this item, Article 34-37 and Article 34-48, paragraph (1)) and extracts of certification of residence of officers (when an officer is a corporation, including a certificate of registered matters of said officer) (limited to officers working in a business office or other office in Japan) or alternative documents thereto, documents pledging not to be or to become subject to the provisions of Article 34-37, item (v), and a document in which an officer pledges not to be or to become subject to the provisions of Article 34-37, any item from (iv), sub-items (a) to (h);
- 三 所属銀行の委託を受けて銀行代理業を営むときは、当該所属銀行との間の銀行代理業に係る業務の委託契約書の案
- (iii) when carrying out Bank Agency Services by receiving an entrustment of Principal Bank, the draft of the entrustment agreement of the business concerning Bank Agency Services with said Principal Bank;
- 四 銀行代理業再委託者の再委託を受けて銀行代理業を営むときは、当該銀行代理業再委託者との間の銀行代理業に係る業務の委託契約書の案及び当該銀行代理業再委託者が当該再委託について所属銀行の許諾を得たことを当該所属銀行が誓約する書面
- (iv) when carrying out Bank Agency Services by receiving sub-entrustment of a Principal Bank Agent, the draft of the entrustment agreement of the business concerning Bank Agency Services with said Principal Bank Agent, and a document in which said Principal Bank pledges that said Principal Bank Agent obtained an authorization of said Principal Bank;
- 五 銀行代理業に関する能力を有する者の確保の状況及び当該者の配置の状況を記載した書面（銀行代理業に関する能力を有する者であることを証する書面を含む。）
- (v) documents stating the condition of securing persons with abilities concerning Bank Agency Services and the condition of placement of said persons (including documents certifying that said persons are with abilities concerning Bank Agency Services);
- 六 個人であるときは、許可の申請の日を含む事業年度（個人の事業年度は、一月一

日からその年の十二月三十一日までとする。以下同じ。)の前事業年度に係る別紙様式第十六号により作成した財産に関する調書

(vi) when a Bank Agent is an individual, a record concerning assets prepared pursuant to item (xvi) of the appended form pertaining to the business year preceding the business year that includes the date of application for permission (the business year of an individual is from January 1 to December 31 of the same year; the same applies hereinafter)

七 法人であるときは、許可の申請の日を含む事業年度の前事業年度に係る貸借対照表又はこれに代わる書面。ただし、許可の申請の日を含む事業年度に設立された法人にあつては、当該法人の設立の時に作成する貸借対照表又はこれに代わる書面

(vii) when a Bank Agent is a corporation, the balance sheet pertaining to the business year preceding the business year that includes the date of application for permission or alternative documents thereto; provided, however, that when a Bank Agent is a corporation that was incorporated in the business year that includes the date of application for permission, the balance sheet prepared at the time of incorporation of said corporation or alternative documents thereto;

八 会計監査人設置会社である場合には、許可の申請の日を含む事業年度の前事業年度の会社法第三百九十六条第一項に規定する会計監査報告の内容を記載した書面

(viii) when a Bank Agent is a company with financial auditors, documents stating the contents of an financial audit report as prescribed in Article 396, paragraph (1) of the Companies Act pertaining to the business year preceding the business year that includes the date of application for permission;

九 銀行代理業開始後三事業年度における収支及び財産の状況の見込みを記載した書面

(ix) documents stating the prospective condition of income and expenditures, and assets, in the three business years after the commencement of Bank Agency Services;

十 所属銀行（銀行代理業再委託者の再委託を受ける場合は当該銀行代理業再委託者を含む。）が保証人の保証を徴するときは、当該保証を証する書面及び当該保証人に係る第六号又は第七号に規定する書面

(x) when a Principal Bank (when receiving a sub-entrustment of a Principal Bank Agent, including said Principal Bank Agent) collects a guarantee by a guarantor, documents certifying said guarantee and documents concerning said guarantor as prescribed in items (vi) and (vii);

十一 内部管理に関する業務を行う組織の概要、法令を遵守するための管理の体制及び銀行代理業に関する組織図を記載した書面

(xi) documents stating the summary of the organization that conducts operations concerning internal control, the system of management for compliance, and documents stating the organizational chart concerning the

Bank Agency Services;

十二 他に業務を営むときは、兼業業務の内容及び方法を記載した書面

(xii) when a Bank Agent engages in another business, documents stating the content and means of concurrent business;

十三 銀行代理業の運営に関する社内規則等

(xiii) the internal rules, etc. concerning management of the Bank Agency Services;

十四 銀行代理業を営む営業所又は事務所の付近見取図及び間取図（防犯カメラの設置状況、警備状況等を含む。）並びに当該営業所又は当該事務所で営む銀行代理業の業務運営を指揮する所属銀行の営業所の名称を記載した書面

(xiv) a pictorial drawing of the surrounding area of the business office or offices where Bank Agency Services are carried out and its layout (including the condition of setting security cameras and condition of security, etc.) and documents stating the name of said business office and the business office of a Principal Bank, which directs business management of the Bank Agency Services which are carried out at said business office;

十五 銀行代理業に係る業務が定款（これに準ずるものを含む。）の事業目的に定められていない場合にあつては、当該業務のその事業目的への追加に係る株主総会の議事録（これに準ずる機関において必要な手続きがあつたことを証する書面を含む。）

(xv) when business concerning Bank Agency Services is not stipulated in the purpose of business of the articles of incorporation (including documents equivalent thereto), the minutes of a shareholders meeting concerning the addition of said business to said purpose of business (including documents certifying that necessary proceedings were followed by an organization equivalent thereto);

十六 前各号に掲げるもののほか法第五十二条の三十八第一項に規定する審査をするため参考となるべき事項を記載した書面

(xvi) documents stating matters which to be referenced for an examination as prescribed in Article 52-38, paragraph (1), beyond the provisions set forth in each of the preceding items.

（委託契約書の案の記載事項）

(Information for Inclusion in a Draft of an Entrustment Agreement)

第三十四条の三十五 前条第三号に規定する委託契約書の案に記載すべき事項は、次に掲げる事項とする。

Article 34-35 (1) Matters to be stated in a draft of an entrustment agreement as prescribed in the preceding three paragraphs are the following:

一 銀行代理業を営む営業所又は事務所の設置、廃止又は位置変更に関する事項

(i) matters concerning the establishment, abolishment or relocation of a business office or office where Bank Agency Services are carried out;

二 銀行代理業の内容（代理又は媒介の別を含む。以下同じ。）に関する事項

(ii) matters concerning the content of Bank Agency Services (including distinction of agency services or intermediary; the same applies hereinafter);

三 銀行代理業の営業日及び営業時間に関する事項

(iii) matters concerning business days and business hours of the Bank Agency Services;

四 次に掲げる銀行代理業者の行為を禁ずる規定

(iv) provisions prohibiting the following activities of a Bank Agent:

イ 所属銀行の営業上の秘密又は取引先の信用に関する事項を所属銀行及び当該取引先以外の者に漏らし、又は自己若しくは当該所属銀行及び当該取引先以外の者のために利用する行為

(a) the acts of divulging trade secrets of or Principal Bank matters concerning reputation of customers to a person other than Principal Bank or said customer, or making use thereof for a person other than Principal Bank or said customer;

ロ 法第五十二条の四十五各号に掲げる行為

(b) the acts as set forth in each item of Article 52-45 of the Act;

五 現金、有価証券等の取扱基準及びこれに関連する銀行代理業者の責任に関する事項

(v) handling standards of cash and securities, etc. and matters concerning the responsibilities of the Bank Agent pertaining thereto;

六 銀行代理業の再委託に関する事項

(vi) matters concerning sub-entrustment of Bank Agency Services;

七 所属銀行による監督、監査又は報告徴求に関する事項

(vii) matters concerning supervision, audit, and collection for a report by the Principal Bank;

八 契約の期間、更新及び解除に関する事項

(viii) matters concerning terms, renewal, and cancellation of agreements;

九 銀行代理業の内容並びに銀行代理業の営業日及び営業時間の店頭掲示に関する事項

(ix) matters concerning the display at the storefront regarding content of the Bank Agency Services and business days and business hours of the Bank Agency Services;

十 その他必要と認められる事項

(x) other matters found to be necessary.

2 前項の規定は、前条第四号に規定する銀行代理業再委託者と銀行代理業再受託者との間の銀行代理業に係る業務の委託契約書の案に記載すべき事項について準用する。この場合において、同項第四号及び第五号中「銀行代理業者」とあるのは「銀行代理業再受託者」と、同項第六号中「再委託」とあるのは「再委託の禁止」と、同項第七号中「所属銀行」とあるのは「所属銀行及び銀行代理業再委託者」と読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the matters which are to be stated in the draft of an entrustment agreement of business pertaining to Bank Agency Services between a Principal Bank Agent and Secondary Bank Agent as prescribed in item (iv) of the preceding Article. In this case, the term "Bank Agent" in item (iv) and (v) of the same paragraph is deemed to be replaced with "Secondary Bank Agent"; the term "sub-entrustment" in item (vi) of the same paragraph is deemed to be replaced with "prohibition of sub-entrustment", and the term "a Principal Bank" in item (vii) of the same paragraph is deemed to be replaced with "an Principal Bank and a Principal Bank Agent."

(財産的基礎)

(Financial Basis)

第三十四条の三十六 法第五十二条の三十八第一項第一号に規定する内閣府令で定める基準は、第三十四条の三十四第六号に規定する財産に関する調書又は同条第七号に規定する貸借対照表若しくはこれに代わる書面に計上された資産の合計額から負債の合計額を控除した額（次項において「純資産額」という。）が、次の各号に掲げる区分に応じ、当該各号に掲げる額以上であることとする。

Article 34-36 (1) The standards as provided by Cabinet Office Ordinance as prescribed in Article 52-38, paragraph (1), item (i) of the Act are that the amount calculated by deducting the total amount of liabilities from the total amount of assets recorded on the record concerning the assets as prescribed in Article 34-34, item (vi), the balance sheet as prescribed in item (vii) of the same Article, or equivalent documents thereto (which is referred to as "Amount of Net Assets" in the following paragraph) is equal to or greater than the amount as set forth in each of the following items, in accordance with the category as set forth in each said item:

一 個人 三百万円

(i) an individual: three million yen;

二 法人 五百万円

(ii) a corporation: five million yen.

2 次に掲げる者は、法第五十二条の三十八第一項第一号に規定する財産的基礎を有するものとみなす。

(2) The following persons are deemed to possess the financial basis as prescribed in Article 52-38, paragraph (1), item (i) of the Act:

一 個人（純資産額が負の値でない者に限る。）であつて所属銀行（当該個人が銀行代理業再委託者の再委託を受けて銀行代理業を営む場合は、当該銀行代理業再委託者を含む。）が銀行代理業に係る損害についての保証人（純資産額が前項各号に規定する額以上である者に限る。）の保証を徴している者その他の前項に規定する基準と同等以上の財産的基礎を有していると認められる者

(i) a person who is an individual (limited to an individual whose Amount of Net

Assets is not below zero), whose Principal Bank (when said individual carries out Bank Agency Services by receiving sub-entrustment of a Principal Bank Agent, including said Principal Bank Agent) collects a guarantee by a guarantor (limited to a person whose Amount of Net Assets is equal to or greater than the amount as prescribed in each item of the preceding paragraph) concerning damages pertaining to Bank Agency Services, and other person who is found to possess a financial basis which is equal to or greater than the standards as prescribed in the preceding item;

二 地方公共団体

(ii) a local government.

(銀行代理業の許可の審査)

(Examination for Permission of Bank Agency Services)

第三十四条の三十七 金融庁長官等は、法第五十二条の三十六第一項に規定する許可の申請があつた場合において、法第五十二条の三十八第一項に規定する審査をするときは、次に掲げる事項に配慮するものとする。

Article 34-37 The Commissioner of the Financial Services Agency, etc., when an application for permission as prescribed in Article 52-36, paragraph (1) of the Act is filed, and when examining as prescribed in Article 52-38, paragraph (1) of the Act, is to consider the following matters:

一 個人又は法人（外国法人で国内に事務所を有しないものを除く。）であること。

(i) the applicant is an individual or a corporation (excluding a foreign corporation that does not have any office in Japan);

二 前条第一項又は第二項に該当し、かつ、銀行代理業開始後三事業年度を通じて同条第一項又は第二項に該当すると見込まれること。

(ii) the applicant corresponds to the provisions of paragraph (1) or (2) of the preceding Article, and is expected to correspond to provisions of paragraph (1) or (2) of the same Article throughout for three business years after the commencement of Bank Agency Services;

三 銀行代理業に関する能力を有する者の確保の状況、銀行代理業の業務運営に係る体制等に照らし、次に掲げる要件に該当する等、十分な業務遂行能力を備えていると認められること。

(iii) in light of its condition of securing persons with abilities concerning Bank Agency Services and its systems, etc. concerning business management of Bank Agency Services, the applicant is found to possess sufficient abilities for performance of the business, such as corresponding to the following requirements:

イ 申請者が個人（二以上の事務所で銀行代理業を営む者を除く。）であるときは、その営む銀行代理業の業務に関する十分な知識を有する者であること。ただし、特別銀行代理行為（当座預金の受入れを内容とする契約の締結の代理若しくは媒介又は法第二条第十四項第二号に掲げる行為（所属銀行が受け入れたその顧客の

預金等又は国債を担保として行う貸付契約に係るもの及び事業以外の用に供する資金に係る定型的な貸付契約であつてその契約の締結に係る審査に關与しないものを除く。)をいう。ロにおいて同じ。)を行う場合にあつては、次に掲げる特別銀行代理行為の内容の区分に応じ、それぞれ次に掲げる要件を満たす者であること。

(a) when the applicant is an individual (excluding a person who engages in Bank Agency Services in two or more offices), the applicant has sufficient knowledge concerning Bank Agency Services that said applicant carries out; provided, however, that when engaging in the special activities as a bank agent (which means an agency services or an intermediary of the conclusion a contract of which the content is the acceptance of current deposit, or acts as set forth in Article 2, paragraph (14), item (ii) of the Act (excluding acts pertaining to a loan agreement that a Principal Bank concludes with security of deposit, etc. or national government bonds, and acts pertaining to a regular loan agreement pertaining to funds for the use of other than business, which acts are not participating in the examination pertaining to conclusion of said agreement); the same applies in (b)), the applicant satisfies the following requirements in accordance with the following categories of content of special activities as a bank agent:

(1) 事業の用に供する資金に係る規格化された貸付商品（資金需要者に関する財務情報の機械的処理のみにより、貸付けの可否及び貸付条件が設定されることがあらかじめ決められている貸付商品をいう。ロ並びに第六号ハ及びニにおいて同じ。）であつてその契約の締結に係る審査に關与しない場合資金の貸付け業務に一年以上従事した者又はこれと同等以上の能力を有すると認められる者であること（申請者が兼業業務を営まない場合を除く。）。

1. when the applicant is not participating in the examination pertaining to conclusion of the contract or standardized loan products pertaining to funds for the use of business (which means loan products of which possibility and conditions of the loan have been determined only by mechanical processing of financial data concerning the fund consumers; the same applies in (b), and in item (vi), sub-items (c) and (d)): the applicant is a person who has engaged in the loaning of funds for one year or more, or is found to possess abilities equal or better thereto (excluding cases where an applicant does not carry out concurrent business);

(2) 法第二条第十四項第二号に掲げる行為を行わない場合 当座預金業務又は資金の貸付け業務に通算して三年以上従事した者又はこれと同等以上の能力を有すると認められる者であること。

2. when the applicant does not perform acts as set forth in Article 2, paragraph (14), item (ii) of the Act: the applicant is a person who has engaged in the services of current deposit or loaning of funds for three

or more years in total, or is found to possess abilities equal or better thereto;

- (3) (1) 及び (2) 以外の場合 資金の貸付け業務に三年以上従事した者又はこれと同等以上の能力を有すると認められる者であること。

3. in the cases other than 1. or 2.: the applicant is a person who has engaged in the services of loaning of funds for three or more years, or is found to possess abilities equal or better thereto;

ロ 申請者が法人（二以上の事務所 で銀行代理業を営む個人を含む。）であるときは、その営む銀行代理業の業務に係る法令等の遵守を確保する業務に係る責任者（当該銀行代理業の業務に関する十分な知識を有するものに限る。）を当該業務を営む営業所又は事務所ごとに、当該責任者を指揮し法令等の遵守の確保を統括管理する業務に係る統括責任者（当該銀行代理業の業務に関する十分な知識を有するものに限る。）を主たる営業所又は事務所の当該業務を統括する部署に（主たる営業所又は事務所以外の営業所又は事務所において銀行代理業を営まない法人を除く。）、それぞれ配置していること。ただし、特別銀行代理行為を行う場合にあつては、うちそれぞれ一名以上は、次に掲げる特別銀行代理行為の内容の区分に応じ、それぞれ次に掲げる要件を満たす者であること。

(b) when the applicant is a corporation (including an individual who engages in Bank Agency Services at two or more offices), the applicant assigns a responsible person (limited to a person who has sufficient knowledge concerning said Bank Agency Services) for operations in order to secure compliance with laws and regulations, etc. pertaining to Bank Agency Services that said corporation engages in to each business office or office where said operation is performed, and assigns a supervising manager (limited to a person who has sufficient knowledge concerning said Bank Agency Services) for directing said responsible person and for supervising of securing compliance with laws and regulations, etc. to a department controlling said operation of principal business office or office (excluding a corporation which does not engage in Bank Agency Services in a business office or office other than the principal business office or office) respectively; provided, however, that when performing special activities as a bank agent, at least one person of each said persons satisfies the following requirements in accordance with the following categories of content of special activities as a bank agent:

- (1) 事業の用に供する資金に係る規格化された貸付商品であつてその契約の締結に係る審査に関与しない場合 資金の貸付け業務に一年以上従事した者又はこれと同等以上の能力を有すると認められる者であること（申請者が兼業業務を営まない場合及び申請者が保険会社その他金融庁長官が定めるものである場合を除く。）。

1. when the applicant is not participating in the examination pertaining to conclusion of the contract pertaining to standardized loan products

pertaining to funds for the use of business: the applicant is a person who has engaged in the loaning of funds for one or more years, or is found to possess abilities equal or better thereto (excluding the cases where an applicant does not engage in concurrent business and the cases where an applicant is an insurance corporation or a person as provided by the Commissioner of the Financial Services Agency);

(2) 法第二条第十四項第二号に掲げる行為を行わない場合 当座預金業務又は資金の貸付け業務に通算して三年以上従事した者又はこれと同等以上の能力を有すると認められる者であること。

2. when the applicant does not perform acts as prescribed in Article 2, paragraph (14), item (ii) of the Act: the applicant is a person who has engaged in the services of current deposit or loaning of funds for three or more years, or is found to possess abilities equal or better thereto;

(3) (1) 及び (2) 以外の場合 資金の貸付け業務に三年以上従事した者又はこれと同等以上の能力を有すると認められる者であること。

3. in the cases other than 1. or 2.: the applicant is a person who has engaged in the services of loaning of funds for three or more years, or is found to possess abilities equal or better thereto;

ハ 法第二条第十四項第一号及び第三号に規定する行為を行う場合にあつては、オンライン処理その他の適切な方法により処理する等銀行代理業の業務の態様に応じ必要な事務処理の体制が整備されていること。

(c) when the applicant performs acts as prescribed in Article 2, paragraph (14), items (i) and (iii) of the Act, the necessary systems of business operations are developed in accordance with the category of Bank Agency Services, such as processing services by means of on-line processing or other appropriate methods;

ニ 銀行代理業に関する社内規則等を定め、これに基づく業務の運営の検証がされる等、法令等を遵守した運営が確保されると認められること。

(d) the management compliance with laws and regulations, etc. is found to be assured, such as that the applicant determines internal rules, etc. concerning Bank Agency Services and views business management based on said rules;

ホ 人的構成、資本構成又は組織等により、銀行代理業を的確、公正かつ効率的に遂行することについて支障が生じるおそれがあると認められないこと。

(e) it is not found that the personnel structure, capital structure, or organization, etc. of the applicant is not likely to hinder carrying out of Bank Agency Services properly, fairly, and effectively;

四 申請者が個人であるときは、次のいずれにも該当しないこと。

(iv) when the applicant is an individual, the applicant does not correspond to any of the following:

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と同様に取り扱われて

いる者

- (a) an adult ward, a person under curatorship, or a person who is dealt with in the same manner as the above under the foreign laws and regulations;
- ロ 破産者で復権を得ないもの又は外国の法令上これと同様に取り扱われている者
- (b) a bankrupt who has not obtained the restoration of rights, or a person who is dealt with in the same manner as the above under the foreign laws and regulations;
- 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 been sentenced to imprisonment without work or severer punishment (including equivalent punishment thereto under foreign laws and regulations) and five years have not elapsed since the date when the sentence was completed or the effectuation of the sentence is ceased;
- ニ 次のいずれかに該当する場合において、その取消の日（更新の拒否の場合にあつては、当該更新の拒否の処分がなされた日。へ及び次号イにおいて同じ。）前三十日以内にその法人の取締役、執行役、会計参与、監査役、理事、監事若しくはこれらに準ずる者又は日本における代表者（法第四十七条第二項に規定する日本における代表者をいう。（1）において同じ。）であつた者でその取消の日から五年を経過しない者
- (d) when corresponding to any of the following, a person who was a director, executive officer, accounting advisor, auditor, administration officer, inspector, or any equivalent person thereto, or a representative person in Japan (which means a representative person in Japan as prescribed in Article 47, paragraph (2) of the Act; the same applies in 1.) within 30 days before the date of a revocation (in the cases of a refusal of renewal, the date when said refusal of renewal is disposed; the same applies in (f) and in the following item, (a)) and five years have not elapsed since the date of said revocation:
- (1) 法第二十七条若しくは第二十八条の規定により法第四条第一項の免許を取り消され、法第五十二条の十五第一項の規定により法第五十二条の九第一項若しくは第二項ただし書の認可を取り消され、法第五十二条の三十四第一項の規定により法第五十二条の十七第一項若しくは第三項ただし書の認可を取り消され、又は法第五十二条の五十六第一項の規定により法第五十二条の三十六第一項の許可を取り消された場合
1. when a license as prescribed in Article 4, paragraph (1) of the Act is revoked pursuant to the provisions of Article 27 or Article 28 of the Act; when an authorization as prescribed in Article 52-9, paragraph (1) or the proviso of paragraph (2) of the same Article is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act; when an

authorization as prescribed in Article 52-17, paragraph (1) or the proviso of paragraph (3) of the same Article is revoked pursuant to the provisions of Article 52-34, paragraph (1) of the Act; or when a permission as prescribed in Article 52-36, paragraph (1) of the Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act;

- (2) 長期信用銀行法第十七条において準用する法第二十七条若しくは第二十八条の規定により長期信用銀行法第四条第一項の免許を取り消され、同法第十七条において準用する法第五十二条の十五第一項の規定により長期信用銀行法第十六条の二の二第一項若しくは第二項ただし書の認可を取り消され、同法第十七条において準用する法第五十二条の三十四第一項の規定により長期信用銀行法第十六条の二の四第一項若しくは第三項ただし書の認可を取り消され、又は同法第十七条において準用する法第五十二条の五十六第一項の規定により長期信用銀行法第十六条の五第一項の許可を取り消された場合
2. when a license as prescribed in Article 4, paragraph (1) of the Long-Term Credit Bank Act is revoked pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act; when an authorization as prescribed in Article 16-2-2, paragraph (1) or the proviso of paragraph (2) of the same Article of the Long-Term Credit Bank Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act; when an authorization as prescribed in Article 16-2-4, paragraph (1) or the proviso of paragraph (3) of the same Article of the Long-Term Credit Bank Act is revoked pursuant to the provisions of Article 52-34, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act; or when a permission as prescribed in Article 16-5, paragraph (1) of the Long-Term Credit Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act;
- (3) 信用金庫法第八十九条第一項において準用する法第二十七条若しくは第二十八条の規定により信用金庫法第四条の免許を取り消され、又は同法第八十九条第五項において準用する法第五十二条の五十六第一項の規定により信用金庫法第八十五条の二第一項の許可を取り消された場合
3. when a license as prescribed in Article 4 of the Shinkin Bank Act is revoked pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (1) of the Shinkin Bank Act, or when a permission as prescribed in Article 85-2, paragraph (1) of the Shinkin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis

mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank Act;

- (4) 労働金庫法第九十五条の規定により同法第六条の免許を取り消され、又は同法第九十四条第三項において準用する法第五十二条の五十六第一項の規定により労働金庫法第八十九条の三第一項の許可を取り消された場合
- 4. when a license as prescribed in Article 6 of the Labor Bank Act is revoked pursuant to the provisions of Article 95 of the Labor Bank Act, or when a permission as prescribed in Article 89-3, paragraph (1) of the Labor Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 94, paragraph (3) of the Labor Bank Act;
- (5) 中小企業等協同組合法第百六条第二項若しくは協同組合による金融事業に関する法律第六条第一項において準用する法第二十七条若しくは第二十八条の規定により解散を命ぜられ、又は協同組合による金融事業に関する法律第六条の五第一項において準用する法第五十二条の五十六第一項の規定により協同組合による金融事業に関する法律第六条の三第一項の許可を取り消された場合
- 5. when the dissolution is ordered pursuant to the provisions of Article 27 or Article 28 of the Act, as applied mutatis mutandis pursuant to Article 106, paragraph (2) of the Small and Medium-Sized Enterprise Cooperatives Act or Article 6, paragraph (1) of the Act on Financial Business by a Cooperative, or when a permission as prescribed in Article 6-3, paragraph (1) of the Act on Financial Business by a Cooperative is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative;
- (6) 農業協同組合法第九十二条の四第一項において準用する法第五十二条の五十六第一項の規定により農業協同組合法第九十二条の二第一項の許可を取り消され、又は同法第九十五条の二の規定により農業協同組合若しくは農業協同組合連合会が解散を命ぜられた場合
- 6. when a permission as prescribed by Article 92-2, paragraph (1) of the Agricultural Co-operatives Act is revoked under the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 92-4, paragraph (1) of the Agricultural Co-operatives Act, or when an agricultural cooperative or a federation of agricultural cooperatives is ordered dissolution pursuant to the provisions of Article 95-2 of the Agricultural Co-operative Act;
- (7) 水産業協同組合法第二百一条の四第一項において準用する法第五十二条の五十六第一項の規定により水産業協同組合法第二百一条の二第一項の許可を取り消され、又は同法第二百四条の二の規定により漁業協同組合、

漁業協同組合連合会、水産加工業協同組合若しくは水産加工業協同組合連合会が解散を命ぜられた場合

7. when a permission as prescribed in Article 121-2, paragraph (1) of the Fishery Cooperative Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 121-4, paragraph (1) of the Fishery Cooperative Act, or when a fisheries cooperative or a federation of fishery processing cooperatives is ordered dissolution pursuant to the provisions of Article 124-2 of Fishery Cooperative Act;
 - (8) 農林中央金庫法第九十五条の四第一項において準用する法第五十二条の五十六第一項の規定により農林中央金庫法第九十五条の二第一項の許可を取り消され、又は同法第八十六条の規定により解散を命ぜられた場合
8. when a permission as prescribed in Article 95-2, paragraph (1) of the Norinchukin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 95-4, paragraph (1) of the Norinchukin Bank Act, or when dissolution is ordered pursuant to the provisions of Article 86 of the Norinchukin Bank Act;
 - (9) 貸金業の規制等に関する法律（昭和五十八年法律第三十二号）第六条第一項の規定により同法第三条第一項の登録の更新を拒否され、又は同法第三十七条第一項の規定により同法第三条第一項の登録を取り消された場合
9. when a renewal of registration as prescribed in Article 3, paragraph (1) of the Act on Controls of Money Lending (Act No. 32 of 1983), or when a registration as prescribed in Article 3, paragraph (1) of the same Act is revoked pursuant to the provisions of Article 37, paragraph (1) of the same Act;
 - (10) 法、長期信用銀行法、信用金庫法、労働金庫法、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、農業協同組合法、水産業協同組合法、農林中央金庫法又は貸金業の規制等に関する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（1）から（9）までに規定する免許、許可、認可若しくは登録（当該免許、許可、認可若しくは登録に類するその他の行政処分を含む。以下この号において同じ。）と同種類の免許、許可、認可若しくは登録を取り消され、又は当該免許、許可、認可若しくは登録の更新を拒否された場合
10. when a license, permission, authorization, or registration that is equivalent to a license, permission, authorization or registration (including other administrative disposition equivalent to said license, permission, authorization, or registration; hereinafter the same applies in this item) as prescribed in the preceding items (i) to (ix) that are provided in a foreign state pursuant to the provisions of laws or regulations of said foreign state which are equivalent to the Act, the

Long-Term Credit Bank Act, the Shinkin Bank Act the Labor Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Co-operatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, or the Act on Controls of Money Lending is revoked, or a renewal of said license, permission, authorization or registration is refused;

ホ 法第五十二条の十五第一項の規定により法第五十二条の九第一項若しくは第二項ただし書の認可を取り消された場合、法第五十二条の五十六第一項（長期信用銀行法第十七条、信用金庫法第八十九条第五項、労働金庫法第九十四条第三項、協同組合による金融事業に関する法律第六条の五第一項、農業協同組合法第九十二条の四第一項、水産業協同組合法第二百一十一条の四第一項及び農林中央金庫法第九十五条の四第一項において準用する場合を含む。）の規定により法第五十二条の三十六第一項の許可、長期信用銀行法第十六条の五第一項の許可、信用金庫法第八十五条の二第一項の許可、労働金庫法第八十九条の三第一項の許可、協同組合による金融事業に関する法律第六条の三第一項の許可、農業協同組合法第九十二条の二第一項の許可、水産業協同組合法第二百一十一条の二第一項の許可若しくは農林中央金庫法第九十五条の二第一項の許可を取り消された場合、長期信用銀行法第十七条において準用する法第五十二条の十五第一項の規定により長期信用銀行法第十六条の二の二第一項若しくは第二項ただし書の認可を取り消された場合又は貸金業の規制等に関する法律第六条第一項の規定により同法第三条第一項の登録の更新を拒否され、若しくは同法第三十七条第一項の規定により同法第三条第一項の登録を取り消された場合において、その取消の日から五年を経過しない者

(e) when an authorization as prescribed in Article 52-9, paragraph (1) or the proviso of paragraph (2) of the same Article of the Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act; when permission as prescribed in Article 52-36, paragraph (1) of the Act, permission as prescribed in Article 16-5, paragraph (1) of the Long-Term Credit Bank Act, permission as prescribed in Article 85-2, paragraph (1) of the Shinkin Bank Act, permission as prescribed in Article 89-3, paragraph (1) of the Labor Bank Act, permission as prescribed in Article 6-3, paragraph (1) of the Act on Financial Business by a Cooperative, permission as prescribed in Article 92-2, paragraph (1) of the Agricultural Co-operatives Act, permission as prescribed in Article 121-2, paragraph (1) of the Fishery Cooperative Act, or permission as prescribed in Article 95-2, paragraph (1) of the Norinchukin Bank Act is revoked pursuant to the provisions of Article 52-56, paragraph (1) of the Act (including cases as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act; Article 89, paragraph (5) of the Shinkin Bank Act; Article 94, paragraph (3) of the Labor Bank Act; Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative; Article 92-4, paragraph (1) of the

Agricultural Co-operatives Act; Article 121-4, paragraph (1) of the Fishery Cooperative Act; or Article 95-4, paragraph (1) of the Norinchukin Bank Act); when an authorization as prescribed in Article 16-2-2, paragraph (1) or proviso of paragraph (2) of the same Article of the Long-Term Credit Bank Act is revoked pursuant to the provisions of Article 52-15, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act; or when renewal of registration as prescribed in Article 3, paragraph (1) the Act on Controls of Money Lending is refused pursuant to the provisions of Article 6, paragraph (1) of the same Act or is revoked pursuant to the provisions of Article 37, paragraph (1) of the same Act, a person for whom five years have not elapsed since the date of said revocation;

へ 法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法第五十二条の九第一項若しくは第二項ただし書若しくは法第五十二条の三十六第一項若しくは貸金業の規制等に関する法律第三条第一項と同種類の認可、許可若しくは登録を取り消され、又は当該認可、許可若しくは登録の更新を拒否された場合において、その取消しの日から五年を経過しない者

(f) when an authorization, permission or registration which pertains to a type equivalent to those prescribed in Article 52-9, paragraph (1) or the proviso of paragraph (2) of the same Article, or Article 52-36, paragraph (1) of the Act, or Article 3, paragraph (1) of the Act on Controls of Money Lending and which are obtained in a foreign state pursuant to the provisions of laws and regulations of said foreign state equivalent to the Act is revoked or renewal of said authorization, permission or registration is refused, a person for whom five years have not elapsed since the date of said revocation;

ト 次に掲げる者であつて、その処分を受けた日から五年を経過しない者

(g) a person who corresponds to any of the following and for whom five years have not elapsed since the date of the disposition:

(1) 法第二十七条若しくは法第五十二条の三十四第一項の規定により解任を命ぜられた取締役、執行役、会計参与、監査役若しくは日本における代表者又は法第五十二条の五十六第二項の規定により解任を命ぜられた役員

1. a director, executive officer, accounting advisor, auditor or representative person in Japan, who was ordered to dismiss pursuant to the provisions of Article 27 of the Act or Article 52-34, paragraph (1) of the Act, or an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act;

(2) 長期信用銀行法第十七条において準用する法第二十七条若しくは法第五十二条の三十四第一項の規定により解任を命ぜられた取締役、執行役、会計参与、会計参与若しくは監査役又は長期信用銀行法第十七条において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員

2. a director, executive officer, accounting advisor, accounting advisor or auditor, who was ordered to dismiss pursuant to the provisions of Article 27 of the Act or Article 52-34, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act, or an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act;
 - (3) 信用金庫法第八十九条第一項において準用する法第二十七条の規定により解任を命ぜられた理事若しくは監事又は信用金庫法第八十九条第五項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
3. an administration officer or inspector who was ordered to dismiss pursuant to the provisions of Article 27 of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (1) of the Shinkin Bank Act, or an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank Act;
 - (4) 労働金庫法第九十五条第一項の規定により改任を命ぜられた理事若しくは監事又は労働金庫法第九十四条第三項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
4. an administration officer or inspector who was ordered to dismiss pursuant to the provisions of Article 95, paragraph (1) of the Labor Bank Act, or an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 94, paragraph (3) of the Labor Bank Act;
 - (5) 協同組合による金融事業に関する法律第六条第一項において準用する法第二十七条の規定により解任を命ぜられた理事若しくは監事又は協同組合による金融事業に関する法律第六条の五第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員
5. an administration officer or inspector who was ordered to dismiss pursuant to the provisions of Article 27 of the Act, as applied mutatis mutandis pursuant to Article 6, paragraph (1) of the Act on Financial Business by a Cooperative, or an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 6-5, paragraph (1) of the Act on Financial Business by a Cooperative;
 - (6) 農業協同組合法第九十二条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は農業協同組合法第九十五条第二項の規定により改選を命ぜられた役員

6. an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 92-4, paragraph (1) of the Agricultural Co-operatives Act, or an officer concerning who was ordered to reelect pursuant to the provisions of Article 95, paragraph (2) of the Agricultural Co-operatives Act;
- (7) 水産業協同組合法第二百一条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は水産業協同組合法第二百二十四条第二項の規定により改選を命ぜられた役員
7. an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 121-4, paragraph (1) of the Fishery Cooperative Act, or an officer concerning who was ordered to reelect pursuant to the provisions of Article 124, paragraph (2) of the Fishery Cooperative Act;
- (8) 農林中央金庫法第九十五条の四第一項において準用する法第五十二条の五十六第二項の規定により解任を命ぜられた役員又は農林中央金庫法第八十六条の規定により解任を命ぜられた理事、経営管理委員若しくは監事
8. an officer who was ordered to dismiss pursuant to the provisions of Article 52-56, paragraph (2) of the Act, as applied mutatis mutandis pursuant to Article 95-4, paragraph (1) of the Norinchukin Bank Act, or an administration officer, business management feeder, or inspector who was ordered to dismiss pursuant to the provisions of Article 86 of the Norinchukin Bank Act;
- (9) 法、長期信用銀行法、信用金庫法、労働金庫法、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、農業協同組合法、水産業協同組合法、農林中央金庫法又は貸金業の規制等に関する法律に相当する外国の法令の規定により解任を命ぜられた取締役、執行役、会計参与、監査役又はこれらに準ずる者
9. a director, executive officer, accounting advisor, auditor, or equivalent person thereto who was ordered to dismiss pursuant to the provisions of foreign laws and regulations which are equivalent to the Act, the Long-Term Credit Bank Act, the Shinkin Bank Act the Labor Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Co-operatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, or the Act on Controls of Money Lending;
- チ 法、長期信用銀行法、信用金庫法、労働金庫法、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、農業協同組合法、水産業協同組合法、農林中央金庫法、貸金業の規制等に関する法律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つた日から五年を経過しない者

(h) a person who violates a provisions of the Act, the Long-Term Credit Bank Act, the Shinkin Bank Act the Labor Bank Act, the Small and Medium-Sized Enterprise Cooperatives Act, the Act on Financial Business by a Cooperative, the Agricultural Co-operatives Act, the Fishery Cooperative Act, the Norinchukin Bank Act, the Act on Controls of Money Lending, the Act on Regulation of Receiving of Capital Subscription, Deposits, and Interest Rate, etc. (Act No. 195 of 1954), or foreign laws and regulations equivalent thereto, has been sentenced to a fine (including equivalent punishment thereto under foreign laws and regulations), and for whom five years have not elapsed since the date when the sentence is completed or the effectuation of the sentence is ceased;

五 申請者が法人であるときは、次のいずれにも該当しないこと。

(v) when the applicant is a corporation, the applicant does not correspond to any of the following:

イ 前号ニ(1)から(10)までのいずれかに該当する場合において、その取消しの日から五年を経過しない者

(a) when the applicant corresponds to any of the preceding (d), 1. to 10, a person for whom five years have not elapsed since the date of said revocation;

ロ 前号チに規定する法律の規定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つた日から五年を経過しない者

(b) a person who violates the provisions as prescribed in the preceding (h) or foreign laws and regulations equivalent thereto, who is sentenced to a fine (including equivalent punishment thereto under foreign laws and regulations), and for whom five years have not elapsed since the date when the sentence is completed or the effectuation of the sentence is ceased;

ハ 役員のうち前号イからチまでのいずれかに該当する者のある者

(c) an officer who corresponds to any of (a) to (h) of the preceding item;

六 次のいずれにも該当しないことにより、法第五十二条の三十八第一項第三号に規定する他に業務を営むことによりその銀行代理業を適正かつ確実に営むことにつき支障を及ぼすおそれがあると認められないこと。

(vi) a person who is not found to be likely to hinder carrying out of its Bank Agency Services appropriately and surely by carrying out another business as prescribed in Article 52-38, paragraph (1), item (iii) of the Act, since said person does not correspond to any of the following:

イ 兼業業務の内容が法令に抵触するものであること。

(a) the content of its concurrent business violates laws and regulations;

ロ 兼業業務の内容が銀行代理業者としての社会的信用を損なうおそれがあること。

(b) the content of its concurrent business is likely to damage the social credibility as a Bank Agent;

ハ 銀行代理業の内容が、事業の用に供するための資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介（所属銀行が受け入れたその顧客の預金等又は国債を担保として行う契約に係るもの及び規格化された貸付商品（貸付けの金額が一千万円を上限とするものに限る。）であつてその契約の締結に係る審査に参与しないものを除く。）であることその他の兼業業務における顧客との間の取引関係に照らして、所属銀行と銀行代理業者の利益が相反する取引が行われる可能性があることと認められるものであること（申請者が保険会社その他金融庁長官が定める者である場合を除く。）。

(c) the content of Bank Agency Services is found to have possibilities to conduct transactions in which interests of Principal Bank and Bank Agent conflict, in light of the fact that said content is an agency or an intermediary for the conclusion of a contract of which the content is the loaning of funds or discounting of bills and notes for the use of business (excluding a service pertaining to a contract with security of deposits, etc. or national government bonds that a Principal Bank received, and services that does not participate in the examination pertaining to conclusion of the contact of standardized loan products (limited to said products of which the loan amount does not exceed ten million yen)), and other transaction with a customer in the course of concurrent business (excluding the cases where an applicant is an insurance corporation or other person as specified by the Commissioner of the Financial Services Agency);

ニ 主たる兼業業務の内容が資金の貸付け、手形の割引、債務の保証又は手形の引受けその他の信用の供与を行う業務（所属銀行と銀行代理業者の利益が相反する取引が行われる可能性があることと認められるものでないものを除く。）であるときは、銀行代理業として行う法第二条第十四項第二号に掲げる行為（所属銀行が受け入れたその顧客の預金等又は国債を担保として行う契約に係るものを除く。）の内容及び方法が、次に掲げる要件のいずれにも該当していないこと。

(d) when content of its main concurrent business concerns the loan of funds, discounting of bills and notes, guarantee of debt, accepting of bills and notes, or any other business of extending of credit (excluding a business which is not found to have possibilities to conduct transactions in which interests of Principal Bank and Bank Agent conflict), the content and method of acts as prescribed in Article 2, paragraph (14), item (ii) of the Act which is conducted as Bank Agency Services (excluding acts pertaining to a contract with security of deposits, etc. or national government bonds that a Principal Bank received) does not correspond to any of the following conditions:

(1) 貸付資金で購入する物品又は物件を担保として行う貸付契約に係るもの

であること（事業の用に供するための資金に係るものを除く。）。

1. the act is pertaining to a loan agreement that is concluded with security of goods or articles purchased with the loan funds (excluding acts pertaining to funds for the use of business);
 - (2) 規格化された貸付商品であつてその契約の締結に係る審査に關与するものでないこと。
2. the act does not participate in the examination pertaining to the conclusion of the contract of standardized loan products;
 - (3) 兼業業務として信用の供与を行つている顧客に対し、銀行代理業に係る資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介を行うときは、あらかじめ顧客の書面による同意を得て、所属銀行に対し、兼業業務における信用の供与の残高その他の所属銀行が契約の締結の判断に影響を及ぼすこととなる重要な事項を告げることとしていること。
3. when performing agency service or intermediary of conclusion of a contract of which the content is the loan of funds or discounting of bills and notes pertaining to Bank Agency Services for a customer for whom credit is extended as concurrent business, the Bank Agent is required to inform to the Principal Bank of the outstanding of credit extended or any other material matters with concurrent business that are to influence the judgment of a Principal Bank concerning conclusion of a contract, after obtaining prior consent in writing of said customer,
 - ホ 兼業業務による取引上の優越的地位を不当に利用して、銀行代理業に係る顧客の保護に欠ける行為が行われるおそれがあると認められること。
 - (e) it is found that, by making use of its advantageous position in a transaction for concurrent business, the act lacking of customers' protection pertaining to Bank Agency Services is likely to be performed;
 - ヘ その他銀行代理業の内容に照らして兼業業務を営むことが顧客の保護に欠け、又は所属銀行の業務の健全かつ適切な遂行に支障を及ぼす行為が行われるおそれがあると認められること。
 - (f) in light of the content of Bank Agency Services, it is found that carrying out of concurrent business is likely to lack of customers' protection and to hinder performance of sound and appropriate services of the Principal Bank.

(銀行代理業の許可の予備審査)

(Preliminary Examination of Permission for Bank Agency Services)

第三十四条の三十八 法第五十二条の三十六第一項の規定により銀行代理業の許可を受けようとする者は、法第五十二条の三十七に定めるところに準じた書面を金融庁長官等に提出して予備審査を求めることができる。

Article 34-38 A person who intends to obtain a permission for Bank Agency Services pursuant to the provisions of Article 52-36, paragraph (1) of the Act,

may request a preliminary examination by submitting documents equivalent to the provisions provided in Article 52-37 of the Act to the Commissioner of the Financial Services Agency, etc.

(変更の届出)

(Notification of Change)

第三十四条の三十九 法第五十二条の三十九第一項及び第二項の規定により届出を行う銀行代理業者は、別表第二上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

Article 34-39 A Bank Agent that submits a notification pursuant to the provisions of Article 52-39, paragraphs (1) and (2) of the Act, must submit to the Commissioner of the Financial Services Agency, etc., in accordance with the categories set forth in the top columns of the Appended Table 2, a written notice stating the matters as specified in the middle columns of said Table, attached with documents as specified in the lower columns of said Table,

(標識の様式)

(Form of Sign)

第三十四条の四十 法第五十二条の四十第一項に規定する内閣府令で定める様式は、別紙様式第十七号に定めるものとする。

Article 34-40 The form as provided by Cabinet Office Ordinance as prescribed in Article 52-40, paragraph (1) of the Act is as prescribed in item (xvii) of the appended form.

第二節 業務

Section 2 Services

(兼業の承認の申請等)

(Application of Approval for Concurrent Business)

第三十四条の四十一 銀行代理業者は、法第五十二条の四十二第一項の規定による兼業業務の承認を受けようとするときは、承認申請書に次に掲げる書面を添付して金融庁長官等に提出しなければならない。

Article 34-41 (1) A Bank Agent, when intending to obtain an approval for concurrent business pursuant to the provisions of Article 52-42, paragraph (1) of the Act, must submit a written application for approval attached with the following documents to the Commissioner of the Financial Services Agency, etc.:

一 理由書

(i) a written statement of reasons;

二 兼業業務の内容及び方法を記載した書面

(ii) a document stating content of the concurrent business and its methods; and

三 その他参考となるべき事項を記載した書面

(iii) other document stating matters to be referenced.

2 前項第二号に掲げる書面は、銀行代理業の適正かつ確実な遂行に支障を及ぼすおそれがあると認められないことが明確となるよう記載しなければならない。

(2) The document set forth in item (ii) of the preceding paragraph must state clearly that no risk has been found that would hinder the proper and certain performance of the Bank Agency Services.

3 金融庁長官等は、第一項の規定による承認の申請があつたときは、第三十四条の三十七第六号に掲げる事項に該当するときに限り、承認しないことができるものとする。

(3) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of paragraph (1), may refuse to provide an approval only if the applicant corresponds to any matter as set forth in Article 34-37, item (vi).

(分別管理)

(Segregated Maintenance)

第三十四条の四十二 銀行代理業者は、法第五十二条の四十三の規定に基づき、管理場所を区別することその他の方法により銀行代理行為に関して顧客から交付を受けた金銭その他の財産が自己の固有財産であるか、又はいずれの所属銀行に係るものであるかが直ちに判別できる状態で管理しなければならない。

Article 34-42 A Bank Agent, based on the provisions of Article 52-43 of the Act, must manage money or other assets delivered by customers, with regard to its activities as a bank agent, in a condition that is immediately distinguishable as to whether the asset is its own asset or belongs to any Principal Bank, by separating the places of management or by other methods.

(明示事項)

(Matters to Be Clearly Indicated)

第三十四条の四十三 法第五十二条の四十四第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-43 (1) Matters as provided by Cabinet Office Ordinance as prescribed in Article 52-44, paragraph (1), item (iii) of the Act are the following matters:

一 銀行代理行為に関して顧客から金銭その他の財産の交付を受けるときは、当該交付を受けることについての所属銀行からの権限の付与がある旨

(i) when receiving the delivery of money or other assets from a customer with regard to activities as a bank agent, the Bank Agent is authorized by the Principal Bank to receive said delivery;

二 所属銀行が二以上ある場合において、顧客が締結しようとする銀行代理行為に係る契約につき顧客が支払うべき手数料と、当該契約と同種の契約につき他の所属銀行に支払うべき手数料が異なるときは、その旨

(ii) when there are two or more Principal Banks, and when the fees pertaining

to activities as a bank agent that the customer is to pay for a contract that the customer intends to conclude and the fee to be paid to another Principal Bank for the same type of contract as said contract are different, that effect;

三 所属銀行が二以上ある場合において、顧客が締結しようとする銀行代理行為に係る契約と同種の契約の締結の代理又は媒介を他の所属銀行のために行っているときは、その旨

(iii) when there are two or more Principal Banks, and when the Bank Agent carries out agency services or intermediary of conclusion of the same type of contract that a customer intends to conclude as a contract pertaining to the activities as a bank agent for another Principal Bank, that effect;

四 所属銀行が二以上ある場合は、顧客の取引の相手方となる所属銀行の商号又は名称

(iv) when there are two or more Principal Banks, the trade name or name of the Principal Bank that is the other party of the transaction of the customer.

2 前項各号（第一号を除く。）の所属銀行には、銀行代理業者が長期信用銀行法第十六条の五第三項に規定する長期信用銀行代理業者である場合にあつては同項に規定する所属長期信用銀行、信用金庫法第八十五条の二第三項に規定する信用金庫代理業者である場合にあつては同項に規定する所属信用金庫、労働金庫法第八十九条の三第三項に規定する労働金庫代理業者である場合にあつては同項に規定する所属労働金庫、協同組合による金融事業に関する法律第六条の三第三項に規定する信用協同組合代理業者である場合にあつては同項に規定する所属信用協同組合、農業協同組合法第九十二条の二第三項に規定する特定信用事業代理業者である場合にあつては同項に規定する所属組合、水産業協同組合法第二百一十一条の二第三項に規定する特定信用事業代理業者である場合にあつては同項に規定する所属組合又は農林中央金庫法第九十五条の二第三項に規定する農林中央金庫代理業者である場合にあつては農林中央金庫を含むものとする。

(2) A Principal Bank as prescribed in each item of the preceding paragraph (excluding item (i)), is to include, when the Bank Agent is an agent of a long-term credit bank as prescribed in Article 16-5, paragraph (3) of the Long-Term Credit Bank Act, the entrusting long-term credit bank; when the Bank Agent is an agent of a Shinkin Bank as prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act, the entrusting Shinkin Bank as prescribed in the same paragraph; when the Bank Agent is an agent of a labor bank as prescribed in Article 89-3, paragraph (3) of the Labor Bank Act, the entrusting labor bank as prescribed in the same paragraph; when the Bank Agent is a credit cooperative as prescribed in Article 6-3, paragraph (3) of the Act on Financial Business by a Cooperative, the entrusting credit cooperative as prescribed in the same paragraph; when the Bank Agent is a specified credit business agent as prescribed in Article 92-2, paragraph (3) of the Agricultural Co-operatives Act, the entrusting cooperative as prescribed in the same paragraph; when the Bank Agent is a specified credit business agent as prescribed in Article 121-2,

paragraph (3) of the Fishery Cooperative Act, the entrusting cooperative as prescribed in the same paragraph or when the Bank Agent is an agent of Norinchukin Bank as prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act, the Norinchukin Bank.

(銀行代理業者の預金者等に対する情報の提供)

(Provision of Information to Depositor by a Bank Agent)

第三十四条の四十四 第十三条の三の規定は、法第五十二条の四十四第二項の規定による銀行代理業者が行う預金者等に対する情報の提供について準用する。

Article 34-44 The provisions of Article 13-3 apply mutatis mutandis to the provision of information to Depositor, etc. provided by a Bank Agent pursuant to the provisions of Article 52-44, paragraph (2) of the Act.

(預金等との誤認防止等)

(Prevention of Misidentification of a Deposit)

第三十四条の四十五 銀行代理業者（法第五十二条の六十一第一項に規定する銀行等を除く。）が、金融商品の販売（金融商品の販売等に関する法律（平成十二年法律第一〇一号）第二条第一項に規定する金融商品の販売をいい、同項第一号及び第二号に掲げる行為を除く。）又はその代理若しくは媒介を行う場合には、第十三条の五第一項、第二項及び第四項の規定を準用する。

Article 34-45 (1) The provisions of Article 13-5, paragraphs (1), (2), and (4) apply mutatis mutandis when the Bank Agent (excluding a Bank, etc., as prescribed in Article 52-61, paragraph (1) of the Act) sells financial instruments (which means the sale of financial instruments as prescribed in Article 2, paragraph (1) of the Act on Sales, etc. of Financial Instruments (Act No. 101 of 2000); excluding acts as set forth in items (i) and (ii) of the same paragraph) or performing agency services or intermediary.

2 銀行代理業者は、銀行代理行為を行う営業所又は事務所の窓口には、銀行代理行為を行う旨を顧客の目につきやすいように掲示しなければならない。

(2) A Bank Agent must display for easy viewing of customers that it performs activities as a bank agent, at the counter of the business office or an office that carries out activities as a bank agent.

3 第一項の規定は、銀行代理行為を行わない窓口については、適用しない。

(3) The provisions of paragraph (1) do not apply to a counter that does not perform activities as a bank agent.

4 銀行代理業者は、顧客に対し、その営業所又は事務所の銀行代理行為を行わない窓口を銀行代理行為を行う窓口と誤認させないための措置を講じなければならない。

(4) A Bank Agent must take measures for a customer to avoid misidentifying a counter of its business office or office that does not perform activities as a bank agent with a counter that performs activities as a bank agent.

(他の所属銀行の同種の契約に係る情報提供)

(Provision of Information Pertaining to the Same Type of Contract as Another Principal Bank)

第三十四条の四十六 銀行代理業者は、第三十四条の四十三第一項第三号に規定する事項を明らかにしたときは、顧客の求めに応じ、他の所属銀行の同種の契約の内容その他顧客に参考となるべき情報の提供を行わなければならない。

Article 34-46 (1) A Bank Agent, if it has clarified the matters as prescribed in Article 34-43, paragraph (1), item (iii), must respond to the request of a customer and provide the content of the same type of contract of another Principal Bank and other information to serve as a reference for the customer.

2 前項の場合においては、第三十四条の四十三第二項の規定を準用する。

(2) The provisions of Article 34-43, paragraph (2) apply mutatis mutandis to a case of the preceding paragraph.

(個人顧客情報の取扱い)

(Treatment of Individual Customer Information)

第三十四条の四十七 第十三条の六の五から第十三条の六の七までの規定は、銀行代理業者について準用する。

Article 34-47 The provisions of Article 13-6-5 to Article 13-6-7 apply mutatis mutandis to a Bank Agent.

(顧客情報の使用に係る書面による同意等)

(Consent by a Document Pertaining to the Use of Customer Information)

第三十四条の四十八 銀行代理業者は、銀行代理業において取り扱う顧客に関する非公開金融情報（その役員又は使用人が職務上知り得た顧客の預金等、為替取引又は資金の借入れに関する情報その他の顧客の金融取引又は資産に関する公表されていない情報（前条において準用する第十三条の六の六に規定する情報及び前条において準用する第十三条の六の七に規定する特別の非公開情報を除く。）をいう。）が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく兼業業務（保険募集に係る業務を除く。次項において同じ。）に利用されないことを確保するための措置を講じなければならない。

Article 34-48 (1) A Bank Agent must take measures in order to ensure that non-public financial information (which means information concerning a deposit, etc., a funds transfer transaction, or a loan of a customer which an officer or employee obtains in the course of duties and other information which is not publicly disclosed concerning a financial transaction or the assets of a customer (excluding information as prescribed in Article 13-6-6, as applied mutatis mutandis pursuant to the preceding Article and special non-public information as prescribed in Article 13-6-7, as applied mutatis mutandis pursuant to the preceding Article)) concerning a customer handled in the course of Bank Agency Services is not used for concurrent business (excluding business

pertaining to Solicitation for Insurance; the same applies in the following paragraph) without obtaining said customer's prior consent in writing or other appropriate method.

2 銀行代理業者は、兼業業務において取り扱う顧客に関する非公開情報（その兼業業務上知り得た公表されていない情報（前条において準用する第十三条の六の六に規定する情報及び前条において準用する第十三条の六の七に規定する特別の非公開情報を除く。）をいう。次項において同じ。）が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく銀行代理業及び銀行代理業に付随する業務に利用されないことを確保するための措置を講じなければならない。

(2) A Bank Agent must take measures in order to ensure that non-public information (which means information which is obtained in the course of its concurrent business and not publicly disclosed (excluding information as prescribed in Article 13-6-6, as applied mutatis mutandis pursuant to the preceding Article and special non-public information as prescribed in Article 13-6-7, as applied mutatis mutandis to the preceding Article); the same applies in the following paragraph) concerning a customer handled for concurrent business is not used for Bank Agency Services and incidental business to Bank Agency Services without obtaining said customer's prior consent in writing or other appropriate method.

3 銀行代理業者は、兼業業務において取り扱う顧客に関する非公開情報が、事前に書面その他の適切な方法により当該顧客の同意を得ることなく所属銀行に提供されないことを確保するための措置を講じなければならない。

(3) A Bank Agent must take measures in order to ensure that non-public information concerning a customer handled in the course of concurrent business is not provided to a Principal Bank without obtaining said customer's consent in writing or other appropriate method.

（銀行代理業に係る社内規則等）

(Internal Rules Pertaining to Bank Agency Services)

第三十四条の四十九 銀行代理業者は、その営む銀行代理業の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客に対する説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスク並びに当該銀行代理業者の所属銀行が講ずる法第十二条の三第一項に定める措置の内容の説明並びに犯罪を防止するための措置を含む。）に関する社内規則等を定めるとともに、従業員に対する研修その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 34-49 A Bank Agent must establish internal rules concerning explanations to a customer of material matters based on the customer's knowledge, experience, condition of assets, and the purpose of the transaction and other measures (including the explanation of financial instruments,

transactions, and their risks and measures taken by the Principal Bank of said Bank Agent as prescribed in Article 12-3, paragraph (1) of the Act by delivery of documents or other appropriate method and measures to prevent crime) in order to ensure sound and appropriate business management that corresponds to the content and method of its Bank Agency Services, and must develop training for employees and other sufficient systems in order to manage business based on said internal rules, etc.

(銀行代理業者の密接関係者)

(Closely Related Parties of a Bank Agent)

第三十四条の五十 法第五十二条の四十五第三号に規定する内閣府令で定める銀行代理業者と密接な関係を有する者は、当該銀行代理業者の所属銀行の特定関係者（法第十三条の二に規定する特定関係者をいい、当該銀行代理業者の子会社を除く。）とする。

Article 34-50 A person closely related to a Bank Agent as provided by Cabinet Office Ordinance as prescribed in Article 52-45, item (iii) of the Act is a specified related party of a Principal Bank of said Bank Agent (which means a specified related party as prescribed in Article 13-2 of the Act and excluding a Subsidiary Company of said Bank Agent).

(顧客の保護に欠けるおそれのないもの)

(Matters without Risk of Lacking the Protection of a Customer)

第三十四条の五十一 法第五十二条の四十五第三号に規定する顧客の保護に欠けるおそれがないものとして内閣府令で定めるものは、銀行代理業者が不当に取引を行うことを条件として、資金の貸付け又は手形の割引を内容とする契約の締結の代理又は媒介をする行為ではないものとする。

Article 34-51 The matters as provided by Cabinet Office Ordinance as those without a risk of lacking the protection of a customer as prescribed in Article 52-45, item (iii) of the Act are not an act of agency services or intermediary of conclusion of a contract of which the content is a loan or discounting of bills and notes pursuant to the condition of an unfair transaction of the Bank Agent.

(所属銀行の業務の健全かつ適切な遂行に支障を及ぼすおそれがないもの)

(Matters without Risk of Hindrance Performance of the Sound and Proper Services of a Principal Bank)

第三十四条の五十二 法第五十二条の四十五第四号に規定する所属銀行の業務の健全かつ適切な遂行に支障を及ぼすおそれがないものとして内閣府令で定めるものは、所属銀行が法第十三条の二ただし書の規定による承認を受けた取引又は行為に係るものとする。

Article 34-52 The matters as provided by Cabinet Office Ordinance as without risk of hindrance of carrying out the sound and proper services of a Principal Bank as prescribed in Article 52-45, item (iv) are the matters pertaining to a

transaction or an act for which the Principal Bank obtained an approval pursuant to the proviso of Article 13-2 of the Act.

(銀行代理業に係る禁止行為)

(Prohibited Acts Pertaining to Bank Agency Services)

第三十四条の五十三 法第五十二条の四十五第五号に規定する内閣府令で定める行為は、次に掲げる行為とする。

Article 34-53 Acts as provided by Cabinet Office Ordinance as prescribed in Article 52-45, item (v) of the Act are the following acts:

一 顧客に対し、その営む銀行代理業の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項について告げず、又は誤解させるおそれのあることを告げる行為

(i) an act, in regard to a customer, of not informing of a material matter based on the customer's knowledge, experience, condition of assets, or the purpose of a transaction in response to the content and method of its Bank Agency Services, or an act to inform of a matter that is likely to mislead;

二 顧客に対し、不当に、自己又は自己の指定する事業者と取引を行うことを条件として、法第二条第十四項各号に規定する契約の締結の代理又は媒介をする行為（法第五十二条の四十五第三号に掲げるものを除く。）

(ii) an act, in regard to a customer, of performing unfairly the agency services or intermediary of conclusion of a contract as prescribed in each item of Article 2, paragraph (14) of the Act pursuant to a condition to transact with a Bank Agent or a business operator as specified by a Bank Agent (excluding those set forth in Article 52-45, item (iii) of the Act);

三 顧客に対し、銀行代理業者としての取引上の優越的地位を不当に利用して、取引の条件又は実施について不利益を与える行為

(iii) an act, in regard to a customer, of causing a disadvantage with regard to a condition or implementation of a transaction by using an advantageous position in the transaction as a Bank Agent;

四 顧客に対し、不当に、法第二条第十四項各号に規定する契約の締結の代理又は媒介を行うことを条件として、自己又は自己の指定する事業者と取引をする行為

(iv) an act, in regard to a customer, of transacting unfairly with itself or a business operator specified by a Bank Agent pursuant to a condition to perform agency or intermediary of conclusion of a contract as prescribed in each item of Article 2, paragraph (14) of the Act;

五 顧客に対し、兼業業務における取引上の優越的地位を不当に利用して、銀行代理業に係る取引の条件又は実施について不利益を与える行為

(v) an act, in regard to a customer, to cause a disadvantage with regard to a condition or the implementation of a transaction pertaining to the Bank Agency Services by unjustly using an advantageous position in a transaction in the course of concurrent business; and

六 所属銀行に対し、銀行代理行為に係る契約の締結の判断に影響を及ぼすこととなる重要な事項を告げず、又は虚偽のことを告げる行為

(vi) an act, in regard to a Principal Bank, not to inform of a material matter that may affect the judgment of conclusion of a contract pertaining to activities as a bank agent, or to inform of a false matter.

(広告類似行為)

(Acts Similar to Advertisement)

第三十四条の五十三の二 法第五十二条の四十五の二において準用する金融商品取引法第三十七条各項に規定する内閣府令で定める行為は、郵便、信書便、ファクシミリ装置を用いて送信する方法、電子メールを送信する方法、ビラ又はパンフレットを配布する方法その他の方法（次に掲げるものを除く。）により多数の者に対して同様の内容で行う情報の提供とする。

Article 34-53-2 The acts as provided by Cabinet Office Ordinance as prescribed in each item of Article 37 of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the provision of the same content of information to many persons by a method to transmit using mail, mail delivery, or facsimile device, a method to deliver a handout or brochure, or other method, excluding the following:

一 法令又は法令に基づく行政官庁の処分に基づき作成された書類を配布する方法

(i) a method to deliver a document that is prepared based on laws and regulations or a disposition of an administrative government agency in accordance with laws and regulations;

二 個別の企業の分析及び評価に関する資料であつて、特定預金等契約の締結の勧誘に使用しないものを配布する方法

(ii) a method to deliver materials concerning analysis and evaluation of an individual enterprise that is not used for the solicitation for conclusion of a specified deposit, etc. contract;

三 次に掲げるすべての事項のみが表示されている景品その他の物品（口からニまでに掲げる事項について明瞭かつ正確に表示されているものに限る。）を提供する方法（当該事項のうち景品その他の物品に表示されていない事項がある場合にあつては、当該景品その他の物品と当該事項が表示されている他の物品とを一体のものとして提供する方法を含む。）

(iii) a method to provide an object as a premium, on which only the following matters are indicated or other goods (limited to an item that indicates the matters as set forth in (b) to (d) clearly and accurately) (in the case of matters not indicated on the premium or other goods among said matters, including a method to provide said premium or other goods, and other goods on which said matters are indicated, as an integrated object):

イ 商品の名称（通称を含む。）

(a) name of the financial instrument (including an alias);

ロ この号に規定する方法により多数の者に対して同様の内容で行う情報の提供をする銀行代理業者の商号、名称若しくは氏名又はこれらの通称

(b) trade name, name or alias of these objects of a Bank Agent that provides the same content of information to many persons by a method as prescribed in this item;

ハ 令第十六条の六の二第二項第一号に掲げる事項（当該事項の文字又は数字が当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示されているものに限る。）

(c) matters as set forth in Article 16-6-2, paragraph (2), item (i) of the Order (limited to printed characters and numerals of said matters are indicated in a size that is not considerably different from the largest size among the printed characters and numerals of matters other than said matters); and

ニ 次に掲げるいずれかの書面の内容を十分に読むべき旨

(d) the fact stating to read sufficiently the content of any of the following documents:

(1) 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項に規定する書面（以下この条から第三十四条の五十三の十七の二までにおいて「契約締結前交付書面」という。

1. a document as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act (hereinafter referred to as "Documents Delivered Prior to the Concluding the Contract" from this Article to Article 34-53-17-2); and

(2) 第三十四条の五十三の十第一項第二号に規定する契約変更書面

2. a Document for Contract Change as prescribed in Article 34-53-10, paragraph (1), item (ii).

(特定預金等契約の締結の代理又は媒介の業務の内容についての広告等の表示方法)

(Indication Method of Advertisement Regarding the Content of Business of Agency or Intermediary of Conclusion of a Specified Deposit Contract)

第三十四条の五十三の三 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告又は前条に規定する行為（次項において「広告等」という。）ををするときは、法第五十二条の四十五の二において準用する金融商品取引法第三十七条第一項各号に掲げる事項について明瞭かつ正確に表示しなければならない。

Article 34-53-3 (1) A Bank Agent, in the case of advertising the content of the business of agency or intermediary of concluding a specified deposit, etc. contract or performing an act (which is referred to as "Advertisement, etc." in the following paragraph) as prescribed in the preceding Article, must indicate clearly and accurately the matters as set forth in each item of Article 37, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act.

2 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について広告等をするときは、令第十六条の六の二第一項第二号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(2) When a Bank Agent runs an Advertisement, etc. of the details of its agency or intermediary service for the conclusion of a specified deposit, etc. contract, the printed characters and numerals of matters set forth in Article 16-6-2, paragraph (1), item (ii) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter.

3 銀行代理業者がその行う特定預金等契約の締結の代理又は媒介の業務の内容について一般放送事業者の放送設備により放送をさせる方法又は第三十四条の五十三の六第一項各号に掲げる方法（音声により放送をさせる方法を除く。）により広告をするときは、前項の規定にかかわらず、令第十六条の六の二第二項第一号に掲げる事項の文字又は数字を当該事項以外の事項の文字又は数字のうち最も大きなものと著しく異なる大きさで表示するものとする。

(3) When a Bank Agent runs an Advertisement, etc. of the details of its agency or intermediary service for the conclusion of a specified deposit, etc. contract, by broadcasting through the broadcasting equipment of a general broadcaster or by any of the methods set forth in the items of Article 34-53-6, paragraph (1) (excluding audio broadcasting), notwithstanding the provisions of the preceding paragraph, the printed characters and numerals of matters set forth in Article 16-6-2, paragraph (2), item (i) of the Order are to be indicated in a size that is not significantly different from the largest size among the printed characters and numerals of matters other than said matter.

（顧客が支払うべき対価に関する事項）

(Matters concerning Compensation to Be Paid by a Customer)

第三十四条の五十三の四 令第十六条の六の二第一項第一号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）の概要及び当該金額の合計額若しくはその上限額又はこれらの計算方法の概要とする。ただし、これらの表示をすることができない場合にあつては、その旨及びその理由とする。

Article 34-53-4 The matters as provided by Cabinet Office Ordinance as prescribed in Article 16-6-2, paragraph (1), item (i) of the Order, pursuant to the name of a fee, reward, expenditure, or whatever name, are the amount by the type of Fee, etc. to be paid by a customer concerning a specified deposit, etc. contract, the upper limit, or a summary of the calculation method of these items (including the percentage to the principal amount pertaining to said

specified deposit, etc. contract; hereinafter the same applies in this Article), and the total of said amounts, the upper limit, or a summary of the calculation method of these items; provided, however that in the case these items are unable to be indicated, that effect and the reasons thereof.

(顧客の判断に影響を及ぼす重要事項)

(Material Matters That Affect the Judgment of Customers)

第三十四条の五十三の五 令第十六条の六の二第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-53-5 The matters as provided by Cabinet Office Ordinance as prescribed in Article 16-6-2, paragraph (1), item (iii) of the Order are the following matters:

一 当該銀行代理業者の所属銀行が預入期間を延長する権利を有する特定預金等にあつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回るることにより顧客に不利となるおそれがある旨

(i) with regard to a Specified Deposit, etc. for which a Principal Bank of said Bank Agent has the right to extend the deposit period, when said rights are exercised, the effect that is likely to be disadvantageous to a customer due to the money rate of said Specified Deposit, etc. falling below the money market rate;

二 その他当該特定預金等契約に関する重要な事項について顧客の不利益となる事実
(ii) other facts that are disadvantageous to a customer with regard to material matters concerning said specified deposit, etc. contract.

(一般放送事業者の放送設備により放送をさせる方法に準ずる方法等)

(Equivalent Method to a Method to Broadcast by the Broadcasting Equipment of a General Broadcaster)

第三十四条の五十三の六 令第十六条の六の二第二項に規定する内閣府令で定める方法は、次に掲げるものとする。

Article 34-53-6 (1) The methods as provided by Cabinet Office Ordinance as prescribed in Article 16-6-2, paragraph (2) of the Order are the following:

一 次に掲げる者の放送設備により放送をさせる方法

(i) a method to broadcast by using the broadcasting equipment of the following person:

イ 有線テレビジョン放送事業者

(a) cable television broadcaster;

ロ 有線ラジオ放送の業務を行う者

(b) a person that carries out cable sound broadcasting;

ハ 電気通信役務利用放送の業務を行う者

(c) a person that carries out broadcasting by a telecommunications service;

二 銀行代理業者又は当該銀行代理業者が行う広告等に係る業務の委託を受けた者の

使用に係る電子計算機に備えられたファイルに記録された情報の内容（一般放送事業者の放送設備により放送をさせる方法又は前号に掲げる方法により提供される事項と同一のものに限る。）を電気通信回線を利用して顧客に閲覧させる方法

(ii) a method to make available for inspection of a customer the content of information recorded in a file that is kept in a computer pertaining to the use of a person that is entrusted business pertaining to a Bank Agent or an Advertisement, etc. that is implemented by said Bank Agent, by using a telecommunications line (limited to a method to broadcast by using the broadcasting equipment of a general broadcaster, or an equivalent matter as provided by a method as set forth in the preceding item);

三 常時又は一定の期間継続して屋内又は屋外で公衆に表示させる方法であつて、看板、立看板、はり紙及びはり札並びに広告塔、広告板、建物その他の工作物等に掲出させ、又は表示させるもの並びにこれらに類するもの

(iii) a method to indicate a matter to the public regularly or continuing for a certain period, inside or outside a building, and to install, or indicate on a signboard, standing signboard, placard and label, advertising tower, advertising board, building, or other structure, etc. and a method equivalent to these.

2 令第十六条の六の二第二項第二号に規定する内閣府令で定める事項は、第三十四条の五十三の二第三号ニに掲げる事項とする。

(2) Matters as provided by Cabinet Office Ordinance as prescribed in Article 16-6-2, paragraph (2), item (ii) of the Order are the matters as set forth in Article 34-53-2, item (iii), sub-item (d).

(誇大広告をしてはならない事項)

(Matters Not to Be Exaggerated)

第三十四条の五十三の七 法第五十二条の四十五の二において準用する金融商品取引法第三十七条第二項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 34-53-7 Matters as provided by Cabinet Office Ordinance as prescribed in Article 37, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2, are the following matters:

一 特定預金等契約の解除に関する事項

(i) matters concerning cancellation of a specified deposit, etc. contract;

二 特定預金等契約に係る損失の全部若しくは一部の負担又は利益の保証に関する事項

(ii) matters concerning all or part of share of loss or guarantee of profit pertaining to a specified deposit, etc. contract;

三 特定預金等契約に係る損害賠償額の予定（違約金を含む。）に関する事項

(iii) matters concerning liquidated damages pertaining to a specified deposit, etc. contract (including a penalty); and

四 特定預金等契約に関して顧客が支払うべき手数料等の額又はその計算方法、支払の方法及び時期並びに支払先に関する事項

(iv) matters concerning the amount of a Fee, etc. to be paid by a customer concerning a specified deposit, etc. contract or its calculation method, payment method, or timing, and the payee.

(契約締結前交付書面の記載方法)

(Method of Entry of a Document Delivered Prior to the Conclusion of a Contract)

第三十四条の五十三の八 契約締結前交付書面には、法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項を日本工業規格Z八三〇五に規定する八ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載しなければならない。

Article 34-53-8 (1) In a Document Delivered Prior to the Conclusion of a Contract, the matters as set forth in each item of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, must be entered clearly and properly by using printed characters and numerals in a size of eight points or larger as defined by Japanese Industrial Standard Z 8305.

2 前項の規定にかかわらず、契約締結前交付書面には、次に掲げる事項を枠の中に日本工業規格Z八三〇五に規定する十二ポイント以上の大きさの文字及び数字を用いて明瞭かつ正確に記載し、かつ、次項に規定する事項の次に記載するものとする。

(2) Notwithstanding the provisions of the preceding paragraph, in a Document Delivered Prior to the Conclusion of a Contract, the following matters are to be entered clearly and properly in a line by using printed characters and numerals in a size of 12 points or larger as defined by Japanese Industrial Standard Z 8305, and are to be entered following the matters as prescribed in the following paragraph:

一 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第四号に掲げる事項の概要並びに同項第五号及び第三十四条の五十三の十二第一項第十一号に掲げる事項

(i) a summary of the matters as set forth in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, and the matters as set forth in item (v) of the same paragraph; and Article 34-53-12, paragraph (1), item (xi); and

二 第三十四条の五十三の十二第一項第十二号に掲げる事項

(ii) the matters as set forth in Article 34-53-12, paragraph (1), item (xii).

3 銀行代理業者は、契約締結前交付書面には、第三十四条の五十三の十二第一項第一号に掲げる事項及び法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項各号に掲げる事項のうち顧客の判断に影響を及ぼすこととなる特に

重要なものを、日本工業規格Z 8305に規定する十二ポイント以上の大きさの文字及び数字を用いて当該契約締結前交付書面の最初に平易に記載するものとする。

(3) A Bank Agent, in a Document Delivered Prior to the Conclusion of a Contract, is to enter particularly material matters that may affect the decision of a customer using plain text expressions among the matters as set forth in Article 34-53-12, paragraph (1), item (i), and the matters as set forth in each item of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, by using printed characters and numerals in a size of 12 points or larger as defined by Japanese Industrial Standard Z 8305 at the top of said Document Delivered Prior to the Conclusion of a Contract.

(情報の提供の方法)

(Method of Provision of Information)

第三十四条の五十三の九 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項の規定による情報の提供は、契約締結前交付書面を交付することにより行うものとする。

Article 34-53-9 Provision of information as prescribed in Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, is to be implemented by delivery of a Document Delivered Prior to the Conclusion of a Contract.

(契約締結前交付書面の交付を要しない場合)

(Cases Not Requiring Delivery of a Document Delivered Prior to the Conclusion of a Contract)

第三十四条の五十三の十 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項ただし書に規定する内閣府令で定める場合は、既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約の締結の代理又は媒介を行う場合においては、次に掲げるときとする。

Article 34-53-10 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 37-3, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the following, in the case of conducting agency or intermediary of conclusion of a specified deposit, etc. contract of which the content is to change a part of an existing specified deposit, etc. contract:

一 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記載事項に変更すべきものがないとき。

(i) when there are no matters to be changed of entry in a Document Delivered Prior to the Conclusion of a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change;

二 当該変更に伴い既に成立している特定預金等契約に係る契約締結前交付書面の記

載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面（以下第三十四条の五十三の十七の二までにおいて「契約変更書面」という。）を交付しているとき。

(ii) if there are matters to be changed with entry in a Document Delivered Prior to the Conclusion of a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change, when a document (hereinafter referred to as "Documents for Contract Change" through Article 34-53-17-2), in which said entry to be changed is entered, has been delivered to said customer.

2 第十四条の十一の二十五第二項の規定は、前項第二号の規定による契約変更書面の交付について準用する。

(2) The provisions of Article 14-11-25, paragraph (2) apply mutatis mutandis to delivery of Documents for Contract Change pursuant to the provisions of item (ii) of the preceding paragraph.

（顧客が支払うべき対価に関する事項）

(Matters Concerning Compensation to Be Paid by a Customer)

第三十四条の五十三の十一 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第四号に規定する内閣府令で定めるものは、手数料、報酬、費用その他いかなる名称によるかを問わず、特定預金等契約に関して顧客が支払うべき手数料等の種類ごとの金額若しくはその上限額又はこれらの計算方法（当該特定預金等契約に係る元本の額に対する割合を含む。以下この条において同じ。）及び当該金額の合計額若しくはその上限額又はこれらの計算方法とする。ただし、これらの記載をすることができない場合にあつては、その旨及びその理由とする。

Article 34-53-11 The matters as provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (iv) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, pursuant to the name of a fee, reward, expense, or whatever name, are a description of the amount by category of the Fee, etc. that a customer is to pay concerning a specified deposit, etc. contract, the maximum limit, or a calculation method of these items (including the percentage to the principal amount pertaining to said specified deposit, etc. contract; hereinafter the same applies in this Article) and a description of the total amount of said amounts, the maximum limit, or a calculation method of these items; provided, however, that when these are unable to be entered, that effect and the reasons thereof.

（契約締結前交付書面の記載事項）

(Information for Inclusion in a Document Delivered Prior to the Conclusion of a Contract)

第三十四条の五十三の十二 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第七号に規定する内閣府令で定める事項は、次に掲げる事項

とする。

Article 34-53-12 (1) The matters as provided by Cabinet Office Ordinance as prescribed in Article 37-3, paragraph (1), item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the following matters:

一 当該契約締結前交付書面の内容を十分に読むべき旨

(i) the effect that the content of said Document Delivered Prior to the Conclusion of a Contract should be read sufficiently;

二 商品の名称（通称を含む。）

(ii) name of the financial instrument (including an alias);

三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別

(iii) the distinction of whether it is subject to an insurance payment as prescribed in Article 53 of the Deposit Insurance Act;

四 受入れの対象となる者の範囲

(iv) scope of the persons subject to acceptance;

五 預入期間（自動継続扱いの有無を含む。）

(v) period of deposit (including an indication of whether the deposit will automatically renew, or not);

六 最低預入金額、預入単位その他の預入れに関する事項

(vi) minimum amount of deposit, unit of deposit, and any other item concerning the deposit;

七 払戻しの方法

(vii) method of repayment;

八 利息の設定方法、支払方法、計算方法その他の利息に関する事項

(viii) method of establishing interest payment, payment method, calculation method, and any other item concerning interest;

九 付加することのできる特約に関する事項

(ix) matters concerning a special provisions that may be added;

十 預入期間の途中で解約時の取扱い（利息及び手数料の計算方法を含む。）

(x) handling the termination of the contract during the period of deposit (including the calculation methods of interest and fees);

十一 顧客が行う特定預金等契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあつては、次に掲げる事項

(xi) with regard to specified deposit, etc. contract to be concluded by a customer, when a loss is likely to be incurred by changes in money rate, value of currencies, quotations on a financial instruments market, and other indexes as a direct cause, the matters as set forth in the following:

イ 当該指標

(a) said index; and

ロ 当該指標に係る変動により損失が生ずるおそれがある理由

(b) reasons that a cause of loss is likely due to changes pertaining to said index;

十二 当該銀行代理業者の所属銀行が預入期間を延長する権利を有する特定預金等に
あつては、当該権利が行使された場合に当該特定預金等の金利が市場金利を下回る
ことにより顧客に不利となるおそれがある旨

(xii) with regard to a Specified Deposit, etc. that a Principal Bank of said Bank
Agent holds the right to extend the deposit period, the fact that in the case
said right is exercised, it is likely to be disadvantageous to the customer due
to the money rate of said Specified Deposit, etc. falling below the money
market rate;

十三 次に掲げるものと特定預金等との組合せによる預入れ時の払込金が満期時に全
額返還される保証のない商品を取り扱う場合には、預入れ時の払込金が満期時に全
額返還される保証のないことその他当該商品に関する詳細

(xiii) in the case of handling a financial instrument that does not guarantee the
repayment of the full amount at expiry of the amount paid for the
combination of the following items and for the Specified Deposit, etc. at the
time of initial deposit, an explanation stating that the deposited amount is
not guaranteed to be repaid in the full amount at expiry and any other
detailed explanations concerning said commodity:

イ 市場デリバティブ取引又は外国市場デリバティブ取引（有価証券関連デリバテ
ィブ取引に該当するものを除く。）

(a) a market derivatives transaction or foreign market derivatives
transaction (excluding a transaction corresponding to securities-related
derivatives transactions);

ロ 法第十条第二項第十四号に規定する金融等デリバティブ取引

(b) a financial derivatives transaction as prescribed in Article 10, paragraph
(2), item (xiv) of the Act;

ハ 先物外国為替取引

(c) a future foreign funds transfer transaction;

ニ 有価証券関連デリバティブ取引（金融商品取引法第二条第二十一項第一号に掲
げる取引及び外国金融商品市場における同号に掲げる取引と類似の取引を除
く。）

(d) a securities-related derivatives transaction (excluding a transaction set
forth in Article 2, paragraph (21), item (i) of the Financial Instruments and
Exchange Act and a similar transaction in a foreign financial instruments
market to that as set forth in the same item); and;

ホ 金融商品取引法第二条第二十一項第一号に掲げる取引又は外国金融商品市場に
おける同号に掲げる取引と類似の取引（国債証券等及び同条第一項第十七号に掲
げる有価証券のうち同項第一号の性質を有するものに係るものに限る。）

(e) a transaction set forth in Article 2, paragraph (21), item (i) of the
Financial Instruments and Exchange Act or a similar transaction in a

- foreign financial instruments market to that as set forth in the same item (limited to a National Government Bond Certificate, etc. and securities set forth in paragraph (1), item (xvii) of the same Article pertaining to those that have characteristics as prescribed in item (i) of the same paragraph);
- 十四 変動金利預金の金利の設定の基準となる指標及び金利の設定の方法が定められている場合にあつては、当該基準及び方法並びに金利に関する事項
- (xiv) when the establishment method of an index to be the standard for establishing a money rate of a floating rate deposit and money rate are specified, matters concerning said standards, method, and money rate;
- 十五 当該特定預金等契約に関する租税の概要
- (xv) a description of the taxation concerning said specified deposit, etc. contract;
- 十六 顧客が当該銀行代理業者の所属銀行に連絡する方法
- (xvi) a method to contact the Principal Bank of said Bank Agent by the customer;
- 十七 当該銀行代理業者の所属銀行が対象事業者となつている認定投資者保護団体の有無（対象事業者となつている場合にあつては、その名称）
- (xvii) the existence of a recognized investor protection association in which the Principal Bank of said Bank Agent is a subject business operator (when the Principal Bank of said Bank Agent is a subject business operation, its name); and
- 十八 次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項
- (xviii) matters prescribed in the following (a) or (b) for the categories of cases set forth respectively therein:
- イ 指定紛争解決機関が存在する場合 当該銀行代理業者の所属銀行が法第十二条の三第一項第一号に定める手続実施基本契約を締結する措置を講ずる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
- (a) when there exists a Designated Dispute Resolution Organization, the trade name or name of the Designated Dispute Resolution Organization, which is the other party to the Basic Contract for the Implementation of Dispute Resolution Procedures, prescribed in Article 12-3, paragraph (1), item (i) of the Act, that the Principal Bank of said Bank Agent takes a measure to conclude;
- ロ 指定紛争解決機関が存在しない場合 当該銀行代理業者の所属銀行の法第十二条の三第一項第二号に定める苦情処理措置及び紛争解決措置の内容
- (b) when there does not exist any Designated Dispute Resolution Organization, the details of the complaint handling measures and the dispute resolution measure of the Principal Bank of said Bank Agent prescribed in Article 12-3, paragraph (1), item (ii) of the Act.
- 十九 その他特定預金等の預入れに関し参考となると認められる事項
- (xix) other matters that are found to be references concerning deposit of a

Specified Deposit, etc.

- 2 一の特定預金等契約の締結について銀行及び銀行代理業者が法第十三条の四及び第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項の規定により顧客に対し同項に規定する書面の交付を行わなければならない場合において、当該銀行が当該交付を行ったときは、当該銀行代理業者は、前項の規定にかかわらず、契約締結前交付書面に同項各号に掲げる事項を記載することを要しない。

(2) When a Bank or a Bank Agent must deliver a document as prescribed in the provisions of Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 and Article 52-45-2 of the Act to a customer, pursuant to the same paragraph with regard to conclusion of a single specified deposit, etc. contract, and when said Bank implements said delivery, said Bank Agent, notwithstanding the provisions of the preceding paragraph, is not required to enter the matters as set forth in each item of the same paragraph in the Document Delivered Prior to the Conclusion of a Contract.

(情報通信の技術を利用した提供)

(Provision by Use of Information and Communications Technology)

第三十四条の五十三の十三 法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項（法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第二項において準用する場合を含む。以下この条において同じ。）に規定する内閣府令で定めるものは、次に掲げるものとする。

Article 34-53-13 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 37-3, paragraph (2) of the same Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act (including the cases where it is applied mutatis mutandis pursuant to Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 52-45-2 of the Act; hereinafter the same applies in this Article) are the following:

一 電子情報処理組織を使用する方法のうち次に掲げるもの

(i) a method to use an electronic data processing system that is in the following:

イ 銀行代理業者（法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項に規定する事項の提供を行う銀行代理業者との契約によりファイルを自己の管理する電子計算機に備え置き、これを当該事項を提供する相手方（以下この条において「顧客」という。）又は当該銀行代理業者の用に供する者を含む。以下この条において同じ。）の使用に係る電子計算機と顧客等（顧客及び顧客との契約により顧客ファイル（専ら顧客の用に供せられるファイルをいう。以下この条において同じ。）

を自己の管理する電子計算機に備え置く者をいう。以下この条において同じ。)の使用に係る電子計算機とを接続する電気通信回線を通じて書面に記載すべき事項(以下この条において「記載事項」という。)を送信し、顧客等の使用に係る電子計算機に備えられた顧客ファイルに記録する方法(同項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあっては、同項に規定する事項の提供を行う銀行代理業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(a) a method to transmit matters to be entered in documents (hereinafter referred to as an "Entry" in this Article) through a telecommunications line that connects computers used by a Bank Agent (including a person who keeps a file in a computer managed by said person pursuant to a contract with a Bank Agent who provides matters prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, as applied mutatis mutandis in Article 37-3, paragraph (2) of the same Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act and make it available to the other parties to whom said matters are provided (hereinafter referred to as "Customers" in this Article) or to said Bank Agent; hereinafter the same applies in this Article) and computers used by Customers, etc. (which means Customers and a person who keeps customer files (which means files that are made available exclusively to Customers) in a computer managed by said person pursuant to a contract with the Customers; hereinafter the same applies in this Article) and record said matters in a customer file kept in computers used by the Customers, etc. (in the case of offering to accept or not to accept provisions pursuant to a method prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act, a method to record that effect in a file kept in a computer used by the Bank Agent who provides the matters prescribed in the same paragraph);

ロ 銀行代理業者の使用に係る電子計算機に備えられたファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供し、顧客等の使用に係る電子計算機に備えられた当該顧客の顧客ファイルに当該記載事項を記録する方法(法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあっては、銀行代理業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(b) a method to make an Entry recorded in a file kept in a computer used by a Bank Agent available for inspection by Customers through a telecommunications line, and to record said Entry in the customer file of said Customers kept in computers used by the Customers, etc. (in the case of offering to accept or not to accept provisions pursuant to a method prescribed in Article 34-2, paragraph (4) of the Financial Instruments and

Exchange Act, as applied mutatis mutandis in Article 37-3, paragraph (2) of the same Act, as applied mutatis mutandis in Article 52-45-2 of the Act, a method to record that effect in a file kept in a computer used by the Bank Agent);

ハ 銀行代理業者の使用に係る電子計算機に備えられた顧客ファイルに記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(c) a method to make an Entry recorded in a customer file kept in a computer used by a Bank Agent available for inspection by Customers through a telecommunications line; or

ニ 閲覧ファイル（銀行代理業者の使用に係る電子計算機に備えられたファイルであつて、同時に複数の顧客の閲覧に供するため記載事項を記録させるファイルをいう。以下この条において同じ。）に記録された記載事項を電気通信回線を通じて顧客の閲覧に供する方法

(d) a method to make an Entry recorded in an inspection file (which means a file that is kept in a computer used by a Bank Agent and that is for recording an Entry in order to make it available for inspection by multiple customers simultaneously; hereinafter the same applies in this Article) available for inspection by Customers through a telecommunications line.

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもつて調製するファイルに記載事項を記録したものを交付する方法

(ii) a method to deliver an Entry recorded in a file prepared on a magnetic disk, CD-ROM, or other method equivalent thereto in which certain matters can be recorded securely.

2 前項各号に掲げる方法は、次に掲げる基準に適合するものでなければならない。

(2) Methods set forth in the items of the preceding paragraph must conform to the following standards:

一 顧客が顧客ファイル又は閲覧ファイルへの記録を出力することにより書面を作成できるものであること。

(i) a method that enables Customers to prepare documents by outputting entry recorded in a customer file or inspection file;

二 前項第一号イ、ハ又はニに掲げる方法（顧客の使用に係る電子計算機に備えられた顧客ファイルに記載事項を記録する方法を除く。）にあつては、記載事項を顧客ファイル又は閲覧ファイルに記録する旨又は記録した旨を顧客に対し通知するものであること。ただし、顧客が当該記載事項を閲覧していたことを確認したときは、この限りでない。

(ii) with regard to a method set forth in item (i), sub-item (a), (c), or (d) of the preceding paragraph (excluding a method to record an Entry in a customer file kept in a computer used by the Customers), a method to notify the Customers that an Entry will be recorded or was recorded in the customer file or inspection file; provided, however, that this does not apply when it is

confirmed that the customer has inspected said Entry;

三 前項第一号ハ又はニに掲げる方法にあつては、記載事項に掲げられた取引を最後に行つた日以後五年間（当該期間が終了する日までの間に当該記載事項に係る苦情の申出があつたときは、当該期間が終了する日又は当該苦情が解決した日のいずれか遅い日までの間）次に掲げる事項を消去し又は改変することができないものであること。ただし、閲覧に供している記載事項を書面により交付する場合、顧客の承諾（令第十六条の六の三に規定する方法による承諾をいう。）を得て前項第一号イ若しくはロ若しくは第二号に掲げる方法により提供する場合又は顧客による当該記載事項に係る消去の指図がある場合は、当該記載事項を消去することができる。

(iii) with regard to a method as set forth in item (i), sub-item (c) or (d) of the preceding paragraph, a method in which the deletion or modification of the following matters is impossible for five years following the date the transaction set forth as an Entry was carried out for the last time (if a complaint pertaining to said Entry is filed before the expiration of said period, until said period ends or until said complaint is resolved, whichever occurs later); provided, however, that, when an Entry made available for inspection is delivered in writing, when delivery is made by a method set forth in item (i), sub-item (a) or (b) of the preceding paragraph or item (ii) of the same paragraph under the approval of the Customers (which means an approval pursuant to a method prescribed in Article 16-6-3 of the Order), or when the Customers gave instructions to delete said Entry, said Entry may be deleted:

イ 前項第一号ハに掲げる方法については、顧客ファイルに記録された記載事項 (a) with regard to a method set forth in item (i), sub-item (c) of the preceding paragraph, the Entry recorded in the customer file; or

ロ 前項第一号ニに掲げる方法については、閲覧ファイルに記録された記載事項 (b) with regard to a method set forth in item (i), sub-item (d) of the preceding paragraph, the Entry recorded in the inspection file;

四 前項第一号ニに掲げる方法にあつては、次に掲げる基準に適合するものであること。

(iv) with regard to a method set forth in item (i), sub-item (d) of the preceding paragraph, a method that conforms to the following standards:

イ 顧客が閲覧ファイルを検査するために必要な情報を顧客ファイルに記録するものであること。

(a) a method to enable a customer to record in the customer file information necessary to inspect the inspection file; and

ロ 前号に規定する期間を経過するまでの間において、イの規定により顧客が閲覧ファイルを検査するために必要な情報を記録した顧客ファイルと当該閲覧ファイルとを電気通信回線を通じて接続可能な状態を維持させること。ただし、閲覧の提供を受けた顧客が接続可能な状態を維持させることについて不要である旨通知した場合は、この限りでない。

(b) a method to maintain the customer file that records information necessary for a customer to inspect the inspection file pursuant to the provisions of (a) and said inspection file connectable through a telecommunications line until the period prescribed in the preceding item expires; provided, however, that this does not apply when the Customers to whom the possibility of inspection was offered declined such maintenance of file connectability.

3 第一項第一号の「電子情報処理組織」とは、銀行代理業者の使用に係る電子計算機と、顧客ファイルを備えた顧客等又は銀行代理業者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(3) The electronic data processing system prescribed in paragraph (1), item (i) means an electronic data processing system that connects a computer used by a Bank Agent and a computer with a customer file used by Customers, etc. or a Bank Agent through a telecommunications line.

(電磁的方法の種類及び内容)

(Type and Details of Electronic or Magnetic Means)

第三十四条の五十三の十四 令第十六条の六の三第一項の規定により示すべき方法の種類及び内容は、次に掲げる事項とする。

Article 34-53-14 The type and details of a method to be indicated pursuant to the provisions of Article 16-6-3, paragraph (1) of the Order are the following:

一 前条第一項各号に掲げる方法のうち銀行代理業者が使用するもの

(i) a method set forth in the items of paragraph (1) of the preceding Article that is used by the Bank Agent;

二 ファイルへの記録の方式

(ii) a method of recording data in a file.

(契約締結時交付書面の記載事項)

(Information for Inclusion in a Document Delivered at Concluding a Contract)

第三十四条の五十三の十五 特定預金等契約が成立したときに作成する法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項に規定する書面（次項及び次条において「契約締結時交付書面」という。）には、次に掲げる事項を記載しなければならない。

Article 34-53-15 (1) The following matters must be entered in a document to be prepared when a specified deposit, etc. contract is effected, as the document prescribed in Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 (said document is referred to as "Document Delivered at Concluding a Contract" in the following paragraph and the following Article):

一 当該銀行代理業者の所属銀行の商号

(i) trade name of the Principal Bank of said Bank Agent;

- 二 預入金額（元本の額が外国通貨で表示される場合にあつては、当該外国通貨で表示される元本の額）
- (ii) amount of deposit (when the principal amount is indicated in a foreign currency, the principal amount indicated in said foreign currency);
- 三 預金保険法第五十三条に規定する保険金の支払の対象であるかどうかの別
- (iii) distinction of whether subject to an insured payment as prescribed in Article 53 of the Deposit Insurance Act;
- 四 預入日及び満期日（自動継続扱いの有無を含む。）
- (iv) date of deposit and expiry (including an indication whether the deposit will automatically renew, or not);
- 五 払戻しの方法
- (v) method of repayment;
- 六 利息の設定方法、支払方法、計算方法その他の利息に関する事項
- (vi) method of establishing interest payment, payment method, calculation method, and other items concerning interest;
- 七 預入期間の中途での解約時の取扱い（利息及び手数料の計算方法を含む。）
- (vii) handling the termination of the contract during the period of deposit (including the calculation methods of interest and fees);
- 八 当該特定預金等契約の成立の年月日
- (viii) the date said specified deposit, etc. contract is effected;
- 九 当該特定預金等契約に係る手数料等に関する事項
- (ix) matters concerning a Fee, etc. pertaining to said specified deposit, etc. contract;
- 十 顧客の氏名又は名称
- (x) name of the customer; and
- 十一 顧客が当該銀行代理業者の所属銀行に連絡する方法
- (xi) a method to contact the Principal Bank of said Bank Agent by the customer.
- 2 一の特定預金等契約の締結について銀行及び銀行代理業者が法第十三条の四及び第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項の規定により顧客に対し同項に規定する書面の交付を行わなければならない場合において、当該銀行が当該交付を行つたときは、当該銀行代理業者は、前項の規定にかかわらず、契約締結時交付書面に同項第二号から第七号までに掲げる事項を記載することを要しない。
- (2) When a Bank or a Bank Agent must deliver a document as prescribed in the provisions of Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 13-4 and Article 52-45-2 of the Act to a customer, pursuant to the same paragraph with regard to conclusion of a single specified deposit, etc. contract, and when said Bank performed said delivery, said Bank Agent, notwithstanding the provisions of the preceding paragraph, is not required to enter the matters as set forth in items (ii) to (vii) of the same paragraph in the Document Delivered

at Concluding a Contract.

(契約締結時交付書面の交付を要しない場合)

(Cases Not Requiring Delivery of a Document Delivered at Concluding a Contract)

第三十四条の五十三の十六 契約締結時交付書面に係る法第五十二条の四十五の二において準用する金融商品取引法第三十七条の四第一項ただし書に規定する内閣府令で定める場合は、既に成立している特定預金等契約の一部の変更をすることを内容とする特定預金等契約が成立した場合においては、次に掲げるときとする。

Article 34-53-16 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 37-4, proviso of paragraph (1) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act pertaining to a Document Delivered at Concluding a Contract, are the following cases, if a specified deposit, etc. contract of which the content is to change a part of a specified deposit, etc. contract that has been effected:

一 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがないとき。

(i) when there are no matters to be changed of an entry in the Document Delivered at Concluding a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change;

二 当該変更に伴い既に成立している特定預金等契約に係る契約締結時交付書面の記載事項に変更すべきものがある場合にあつては、当該顧客に対し当該変更すべき記載事項を記載した書面を交付しているとき。

(ii) if there is a matter to be changed of an entry in the Document Delivered at Concluding a Contract pertaining to a specified deposit, etc. contract that has been effected due to said change, when a document, in which said entry to be changed is entered, has been delivered to said customer.

2 第十四条の十一の二十九第二項の規定は、前項第二号の規定による書面の交付について準用する。

(2) The provisions of Article 14-11-29, paragraph (2) apply mutatis mutandis to delivery of documents pursuant to the provisions of item (ii) of the preceding paragraph.

(信用格付業者の登録の意義その他の事項)

(Significance of Registration of a Credit Rating Agency and Other Matters)

第三十四条の五十三の十七 法第五十二条の四十五の二において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

Article 34-53-17 (1) The matters provided by Cabinet Office Ordinance as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are

the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 信用格付を付与した者に関する次に掲げる事項

(ii) with regard to a person who gave a credit rating, matters set forth in the following:

イ 商号、名称又は氏名

(a) trade name or name;

ロ 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。）であるときは、役員（法人でない団体で代表者又は管理人の定めのあるものにあつては、その代表者又は管理人）の氏名又は名称

(b) if said person is a corporation (including an organization without legal personality and appoints a representative or an administrator), the name of its officers (in case of an organization without legal personality and appoints a representative or an administrator, such representative or administrator);

ハ 本店その他の主たる営業所又は事務所の名称及び所在地

(c) names and locations of the head office and other principal business offices or offices;

三 信用格付を付与した者が当該信用格付を付与するために用いる方針及び方法の概要

(iii) the outline of the policy and method that the person who gave the credit rating uses to give said credit rating;

四 信用格付の前提、意義及び限界

(iv) the premise, significance, and limitations of credit rating.

2 前項の規定にかかわらず、特定関係法人の付与した信用格付については、法第五十二条の四十五の二において準用する金融商品取引法第三十八条第三号に規定する内閣府令で定める事項は、次に掲げるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, with regard to Credit Ratings determined by a specified associated corporation, matters provided by Cabinet Office Ordinance as prescribed in Article 38, item (iii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act are the following:

一 金融商品取引法第六十六条の二十七の登録の意義

(i) the significance of registration pursuant to Article 66-27 of the Financial Instruments and Exchange Act;

二 金融庁長官が金融商品取引業等に関する内閣府令第百十六条の三第二項の規定に基づき、その関係法人を当該特定関係法人として指定した信用格付業者の商号又は名称及び登録番号

(ii) trade name, name and registration number of Credit Rating Agency whose

associated corporation is designated as said specified associated corporation by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 116-3, paragraph (2) of the Cabinet Office Ordinance on Financial Instruments Business;

三 当該特定関係法人が信用格付業を示すものとして使用する呼称

(iii) the name used by said specified associated corporation as a representation of the Credit Rating Business;

四 信用格付を付与した特定関係法人が当該信用格付を付与するために用いる方針及び方法の概要又は当該概要に関する情報を第二号に規定する信用格付業者から入手する方法

(iv) the outline of the policy and method that the specified associated corporation who gave the credit rating uses to give said credit rating or way to obtain information on the said outline from Credit Rating Agency specified by item (ii);

五 信用格付の前提、意義及び限界

(v) the premise, significance, and limitations of credit rating.

(禁止行為)

(Prohibited Acts)

第三十四条の五十三の十七の二 法第五十二条の四十五の二において準用する金融商品取引法第三十八条第七号に規定する内閣府令で定める行為は、次に掲げる行為とする。
Article 34-53-17-2 Acts as provided by Cabinet Office Ordinance as prescribed in Article 38, item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, are the following acts:

一 第三十四条の五十三各号に掲げる行為

(i) acts as set forth in each item of Article 34-53;

二 契約締結前交付書面又は契約変更書面の交付に関し、あらかじめ、顧客（特定投資家（法第五十二条の四十五の二において準用する金融商品取引法第三十四条の二第五項の規定により特定投資家以外の顧客とみなされる者を除き、法第五十二条の四十五の二において準用する金融商品取引法第三十四条の三第四項（法第五十二条の四十五の二において準用する金融商品取引法第三十四条の四第六項において準用する場合を含む。）の規定により特定投資家とみなされる者を含む。）を除く。以下この号において同じ。）に対して、法第五十二条の四十五の二において準用する金融商品取引法第三十七条の三第一項第三号から第五号まで及び第七号に掲げる事項（契約変更書面を交付する場合にあつては、当該契約変更書面に記載されている事項であつて同項第三号から第五号まで及び第七号に掲げる事項に係るもの）について顧客の知識、経験、財産の状況及び特定預金等契約を締結する目的に照らして当該顧客に理解されるために必要な方法及び程度による説明をすることなく、特定預金等契約の締結の代理又は媒介をする行為

(ii) with regard to delivery of a Document Delivered Prior to the Conclusion of

a Contract or Documents for Contract Change, an act to perform agency or intermediary of conclusion of a specified deposit, etc. contract without explaining to a customer (excluding a Professional Investor (excluding a person that is found to be a customer other than a Professional Investor pursuant to Article 34-2, paragraph (5) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act, and including a person that is found to be a Professional Investor pursuant to Article 34-3, paragraph (4) of the Financial Instruments and Exchange Act (including the cases where it is applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act, as applied mutatis mutandis pursuant to Article 52-45-2 of the Act), as applied mutatis mutandis pursuant to Article 52-45-2 of the Act); hereinafter the same applies in this item) in advance regarding the matters as set forth in Article 37-3, paragraph (1), items (iii) to (v) and item (vii) of the Financial Instruments and Exchange Act, as applied mutatis mutandis to Article 52-45-2 of the Act (when Documents for Contract Change are delivered, the matters that are stated in said Documents for Contract Change and are pertaining to the matters as set forth in items (iii) to (v) and item (vii) of the same paragraph) by a necessary method and level in order to facilitate said customer in light of the customer's knowledge, experience, condition of assets, and the purpose of concluding the specified deposit, etc. contract;

三 特定預金等契約の締結の勧誘に関して、虚偽の表示をし、又は重要な事項につき誤解を生ぜしめるべき表示をする行為

(iii) with regard to solicitation for conclusion of a specified deposit, etc. contract, an act that indicates a misrepresentation, or an act of indication that may cause misleading of a material matter;

四 特定預金等契約につき、顧客若しくはその指定した者に対し、特別の利益の提供を約し、又は顧客若しくは第三者に対し特別の利益を提供する行為（第三者をして特別の利益の提供を約させ、又はこれを提供させる行為を含む。）

(iv) with regard to a specified deposit, etc. contract, an act to promise the provision of special profit to a customer or a person specified by the customer, or to provide special profit to a customer or a third person (including an act to order a third person to promise the provision of special profit or to provide special profit);

五 特定預金等契約の締結又は解約に関し、顧客（個人に限る。）に迷惑を覚えさせるような時間に電話又は訪問により勧誘する行為

(v) with regard to conclusion or termination of a specified deposit, etc. contract, an act to solicit by telephone or visit during hours when a customer (limited to an individual) finds it annoying.

(特定銀行代理行為)

(Specified Activities as a Bank Agent)

第三十四条の五十四 法第五十二条の四十六第一項に規定する内閣府令で定める預金は、当座預金とする。

Article 34-54 The deposits as provided by Cabinet Office Ordinance as prescribed in Article 52-46, paragraph (1) are a current deposit.

(特定銀行代理業者の営業時間等)

(Business Hours of a Specified Bank Agent)

第三十四条の五十五 特定銀行代理業者（法第五十二条の四十六第一項に規定する特定銀行代理業者をいう。第三項及び次条第二項において同じ。）の営業時間は、午前九時から午後三時までとする。

Article 34-55 (1) The business hours of a specified bank agent (which means a specified bank agent prescribed in Article 52-46, paragraph (1) of the Act; the same applies in item (iii) and item (ii) of the following Article) are from 9:00 a.m. to 3:00 p.m.

2 前項の営業時間は、営業の都合により延長することができる。

(2) The business hours prescribed in the preceding paragraph may be extended due to the convenience of business.

3 特定銀行代理業者の特定銀行代理行為（法第五十二条の四十六第一項に規定する特定銀行代理行為をいう。以下この項及び次条において同じ。）を行わない営業所又は事務所（特定銀行代理行為を行う営業所又は事務所の当該特定銀行代理行為を行う施設以外の施設を含む。）の営業時間については、第一項の規定は適用しない。

(3) The provisions of paragraph (1) not apply to the business hours of a business office or an office (including a facility other than a facility where specified activities as a bank agent are performed of a business office or office where specified activities as a bank agent are performed) that does not perform specified activities as a bank agent of a specified bank agent (which means a specified activities as a bank agent as prescribed in Article 52-46, paragraph (1) of the Act).

4 銀行代理業者は、銀行代理業を営む営業所又は事務所ごとに、公衆の見やすい場所に、休日及び営業時間を掲示しなければならない。

(4) A Bank Agent must display its holidays and business hours in a place that is prominent to the public by each business office or other office engaging in Bank Agency Services.

(特定銀行代理業者の臨時休業の届出等)

(Notification of Temporary Closing of a Specified Bank Agent)

第三十四条の五十六 法第五十二条の四十七の規定により届出を行う特定銀行代理業者は、次の各号に掲げる事項を記載した届出書を金融庁長官等に提出しなければならない。

Article 34-56 (1) A specified bank agent that submits a written notice pursuant to Article 52-47 of the Act must submit notification stating the matters as set forth in each item of the following to the Commissioner of the Financial Services Agency, etc.:

一 特定銀行代理行為に係る業務（第四号において「業務」という。）の全部又は一部を休止する営業所又は事務所の名称及び所在地

(i) name and location of a business office or office that suspends all or part of business pertaining to specified activities as a bank agent (which is referred to as "Business" in item (iv));

二 休止の理由

(ii) reasons of suspension;

三 休止期間

(iii) suspension period;

四 業務再開予定日又は業務再開日

(iv) scheduled recommencement day of Business or recommencement day of Business; and

五 法第五十二条の四十七の規定による掲示の方法

(v) the method of display pursuant to the provisions of Article 52-47 of the Act.

2 法第五十二条の四十七に規定する内閣府令で定める場合は、次に掲げる場合とする。

(2) The cases provided by Cabinet Office Ordinance as prescribed in Article 52-47 of the Act are the following cases:

一 法第二十六条第一項、第二十七条又は第五十二条の三十四第一項若しくは第四項の規定により所属銀行が業務の全部又は一部の停止を命ぜられた場合

(i) when a Principal Bank is ordered to suspend all or part of business pursuant to the provisions of Article 26, paragraph (1), Article 27, or Article 52-34, paragraph (1) or (4) of the Act;

二 法第五十二条の四十六第一項に規定する特定銀行代理業者の休日に、特定銀行代理行為に係る業務の全部又は一部を営む特定銀行代理業者の営業所又は事務所において、当該休日における現金自動支払機等による業務の全部又は一部を休止する場合

(ii) if, on a holiday of a specified bank agent as prescribed in Article 52-46, paragraph (1) of the Act, all or part of business by a Cash Dispenser, etc. is suspended on said holiday at a business office or other office of a specified bank agent that carries out all or part of business pertaining to specified activities as a bank agent;

三 特定銀行代理業者の特定銀行代理行為に係る業務を営む無人の営業所又は事務所においてその業務の全部又は一部を休止する場合（前号に該当する場合を除く。）

(iii) when, at an unmanned business office or other office that carries out business pertaining to specified activities as a bank agent of a specified bank agent, all or a part of its business is suspended (excluding a cases where corresponds to the preceding item);

四 法第五十二条の五十六第一項の規定により特定銀行代理行為に係る業務の全部又は一部の停止を命ぜられた場合

(iv) when all or part of business pertaining to specified activities as a bank agent is ordered to suspend, pursuant to the provisions of Article 52-56, paragraph (1) of the Act.

(所属銀行の廃業等の掲示)

(Display of Discontinuance of a Principal Bank)

第三十四条の五十七 銀行代理業者は、法第五十二条の四十八の規定による掲示をするときは、所属銀行から通知を受けた内容及び当該所属銀行における預金等その他その営む銀行代理業に係る取引の処理の方針を示すものとする。

Article 34-57 A Bank Agent, in the case of displaying pursuant to the provisions of Article 52-48 of the Act, is to display the content of which it has been informed by the Principal Bank and policies of disposition of deposit, etc. at said Principal Bank, and other transactions pertaining to the Bank Agency Services carried out by the Bank Agent.

第三節 経理

Section 3 Accounting

(銀行代理業に関する帳簿書類)

(Books and Documents Concerning Bank Agency Services)

第三十四条の五十八 銀行代理業者は、法第五十二条の四十九の規定により、銀行代理業の処理及び計算を明らかにするため、次の各号に定める帳簿書類（法第二条第十四項各号に規定する契約の締結の代理を行わない場合は、第三号に定めるものに限る。）を所属銀行ごとに作成し、当該各号に定める期間保存しなければならない。

Article 34-58 A Bank Agent, pursuant to the provisions of Article 52-49 of the Act, must prepare books and documents as prescribed in each item of the following (when the agency of conclusion of contract as prescribed in each item of Article 2, paragraph (14) of the Act is not performed, limited to those as prescribed in item (iii)) for each Principal Bank, and keep them on file for the period prescribed in said each item, in order to clarify the dispositions and calculations of a Bank Agency Services:

一 総勘定元帳 作成の日から五年間

(i) general ledger: five years from the date of preparation;

二 銀行代理勘定元帳 作成の日から十年間

(ii) Bank Agency account ledger: ten years from the date of preparation;

三 銀行代理業に係る顧客に対して行った法第二条第十四項各号に規定する契約の締結の媒介の内容を記録した書面 当該媒介を行った日から五年間

(iii) a document in which the content of intermediary of conclusion of a contract that is performed with a customer pertaining to the Bank Agency Services

and is as prescribed in any item of Article 2, paragraph (14) of the Act: five years from the date said intermediary is conducted.

(銀行代理業に関する報告書の様式等)

(Form of a Report Concerning Bank Agency Services)

第三十四条の五十九 法第五十二条の五十第一項の規定による銀行代理業に関する報告書は、銀行代理業者が個人である場合においては別紙様式第十八号により、法人である場合においては別紙様式第十九号により、それぞれ作成し、個人にあつては別紙様式第十六号により作成した財産に関する調書及び収支の状況を記載した書面を、法人にあつては貸借対照表及び損益計算書又はこれらに代わる書面を、それぞれ添付して、事業年度経過後三月以内に金融庁長官等に提出しなければならない。

Article 34-59 (1) A report concerning Bank Agency Services pursuant to the provisions of Article 52-50, paragraph (1) of the Act must be prepared pursuant to item (xviii) of the appended form when a Bank Agent is an individual, and pursuant to item (ixx) of the appended form when a Bank Agent is a corporation, respectively, and must be submitted to the Commissioner of the Financial Services Agency, etc., attached with a record concerning assets and a document stating the condition of income and expenditures prepared pursuant to item (xvi) of the appended form in the case of an individual, and a balance sheet and profit and loss statement or documents in lieu of the above, in the case of a corporation, within three months after the end of the business year.

2 銀行代理業者は、やむを得ない理由により前項に規定する期間内に銀行代理業に関する報告書の提出をすることができない場合には、あらかじめ金融庁長官（令第十七条の四の規定により当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該銀行代理業に関する報告書を受理する場合にあつては、その財務局長又は福岡財務支局長）の承認を受けて、当該提出を延期することができる。

(2) A Bank Agent, if a report concerning the Bank Agency Services is unable to be submitted within the period prescribed in the preceding paragraph due to a compelling reason, may postpone said submission after obtaining prior approval of the Commissioner of the Financial Services Agency (when the Director General of the Local Finance Bureau who has jurisdiction over the location of the principal business office or offices of said Bank Agent pursuant to the provisions of Article 17-4 of the Order (when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau) accepts reports concerning said Bank Agency Services, the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau).

3 銀行代理業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) A Bank Agent, when intending to obtain an approval pursuant to the

provisions of the preceding paragraph, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は前項の規定による承認の申請があつたときは、当該申請をした銀行代理業者が第二項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there is a reason that is found to be compelling regarding postponement of report submission by the Bank Agent that filed said application, pursuant to the provisions of paragraph (2).

5 金融庁長官等は、その許可をした銀行代理業者の直前事業年度に係る銀行代理業に関する報告書のうち、顧客の秘密を害するおそれのある事項又は当該銀行代理業者の業務の遂行上不当な不利益を与えるおそれのある事項を除き顧客の保護に必要と認められる部分を、金融庁（令第十七条の四の規定により当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該報告書を受理する場合にあつては、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄区域とする財務局又は福岡財務支局）に備え置き、公衆の縦覧に供するものとする。

(5) The Commissioner of the Financial Services Agency, etc. is to keep a portion of the report concerning a Bank Agency Services pertaining to the business year of the Bank Agent immediately prior to when an approval was provided, excluding matters which are likely to harm the confidentiality of a customer and matters which are likely to cause unfair disadvantages to the carrying out of the business of said Bank Agent, that are necessary for the protection of customers, at the Financial Services Agency (when the Director General of the Local Finance Bureau (when said location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau) has jurisdiction over the location of the principal business office or offices of said Bank Agent pursuant to the provisions of Article 17-4 of the Order that receives said reports, the Local Finance Bureau or Fukuoka Local Finance Branch Bureau for which the jurisdictional district includes the location of the principal business office or offices of said Bank Agent) and make them available for public inspection.

（所属銀行の説明書類等の縦覧）

(Inspection of Explanatory Statements of a Principal Bank)

第三十四条の六十 銀行代理業者は、その所属銀行が法第二十条第一項及び第二項並びに第二十一条第一項及び第二項の規定により作成する書面（当該所属銀行が外国銀行支店である場合にあつては、第十九条の二第三項及び第四項に規定する書面を含む。）又は当該所属銀行を子会社とする銀行持株会社が法第五十二条の二十八及び第

五十二条の二十九第一項の規定により作成する書面（当該所属銀行を子会社とする銀行持株会社が外国所在銀行持株会社である場合にあっては、第三十四条の二十六第二項及び第三項に規定する書面）（法第二十条第三項及び第二十一条第三項又は第五十二条の二十八第二項及び第五十二条の二十九第二項の規定により作成された電磁的記録を含む。以下この項及び次項において「縦覧書類」という。）の縦覧を、当該所属銀行又は当該所属銀行を子会社とする銀行持株会社の事業年度経過後四月以内（当該所属銀行が外国銀行支店である場合又は当該所属銀行を子会社とする銀行持株会社が外国所在銀行持株会社である場合にあっては、事業年度経過後六月以内）に開始し、当該事業年度の翌事業年度に係るそれぞれの縦覧書類の縦覧を開始するまでの間、公衆の縦覧に供しなければならない。

Article 34-60 (1) A Bank Agent must commence to make available the documents that its Principal Bank prepares pursuant to the provisions of Article 20, paragraphs (1) and (2) of the Act and Article 21, paragraphs (1) and (2) (when said Principal Bank is a Foreign Bank Branch, including documents as prescribed in Article 19-2, paragraphs (3) and (4)), or the documents that a Bank Holding Company of which a Subsidiary Company is said Principal Bank prepares pursuant to the provisions of Article 52-28 of the Act and Article 52-29, paragraph (1) (when the Bank Holding Company of which a Subsidiary Company is said Principal Bank is a bank holding company located in a foreign state, documents as prescribed in Article 34-26, paragraphs (2) and (3)) (including electronic or magnetic records prepared pursuant to the provisions of Article 20, paragraph (3) of the Act; and Article 21, paragraph (3); Article 52-28, paragraph (2); and Article 52-29, paragraph (2); hereinafter referred to as "Inspection Documents" in this paragraph and the following paragraph) for inspection within four months (if said Principal Bank is a Foreign Bank Branch, or if a Bank Holding Company of which a Subsidiary Company is said Principal Bank is a bank holding company located in a foreign state, within six months after the close of a business year) after each business year of said Principal Bank or a Bank Holding Company of which a Subsidiary Company is said Principal Bank, and must make the documents available for public inspection until the commencement of inspection of each Document Subject to Inspection pertaining to the business year following said business year.

2 銀行代理業者は、やむを得ない理由により前項に規定する期間までに縦覧書類の縦覧を開始できない場合には、あらかじめ金融庁長官（金融庁長官の指定する銀行代理業者以外の銀行代理業者にあつては、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にあつては、福岡財務支局長））の承認を受けて、当該縦覧の開始を延期することができる。

(2) A Bank Agent, if a Document Subject to Inspection is not available for inspection before the end of the period as prescribed in the preceding paragraph due to a compelling reason, may obtain prior approval of the Commissioner of the Financial Services Agency (with regard to a Bank Agent

other than a Bank Agent designated by the Commissioner of the Financial Services Agency, the Director General of the Local Finance Bureau who has jurisdiction over the location of the principal business office or offices of said Bank Agent (with regard to said location within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau)) and may postpone the commencement of said inspection.

3 銀行代理業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

(3) A Bank Agent, when intending to obtain an approval pursuant to the provisions of the preceding paragraph, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

4 金融庁長官等は、前項の規定による承認の申請があつたときは、当該申請をした銀行代理業者が第一項の規定による縦覧の開始を延期することについてやむを得ない理由があるかどうかを審査するものとする。

(4) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether there is a compelling reason for the Bank Agent that filed said application to postpone the commencement of inspection pursuant to the provisions of paragraph (1).

5 法第五十二条の五十一第二項に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

(5) Measures as provided by Cabinet Office Ordinance as prescribed in Article 52-51, paragraph (2) of the Act are a method to display matters recorded in an electronic or magnetic record on paper or a screen.

第四節 監督

Section 4 Supervision

(廃業等の届出)

(Notification of Discontinuance)

第三十四条の六十一 法第五十二条の五十二の規定により届出を行う者は、別表第三上欄に掲げる区分により、同表中欄に定める事項を記載した届出書及び同表下欄に定める添付書類を、金融庁長官等に提出しなければならない。

Article 34-61 A person that submits a notification pursuant to the provisions of Article 52-52, according to the categories set forth in the top columns of the Appended Table 3, must submit a written notice stating the matters as provided in the middle columns of the same table, and attach the documents as prescribed in the bottom columns of the same table to the Commissioner of the Financial Services Agency, etc.

(許可の効力に係る承認の申請等)

(Application of Approval Pertaining to the Effect of Permission)

第三十四条の六十二 第五十二条の三十六第一項の許可を受けた者は、法第五十二条の五十七第三号の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

Article 34-62 (1) A person that has obtained a permission as prescribed in Article 52-36, paragraph (1) of the Act, when intending to obtain an approval pursuant to the provisions of Article 52-57, item (iii) of the Act, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether it conforms to the following standards:

一 法第五十二条の三十六第一項の許可を受けた日から六月以内に銀行代理業を開始することができないことについてやむを得ないと認められる理由があること。

(i) there is a reason that is found to be compelling that the Bank Agency Services are unable to be commenced within six months from the date the permission as prescribed in Article 52-36, paragraph (1) of the Act is obtained;

二 合理的な期間内に銀行代理業を開始することができると思込まれること。

(ii) it is expected that the Bank Agency Services can be commenced within a reasonable period;

三 当該許可の際に審査の基礎となつた事項について銀行代理業の開始が見込まれる時期までに重大な変更がないと思込まれること。

(iii) with regard to matters based on an examination of said permission, it is expected that there will not be material changes until the expected time of commencement of the Bank Agency Services.

第五節 所属銀行等

Section 5 Principal Bank

(所属銀行による銀行代理業者の業務の適切性等を確保するための措置)

(Measures to Ensure Appropriateness of the Business of a Bank Agent by a Principal Bank)

第三十四条の六十三 所属銀行は、銀行代理業者の銀行代理業に係る業務の健全かつ適切な運営を確保するため、次に掲げる措置を講じなければならない。

Article 34-63 (1) A Principal Bank must take the following measures in order to ensure sound and appropriate business management pertaining to Bank

Agency Services of a Bank Agent::

一 銀行代理業者及びその銀行代理業の従事者に対し、銀行代理業に係る業務の指導、銀行代理業に関する法令等を遵守させるための研修の実施等の措置

(i) measures regarding the Bank Agent and employees of its Bank Agency Services for guidance of business pertaining to Bank Agency Services, implementation, etc. of training for compliance with laws and regulations, etc. concerning Bank Agency Services;

二 銀行代理業者における銀行代理業に係る業務の実施状況を、定期的に又は必要に応じて確認すること等により、銀行代理業者が当該銀行代理業の業務を的確に遂行しているかを検証し、必要に応じ改善させる等、銀行代理業者に対する必要かつ適切な監督等を行うための措置

(ii) measures for necessary and appropriate supervision, etc. of the Bank Agent, such as viewing whether the Bank Agent carries out the business of Bank Agency Services appropriately by confirming the implementation status of business pertaining to said Bank Agency Services of the Bank Agent regularly or as necessary, etc. and ordering improvements if necessary;

三 銀行代理業の業務の健全かつ適切な運営を確保するため必要があると認めるときには、銀行代理業者との間の委託契約及び銀行代理業再委託者と銀行代理業再受託者との間の再委託契約の内容を変更し、又は解除するための措置

(iii) measures, when it is found necessary to ensure sound and appropriate business management of the Bank Agency Services, to change the content or terminate the entrustment contract with the Bank Agent or sub-entrustment contract between a Principal Bank Agent and a Secondary Bank Agent;

四 銀行代理業者が行う法第二条第十四項第二号に規定する行為について、必要に応じて自らが審査を行うための措置

(iv) with regard to the acts that a Bank Agent performs and are as prescribed in the provisions of Article 2, paragraph (14), item (ii) of the Act, measures so that the Bank Agent itself conducts an examination if necessary;

五 銀行代理業者に所属銀行から顧客に関する情報を不正に取得させない等、顧客情報の適切な管理を確保するための措置

(v) measures to ensure appropriate management of customer information, such as not to permit the Bank Agent wrongfully to acquire information concerning a customer from the Principal Bank;

六 所属銀行の商号、銀行代理業者であることを示す文字及び当該銀行代理業者の商号又は名称を店頭に掲示させるための措置

(vi) measures to order the display of the trade name of the Principal Bank, lettering that indicates the Bank Agent as the agent of said Bank, and the trade name or name of said Bank Agent at the front of offices;

七 銀行代理業者の営業所又は事務所における銀行代理業に係る業務に関し犯罪を防止するための措置

(vii) measures to prevent crime concerning business pertaining to Bank Agency

Services at the business office or other office of the Bank Agent;

八 銀行代理業者の銀行代理業を営む営業所又は事務所の廃止にあたっては、当該営業所又は事務所の顧客に係る取引が所属銀行の営業所、他の金融機関、他の銀行代理業者等へ支障なく引き継がれる等、当該営業所又は事務所の顧客に著しい影響を及ぼさないようにするための措置

(viii) with regard to abolishment of a business office or office that carries out Bank Agency Services of a Bank Agent, measures to avoid considerably affecting the customers of said business office or other office, such as the succession of transactions pertaining to the customers of said business office or other office by a business office of the Principal Bank, another financial institution, or another Bank Agent, etc. without any problems;

九 銀行代理業者の銀行代理業に係る顧客からの苦情を適切かつ迅速に処理するために必要な措置

(ix) measures necessary for the appropriate and prompt disposition of the customer claims pertaining to Bank Agency Services of the Bank Agent.

2 前項（第四号及び第八号を除く。）の規定は、銀行代理業再委託者が銀行代理業再受託者の業務の健全かつ適切な運営を確保するために講じなければならない措置について準用する。この場合において、同項の規定中「銀行代理業者」とあるのは「銀行代理業再受託者」と、「銀行代理業」とあるのは「再委託を受けて営む銀行代理業」と読み替えるものとする。

(2) The provisions of the preceding paragraph (excluding items (iv) and (viii)) apply mutatis mutandis to measures that a Principal Bank Agent must take in order to ensure sound and appropriate business management of a Secondary Bank Agent. In this case, the term "Bank Agent" in the provisions of the same paragraph is deemed to be replaced with "a Secondary Bank Agent", and the term "Bank Agency Services" is deemed to be replaced with "Bank Agency Services carried out based on sub-entrustment"

（銀行代理業者の原簿の記載事項）

(Information for Inclusion in Registry of a Bank Agent)

第三十四条の六十四 所属銀行は、当該所属銀行に係る銀行代理業者に関し、法第五十二条の六十第一項の原簿（以下この条において「原簿」という。）に、次に掲げる事項を記載しなければならない。

Article 34-64 (1) A Principal Bank must enter the following matters concerning a Bank Agent pertaining to said Principal Bank in a registry (hereinafter referred to as "Registry" in this Article) as prescribed in Article 52-60, paragraph (1) of the Act:

一 銀行代理業者の商号、名称又は氏名

(i) trade name or name of the Bank Agent;

二 銀行代理業者が法人であるときは、その代表者の氏名又は名称

(ii) when the Bank Agent is a corporation, the name of its representative

- person;
- 三 銀行代理業の内容
(iii) content of Bank Agency Services;
- 四 銀行代理業を営む営業所又は事務所の名称又は所在地
(iv) name and location of the business office or office that carries out Bank Agency Services; and
- 五 法第五十二条の三十六第一項の許可を受けた年月日
(v) the date that the permission as prescribed in Article 52-36, paragraph (1) of the Act is obtained.
- 2 前項各号に掲げるもののほか、当該所属銀行に係る銀行代理業者が次の各号に掲げる区分に該当する場合には、当該各号に掲げる事項を原簿に記載しなければならない。
- (2) Beyond those matters as set forth in each item of the preceding paragraph, when a Bank Agent pertaining to said Principal Bank corresponds to a category as set forth in each of the following items, the matters set forth in said each item must be entered in the Registry:
- 一 銀行代理業再委託者 当該銀行代理業再委託者が再委託を行う銀行代理業再委託者に係る前項各号に掲げる事項
(i) a Principal Bank Agent: the matters as set forth in each item of the preceding paragraph pertaining to a Secondary Bank Agent that is entrusted by said Principal Bank Agent;
- 二 銀行代理業再受託者 当該銀行代理業再受託者が再委託を受ける銀行代理業再委託者に係る前項各号に掲げる事項
(ii) a Secondary Bank Agent: the matters as set forth in each item of the preceding paragraph pertaining to a Principal Bank Agent that entrusts to a Secondary Bank Agent.
- 3 法第五十二条の六十第一項に規定する内閣府令で定める営業所は、次に掲げる営業所とする。
- (3) The business offices as provided by Cabinet Office Ordinance as prescribed in Article 52-60, paragraph (1) of the Act are following business offices:
- 一 所属銀行の無人の営業所
(i) an unmanned business office of a Principal Bank; and
- 二 所属銀行の外国に所在する営業所
(ii) a business office located in a foreign state of a Principal Bank.

第八章の三 指定紛争解決機関

Chapter VIII-3 Designated Dispute Resolution Organization

第一節 通則

Section 1 General Rules

- (割合の算定)
(Calculation of Percentage)

第三十四条の六十五 法第五十二条の六十二第一項第八号の割合の算定は、同項の申請をしようとする者に対して業務規程（同項第七号に規定する業務規程をいう。以下この条、次条第一項及び第三十四条の七十七第二項において同じ。）の内容についての異議の有無並びに異議がある場合にはその内容及び理由を記載した書面（次条において「意見書」という。）を提出して手続実施基本契約の解除に関する事項その他の手続実施基本契約の内容（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（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同条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。）を述べた銀行の数を当該申請をしようとする者が次条第一項第二号に規定する業務規程等を交付し、又は送付した日（二以上の日にわたって交付し、又は送付した場合には、最も遅い日。第三十四条の六十七において同じ。）に金融庁長官により公表されている銀行（次条及び第三十四条の六十八第二項において「すべての銀行」という。）の数で除して行うものとする。

Article 34-65 The calculation of percentage prescribed in Article 52-62, paragraph (1), item (viii) of the Act is to be made by dividing the number of Banks that have raised objection (limited to objection based on reasonable grounds) about the terms of termination of the Basic Contract for the Implementation of Dispute Resolution Procedures, other terms of the Basic Contract for the Implementation of Dispute Resolution Procedures (excluding the matters set forth in the items of Article 52-67, paragraph (2) of the Act), and other details of the operational rules (excluding the matters that must be contained therein pursuant to the provisions of Article 52-67, paragraph (3) of the Act and matters necessary for their compliance with the standards set forth in the items of paragraph (4) and item (i) of paragraph (5) of the same Article) by submitting, to the person intending to file an application pursuant to Article 52-62, paragraph (1) of the Act, a document (which is referred to as "Written Opinion" in the following Article) stating whether or not said Banks have any objection about the details of the operational rules (which means the operational rules prescribed in item (vii) of Article 52-62, paragraph (1) of the Act; hereinafter the same applies in this Article, paragraph (1) of the following Article, and Article 34-77, paragraph (2)) and, if any, the detail of and reasons for such objection, by the number of banks publicly disclosed by the Commissioner of the Financial Services Agency (which are referred to as "All Banks" in the following Article and Article 34-68, paragraph (2)) on the date the person intending to file said application delivered or sent the operational rules prescribed in paragraph (1), item (ii) of the following Article (if such rules have been delivered or sent for over two or more dates, the last of such dates; the same applies in Article 34-67).

（銀行に対する意見聴取等）

(Hearing Banks)

第三十四条の六十六 法第五十二条の六十二第一項の申請をしようとする者は、同条第二項の規定により、銀行に対し、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。）を聴取する場合には、次に定めるところにより、説明会を開催してしなければならない。

Article 34-66 (1) A person who intends to file an application pursuant to Article 52-62, paragraph (1) of the Act must, pursuant to the provisions of paragraph (2) of the same Article, when explaining to Banks the details of its operational rules and hearing their opinions on whether they have any objection (if any, including reasons therefor), hold an orientation meeting as prescribed below:

一 説明会を開催する日時及び場所は、すべての銀行の参集の便を考慮して定めること。

(i) The date and place of the orientation meeting are determined for the convenience of All Banks to attend.

二 当該申請をしようとする者は、すべての銀行に対し、説明会の開催日（二以上の説明会を開催する場合には、その最初の説明会の開催日）の二週間前までに、次に掲げる事項を記載した書面及び業務規程（次条及び第三十四条の六十八第二項において「業務規程等」という。）を交付し、又は送付すること。

(ii) The person who intends to file said application delivers or sends to All Banks, no later than two weeks prior to the date of the orientation meeting (the date of the first meeting when holding two or more meetings), documents and operational rules (which are referred to as "Operational Rules, etc." in the following Article and Article 34-68, paragraph (2)) stating the following matters:

イ 当該申請をしようとする者の商号又は名称、主たる営業所又は事務所の所在地及び電話番号その他の連絡先

(a) trade name or name, location of principal business office or other offices, telephone numbers or other contacts of the person who intends to hold such orientation meeting;

ロ 説明会の開催年月日時及び場所

(b) date and place of the orientation meeting.

ハ 銀行は当該申請をしようとする者に対し説明会の開催日（二以上の説明会を開催する場合には、その最後の説明会の開催日）から一定の期間内に意見書を提出しなければならない旨

(c) a statement to the effect that Banks must submit Written Opinions to a person intending to file said application within certain period following the date of orientation meeting (the date of the last orientation meeting when two or more meetings are held);

三 前号ハの一定の期間が、二週間を下らないものであること。

(iii) a statement to the effect that the certain period referred to in (c) of the preceding item is not less than two weeks.

2 法第五十二条の六十二第二項に規定する結果を記載した書類には、次に掲げる事項のすべてを記載しなければならない。

(2) The document stating the results prescribed in Article 52-62, paragraph (2) of the Act must state all of the following matters:

一 すべての説明会の開催年月日時及び場所

(i) dates and places of all orientation meetings;

二 すべての銀行の説明会への出席の有無

(ii) whether or not All Banks attended the orientation meeting;

三 すべての銀行の意見書の提出の有無

(iii) whether or not All Banks submitted Written Opinions;

四 提出を受けた意見書における異議の記載の有無

(iv) whether or not Written Opinions submitted contained any objection;

五 提出を受けた意見書に法第五十二条の六十二第一項第八号に規定する異議に該当しない異議の記載がある場合には、その旨及び同号に規定する異議に該当しないと判断した理由

(v) when the Written Opinions submitted contains any objection that does not fall under the objection prescribed in Article 52-62, paragraph (1), item (viii) of the Act, a statement to that effect and reasons why it was deemed not to fall under the objection prescribed in the same item.

3 前項の書類には、銀行から提出を受けたすべての意見書を添付するものとする。

(3) The document prescribed in the preceding paragraph is to be accompanied with all of the Written Opinions submitted by the Banks.

(指定申請書の提出)

(Filing of Designated Application)

第三十四条の六十七 法第五十二条の六十三第一項の指定申請書は、業務規程等を交付し、又は送付した日から起算して三月以内に提出しなければならない。

Article 34-67 The designated application prescribed in Article 52-63, paragraph (1) of the Act must be submitted within three months from the date the operational rules were delivered or sent.

(指定申請書の添付書類)

(Documents Attached to Designated Application)

第三十四条の六十八 法第五十二条の六十三第二項第五号に規定する内閣府令で定めるものは、次に掲げる書類とする。

Article 34-68 (1) The documents provided by Cabinet Office Ordinance as prescribed by Article 52-63, paragraph (2), item (v) of the Act are the following documents:

一 法第五十二条の六十二第一項の申請の日の属する事業年度の直前の事業年度の貸借対照表、収支計算書若しくは損益計算書及び当該事業年度末の財産目録又はこれらに準ずるもの（同項の規定による指定を受けようとする者（第三項において「申

請者」という。)が当該申請の日の属する事業年度に設立された法人(同条第一項第一号に規定する法人をいう。第三十四条の七十四第三項第三号において同じ。)である場合には、その設立時における財産目録又はこれに準ずるもの)

(i) the balance sheet, the income and expenditure account statement or the profit and loss statement for the business year immediately preceding the business year that includes the date of application prescribed in Article 52-62, paragraph (1) of the Act and an inventory list of property as of the end of such immediately preceding business year or any documents equivalent thereto (when the person intending to apply for the designation pursuant to the provisions of the same paragraph (which is referred to as an "Applicant" in paragraph (3)) is a corporation (which means a corporation prescribed in paragraph (1), item (i) of the same Article; the same applies in Article 34-74, paragraph (3), item (iii)) established during the business year that includes said date of application, an inventory of property as of the date of said establishment or any document equivalent thereto).

二 法第五十二条の六十二第一項の規定による指定後における収支の見込みを記載した書類

(ii) a document giving an estimate of income and expenditure after the designation is earned pursuant to Article 52-62, paragraph (1) of the Act.

2 法第五十二条の六十三第二項第六号に規定する内閣府令で定めるものは、次に掲げる書類とする。

(2) The documents provided by Cabinet Office Ordinance as prescribed by Article 52-63, paragraph (2), item (vi) of the Act are the following documents:

一 第三十四条の六十六第一項第二号の規定によりすべての銀行に対して交付し、又は送付した業務規程等

(i) the Operational Rules, etc. delivered or sent to All Banks pursuant to the provisions of Article 34-66, paragraph (1), item (ii);

二 すべての銀行に対して業務規程等を交付し、又は送付した年月日及び方法を証する書類

(ii) documents certifying the dates and the methods on or by which the Operational Rules, etc. were delivered or sent to All Banks;

三 銀行に対して業務規程等を送付した場合には、当該銀行に対する業務規程等の到達の有無及び到達に係る事実として、次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項を証する書類

(iii) if Operational Rules, etc. has been sent to a Bank, documents certifying the matters in (a) or (b) below for the categories of cases set forth respectively therein to indicate whether or not the Operational Rules, etc. were actually serviced to said Bank and other facts pertaining to such service;

イ 到達した場合 到達した年月日

(a) if serviced, the date of such service;

ロ 到達しなかつた場合 通常の送付方法によつて到達しなかつた原因

(b) if not serviced, reason why they were not serviced by normal methods of service.

3 法第五十二条の六十三第二項第七号に規定する内閣府令で定める書類は、次に掲げる書類とする。

(3) The documents provided by Cabinet Office Ordinance as prescribed by Article 52-63, paragraph (2), item (vii) of the Act are the following documents:

一 申請者の総株主等の議決権（総株主、総社員、総会員、総組合員又は総出資者の議決権をいう。次号及び第三十四条の七十七第二項において同じ。）の百分の五以上の議決権を保有している者の氏名又は商号若しくは名称、住所又は主たる営業所若しくは事務所の所在地及びその保有する議決権の数を記載した書面

(i) a document stating the trade name or name, address, or locations of principal business office or offices of any person holding voting rights exceeding five percent of the All Shareholders', etc. Voting Rights (which means the voting rights of All Shareholders, All Employees, All Members, All Partners, or All Investors; the same applies in the following item and Article 34-77, paragraph (2)) of the Applicant and the number of voting rights held;

二 申請者の親法人（申請者の総株主等の議決権の過半数を保有している法人その他の団体をいう。）及び子法人（申請者が総株主等の議決権の過半数を保有している法人その他の団体をいう。）の商号又は名称、主たる営業所又は事務所の所在地及び事業の内容を記載した書面

(ii) a document stating the trade name or name, locations of principal business office or offices, and line of business of the parent corporation (which means a corporation or any other organization holding the majority of the All Shareholders', etc. Voting Rights of the Applicant) and the subsidiary corporation (which means a corporation and other organization of which the majority of All Shareholders', etc. Voting Rights is held by the Applicant) of the Applicant;

三 役員（役員が法人であるときは、その職務を行うべき者を含む。以下この項、第三十四条の七十一及び第三十四条の七十二において同じ。）の住民票の抄本（役員が日本の国籍を有しない場合には、外国人登録原票の記載事項証明書）又はこれに代わる書面（役員が法人である場合には、当該役員の登記事項証明書）

(iii) an extract of the certificate of residence of the officers (when the officer is a corporation, including persons in charge of its business; hereinafter the same applies in this paragraph and Article 34-71 and Article 34-72) (when any officer does not have Japanese nationality, a certificate of registered matters of the officer's alien registration card) or any document equivalent thereto (when any officer is a corporation, a certificate of registered matters of said officer);

四 役員が法第五十二条の六十二第一項第四号イ及びロに該当しない旨の官公署の証明書（役員が日本の国籍を有しない場合には、同号イ及びロに該当しない者である

- ことを当該役員が誓約する書面)
- (iv) a certificate of authorities that any officer does not fall under Article 52-62, paragraph (1), item (iv), sub-item (a) and (b) (when any officer does not have Japanese nationality, a written pledge by said officer that the officer does not fall under (a) and (b) of the same item);
- 五 役員の履歴書（役員が法人である場合には、当該役員の沿革を記載した書面）
- (v) CV of every officer (when the officer is a corporation, a document describing the history of said officer);
- 六 紛争解決委員（法第五十二条の六十四第一項に規定する紛争解決委員をいう。第三十四条の七十五第二項第三号において同じ。）の候補者並びに紛争解決等業務に関する知識及び経験を有する役員及び職員（以下この号及び次号並びに第三十四条の七十七において「役員等」という。）の確保の状況並びに当該役員等の配置の状況を記載した書面
- (vi) a document describing the progress of recruitment of candidates for dispute resolution mediators (which means a dispute resolution mediator prescribed in Article 52-64, paragraph (1) of the Act; the same applies in Article 34-75, paragraph (2), item (iii)) and officers and employees having knowledge and experience in Dispute Resolution, etc. and assignment of said commissioners (hereinafter referred to as "Officers, etc." in this item, following item, and Article 34-77);
- 七 役員等が、暴力団員等（法第五十二条の六十九に規定する暴力団員等をいう。第三十四条の七十七第一項第二号において同じ。）でないことを当該役員等が誓約する書面
- (vii) a written pledge by each Officer, etc. that the Officer, etc. is not a member of an organized crime group, etc. (which means a member of an organized crime group, etc. prescribed in Article 52-69 of the Act; the same applies in Article 34-77, paragraph (1), item (ii));
- 八 その他参考となるべき事項を記載した書類
- (viii) documents stating other matters for reference.

第二節 業務

Section 2 Services

（業務規程で定めるべき事項）

(Matters to Be Prescribed in Operational Rules)

第三十四条の六十九 法第五十二条の六十七第一項第八号に規定する内閣府令で定めるものは、次に掲げる事項とする。

Article 34-69 The matters provided by Cabinet Office Ordinance as prescribed in Article 52-67, paragraph (1), item (viii) of the Act are the following matters:

一 紛争解決等業務を行う時間及び休日に関する事項

(i) matters pertaining to hours of Dispute Resolution, etc. and holidays;

二 営業所又は事務所の名称及び所在地並びにその営業所又は事務所が紛争解決等業務を行う区域に関する事項

(ii) matters pertaining to name and location of business offices or offices, and areas covered by Dispute Resolution, etc. of said business offices or offices;

三 紛争解決等業務を行う職員の監督体制に関する事項

(iii) matters pertaining to supervision of employees providing Dispute Resolution, etc.;

四 苦情処理手続又は紛争解決手続の業務を委託する場合には、その委託に関する事項

(iv) when Complaint Processing Procedures or Dispute Resolution Procedures are outsourced, matters pertaining to said outsourcing;

五 その他紛争解決等業務に関し必要な事項

(v) other matters necessary for Dispute Resolution, etc.

(手続実施基本契約の内容)

(Terms of Basic Contract for the Implementation of Dispute Resolution Procedures)

第三十四条の七十 法第五十二条の六十七第二項第十一号に規定する内閣府令で定める事項は、指定紛争解決機関は、当事者である加入銀行（法第五十二条の六十五第二項に規定する加入銀行をいう。以下同じ。）の顧客の申出があるときは、紛争解決手続における和解で定められた義務の履行状況を調査し、当該加入銀行に対して、その義務の履行を勧告することができることとする。

Article 34-70 The matters provided by Cabinet Office Ordinance as prescribed in Article 52-67, paragraph (2), item (xi) of the Act are that, when a customer of a member bank (which means a member bank prescribed in Article 52-65, paragraph (2) of the Act; the same applies hereinafter), which is a party to the dispute, applies, a Designated Dispute Resolution Organization may investigate the progress of fulfillment of obligations prescribed in settlement in the Dispute Resolution Procedures and may recommend that said member bank fulfill said obligations.

(実質的支配者等)

(Substantial Controller)

第三十四条の七十一 法第五十二条の六十七第四項第三号に規定する指定紛争解決機関の株式の所有、指定紛争解決機関に対する融資その他の事由を通じて指定紛争解決機関の事業を実質的に支配し、又はその事業に重要な影響を与える関係にあるものとして内閣府令で定める者は、次に掲げる者であつて、事業上の関係に照らして指定紛争解決機関の事業の方針の決定を支配すること及びその事業に重要な影響を与えることができないことが明らかでない認められる者とする。

Article 34-71 The persons provided by Cabinet Office Ordinance as being in a relationship that substantially controls or materially influences the business of

a Designated Dispute Resolution Organization prescribed in Article 52-67, paragraph (4), item (iii) of the Act by holding shares of and giving loans to said Designated Dispute Resolution Organization or by any other means are the persons set forth in the following and who are not found to be obviously incapable of controlling the business policy decisions or materially influencing the business of said Designated Dispute Resolution Organization in light of their business relationship:

一 特定の者が自己の計算において所有している議決権と当該特定の者と出資、人事、資金、技術、取引等において緊密な関係があることにより当該特定の者の意思と同一の内容の議決権を行使すると認められる者及び当該特定の者の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、指定紛争解決機関の議決権の三分の一以上を占めている場合（当該特定の者が自己の計算において議決権を所有していない場合を含む。）における当該特定の者

(i) when the total number of voting rights held by a particular person on said person's own account, voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of said particular person due to a close relationship with said particular person in terms of contribution, personnel affairs, funds, technology, transactions, or other matters, and persons who agree to exercise their voting rights in the same manner as the intent of said particular person accounts for one third or more of the voting rights of the Designated Dispute Resolution Organization (including the cases where said particular person does not hold any voting rights on the person's own account), said particular person;

二 指定紛争解決機関の役員又は役員であつた者

(ii) a person who is or has been an officer of the Designated Dispute Resolution Organization;

三 指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship of an officer of the Designated Dispute Resolution Organization;

四 前二号に掲げる者を代表者（法人でない団体で代表者又は管理人の定めのあるものの代表者又は管理人を含む。次条第四号において同じ。）とする者

(iv) a person who has any of the persons set forth in the preceding two items as its representative (including a representative or administrator of an organization without legal personality and appoints a representative or an administrator; the same applies in item (iv) of the following Article);

五 指定紛争解決機関の役員の三分の一以上が役員若しくは使用人である者又は役員若しくは使用人であつた者

(v) a person for whom one third or more of the officers of the Designated Dispute Resolution Organization are or have been its own officers or employees;

六 指定紛争解決機関との間で指定紛争解決機関の事業の方針の決定を支配する契約

を締結している者

(vi) a person who has concluded a contract with the Designated Dispute Resolution Organization for controlling decisions on the business policy of said organization;

七 指定紛争解決機関の資金調達額（貸借対照表の負債の部に計上されているものに限る。以下この号及び次条第七号において同じ。）の総額の三分の一以上について特定の者が融資（債務の保証及び担保の提供を含む。以下この号及び同条第七号において同じ。）を行つている場合（当該特定の者と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者

(vii) when a particular person provides a loan (including a guarantee of liabilities and provision of collateral; the same applies in this item and item (vii) of the following Article) for one-third or more of the total amount of the procured funds (limited to those included in the liabilities on the balance sheet; the same applies in this item and item (vii) of the following Article) of the Designated Dispute Resolution Organization (including cases where the amount of such loan exceeds one-third of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with said particular person in terms of contribution, personnel affairs, funds, technology, transactions or other matters), said particular person;

八 前各号に掲げる者のほか、指定紛争解決機関の事業の方針の決定を支配していることが推測される事実が存在する者

(viii) beyond the persons set forth in the preceding items, a particular person whose circumstances suggest that it has control over the business policy decisions of the Designated Dispute Resolution Organization;

九 特定の者が前各号に掲げる者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する前各号に掲げる者の指定紛争解決機関に対する関係と同様の関係を有する場合における当該特定の者

(ix) when a particular person has, with any of the persons set forth in the preceding items, a relationship similar to the relationship between any of the persons set forth in the preceding items (excluding items (ii) to (iv); hereinafter the same in this item) and the Designated Dispute Resolution Organization as prescribed respectively in the preceding items, said particular person;

十 第一号から第八号までに掲げる者が特定の者に対して、次条第一号又は第五号から第八号までに規定する指定紛争解決機関の同条第一号又は第五号から第八号までに掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(x) when any of the persons set forth in items (i) to (viii) has, with a particular person, a relationship similar to the relationship between the Designated Dispute Resolution Organization set forth in item (i) or items (v) to (viii) of

the following Article and the persons set forth in the respective items, said particular person.

(子会社等)

(Subsidiary Company)

第三十四条の七十二 法第五十二条の六十七第四項第三号に規定する指定紛争解決機関が株式の所有その他の事由を通じてその事業を実質的に支配する関係にあるものとして内閣府令で定める者は、次の各号に掲げる者であつて、事業上の関係に照らして指定紛争解決機関が当該各号に掲げる者の事業の方針の決定を支配することができないことが明らかでない認められる者とする。

Article 34-72 The persons provided by Cabinet Office Ordinance as being in a relationship where the Designated Dispute Resolution Organization has substantial control over their businesses as prescribed in Article 52-67, paragraph (4), item (iii) of the Act by holding shares or other means are those persons set forth in the following items where the Designated Dispute Resolution Organization is not found to be obviously incapable of controlling the business policy decisions of said persons set forth in the respective items in light of their business relationship.

一 指定紛争解決機関が自己の計算において所有している議決権と指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係があることにより指定紛争解決機関の意思と同一の内容の議決権を行使すると認められる者及び指定紛争解決機関の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人又は法人でない団体で代表者又は管理人の定めのあるもの（以下この号及び第五号において「法人等」という。）の議決権の三分の一以上を占めている場合（指定紛争解決機関が自己の計算において議決権を所有していない場合を含む。）における当該他の法人等

(i) when the total number of voting rights held by a Designated Dispute Resolution Organization on its own account, voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of said designated dispute resolution organization due to a close relationship with said organization in terms of contribution, personnel affairs, funds, technology, transactions, or other matters, and persons who agree to exercise their voting rights in the same manner as the intent of said Designated Dispute Resolution Organization accounts for one third or more of the voting rights of another corporation, or an organization without legal personality and appoints a representative or an administrator (hereinafter referred to as "corporation, etc." in this item and item (v)) (including the cases where the dispute resolution organization does not hold any voting rights on its own account), said another corporation, etc.;

二 指定紛争解決機関の役員若しくは指定紛争解決機関の使用人又はこれらであつた者

- (ii) a person who is or has been an officer or an employee of the Designated Dispute Resolution Organization;
- 三 指定紛争解決機関の役員の子親等以内の親族
- (iii) a relative within the third degree of kinship of an officer of the Designated Dispute Resolution Organization;
- 四 前二号に掲げる者を代表者とする者
- (iv) a person who has any of the persons set forth in the preceding two items as its representative;
- 五 第二号に掲げる者が他の法人等の役員である者の三分の一以上を占めている場合における当該他の法人等
- (v) when those set forth in the preceding two items account for one third or more of the officers of another corporation, etc., said another corporation, etc.;
- 六 指定紛争解決機関が特定の者との間に当該特定の者の事業の方針の決定を支配する契約を締結している場合における当該特定の者
- (vi) if the Designated Dispute Resolution Organization has concluded a contract with a particular person for controlling business policy decisions of said particular person, said particular person;
- 七 特定の者の資金調達額の総額の三分の一以上について指定紛争解決機関が融資を行っている場合（指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者
- (vii) when a Designated Dispute Resolution Organization provides a loan for one third or more of the total amount of the procured funds of a particular person (including cases where the amount of such loan exceeds one-third of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with said Designated Dispute Resolution Organization in terms of contribution, personnel affairs, funds, technology, transactions or other matters), said particular person;
- 八 前各号に掲げる者のほか、指定紛争解決機関が特定の者の事業の方針の決定を支配していることが推測される事実が存在する場合における当該特定の者
- (viii) beyond the persons set forth in the preceding items, when the circumstances of a Designated Dispute Resolution Organization suggest that it has control over the business policy decisions of a particular person, said particular person;
- 九 前各号に掲げる者が特定の者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する指定紛争解決機関の前各号に掲げる者に対する関係と同様の関係を有する場合における当該特定の者
- (ix) when any of the persons set forth in the preceding items has, with a particular person, a relationship similar to the relationship between the Designated Dispute Resolution Organization in the preceding items

(excluding items (ii) to (iv); hereinafter the same applies in this item) and any of the persons set forth therein respectively, said particular person.

(苦情処理手続に関する記録の記載事項等)

(Entry in Record of Complaint Processing Procedures)

第三十四条の七十三 法第五十二条の七十一の規定により、指定紛争解決機関は、その実施した苦情処理手続に関し、次に掲げる事項を記載した記録を作成しなければならない。

Article 34-73 (1) Pursuant to the provisions of Article 52-71 of the Act, the Designated Dispute Resolution Organization must, with regard to Complaint Processing Procedures it performed, keep the following record stating the following matters:

一 加入銀行の顧客が銀行業務関連苦情（法第二条第十九項に規定する銀行業務関連苦情をいう。次条第三項第三号において同じ。）の解決の申立てをした年月日及びその内容

(i) date and details of the application filed by a customer of a member bank for resolution of a complaint related to banking services (which means a complaint related to banking services prescribed in Article 2, paragraph (19) of the Act; the same applies in paragraph (3), item (iii) of the following Article);

二 前号の申立てをした加入銀行の顧客及びその代理人の氏名、商号又は名称並びに当該加入銀行の商号

(ii) name and trade name of the customer of a member bank who filed the application in the preceding item; and trade name of said member bank;

三 苦情処理手続の実施の経緯

(iii) history of the Complaint Processing Procedures performed;

四 苦情処理手続の結果（苦情処理手続の終了の理由及びその年月日を含む。）

(iv) results of the Complaint Processing Procedures (including the reasons and date of the termination of the Complaint Processing Procedures).

2 指定紛争解決機関は、前項に規定する事項を記載した記録を、その実施した苦情処理手続が終了した日から少なくとも五年間保存しなければならない。

(2) The Designated Dispute Resolution Organization must keep on file the records of the matters prescribed in the preceding paragraph for a minimum of five years from the date the Complaint Processing Procedures it performed terminated.

(紛争解決委員の利害関係等)

(Interests of Dispute Resolution Mediators)

第三十四条の七十四 法第五十二条の七十三第三項に規定する同条第一項の申立てに係る法第五十二条の六十五第二項に規定する当事者（以下この項において単に「当事者」という。）と利害関係を有する者とは、次に掲げる者のいずれかに該当する者と

する。

Article 34-74 (1) A person who has interests in a party to the dispute (hereinafter referred to simply as "Party to the Dispute") prescribed in Article 52-65, paragraph (2) of the Act pertaining to the application in Article 52-73, paragraph (1) of the Act as prescribed in paragraph (3) of the same Article, is a person who falls under any of the following items:

一 当事者の配偶者又は配偶者であつた者

(i) a person who is or had been the spouse of a Party to the Dispute;

二 当事者の四親等内の血族、三親等内の姻族若しくは同居の親族又はこれらであつた者

(ii) a person who is or had been a relative by blood within the fourth degree of kinship of a Party to the Dispute; or a relative by marriage or a relative living together within the third degree of kinship of a Party to the Dispute;

三 当事者の後見人、後見監督人、保佐人、保佐監督人、補助人又は補助監督人

(iii) guardians, supervisors of guardians, curators, supervisors of curators, assistants or supervisors of assistants of a Party to the Dispute;

四 当該申立てに係る銀行業務関連紛争（法第二条第二十項に規定する銀行業務関連紛争をいう。次条において同じ。）について当事者の代理人若しくは補佐人又はこれらであつた者

(iv) a person who is or had been the attorney or assistant of a Party to the dispute related to banking services pertaining to the application (which means a dispute related to banking services prescribed in Article 2, paragraph (20) of the Act; the same applies in the following Article);

五 当事者から役務の提供により収入を得ている者又は得ないこととなつた日から三年を経過しない者

(v) a person who earns an income from a Party to the Dispute for provision of services or for whom three years has not passed from the date it stopped doing so.

2 法第五十二条の七十三第三項第三号に規定する内閣府令で定める者は、次に掲げるいずれかの資格を有し、かつ、消費生活相談（消費者契約法（平成十二年法律第六十一号）第十三条第三項第五号イに規定する消費生活相談をいう。）に応ずる業務に従事した期間が通算して五年以上である者とする。

(2) The person provided by Cabinet Office Ordinance as prescribed in Article 52-73, paragraph (3), item (iii) of the Act is a person who holds any of the qualifications below and has been engaged for at least five years in total in a service providing Consumer Affairs Consultation (which means the Consumer Affairs Consultation prescribed in Article 13, paragraph (3), item (v), sub-item (a) of the Consumer Contract Act (Act No. 61 of 2000)):

一 独立行政法人国民生活センターが付与する消費生活専門相談員の資格

(i) title of a specialized consumer affairs consultant given by the Incorporated Administrative Agency National Consumer Affairs Center of Japan;

二 財団法人日本産業協会（大正七年二月二十六日に財団法人国産奨励会という名称で設立された法人をいう。）が付与する消費生活アドバイザーの資格

(ii) title of a consumer affairs advisor given by Japan Industrial Association (which means the corporation established on February 26, 1918 as the National Production Promotion Association);

三 財団法人日本消費者協会（昭和三十六年九月五日に財団法人日本消費者協会という名称で設立された法人をいう。）が付与する消費生活コンサルタントの資格

(iii) title of a consumer affairs consultant given by Japan Consumer Association (which means the corporation established on September 5, 1961 as Japan Consumer Association).

3 法第五十二条の七十三第三項第五号に規定する内閣府令で定める者は、次に掲げる者とする。

(3) The persons provided by Cabinet Office Ordinance as prescribed in Article 52-73, paragraph (3), item (v) of the Act are the following persons:

一 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者

(i) a person who has been in one or more of the following occupations for at least five years in total:

イ 判事

(a) judge;

ロ 判事補

(b) assistant judge;

ハ 検事

(c) public prosecutor;

ニ 弁護士

(d) attorney at law;

ホ 学校教育法（昭和二十二年法律第二十六号）による大学の学部、専攻科又は大学院の法律学に属する科目の教授又は准教授

(e) professor or associate professor at a department, major course, or graduate school for the study of law at a university as stipulated by the School Education Act (Act No. 26 of 1947);

二 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者

(ii) person who has been in one or more of the following occupations for at least five years in total:

イ 公認会計士

(a) public accountant;

ロ 税理士

(b) licensed tax accountant;

ハ 学校教育法による大学の学部、専攻科又は大学院の経済学又は商学に属する科目の教授又は准教授

(c) professor or associate professor at a department, major course, or graduate school for the study of economics or commercial science at a

university as stipulated by the School Education Act.;

三 銀行業務関連苦情を処理する業務又は銀行業務関連苦情の処理に関する業務を行う法人において、顧客の保護を図るため必要な調査、指導、勧告、規則の制定その他の業務に従事した期間が通算して十年以上である者

(iii) a person who, at a corporation providing services of handling complaints related to banking services or services pertaining to the handling of complaints related to banking services, has engaged for at least ten years in total in such services as investigation, guidance, advice, rulemaking, etc. necessary to ensure the protection of clients;

四 金融庁長官が前三号に掲げる者のいずれかに該当する者と同等以上の知識及び経験を有すると認められた者

(iv) a person recognized by the Commissioner of the Financial Services Agency as having knowledge and experience equal to or greater than a person set forth in any of the preceding three items.

(銀行業務関連紛争の当事者である加入銀行の顧客に対する説明)

(Explanation to a Customer of a Member Bank Who Is a Party to the Dispute Related to Banking Services)

第三十四条の七十五 指定紛争解決機関は、法第五十二条の七十三第八項に規定する説明をするに当たり銀行業務関連紛争の当事者である加入銀行の顧客から書面の交付を求められたときは、書面を交付して説明をしなければならない。

Article 34-75 (1) A Designated Dispute Resolution Organization, in giving explanation prescribed in Article 52-73, paragraph (8) of the Act and when requested by a customer of a member bank, who is a party to the dispute related to banking services, to deliver a written document, must deliver a written document and give an explanation.

2 法第五十二条の七十三第八項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The matters provided by Cabinet Office Ordinance as prescribed in Article 52-73, paragraph (8) , item (iii) of the Act are the following matters:

一 紛争解決手続において陳述される意見若しくは提出され、若しくは提示される資料に含まれ、又は法第五十二条の七十三第九項に規定する手続実施記録（次条第一項において「手続実施記録」という。）に記載されている銀行業務関連紛争の当事者及び第三者の秘密の取扱いの方法

(i) method of handling secrets of the parties and third parties to the dispute related to banking services contained in opinions offered or information materials submitted or presented in the course of Dispute Resolution Procedures or recorded in the Dispute Resolution Record prescribed in Article 52-73, paragraph (9) of the Act (referred to as "Dispute Resolution Record" in paragraph (1) of the following Article);

二 銀行業務関連紛争の当事者が紛争解決手続を終了させるための要件及び方式

(ii) requirements to be fulfilled for the parties to a dispute related to banking services to terminate such Dispute Resolution Procedures and method of termination;

三 紛争解決委員が紛争解決手続によつては銀行業務関連紛争の当事者間に和解が成立する見込みがないと判断したときは、速やかに当該紛争解決手続を終了し、その旨を当該銀行業務関連紛争の当事者に通知すること。

(iii) a statement to the effect that, when the dispute resolution mediator finds the parties to a dispute related to banking services unlikely to reach a settlement through Dispute Resolution Procedures, the Commissioner promptly terminates the Dispute Resolution Procedures and notify the parties to the dispute related to banking services to that effect;

四 銀行業務関連紛争の当事者間に和解が成立した場合に作成される書面の有無及び書面が作成される場合には作成者、通数その他当該書面の作成に係る概要

(iv) whether or not there are written documents to be established when the parties to a dispute related to banking services reached a settlement and, if there are, the name of the person to establish such documents, number of duplicates, and other outlines pertaining to the establishment of such documents.

(手続実施記録の保存及び作成)

(Keeping on File and Establishment of Dispute Resolution Record)

第三十四条の七十六 指定紛争解決機関は、手続実施記録を、その実施した紛争解決手続が終了した日から少なくとも十年間保存しなければならない。

Article 34-76 (1) A Designated Dispute Resolution Organization must keep on file the Dispute Resolution Record for at least ten years from the date the Dispute Resolution Procedures it performed ended.

2 法第五十二条の七十三第九項第六号に規定する内閣府令で定めるものは、次に掲げる事項とする。

(2) The matters provided by Cabinet Office Ordinance as prescribed in Article 52-73, paragraph (9), item (vi) of the Act are the following matters:

一 紛争解決手続の申立ての内容

(i) description of the Application for Dispute Resolution Procedures;

二 紛争解決手続において特別調停案（法第五十二条の六十七第六項に規定する特別調停案をいう。以下この号において同じ。）が提示された場合には、当該特別調停案の内容及びその提示の年月日

(ii) when a Special Mediation (which means the special mediation prescribed in Article 52-67, paragraph (6) of the Act; hereinafter the same applies in this item) is proposed in the Dispute Resolution Procedures, the description of such mediation and the date of proposal;

三 紛争解決手続の結果が和解の成立である場合には、当該和解の内容

(iii) when the Dispute Resolution Procedures resulted in a settlement, the

description of such settlement.

第三節 監督

Section 3 Supervision

(届出事項)

(Matters to Be Notified)

第三十四条の七十七 指定紛争解決機関は、法第五十二条の七十九の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項（次の各号に掲げる場合にあつては、当該各号に定める事項を含む。）を記載した書類を添付して金融庁長官に提出しなければならない。

Article 34-77 (1) A Designated Dispute Resolution Organization must, when intending to file a notification pursuant to Article 52-79 of the Act, submit a written notification with the Commissioner of the Financial Services Agency, with a statement of reasons and documents stating other matters for reference attached thereto (in the cases set forth in the following items, including matters listed in respective items):

一 法第五十二条の七十九第一号に掲げる場合 手続実施基本契約を締結し、又は終了した年月日及び銀行の商号

(i) in the cases set forth in Article 52-79, item (i) of the Act, the date of conclusion or termination of the Basic Contract for the Implementation of Dispute Resolution Procedures and the trade name of the Bank;

二 次項第六号に掲げる場合 指定紛争解決機関の役員等となつた者が暴力団員等でないことの当該役員等となつた者による誓約

(ii) in the cases set forth in item (vi) of the following paragraph, a written pledge by persons appointed Officer(s), etc. of the Designated Dispute Resolution Organization that they are not members of any organized crime group;

三 次項第七号に掲げる場合 銀行が手続実施基本契約に係る債務その他の紛争解決等業務の実施に関する義務を履行することが確実でないと思込まれる理由及び当該銀行の商号

(iii) in the cases set forth in item (vii) of the following paragraph, the reasons why the Organization suspects that the Bank may fail to fulfill obligations under Basic Contract for the Implementation of Dispute Resolution Procedures and other obligations pertaining to Dispute Resolution, etc. and the trade name of said Bank; .

四 次項第八号又は第九号に掲げる場合 次に掲げる事項

(iv) in the cases set forth in item (viii) and (ix) of the following paragraph, the following matters:

イ 行為が発生した営業所又は事務所の名称

(a) name of the business office or office where said act took place;

- ロ 行為をした役員等の氏名又は商号若しくは名称及び役職名
 - (b) name or trade name and title of the officer who committed said act;
 - ハ 行為の概要
 - (c) outline of said act;
 - ニ 改善策
 - (d) remedies to take.
- 2 法第五十二条の七十九第二号に規定する内閣府令で定めるときは、次に掲げるときとする。
 - (2) The occasions provided by Cabinet Office Ordinance as prescribed in Article 52-79, item (ii) of the Act are the following occasions:
 - 一 定款又はこれに準ずる定めを変更したとき。
 - (i) when the organization changed the articles of incorporation or other regulations equivalent thereto;
 - 二 親法人（指定紛争解決機関の総株主等の議決権の過半数を保有している法人その他の団体をいう。次号において同じ。）又は子法人（指定紛争解決機関が総株主等の議決権の過半数を保有している法人その他の団体をいう。第四号において同じ。）が商号若しくは名称、主たる営業所若しくは事務所の所在地又は事業の内容を変更したとき。
 - (ii) when a parent corporation (which means a corporation or other organization holding the majority of the All Shareholders', etc. Voting Rights of the Designated Dispute Resolution Organization; the same applies in the following item) or a subsidiary corporation (which means a corporation or other organization of which the majority of the All Shareholders', etc. Voting Rights is held by the Designated Dispute Resolution Organization; the same applies in the item (iv)) changed their trade name or name, the location of principal business office or office, or the line of business;
 - 三 親法人が親法人でなくなつたとき。
 - (iii) when the parent corporation ceased to be the parent corporation;
 - 四 子法人が子法人でなくなつたとき、又は子法人の議決権を取得し、若しくは保有したとき。
 - (iv) when a subsidiary corporation ceases to be a subsidiary corporation or when the Designated Dispute Resolution Organization acquired or held the voting rights of a subsidiary corporation;
 - 五 総株主等の議決権の百分の五を超える議決権が一の者により取得され、又は保有されることとなつたとき。
 - (v) when a single person acquired or held voting right exceeding five percent of the All Shareholders', etc. Voting Rights of the Designated Dispute Resolution Organization;
 - 六 法第五十二条の六十三第一項の指定申請書を提出後、新たに指定紛争解決機関の役員等となつた者がいるとき。
 - (vi) when, after a designated application prescribed in Article 52-63, paragraph

(1) of the Act was filed, there was a person newly appointed an Officer, etc. of the Designated Dispute Resolution Organization;

七 銀行から手続実施基本契約の締結の申込みがあつた場合であつて、当該申込みを拒否したとき。

(vii) when a Bank offered to conclude a Basic Contract for the Implementation of Dispute Resolution Procedures and the Designated Dispute Resolution Organization refused said offer;

八 指定紛争解決機関又はその業務の委託先の役員等が紛争解決等業務（業務の委託先にあつては、当該指定紛争解決機関が委託する業務に係るものに限る。）を遂行するに際して法令又は当該指定紛争解決機関の業務規程に反する行為が発生した事実を知つたとき。

(viii) when the Designated Dispute Resolution Organization learned that an Officer, etc. of the Designated Dispute Resolution Organization or its outsourcee, in providing Dispute Resolution, etc. (at the outsourcee, limited to services outsourced by the Designated Dispute Resolution Organization), committed an act violating a law or regulation or Operational Rules of said Designated Dispute Resolution Organization;

九 加入銀行又はその役員等が指定紛争解決機関の業務規程に反する行為を行つた事実を知つたとき。

(ix) when the Designated Dispute Resolution Organization learned that a member bank or its Officer, etc. committed an act violating the Operational Rules of the Designated Dispute Resolution Organization.

3 前項第八号又は第九号に該当するときの届出は、これらの規定に規定する事実を指定紛争解決機関が知つた日から一月以内に行わなければならない。

(3) Notifications to be filed when the Designated Dispute Resolution Organization fell under items (viii) or (ix) of the preceding paragraph must be filed within one month from the date the Designated Dispute Resolution Organization learned the facts prescribed in those provisions.

（紛争解決等業務に関する報告書の提出）

(Submission of Reports on Dispute Resolution)

第三十四条の七十八 法第五十二条の八十第一項の規定による指定紛争解決機関が作成すべき紛争解決等業務に関する報告書は、別紙様式第二十号により作成し、事業年度経過後三月以内に金融庁長官に提出しなければならない。

Article 34-78 (1) A report on Dispute Resolution, etc., to be established by a Designated Dispute Resolution Organization pursuant to Article 52-80, paragraph (1) of the Act must be prepared pursuant to Appended Form No. 20 and submitted to the Commissioner of the Financial Services Agency within three months of the end of the business year.

2 前項の報告書には、最終事業年度に係る財産目録、貸借対照表及び収支計算書若しくは損益計算書又はこれらに準ずるものを添付しなければならない。

- (2) The report submitted pursuant to the preceding paragraph must be accompanied with the inventory of property, balance sheet, income and expenditure account statement or profit and loss statement, or any documents equivalent thereto, for the last business year.
- 3 指定紛争解決機関は、やむを得ない理由により第一項に規定する期間内に同項の報告書の提出をすることができない場合には、あらかじめ金融庁長官の承認を受けて、当該提出を延期することができる。
- (3) A Designated Dispute Resolution Organization, if it is unable to submit the report prescribed in paragraph (1) within the period prescribed in the same paragraph for compelling reasons, may postpone said submission under the prior approval of the Commissioner of the Financial Services Agency.
- 4 指定紛争解決機関は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。
- (4) A Designated Dispute Resolution Organization, when intending to gain approval prescribed in the preceding paragraph, must submit a written statement of reasons attached to a written application for approval to the Commissioner of the Financial Services Agency.
- 5 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした指定紛争解決機関が第三項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。
- (5) When an application for approval is filed pursuant to the preceding paragraph, the Commissioner of the Financial Services Agency is to examine the validity of the compelling reasons for the Designated Dispute Resolution Organization, the applicant, to postpone the submission as prescribed in paragraph (3).

第九章 雑則

Chapter IX Miscellaneous Provisions

(届出事項)

(Matters to Be Notified)

第三十五条 法第五十三条第一項第八号に規定する内閣府令で定める場合は、次に掲げる場合とする。

Article 35 (1) The cases as provided by Cabinet Office Ordinance as prescribed in Article 53, paragraph (1), item (viii) of the Act are the following cases:

一 定款を変更した場合

(i) when the articles of incorporation are changed;

二 新株予約権又は新株予約権付社債を発行しようとする場合

(ii) when share options or bonds with share options are to be issued;

三 銀行を代表する取締役又は銀行の常務に従事する取締役（委員会設置会社にあつては、代表執行役又は執行役）の就任又は退任があつた場合

- (iii) when a director representing a Bank or a director engaging in ordinary business of a Bank (in the case of a company with committees, a representative director or an executive officer) is appointed or resigns;
- 三の二 会計参与設置会社にあつては、会計参与の就任又は退任があつた場合
- (iii)-2 in the cases of a company with accounting advisors, when an accounting advisor is appointed or resigns;
- 四 第九条第一項第一号に規定する出張所（臨時若しくは巡回型の施設又は無人の設備を除く。）の設置、位置の変更若しくは廃止又は第九条の二第三項第一号に規定する出張所の設置をした場合
- (iv) when a Sub-Office as prescribed in Article 9, paragraph (1), item (i) (excluding a temporary or circuit-type facility or an unmanned facility) is opened, relocated, or abolished or a Sub-Office as prescribed in Article 9-2, paragraph (3), item (i) is established;
- 五 第九条の二第三項第二号に規定する出張所の廃止又は外国に所在する営業所の位置の変更（次号又は第九条第一項第二号若しくは第三号に該当する場合を除く。）をしようとする場合
- (v) the cases of intending to abolish a Sub-Office as prescribed in Article 9-2, paragraph (3), item (ii) or to change the location of a business office in a foreign state (excluding cases corresponding to the following item; or Article 9, paragraph (1), item (ii) or item (iii));
- 五の二 外国に所在する出張所（臨時若しくは巡回型の施設又は無人の設備に限る。）の廃止又は位置の変更（第九条第一項第二号又は第三号に掲げる場合を除く。）をした場合
- (v)-2 when a Sub-Office located in a foreign state (limited to a temporary or circuit-type facility or an unmanned facility) is abolished or its location is changed (excluding cases as set forth in Article 9, paragraph (1), item (ii) or (iii));
- 六 法第十条第二項に規定する業務（金融庁長官が別に定めるものを除く。）の全部若しくは一部のみを営む施設若しくは設備の設置、位置の変更若しくは廃止又は当該施設若しくは設備において営む業務の内容の変更をした場合
- (vi) when a facility or equipment for which all or part of business as prescribed in Article 10, paragraph (2) of the Act (excluding cases specified separately by the Commissioner of the Financial Services Agency) is established or installed, of which location is changed, is abolished, or the content of business carried out in said facility or with said equipment is changed;
- 六の二 銀行代理業を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合（委託した銀行代理業を再委託することについて許諾を行つた場合を含む。）
- (vi)-2 when a contract to entrust Bank Agency Services is concluded, said contract is changed, or said contract is terminated (including the cases where sub-entrustment of entrusted Bank Agency Services is authorized);

六の二の二 法第十条第二項に規定する業務に係る契約の締結の代理若しくは媒介を委託する旨の契約を締結し、当該契約を変更し、又は当該契約を終了した場合

(vi)-2-2 when a contract to entrust agency or intermediary of concluding a contract pertaining to the business as prescribed in Article 10, paragraph (2) of the Act, said contract is changed, or said contract is terminated;

六の三 特定取引勘定を設けようとする場合

(vi)-3 in the cases of intending to establish a Specified Transaction Account;

六の四 特定取引勘定を廃止しようとする場合

(vi)-4 in the cases of intending to abolish a Specified Transaction Account;

七 銀行の営業所（臨時若しくは巡回型の施設又は無人の設備を除く。）の全部又は一部において、第十六条第三項の規定による営業時間の変更をしようとする場合（同条第一項に規定する営業時間が確保されている場合を除く。）

(vii) in the cases of intending to change business hours as prescribed in Article 16, paragraph (3) at all or part of a business office (excluding a temporary or circuit-type facility or an unmanned facility) of a Bank (excluding a cases where business hours as prescribed in paragraph (1) of the same Article are ensured);

八 第十七条の四第一項各号に掲げる事由により他の会社（法第五十三条第一項第二号の規定により子会社とすることについて同号の届出をしなければならないとされるものを除く。）を子会社とした場合

(viii) when another company (excluding a company required to submit a notification as prescribed in the same item with regard to making the company as a Subsidiary Company pursuant to the provisions of Article 53, paragraph (1), item (ii) of the Act) is made as a Subsidiary Company due to a reason set forth in each item of Article 17-4, paragraph (1);

九 その子会社の議決権を取得し、又は保有した場合

(ix) when voting rights of its Subsidiary Company are acquired or held;

十 その子会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（法第五十三条第一項第三号の場合を除く。）

(x) when a Subsidiary Company changes its name or the location of the head office or principal business office or other office, is merged, or abolished all business (excluding cases as prescribed in Article 53, paragraph (1), item (iii) of the Act);

十一 銀行又はその子会社が、第十七条の六第一項各号に掲げる事由により、国内の会社（法第十六条の三第一項に規定する国内の会社をいう。第十三号において同じ。）の議決権を合算してその基準議決権数（同項に規定する基準議決権数をいう。以下この項において同じ。）を超えて取得し、又は保有した場合

(xi) when a Bank or its Subsidiary Company acquires or holds voting rights of a company in Japan (which means a company in Japan as prescribed in Article 16-3, paragraph (1) of the Act; the same applies in item (xiii)) for

which the total number exceeds the maximum threshold for voting rights held (which means the maximum threshold for voting rights held as prescribed in the same paragraph; hereinafter the same applies in this paragraph) due to reasons set forth in each item of Article 17-16, paragraph (1);

十二 銀行又はその子会社が国内の子会社対象会社（法第十六条の二第一項に規定する子会社対象会社をいう。）の議決権を合算してその基準議決権数を超えて取得し、又は保有することとなつた場合

(xii) when a Bank or its Subsidiary Company acquires or holds voting rights of a company eligible as a Subsidiary Company (which means a Company Eligible as a Subsidiary Company as prescribed in Article 16-2, paragraph (1) of the Act) for which the total number exceeds the maximum threshold for voting rights held;

十三 銀行又はその子会社が合算してその基準議決権数を超えて保有することとなつた国内の会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなつた場合

(xiii) when a Bank or its Subsidiary Company no longer holds the portion of voting rights for which the total number exceeds the maximum threshold for voting rights held of a company in Japan;

十四 第十四条の四又は第十四条の十二各号に掲げる者のいずれかに該当する者（子会社を除く。次号及び第十六号において「特殊関係者」という。）を新たに有することとなつた場合

(xiv) in the case of a new holding of a corporation corresponding to any of the corporations as set forth in each item of Article 14-4 or Article 14-12 (excluding a Subsidiary Company; which is referred to as "uniquely related person" in the following item and item (xvi));

十五 その特殊関係者が特殊関係者でなくなつた場合

(xv) when said uniquely related person is no longer a uniquely related person;

十六 銀行又はその子会社が合算してその基準議決権数を超えて議決権を保有する会社（当該銀行の子会社及び外国の会社を除く。）又は銀行の特殊関係者がその業務の内容を変更することとなつた場合

(xvi) when a uniquely related person of a company (excluding a Subsidiary Company of said Bank, or a foreign company) or a Bank, for which the total number of voting rights exceeding the maximum threshold for voting rights held are held by a Bank or its Subsidiary Company, or the case of a Bank that changes the content of its business;

十六の二 外国において設置した駐在員事務所の廃止又は位置の変更をした場合

(xvi)-2 when a liaison office that is established in a foreign state is abolished or changed;

十七 外国において銀行の業務に関連を有する業務を行う施設（駐在員事務所を除く。）を設置しようとする場合又は当該施設の廃止若しくは位置の変更をした場合

(xvii) when a facility is to be established in a foreign state for business concerning Bank services (excluding a liaison office), or when said facility is abolished or its location is changed;

十八 特定取引勘定設置銀行又は特定取引勘定届出外国銀行支店において、特定取引として経理しようとする取引の種類その他第五項第一号に定める書面に係る事項を変更しようとする場合（軽微な変更をしようとする場合を除く。）

(xviii) when a Bank with a Specified Transaction Account or a Foreign Bank Branch That Submitted Notification of a Specified Transaction Account intends to change the type of transactions which are intended to be transacted as specified transactions, or any other matters pertaining to the documents as prescribed in paragraph (5), item (i) (excluding cases of intending to make an immaterial change);

十九 外国銀行支店が特定取引勘定に類する勘定を設けようとする場合

(xix) when a Foreign Bank Branch intends to establish an account equivalent to a Specified Transaction Account;

二十 銀行及びその子会社等の連結自己資本比率を算出する際に、金融庁長官の定めるところにより、会社の資産、負債、収益及び費用のうち当該会社に投資している銀行及び連結子法人等（当該銀行の子法人等であつて連結の範囲に含まれるものをいう。）に帰属する部分を連結の範囲に含める方法を用いようとする場合

(xx) when calculating consolidated capital adequacy ratio of a Bank and its Subsidiary Company, etc., pursuant to as specified by the Commissioner of the Financial Services Agency, in the cases of intending to use a method that includes a part among the company's assets, liabilities, profit, and expenditures that pertains to a Bank and a consolidated subsidiary corporation, etc. (which means a subsidiary corporation, etc. of said Bank that is included within the scope of consolidation) into the scope of consolidation;

二十一 前号に規定する方法の使用を中断しようとする場合

(xxi) in the cases of intending to suspend the use of the method as prescribed in the preceding item;

二十二 劣後特約付金銭消費貸借（金融機能早期健全化緊急措置法第二条第六項に規定する劣後特約付金銭消費貸借をいう。次号及び第三項において同じ。）による借入れをしようとする場合又は劣後特約付社債（金融機能早期健全化緊急措置法第二条第五項に規定する劣後特約付社債をいう。次号及び第三項において同じ。）を発行しようとする場合

(xxii) in the case of intending to borrow money by a subordinated loan (which means a subordinated loan as prescribed in Article 2, paragraph (6) of the Financial Strengthening Act; the same applies in the following item and paragraph (3)) or in the case of intending to issue a subordinated corporate bond (which means a subordinated corporate bond as prescribed in Article 2, paragraph (5) of the Financial Strengthening Act, the same applies in the

- following item and paragraph (3));
- 二十三 劣後特約付金銭消費貸借に係る債務について期限前弁済をしようとする場合
又は劣後特約付社債について期限前償還をしようとする場合（期限のないものにつ
いて弁済又は償還をしようとする場合を含む。）
- (xxiii) in the case of intending to make a payment prior to expiration of the
term with regard to debt pertaining to a subordinated loan or in the case of
intending to redeem prior to expiration of the term with regard to a
subordinated corporate bond (including a case of intending to make a
payment or redemption for debt without a term);
- 二十四 会社法第百五十六条第一項（同法第百六十五条第三項の規定により読み替え
て適用する場合を含む。）の規定による株主総会の決議又は取締役会の決議により
自己の株式を取得しようとする場合
- (xxiv) in the cases of intending to acquire a company's own shares according to
the resolution at a shareholders meeting or a resolution of the board of
directors pursuant to the provisions of Article 156, paragraph (1) of the
Companies Act (including cases of the provisions being applied by being
deemed to be replaced with provisions of Article 165, paragraph (3) of the
same Act);
- 二十五 銀行、その子会社又は業務の委託先（第七項において「銀行等」という。）
において不祥事件（業務の委託先にあつては、当該銀行が委託する業務に係るもの
に限る。）が発生したことを知った場合
- (xxv) in the case of having learned that misconduct occurred (with regard to a
trustee of business, limited to those pertaining to business entrusted by said
Bank) in a Bank, its Subsidiary Company, or a trustee of business (which is
referred to as "Bank, etc." in paragraph (7));
- 二十六 準備金の額を減少しようとする場合
- (xxvi) in the case of intending to decrease the amount of a reserve;
- 二十七 会社法第四百五十三条の規定により剰余金の配当をした場合
- (xxvii) when a dividend of surplus is paid pursuant to the provisions of Article
453 of the Companies Act;
- 二十八 銀行が法第二十条第一項又は第二項及び法第二十一条第一項又は第二項の規
定により作成した書類（法第二十条第三項及び法第二十一条第三項の規定により作
成された電磁的記録を含む。）について縦覧を開始した場合
- (xxviii) when a Bank commences to make available for public inspection with
regard to documents prepared pursuant to the provisions of Article 20,
paragraph (1) or (2) of the Act and Article 21, paragraph (1) or (2) of the Act
(including an electronic or magnetic record prepared pursuant to the
provisions of Article 20, paragraph (3) of the Act and Article 21, paragraph
(3) of the Act);
- 二十九 銀行が会社法第四百三十五条第二項の規定により作成する事業報告及び附属
明細書を定時株主総会に提出し、又は提供した場合

- (xxix) if a Bank submits or has submitted a business report and annexed detailed statement, prepared pursuant to the provisions of Article 435, paragraph (2) of the Companies Act, at an annual shareholders meeting.
- 2 法第五十三条第二項第七号に規定する内閣府令で定める場合は、次に掲げる場合とする。ただし、銀行主要株主が銀行又は銀行持株会社である場合は、この限りでない。
- (2) The cases as provided by Cabinet Office Ordinance as prescribed in Article 53, paragraph (2), item (vii) of the Act are the following cases; provided, however, that the same does not apply when the Bank's Major Shareholder is a Bank or a Bank Holding Company:
- 一 定款又はこれに準ずる定めを変更した場合
 - (i) when articles of incorporation or any other rules equivalent thereto are changed;
 - 二 氏名若しくは名称を変更し、又は住所、居所、主たる営業所若しくは事務所の設置、位置の変更若しくは廃止をした場合
 - (ii) when the name is changed, domicile, residence, principal business office or an office is established, its location is changed, or is abolished.
- 3 法第五十三条第三項第九号に規定する内閣府令で定める場合は、次に掲げる場合とする。
- (3) The cases as provided by Cabinet Office Ordinance as prescribed in Article 53, paragraph (3), item (ix) of the Act are the following cases:
- 一 定款（外国所在銀行持株会社にあつては定款又はこれに準ずる定め）を変更した場合
 - (i) when articles of incorporation (with regard to a bank holding company located in a foreign state, articles of incorporation or any other rules equivalent thereto) is changed;
 - 二 新株予約権又は新株予約権付社債を発行しようとする場合
 - (ii) when share options or bonds with share options are to be issued;
 - 三 銀行持株会社を代表する取締役又は銀行持株会社の常務に従事する取締役（委員会設置会社にあつては、代表執行役又は執行役）（外国所在銀行持株会社にあつては当該外国所在銀行持株会社を代表する取締役若しくは執行役若しくはこれらに類する職にある者又は当該外国所在銀行持株会社の常務に従事する取締役若しくは執行役若しくはこれらに類する職にある者）の就任又は退任があつた場合
 - (iii) when a director representing a Bank Holding Company or a director engaging in ordinary business of a Bank Holding Company (in the case of a company with committees, the representative director or an executive officer) (with regard to a bank holding company located in a foreign state, a director or director representing said bank holding company located in a foreign state or a person who is assigned to equivalent positions to the above, or a director or executive officer engaging in ordinary business of said bank holding company located in a foreign state or a person who engages in the duties equivalent to the above) is appointed or resigns;

- 三の二 会計参与設置会社にあつては、会計参与の就任又は退任があつた場合
(iii)-2 in the cases of a company with accounting advisors, when an accounting advisor is appointed or resigns;
- 四 事務所の設置、位置の変更又は廃止をしようとする場合
(iv) in the cases of intending to establish an office, to change its location, or to abolish an office;
- 五 第三十四条の十七第一項各号に掲げる事由により他の会社（法第五十三条第三項第三号の規定により子会社とすることについて同号の届出をしなければならないとされるものを除く。）を子会社とした場合
(v) when another company (excluding a company required to submit a notification as prescribed in the same item with regard to making a company as a Subsidiary Company pursuant to the provisions of Article 53, paragraph (3), item (ii) of the Act) is held as a Subsidiary Company due to a reason set forth in the items of Article 34-17, paragraph (1);
- 六 その子会社が名称、本店若しくは主たる営業所若しくは事務所の位置を変更し、合併し、又は業務の全部を廃止した場合（法第五十三条第三項第二号及び第四号の場合を除く。）
(vi) when a Subsidiary Company changes its name or the location of its head office, principal business office or other office, is merged, or abolished all of its business (excluding cases as prescribed in Article 53, paragraph (3), items (ii) and (iv) of the Act);
- 七 銀行持株会社又はその子会社が、第三十四条の二十第一項各号に掲げる事由により、国内の会社（法第五十二条の二十四第一項に規定する国内の会社をいう。第九号において同じ。）の議決権を合算してその基準議決権数（同項に規定する基準議決権数をいう。以下この項において同じ。）を超えて取得又は保有した場合
(vii) when a Bank Holding Company or its Subsidiary Company acquires or holds voting rights of a company in Japan (which means a company in Japan as prescribed in Article 52-24, paragraph (1) of the Act; the same applies in item (ix)) for which the total number exceeds the maximum threshold for voting rights held (which means the maximum threshold for voting rights held as prescribed in the same paragraph; the same applies in this paragraph) due to a reason set forth in each item of Article 34-20, paragraph (1);
- 八 銀行持株会社又はその子会社が国内の子会社対象会社（法第五十二条の二十三第一項に規定する子会社対象会社をいう。）の議決権を合算してその基準議決権数を超えて取得し、又は保有することとなつた場合
(viii) when a Bank Holding Company or its Subsidiary Company acquires or holds voting rights of a company eligible as a Subsidiary Company (which means a company eligible as a Subsidiary Company as prescribed in Article 52-23, paragraph (1) of the Act) for which the total number exceeds the maximum threshold for voting rights held in total;

九 銀行持株会社又はその子会社が合算してその基準議決権数を超えて保有することとなつた国内の会社の議決権のうちその基準議決権数を超える部分の議決権を保有しなくなつた場合

(ix) when a Bank Holding Company or its Subsidiary Company no longer holds the portion of voting rights that exceed the maximum threshold for voting rights held of a domestic company;

十 第三十四条の十五第一項において準用する第十四条の四又は第三十四条の二十三各号に掲げる者のいずれかに該当する者（子会社を除く。次号及び第十二号において「特殊関係者」という。）を新たに有することとなつた場合

(x) in the case of newly holding a corporation corresponding to any person as set forth in the items of Article 14-4 or each item of Article 34-23, as applied mutatis mutandis pursuant to Article 34-15, paragraph (1) (excluding a Subsidiary Company; which is referred to as "uniquely related person" in the following item and item (xii));

十一 その特殊関係者が特殊関係者でなくなつた場合

(xi) when said uniquely related person is no longer a uniquely related person;

十二 銀行持株会社又はその子会社が合算してその基準議決権数を超えて議決権を保有する会社（当該銀行持株会社の子会社及び外国の会社を除く。）又は銀行持株会社の特殊関係者がその業務の内容を変更することとなつた場合

(xii) when a uniquely related person of a company (excluding a Subsidiary Company of said Bank Holding Company or a foreign company), for which voting rights exceeding its maximum threshold for voting rights held is held by a Bank Holding Company or its Subsidiary Company in total, or of a Bank Holding Company changes the content of its business;

十三 削除

(xiii) Deleted

十四 削除

(xiv) Deleted

十五 銀行持株会社及びその子会社等の連結自己資本比率を算出する際に、金融庁長官の定めるところにより、会社の資産、負債、収益及び費用のうち当該会社に投資している銀行持株会社及び連結子法人等（当該銀行持株会社の子法人等であつて連結の範囲に含まれるものをいう。）に帰属する部分を連結の範囲に含める方法を用いようとする場合

(xv) when calculating consolidated capital adequacy ratio of a Bank Holding Company and its Subsidiary Company, etc., in a case, pursuant to as specified by the Commissioner of the Financial Services Agency, of intending to use a method that includes a part among the company's assets, liabilities, profit, and expenditures that pertains to a Bank Holding Company and consolidated subsidiary corporation, etc. (which means a subsidiary corporation, etc. of said Bank Holding Company that is included within the scope of consolidation) into the scope of consolidation;

十六 前号に規定する方法の使用を中断しようとする場合

(xvi) in the case of intending to suspend the use of the method as prescribed in the preceding item;

十七 劣後特約付金銭消費貸借による借入れをしようとする場合又は劣後特約付社債を発行しようとする場合

(xvii) in the case of intending to borrow money by a subordinated loan or intending to issue a subordinated corporate bond;

十八 劣後特約付金銭消費貸借に係る債務について期限前弁済をしようとする場合又は劣後特約付社債について期限前償還をしようとする場合（期限のないものについて弁済又は償還をしようとする場合を含む。）

(xviii) in the case of intending to make payment prior to expiration of a term with regard to debt pertaining to a subordinated loan or intending to redeem prior to expiration of a term with regard to a subordinated corporate bond (including the cases of intending to make payment or to redeem debt without a term);

十九 準備金の額を減少しようとする場合

(xix) in the cases of intending to decrease the amount of a reserve;

二十 会社法第四百五十三条の規定により剰余金の配当をした場合

(xx) when a dividend from surplus is paid pursuant to the provisions of Article 453 of the Companies Act;

二十一 銀行持株会社が法第五十二条の二十八第一項及び第五十二条の二十九第一項の規定により作成した書面（法第五十二条の二十八第二項及び第五十二条の二十九第二項の規定により作成された電磁的記録を含む。）について、当該銀行持株会社の子会社である銀行において縦覧を開始した場合

(xxi) when a Bank Holding Company commences to make available for public inspection at a Bank that is a Subsidiary Company of said Bank Holding Company, with regard to documents prepared pursuant to the provisions of Article 52-28, paragraph (1) of the Act and Article 52-29, paragraph (1) of the Act (including an electronic or magnetic record prepared pursuant to the provisions of Article 52-28, paragraph (2) of the Act and Article 52-29, paragraph (2) of the Act);

二十二 銀行持株会社が会社法第四百三十五条第二項の規定により作成する事業報告及び附属明細書を定時株主総会に提出し、又は提供した場合

(xxii) if a Bank Holding Company submits or has submitted a business report and annexed detailed statement prepared pursuant to the provisions of Article 435, paragraph (2) of the Companies Act to an annual shareholders meeting.

4 法第五十三条第四項に規定する内閣府令で定める場合は、次に掲げる場合とする。

(4) The cases as provided by Cabinet Office Ordinance as prescribed in Article 53, paragraph (4) of the Act are the following cases:

一 定款又はこれに準ずる定めを変更した場合

- (i) when articles of incorporation or any other rules equivalent thereto are changed;
 - 二 銀行代理業に係る委託契約書又は再委託契約書を変更した場合
 - (ii) when an entrustment agreement or sub-entrustment agreement pertaining to Bank Agency Services is changed;
 - 三 法第五十二条の五十一第一項の規定に基づき同項に規定する書面（法第二十条第三項及び第二十一条第三項又は第五十二条の二十八第二項及び第五十二条の二十九第二項の規定により作成された電磁的記録を含む。）について、縦覧を開始した場合
 - (iii) when public inspection is commenced based on the provisions of Article 52-51, paragraph (1) of the Act with regard to documents as prescribed in the same paragraph (including an electronic or magnetic record prepared pursuant to the provisions of Article 20, paragraph (3) of the Act; Article 21, paragraph (3); or Article 52-28, paragraph (2); and Article 52-29, paragraph (2));
 - 四 銀行代理業に関する不祥事件が発生したことを知った場合
 - (iv) the case of having learned that misconduct occurred concerning Bank Agency Services.
- 5 銀行、銀行主要株主（銀行主要株主であつた者を含む。）、銀行持株会社（銀行持株会社であつた会社を含む。）又は銀行代理業者は、法第五十三条第一項から第四項までの規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項を記載した書面（次の各号に掲げる場合にあつては、当該各号に定める書面）を添付して金融庁長官等に提出しなければならない。
- (5) A Bank, Bank's Major Shareholder (including a person that was a Bank's Major Shareholder), a Bank Holding Company (including a company that was a Bank Holding Company) or a Bank Agent, when intending to submit a notification pursuant to the provisions of Article 53, paragraphs (1) to (4) of the Act, must submit to the Commissioner of the Financial Services Agency, etc. a written notice attached with a written statement of reasons and other documents stating the matters which are to serve as reference (in the cases as set forth in each of the following items, the documents as prescribed in each said item):
- 一 第一項第六号の三又は第十九号に掲げる場合 次に掲げる書面
 - (i) in the case as set forth in paragraph (1), item (vi)-3 or item (ixx): the following documents:
 - イ 特定取引として経理しようとする取引の種類及び当該取引を行う部署の名称を記載した書面
 - (a) a document stating the type of transactions that are intended to be handled as a specified transaction and the name of the department that handles said transactions;
 - ロ 時価等の算定（特定取引に係る利益若しくは損失又は当該取引の対象となる財

- 産の価格を算定することをいう。)を行う部署の名称を記載した書面
- (b) a document stating the name of the department that calculates current value, etc. (which means calculating income or loss pertaining to a specified transaction, or the value of assets subject to said transaction);
- ハ 特定取引及びその対象となる財産とその他の取引及び財産との区別に関する経理の方針(特定取引勘定を設ける前に行つた取引及びその対象となる財産についての区別に関する経理の方針を含む。)を記載した書面
- (c) a document stating the accounting policy concerning the distinction between a specified transaction and assets subject to said transactions, and other transactions and assets (including the accounting policy concerning the distinction of transactions performed before establishing a Specified Transaction Account and assets subject to the transactions);
- ニ 内部取引(一の銀行において、特定取引勘定とその他の勘定との間で行う第十三条の六の三第二項第五号から第十四号までに掲げる取引(当該取引に類似し、又は密接に関連する取引として同項第十七号の規定により特定取引とされる取引を含む。)をいう。)を行う場合(当該内部取引を解約する場合を含む。)の取扱いに関する事項を記載した書面
- (d) a document stating the matters concerning handling the case of implementing an internal transaction (which means the transactions that are set forth in Article 13-6-3, paragraph (2), items (v) to (xiv), and handled between a Specified Transaction Account and other accounts (including transactions which are deemed to be a specified transaction pursuant to the provisions of item (xvii) of the same paragraph as a transaction similar to or having a close relationship with said transaction) with in a single Bank) (including the case of terminating said internal transaction);
- ホ 勘定間振替(第十三条の六の三第三項各号に掲げる行為(同条第四項に規定する取引を含む。)をいう。)を行う場合の取扱いに関する事項を記載した書面
- (e) a document stating the matters concerning handling the case of transfer between accounts (which means an act as set forth in each of the items of Article 13-6-3, paragraph (3) (including a transaction as prescribed in paragraph (4) of the same Article));
- 二 第一項第二十八号に掲げる場合 同号に規定する書面
- (ii) in the cases as set forth in paragraph (1), item (xxviii): the documents as prescribed in the same item;
- 三 第一項第二十九号に掲げる場合 同号に規定する事業報告及び附属明細書
- (iii) in the case as set forth in paragraph (1), item (xxix): the business report and annexed detailed statement as prescribed in the same item;
- 四 第三項第二十一号に掲げる場合 同号に規定する書面
- (iv) in the cases as set forth in paragraph (3), item (xxi): the documents as prescribed in the same item;

五 第三項第二十二号に掲げる場合 同号に規定する事業報告及び附属明細書
(v) in the cases as set forth in paragraph (3), item (xxii): the business report
and annexed detailed statement as prescribed in the same item;

六 前項第二号に掲げる場合 変更後の委託契約書又は再委託契約書の写し
(vi) in the cases as set forth in item (ii) of the preceding paragraph: a copy of
the entrustment agreement or sub-entrustment agreement after the change.

(認可の効力に係る承認の申請)

(Application of Approval Pertaining to Effect of Approval)

第三十六条 銀行、銀行主要株主（法第五十二条の九第一項の認可のうち設立に係るものを受けた者を含む。）又は銀行持株会社（法第五十二条の十七第一項の認可を受けた者を含む。）は、法第五十五条第一項ただし書の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官等に提出しなければならない。

Article 36 (1) A Bank, Bank's Major Shareholder (including a person that obtained an authorization pertaining to incorporation among those as prescribed in Article 52-9, paragraph (1) of the Act), or a Bank Holding Company (including a person that obtained an authorization as prescribed in Article 52-17, paragraph (1) of the Act), when intending to obtain an approval pursuant to the provisions of Article 55, proviso of paragraph (1) of the Act, must submit a written application for approval attached with a written statement of reasons to the Commissioner of the Financial Services Agency, etc.

2 金融庁長官等は、前項の規定による承認の申請があつたときは、次に掲げる基準に適合するかどうかを審査するものとする。

(2) The Commissioner of the Financial Services Agency, etc., when an application of approval is filed pursuant to the provisions of the preceding paragraph, is to examine whether it conforms to the following standards:

一 法の規定による認可を受けた日から六月以内に当該認可を受けた事項を実行することができないことについてやむを得ないと認められる理由があること。

(i) a reason is found to be compelling for a matter, in obtaining said authorization, that is unable to be implemented within six months from the date the authorization is obtained pursuant to the provisions of the Act;

二 合理的な期間内に当該認可を受けた事項を実行することができると見込まれること。

(ii) it is expected that the matters in obtaining said authorization can be implemented within a reasonable period;

三 当該認可の際に審査の基礎となつた事項について当該認可を受けた事項の実行が見込まれる時期までに重大な変更がないと見込まれること。

(iii) it is expected that there will not be a material change of the basic matters of examination at the time of said authorization by the time the matters for obtaining said authorization are expected to be implemented.

(登記)

(Registration)

第三十六条の二 法第五十七条の四第一号及び第二号に規定する内閣府令で定めるものは、銀行又は銀行持株会社が法第二十条第六項又は第五十二条の二十八第五項の規定による措置をするために使用する自動公衆送信装置のうち当該行為をするための用に供する部分をインターネットにおいて識別するための文字、記号その他の符号又はこれらの結合であつて、情報の提供を受ける者がその使用に係る電子計算機に入力することによつて当該情報の内容を閲覧し、当該電子計算機に備えられたファイルに当該情報を記録することができるものとする。

Article 36-2 (1) Those matters as provided by Cabinet Office Ordinance as prescribed in Article 57-4, items (i) and (ii) of the Act are letters, marks, other codes, or a combination of the above in order for a Bank or a Bank Holding Company to identify the part, among automatic public transmission servers, which is used for taking measures pursuant to the provisions of Article 20, paragraph (6) or Article 52-28, paragraph (5), which part is provided for the use of implementing said acts, via the Internet; and a person that receives provision of information can inspect the content of said information by inputting said letters, codes, etc. into a computer pertaining to the person's use and record said information in a file maintained in said computer.

2 その公告方法（会社法第二条第三十三号に規定する公告方法をいう。）が法第五十七条第二号に掲げる方法である銀行及び銀行持株会社は、会社法第九百十一条第三項第二十九号イに掲げる事項であつて、中間決算公告等（法第二十条第四項の規定により銀行が行う公告（同条第一項の事業年度に係る貸借対照表及び損益計算書に関する公告を除く。）又は第五十二条の二十八第三項の規定により銀行持株会社が行う公告をいう。以下この項において同じ。）の内容である情報の提供を受けるものを、当該事項であつて中間決算公告等以外の公告の内容である情報の提供を受けるものと別に登記することができる。

(2) A Bank or a Bank Holding Company, for which the method of public notice (which means a public notice as prescribed in Article 2, item (xxxiii) of the Companies Act) is a method as set forth in Article 57, item (ii) of the Act, may register a matter as set forth in Article 911, paragraph (3), item (xxix), sub-item (a) of the Companies Act for receiving provision of information which is the content of a public notice, etc. of an interim settlement of accounts (which means a public notice that a Bank announces pursuant to the provisions of Article 20, paragraph (4) of the Act (excluding a public notice concerning a balance sheet and profit and loss statement pertaining to a business year as prescribed in paragraph (1) of the same Article) or a public notice that a Bank Holding Company announces pursuant to the provisions of Article 52-28, paragraph (3); hereinafter the same applies in this paragraph) separately from those matters for receiving provision of information of which is the content of a public notice other than the public notice, etc. of an interim settlement of

accounts.

(電磁的記録に記録された事項を表示する措置)

(Measures for Display Matters Recorded in an Electronic or Magnetic Record)

第三十六条の三 法第六十三条第一号の二及び第一号の三に規定する内閣府令で定める措置は、電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 36-3 The measures as provided by Cabinet Office Ordinance as prescribed in Article 63, item (i)-2 and item (i)-3 of the Act are a method to display matters recorded in an electronic or magnetic record on paper or screen.

(經由官庁)

(Via-Government Agency)

第三十七条 銀行（外国銀行支店を除く。以下この条において同じ。）は、申請書、業務報告書その他この府令に規定する書面（第六項及び第七項を除き、以下この条において「申請書等」という。）を金融庁長官に提出するときは、当該銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所、小樽出張所又は北見出張所（以下この条において「財務事務所等」という。）の管轄区域内にある場合にあつては当該財務事務所長又は出張所長（以下この条において「財務事務所長等」という。）とする。）を経由して提出しなければならない。ただし、令第十七条の二第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

Article 37 (1) A Bank (excluding a Foreign Bank Branch; hereinafter the same applies in this Article), when submitting to the Commissioner of the Financial Services Agency a written application, business report, or other document as prescribed in this Cabinet Office Ordinance (excluding items (vi) and (vii); hereinafter referred to as "Application, etc." in this Article), must submit them to the Director General of the Local Finance Bureau with jurisdiction over the location of the head office of said Bank (when said location is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when said location is within the jurisdictional district of the Otaru Sub-Office or Kitami Sub-Office (hereinafter referred to as "Local Finance Office, etc." in this Article), the Director of said Local Finance Office or the Director of the Sub-Office (hereinafter referred to as "Director, etc. of the Local Finance Office" in this Article)); provided, however, that this does not apply to an Application, etc. pertaining to Banks specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-2, paragraph (4) of the Order and others specified separately by the Commissioner of the Financial Services Agency.

2 銀行は、申請書等を財務局長又は福岡財務支局長に提出するときは、当該銀行の本店の所在地を管轄する財務事務所長等がある場合にあつては、当該財務事務所長等を経由して提出しなければならない。

(2) A Bank, when submitting an Application, etc. to the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau, when there is a Director, etc. of the Local Finance Office with jurisdiction over the location of the head office of said Bank, must submit the Application, etc. to the said Director, etc. of the Local Finance Office.

3 外国銀行支店は、第十八条第一項に規定する中間業務報告書又は同条第二項に規定する業務報告書を金融庁長官に提出するときは、主たる外国銀行支店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、金融庁長官の指定する外国銀行支店については、この限りでない。

(3) A Foreign Bank Branch, when submitting to the Commissioner of the Financial Services Agency an interim business report as prescribed in Article 18, paragraph (1) or business report as prescribed in paragraph (2) of the same Article, must submit them to the Director General of the Local Finance Bureau with jurisdiction over the location of the Principal Foreign Bank Branch (when said location is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau; when said location is within the jurisdictional district of a Local Finance Office, etc., said Director, etc. of the Local Finance Office); provided, however, that this does not apply to the Foreign Bank Branch specified by the Commissioner of the Financial Services Agency.

4 銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者若しくは銀行の主要株主基準値以上の数の議決権の保有者は、申請書等を金融庁長官に提出するときは、主要株主基準値以上の数の議決権を保有しようとする銀行又は保有している銀行の本店の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、金融庁長官が別に定める銀行に係る申請書等については、この限りでない。

(4) A person that intends to become a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, a person that intends to incorporate a company or other corporation that is a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, or a holder of a number of voting rights in a

Bank which is equal to or greater than the Major Shareholder Threshold, when submitting an Application, etc. to the Commissioner of the Financial Services Agency, must submit it to the Director General of the Local Finance Bureau with jurisdiction over the location of the head office of the Bank that intends to hold or holds a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold (when said location is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when said location is within the jurisdictional district of a Local Finance Office, etc., said Director, etc. of the Local Finance Office); provided, however, that this does not apply to an Application, etc. pertaining to a Bank specified separately by the Commissioner of the Financial Services Agency.

5 銀行を子会社とする持株会社（銀行を子会社とする持株会社であつた会社を含む。次項において同じ。）は、申請書等を金融庁長官に提出するときは、当該銀行を子会社とする持株会社の主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、令第十七条の三第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

(5) A Holding Company of which a Subsidiary Company is a Bank (including a company that was a Holding Company of which a Subsidiary Company is a Bank; the same applies in the following paragraph), when submitting an Application, etc. to the Commissioner of the Financial Services Agency, must submit it to the Director General of the Local Finance Bureau with jurisdiction over the location of the principal office of the Holding Company of which a Subsidiary Company is said Bank (when said location is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when said location is within the jurisdictional district of a Local Finance Office, etc., said Director, etc. of the Local Finance Office); provided, however, that this does not apply to an Application, etc. pertaining to companies specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-3, paragraph (4) of the Order and others specified separately by the Commissioner of the Financial Services Agency.

6 銀行代理業者（外国に主たる営業所又は事務所を有するものを除く。以下この項及び次項において同じ。）は、法第五十二条の三十七第一項の規定による申請書、銀行代理業に関する報告書その他この府令に規定する書面（以下この項及び次項において「申請書等」という。）を金融庁長官に提出するときは、当該銀行代理業者の主たる

営業所又は事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域（財務事務所の管轄区域を除く。）内にある場合にあつては福岡財務支局長とし、当該所在地が財務事務所等の管轄区域内にある場合にあつては当該財務事務所長等とする。）を経由して提出しなければならない。ただし、令第十七条の四第四項の規定により金融庁長官が指定するものその他の金融庁長官が別に定めるものに係る申請書等については、この限りでない。

(6) A Bank Agent (excluding a Bank Agent that has its principal business office or other office in a foreign state; hereinafter the same applies in this paragraph and the following paragraph), when submitting a written application pursuant to the provisions of Article 52-37, paragraph (1) of the Act, a report concerning Bank Agency Services, or other document as prescribed in this Cabinet Office Ordinance (hereinafter referred to as "Application, etc." in this paragraph and the following paragraph) to the Commissioner of the Financial Services Agency, must submit them to the Director General of the Local Finance Bureau with jurisdiction over the location of the principal business office or other office of said Bank Agent (when said location is within the jurisdictional district (excluding the jurisdictional district of a Local Finance Office) of the Fukuoka Local Finance Branch Bureau, the Director General of the Fukuoka Local Finance Branch Bureau, and when said location is within the jurisdictional district of a Local Finance Office, etc., said Director, etc. of the Local Finance Office); provided, however, that this does not apply to an Application, etc. pertaining to a Bank Agent specified by the Commissioner of the Financial Services Agency pursuant to the provisions of Article 17-4, paragraph (4) of the Order or others specified separately by the Commissioner of the Financial Services Agency.

7 銀行代理業者は、申請書等を財務局長又は福岡財務支局長に提出するときは、当該銀行代理業者の主たる営業所又は事務所の所在地を管轄する財務事務所長等がある場合にあつては、当該財務事務所長等を経由して提出しなければならない。

(7) A Bank Agent, when submitting an Application, etc. to the Director General of the Local Finance Bureau or Fukuoka Local Finance Branch Bureau, when the Director, etc. of the Local Finance Office has jurisdiction over the location of the principal business office or other office of said Bank Agent, must submit it to said Director, etc. of the Local Finance Office.

8 第二項の規定は、銀行を子会社とする持株会社について準用する。この場合において「本店」とあるのは、「主たる事務所」と読み替えるものとする。

(8) The provisions of paragraph (2) apply mutatis mutandis pursuant to a Holding Company of which a Subsidiary Company is a Bank. In this case, the term "head office" is deemed to be replaced with "principal office."

（銀行を子会社とする外国の持株会社に係る特例）

(Special Provisions on a Foreign Holding Company of Which a Subsidiary

Company Is a Bank)

第三十八条 銀行を子会社とする外国の持株会社（銀行を子会社とする外国の持株会社になろうとする会社、銀行を子会社とする外国の持株会社の設立をしようとする者及び銀行を子会社とする外国の持株会社であつた会社を含む。以下この条において同じ。）は、当該銀行を子会社とする外国の持株会社がこの府令の規定により申請書又は届出書に添付して内閣総理大臣又は金融庁長官等に提出することとされる書類（以下この項及び次項において「添付書類」という。）については、当該添付書類に代えてこれに準ずるものを内閣総理大臣又は金融庁長官等に提出することができる。

Article 38 (1) A foreign Holding Company of which a Subsidiary Company is a Bank (including a company that intends to become a foreign Holding Company of which a Subsidiary Company is a Bank, a person who intends to incorporate a foreign Holding Company of which a Subsidiary Company is a Bank, and a company that was a foreign Holding Company of which a Subsidiary Company is a Bank; hereinafter the same applies in this Article), with regard to a document that is stipulated to be attached to a written application or written notification and submitted to the Prime Minister or the Commissioner of the Financial Services Agency by a foreign Holding Company of which a Subsidiary Company is a Bank, pursuant to this Cabinet Office Ordinance (hereinafter referred to as "Attached Documents" in this paragraph and the following paragraph), may submit a document equivalent to the above in lieu of said Attached Documents to the Prime Minister or the Commissioner of the Financial Services Agency, etc.

2 銀行を子会社とする外国の持株会社がその本国（当該銀行を子会社とする外国の持株会社の設立に当たって準拠した法令を制定した国をいう。）の法令又は慣行その他の正当な事由により添付書類又は前項に規定するこれに準ずる書類（以下この項において「添付書類等」という。）のいずれをも内閣総理大臣又は金融庁長官等に提出することができない場合には、当該添付書類等は、内閣総理大臣又は金融庁長官等に提出することを要しない。

(2) When a foreign Holding Company, of which a Subsidiary Company is a Bank, is unable to submit the Attached Documents or a document equivalent to this as prescribed in the preceding paragraph (hereinafter referred to as "Attached Documents, etc." in this paragraph) to the Prime Minister or the Commissioner of the Financial Services Agency, etc., due to national laws and regulations or customs of the foreign Holding Company's state (which means a state that has established laws and regulations according to which the foreign Holding Company of which a Subsidiary Company is said Bank was incorporated) or other justifiable grounds, said Attached Documents, etc. are not required to be submitted to the Prime Minister or the Commissioner of the Financial Services Agency, etc.

3 銀行を子会社とする外国の持株会社に対するこの府令の規定の適用については、銀行を子会社とする外国の持株会社で国内に事務所を有するものについては国内におけ

る主たる事務所を主たる事務所と、銀行を子会社とする外国の持株会社で国内に事務所を有しないものについては主たる事務所が関東財務局の管轄区域内に所在するものとみなす。

(3) With regard to the application of provisions of this Cabinet Office Ordinance to a foreign Holding Company of which a Subsidiary Company is a Bank, in the case of a foreign Holding Company of which a Subsidiary Company is a Bank and that maintains an office in Japan, its principal office in Japan is deemed as its principal office, and in the case of a foreign Holding Company of which a Subsidiary Company is a Bank and that does not maintain an office in Japan, its principal office is deemed to be located within the jurisdictional district of the Kanto Local Finance Bureau.

(銀行代理業を営む外国の法人に係る特例)

(Special Provisions on a Foreign Corporation That Carries out Bank Agency Services)

第三十八条の二 銀行代理業を営む外国の法人（銀行代理業を営もうとする外国の法人又は銀行代理業を営む外国の法人の設立をしようとする者を含む。以下この条において同じ。）は、当該銀行代理業を営む外国の法人が法第五十二条の三十七第二項第三号に規定する書類又はこの府令の規定により申請書又は届出書に添付して金融庁長官等に提出することとされる書面（以下この項及び次項において「添付書類」という。）については、当該添付書類に代えてこれに準ずるものを金融庁長官等に提出することができる。

Article 38-2 (1) A foreign corporation that carries out Bank Agency Services (including a foreign corporation that intends to carry out Bank Agency Services, or a person that intends to incorporate a foreign corporation that carries out Bank Agency Services; hereinafter the same applies in this Article), with regard to a document as prescribed in Article 52-37, paragraph (2), item (iii) of the Act or a document that is required to be attached to a written application or written notification and submitted to the Commissioner of the Financial Services Agency, etc. by said foreign corporation that carries out Bank Agency Services pursuant to the provisions of this Cabinet Office Ordinance (hereinafter referred to as "Attached Documents" in this paragraph and the following paragraph), may submit documents equivalent to the above in lieu of said Attached Documents to the Commissioner of the Financial Services Agency, etc.

2 銀行代理業を営む外国の法人がその本国（当該銀行代理業を営む外国の法人の設立に当たって準拠した法令を制定した国をいう。）の法令又は慣行その他の正当な事由により添付書類又は前項に規定するこれに準ずる書面（以下この項において「添付書類等」という。）のいずれをも金融庁長官等に提出することができない場合には、当該添付書類等は、金融庁長官等に提出することを要しない。

(2) When a foreign corporation that carries out Bank Agency Services is unable to

submit an Attached Document, or a document equivalent to this as prescribed in the preceding paragraph (hereinafter referred to as "Attached Documents, etc." in this paragraph) to the Commissioner of the Financial Services Agency, etc., due to national laws and regulations or customs of the foreign Holding Company's state (which means a state that has established laws and regulations according to which the foreign corporation that carries out said Bank Agency Services was established) or other justifiable grounds, said Attached Documents, etc. are not required to be submitted to the Commissioner of the Financial Services Agency, etc.

3 銀行代理業を営む外国の法人に対するこの府令の規定の適用については、銀行代理業を営む外国の法人の国内における主たる営業所又は事務所を主たる営業所又は事務所とみなす。

(3) With regard to the application of provisions of this Cabinet Office Ordinance to a foreign corporation that carries out Bank Agency Services, the principal office or other office in Japan of a foreign corporation that carries out Bank Agency Services is deemed as its principal office or other office.

(予備審査)

(Preliminary Examination)

第三十九条 銀行、銀行の主要株主基準値以上の数の議決権の保有者、銀行を子会社とする持株会社又は銀行代理業者は、法の規定による認可又は法第五十二条の四十二第一項の承認を受けようとするときは、当該認可又は承認の申請をする際に金融庁長官等に提出すべき書面に準じた書面を金融庁長官等に提出して予備審査を求めることができる。

Article 39 A Bank, a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, a Holding Company of which a Subsidiary Company is a Bank, or a Bank Agent, when intending to obtain a permission pursuant to the provisions of the Act or an approval pursuant to the provisions of Article 52-42, paragraph (1) of the Act, may request a preliminary examination by submitting to the Commissioner of the Financial Services Agency, etc. documents equivalent to the documents to be submitted to the Commissioner of the Financial Services Agency, etc., when filing an application of said permission or approval.

(標準処理期間)

(Standard Processing Period)

第四十条 内閣総理大臣又は金融庁長官等は、法令又はこの府令の規定による免許、許可、認可、承認又は指定（以下「認可等」という。）に関する申請（予備審査に係るものを除く。）がその事務所に到着してから一月以内に、当該申請に対する処分をするよう努めるものとする。ただし、次に掲げる認可等に関する申請に対する処分は、二月以内にするよう努めるものとする。

Article 40 (1) The Prime Minister or the Commissioner of the Financial Services Agency, etc. is to endeavor to provide the disposition of an application (excluding an application pertaining to a preliminary examination) concerning a license, permission, authorization, approval, or designation pursuant to the provisions of laws and regulations, or this Cabinet Office Ordinance (hereinafter referred to as "Authorization, etc.") within one month after said application is received at said office, respectively; provided, however, that the Prime Minister or the Commissioner of the Financial Services Agency, etc. is to endeavor to provide disposition of an application concerning the following Authorization, etc. within two months:

一 金融庁長官が別に定める銀行が金融庁長官に対してする申請に対する認可等

(i) an Authorization, etc. for an application of a Bank specified separately by the Commissioner of the Financial Services Agency that is submitted to the Commissioner of the Financial Services Agency;

一の二 法第五十二条の六十二第一項の規定による指定

(i)-2 Designation pursuant to the provisions of Article 52-62, paragraph (1) of the Act;

二 令第十七条の二第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等

(ii) an Authorization, etc. that is found to affect the jurisdictional district of another Local Finance Bureau (including the Fukuoka Local Finance Branch Bureau) among an Authorization, etc. that is provided by the Director General of the Local Finance Bureau or the Fukuoka Local Finance Branch Bureau pursuant to the provisions of Article 17-2, paragraph (1) of the Order;

二の二 金融庁長官が別に定める銀行の主要株主基準値以上の数の議決権の保有者になろうとする者又は銀行の主要株主基準値以上の数の議決権の保有者である会社その他の法人を設立しようとする者若しくは銀行の主要株主基準値以上の数の議決権の保有者が金融庁長官に対してする申請に対する認可等

(ii)-2 an Authorization, etc. for an application filed with the Commissioner of the Financial Services Agency by a person who intends to become a holder of a number of voting rights in a Bank specified separately by the Commissioner of the Financial Services Agency which is equal to or greater than the Major Shareholder Threshold, a person that intends to incorporate a company or other corporation that is a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold, or a holder of a number of voting rights in a Bank which is equal to or greater than the Major Shareholder Threshold;

三 金融庁長官が別に定める銀行を子会社とする持株会社が金融庁長官に対してする申請に対する認可等

(iii) an Authorization, etc. for an application submitted to the Commissioner of the Financial Services Agency by a Holding Company of which a Subsidiary Company is a Bank, specified separately by the Commissioner of the Financial Services Agency;

四 令第十七条の三第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等

(iv) an Authorization, etc. that is determined to affect the jurisdictional district of another Local Finance Bureau (including the Fukuoka Local Finance Branch Bureau) among the Authorization, etc. that is provided by the Director General of Local Finance Branch Bureau or the Fukuoka Local Finance Branch Bureau pursuant to the provisions of Article 17-3, paragraph (1) of the Order;

五 令第十七条の四第一項の規定により財務局長又は福岡財務支局長が行う認可等のうち、他の財務局（福岡財務支局を含む。）の管轄区域に影響を及ぼすと認められる認可等

(v) an Authorization, etc. that is determined to affect the jurisdictional district of another Local Finance Branch Bureau (including the Fukuoka Local Finance Branch Bureau) among the Authorization, etc. that is provided by the Director General of Local Finance Branch Bureau or the Fukuoka Local Finance Branch Bureau pursuant to the provisions of Article 17-4, paragraph (1) of the Order.

2 前項に規定する期間には、次に掲げる期間を含まないものとする。

(2) The period as prescribed in the preceding paragraph is not to include the following periods:

一 当該申請を補正するために要する期間

(i) the period required for the amendment of said application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period required for a person who filed said application to change the content of said application;

三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) the period required for a person who filed said application to add material that is determined to be necessary for an examination pertaining to said application.