

商品先物取引法施行令

Order for Enforcement of the Commodity Derivatives Act

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

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

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

(商品の指定)

(Specification of Commodities)

第一条 商品先物取引法（以下「法」という。）第二条第一項第一号の政令で定めるものは、次に掲げる物品とする。

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

一 牛

(i) Cattle/cow

二 豚

(ii) Swine

三 なたね

(iii) Rapeseed

四 亜麻の種

(iv) Flaxseed

五 木材

(v) Wood

六 天然ゴム

(vi) Natural rubber

七 綿花

(vii) Raw cotton

八 綿糸

(viii) Cotton yarn

九 乾繭

(ix) Dried cocoon

十 生糸

(x) Raw silk thread

十一 羊毛

(xi) Fleece

十二 毛糸

(xii) Wool yarn

十三 ステープルファイバー糸

(xiii) Staple-fiber yarn

十四 飼料

(xiv) Feed

2 法第二条第一項第二号の政令で定める鉱物は、次に掲げる物品とする。

(2) Minerals specified by Cabinet Order as set forth in Article 2, paragraph (1), item (ii) of the Act shall be the following goods:

一 リチウム鉱

(i) Lithium ore

二 ベリリウム鉱

(ii) Beryllium ore

三 ホウ素鉱

(iii) Boron ore

四 マグネシウム鉱

(iv) Magnesium ore

五 アルミニウム鉱

(v) Aluminum ore

六 希土類金属鉱

(vi) Rare earth metallic ore

七 チタン鉱

(vii) Titanium ore

八 バナジウム鉱

(viii) Vanadium ore

九 ガリウム鉱

(ix) Gallium ore

十 ゲルマニウム鉱

(x) Germanium ore

十一 セレン鉱

(xi) Selenium ore

十二 ルビジウム鉱

(xii) Rubidium ore

十三 ストロンチウム鉱

(xiii) Strontium ore

十四 ジルコニウム鉱

(xiv) Zirconium ore

十五 ニオブ鉱

(xv) Niobium ore

十六 白金属鉱

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

(商品先物取引業の適用除外)

(Exclusions from Application of the Act in Commodity Derivatives Business)

第二条 法第二条第二十二項の政令で定めるものは、次に掲げる行為とする。

Article 2 The actions prescribed by Cabinet Order in Article 2, paragraph (22) of the Act are the following actions:

一 次に掲げる者が行う法第二条第二十二項各号に掲げる行為

(i) Actions listed in the respective items of Article 2, paragraph (22) of the Act, performed by the following entities:

イ 国

(a) The national government of Japan

ロ 地方公共団体

(b) Local governments

ハ 外国政府その他の外国の法令上イ及びロに掲げる者に相当する者

(c) Foreign governments and other entities equivalent under foreign law to the entities listed in (a) and (b)

二 外国商品先物取引業者（商品先物取引業者以外の者で、外国の法令に準拠し、外国において法第二条第二十二項各号に掲げる行為のいずれかを業として行う者をいう。第四号において同じ。）が、同項第一号及び第二号に掲げる行為についての勧誘をすることなく、国内にある者（商品投資に係る事業の規制に関する法律（平成三年法律第六十六号）第二条第四項に規定する商品投資顧問業者（第四十一条第三号において「商品投資顧問業者」という。）その他の主務省令で定める者に限る。）の注文を受けて、外国から当該者のために行うこれらの号に掲げる行為（これらの号に規定する取次ぎを行う行為に限り、前号に掲げる行為に該当するものを除く。）

(ii) For a foreign Commodity Derivatives Business Operator (referring to an entity other than a Commodity Derivatives Business Operator, established in accordance with the laws and regulations of a foreign state, and engaged in the actions listed in the respective items of Article 2, paragraph (22) of the Act as a business; the same shall apply in item (iv)) accepting orders from an entity in Japan (limited to commodities investment Advisor as defined in Article 2, paragraph (4) of the Act on Regulation of Commodity Investment (Act No. 66 of 1991) (referred to in Article 41, item (iii) as "Commodities Investment Advisor" or other entities prescribed by an ordinance of the competent ministry), the actions listed in the foregoing items performed from abroad for said an entity in Japan (limited to those performing intermediation actions as defined in these items, and excluding actions listed in the preceding item) without solicitation with respect to actions listed in items (i) and (ii) of the same paragraph

三 外国商品市場取引について高度の能力を有する者として主務省令で定める者を相手方とし、又は当該者のために行う法第二条第二十二項第三号又は第四号に掲げる行為（第一号に掲げる行為に該当するものを除く。）

(iii) Actions listed in Article 2, paragraph (22), item (iii) or item (iv) of the Act with an entity prescribed by an ordinance of the competent ministry as an entity which has high-level capabilities with respect to Foreign Commodity Market Transaction as the other party, or actions performed on behalf of said entity (excluding actions constituting those listed in item (i))

四 外国商品先物取引業者が、法第二条第二十二項第三号から第五号までに掲げる行為についての勧誘をすることなく、商品先物取引業者による代理又は媒介により、外国から国内にある者（個人である者を除く。）を相手方として行うこれらの号に掲げる行為（これらの号に規定する媒介、取次ぎ又は代理を行う行為並びに第一号及び前号に掲げる行為に該当するものを除く。）

(iv) Actions listed in Article 2, paragraph (22), items (iii) through (v) of the Act performed by a foreign Commodity Derivatives Business Operator which has an entity in Japan as the other party (excluding entities that are individual persons), by an agency or brokerage without solicitation with respect to actions listed in these items (excluding the actions of performing brokerage, intermediation, or agency services as set forth in these items, and actions constituting actions listed in item (i) and the preceding item)

五 人的関係若しくは資本関係において密接な関係を有する者として主務省令で定める者を相手方とし、又は当該者のために行う法第二条第二十二項第五号に掲げる行為（第一号及び前号に掲げる行為に該当するものを除く。）

(v) Actions listed in Article 2, paragraph (22), item (v) of the Act with an entity prescribed by an ordinance of the competent ministry as an entity which has a close personal relationship or a close financial relationship as the other party, or performed on behalf of said an entity (excluding actions constituting actions listed in item (i) and the preceding item)

(加入の申込み等に係る情報通信の技術を利用した提供)

(Provision of Particulars Utilizing Information Communication Technology Pertaining to Subscription Requests, etc.)

第三条 次に掲げる規定に規定する事項を電磁的方法（法第十二条第四項に規定する電磁的方法をいう。以下この条及び第五条において同じ。）により提供しようとする者（次項において「提供者」という。）は、主務省令で定めるところにより、あらかじめ、当該事項の提供の相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 3 (1) A person who intends to provide particulars prescribed in the following provisions by Electromagnetic Means (meaning the Electromagnetic Means as prescribed in Article 12, paragraph (4) of the Act; the same shall apply hereinafter in this Article and Article 5) (such person shall be referred to as a "Provider" in the following paragraph) must present the party to whom said particulars are to be provided with the type and details of the Electromagnetic Means which is to be used, and obtain said party's consent in writing or by Electromagnetic Means in advance, pursuant to the provisions of an ordinance of the competent ministry:

一 法第十二条第四項

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

二 法第百三十条第三項

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

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

(2) If the party set forth in the preceding paragraph has stated in writing or by Electromagnetic Means that said party will not accept the provision of the particulars by Electromagnetic Means, a Provider who has obtained the consent under the provisions of the preceding paragraph must not provide said particulars to such party by Electromagnetic Means; provided, however, that this shall not apply when said party reissues consent under the provisions of the same paragraph.

(設立の許可等の基準)

(Criteria for Permission for Establishment, etc.)

第四条 法第十五条第一項第二号の政令で定める基準は、申請に係る上場商品に係る商品市場の会員になろうとする者のうち一年以上継続して当該上場商品に係る上場商品構成物品の売買等を業として行っているものの過半数が当該上場商品の大部分の種類
の売買等を業として行っている者であることとする。

Article 4 (1) The criteria specified by Cabinet Order as set forth in Article 15, paragraph (1), item (ii) of the Act concerning application shall be that the majority of those persons who intend to become members of a Commodity Market pertaining to a Listed Commodity will have, in the course of trade, engaged in the Buying and Selling, etc. of Listed Commodity Component Products pertaining to said Listed Commodity for one year or more on a continuous basis, and are persons who have in the course of trade engaged in the Buying and Selling, etc. of the majority of the types of said Listed Commodity.

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

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

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

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

be replaced with "Member, etc."

(会員総会の招集の通知に係る電磁的方法)

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

第五条 会員総会を招集する者は、法第五十九条第十項の規定により電磁的方法による招集の通知を発しようとするときは、主務省令で定めるところにより、あらかじめ、当該会員に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 5 (1) When persons who intend to convene a general meeting of members wish to issue a notice of convocation by Electromagnetic Means pursuant to the provisions of Article 59, paragraph (10) of the Act, they shall inform the members of the type and details of the Electromagnetic Means which they intend to use and gain their consent in writing or by Electromagnetic Means in advance, pursuant to the provisions of an ordinance of the competent ministry.

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

(2) Persons convening a general meeting of members who have gained consent under the provisions of the preceding paragraph shall not issue a notice of convocation to said members by Electromagnetic Means when any of said members have stated in writing or by Electromagnetic Means that they will not accept a notice of convocation by Electromagnetic Means; provided, however, that this shall not apply when said members have also given their consent under the same paragraph at another time.

(会員商品取引所の清算人について準用する法及び会社法の規定の読替え)

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

第六条 法第七十七条第二項の規定により会員商品取引所の清算人について法第五十五条第一項の規定を準用する場合には、同項中「会員商品取引所の役員」とあるのは「会員商品取引所の清算人」と、「他の商品取引所の役員」とあるのは「他の商品取引所の役員又は清算人」と読み替えるものとする。

Article 6 (1) In cases where the provisions of Article 55, paragraph (1) of the Act are applied mutatis mutandis to a liquidator of a Member Commodity Exchange pursuant to the provisions of Article 77, paragraph (2) of the Act, "An officer of a Member Commodity Exchange" in the same paragraph shall be deemed to be replaced with "a liquidator of a Member Commodity Exchange," and "an officer of another Commodity Exchange" shall be deemed to be

replaced with "an officer or a liquidator of another Commodity Exchange."

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

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

(株式会社商品取引所の最低資本金の額)

(Amount of Minimum Capital for an Incorporated Commodity Exchange)

第七条 法第八十条第一項第一号の政令で定める金額は、十億円とする。

Article 7 The amount to be specified by a Cabinet Order as set forth in Article 80, paragraph (1), item (i) of the Act shall be 1 billion yen.

(議決権の保有制限の適用除外)

(Exclusion of Limitation on the Holding of Voting Rights)

第八条 法第八十六条第一項ただし書の政令で定める金融商品取引所は、金融商品取引法（昭和二十三年法律第二十五号）第二条第十六項に規定する金融商品取引所とする。

Article 8 (1) The Financial Instruments Exchange specified by the Cabinet Order referred to in the proviso to Article 86, paragraph (1) of the Act shall be the Financial Instruments Exchange prescribed in Article 2, paragraph (18) of the Financial Instruments and Exchange Act (Act No. 25. of 1948)

2 法第八十六条第一項ただし書の政令で定める金融商品取引所持株会社は、金融商品取引法第二条第十八項に規定する金融商品取引所持株会社とする。

(2) The Financial Instruments Exchange Holding Company specified by the Cabinet Order referred to in the proviso to Article 86, paragraph (1) of the Act shall be the Financial Instruments Exchange Holding Company prescribed in Article 2, paragraph (18) of the Financial Instruments and Exchange Act.

(法第八十六条第五項第二号の政令で定める特別の関係)

(Special Relationships Specified by the Cabinet Order of Article 86, paragraph (5), item (ii) of the Act)

第九条 法第八十六条第三項第二号（法第八十六条の二第二項及び第九十六条の二十四において準用する場合を含む。）の政令で定める特別の関係は、次に掲げる関係とする。

Article 9 (1) A special relationship specified by Cabinet Order as set forth in Article 86, paragraph (3), item (ii) of the Act (including cases where it is

applied mutatis mutandis pursuant to Article 86-2, paragraph (2) and Article 96-24 of the Act) shall be as follows:

一 共同で株式会社商品取引所の対象議決権（法第八十六条第一項本文に規定する対象議決権をいう。以下同じ。）を取得し、若しくは保有し、又は当該株式会社商品取引所の対象議決権を行使することを合意している者（以下この条において「共同保有者」という。）の関係（共同保有者のいずれかが商品取引所等（法第八十六条第一項ただし書の商品取引所、商品取引所持株会社、金融商品取引所又は金融商品取引所持株会社をいう。以下同じ。）である場合においては、当該商品取引所等と他の共同保有者との関係を除く。）

(i) The relationship of persons who have jointly acquired or hold Subject Voting Rights of an Incorporated Commodity Exchange (which refers to the Subject Voting Rights prescribed in the main clause of Article 86, paragraph (1); the same shall apply hereinafter), or have agreed to exercise Subject Voting Rights of said Incorporated Commodity Exchange (hereinafter such persons shall be referred to as a "Joint Holder" in this Article) (when any Joint Holder is a Commodity Exchange, etc. (which refers to a Commodity Exchange, a Commodity Exchange Holding Company, a Financial Instruments Exchange or a Financial Instruments Exchange Holding Company; the same shall apply hereinafter) the relationship between said Commodity Exchange, etc. and other Joint Holders is excluded,)

二 夫婦の関係

(ii) The relationship of husband and wife

三 法人の総株主等（総株主、総社員又は総出資者をいう。以下同じ。）の議決権（株式会社にあつては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。以下同じ。）の百分の五十を超える議決権（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している者（以下この条において「支配株主等」という。）と当該法人（以下この条において「被支配法人」という。）との関係（支配株主等又は被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等とその支配株主等又は被支配法人との関係を除く。）

(iii) A relationship between a person who holds voting rights (including the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) [including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the

portion pertaining to item (ii))] of the Act on Transfer of Bonds, Shares, etc. [Act No. 75 of 2001]) which exceed fifty percent of the voting rights (in the case of a stock company, excluding the voting rights of shares which cannot be exercised for any matters subject to resolution at a general meeting of shareholders, and including the voting rights of shares for which a shareholder is deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; the same shall apply hereinafter) of All Shareholders, etc. (meaning all shareholders, all members or all contributors; the same shall apply hereinafter) of a corporation (hereinafter such a corporation shall be referred to as a "Controlling Shareholder, etc." in this Article) and said corporation (hereinafter referred to as a "Controlled Corporation" in this Article) (When any Controlling Shareholder, etc. or Controlled Corporation is a Commodity Exchange, etc. the relationship between said Commodity Exchange, etc. and that Controlling Shareholder, etc. or Controlled Corporation is excluded.)

四 被支配法人とその支配株主等の他の被支配法人との関係（被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等と他の被支配法人との関係を除く。）

(iv) Relationship between a Controlled Corporation and other Controlled Corporation of said Controlling Shareholder, etc. (When any Controlled Corporation is a Commodity Exchange, etc., the relationship between said Commodity Exchange, etc. and another Controlled Corporation is excluded.)

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

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

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

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

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

(4) In cases where Controlling Shareholders, etc. and their Controlled

Corporation jointly hold voting rights that exceed fifty percent of the voting rights of All Shareholders, etc. of the other corporation, said other corporation shall also be deemed to be a Controlled Corporation of said Controlling Shareholders, etc., and the provisions of paragraph (1) shall apply.

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

(5) In the cases listed in the following items, the voting rights held by the persons respectively specified in those items shall include the voting rights of the shares or equity interests which cannot be asserted against the issuer pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) [including cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the portion pertaining to item (ii))] of the Act on Transfer of Bonds, Shares, etc.:

一 第二項の場合 共同保有者

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

二 第三項の場合 夫婦

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

三 前項の場合 支配株主等及びその被支配法人

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

（一時自主規制委員の職務を行う者の選任の申立てについて準用する会社法の規定の読替え）

(Replacement of Terms of the Provisions of the Companies Act as Applied

Mutatis Mutandis to a Petition for the Selection of a Person to Carry Out the Duties of a Member of the Self-Regulating Committee)

第十条 法第九十六条の五第六項の規定により同条第四項の規定による一時自主規制委員の職務を行う者の選任の申立てについて会社法第八百七十条（第二号に係る部分に限る。）及び第八百七十四条（第一号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 10 Concerning a petition for the selection of persons who carry out the duties of the Self-Regulating Committee pursuant to the provisions of paragraph (4) of this Article pursuant to the provisions of Article 96-5, paragraph (6) of the Act, the technical replacement of terms pertaining to these provisions as applied mutatis mutandis to the provisions of Article 870 (limited to the part pertaining to item (ii)) and Article 874 of the Companies Act

(limited to the part pertaining to item (i)) are as in the following table.

読み替える会社法の規定 The provision of the Companies Act to be replaced	読み替えられる字句 Term deemed to be replaced	読み替える字句 Term to be used as a replacement
第八百七十条第二号 Article 870, item (ii)	若しくは第四百一条第三項 or Article 401, paragraph (3)	又は第四百一条第三項 or Article 401, paragraph (3)

一時取締役、会計参与、監査役、代表取締役、委員、執行役若しくは代表執行役の職務を行うべき者、清算人、第四百七十九条第四項において準用する第三百四十六条第二項若しくは第四百八十三条第六項において準用する第三百五十一条第二項の規定により選任された一時清算人若しくは代表清算人の職務を行うべき者、検査役又は第八百二十五条第二項（第八百二十七条第二項において準用する場合を含む。）の管理人
a person who is temporarily to perform the duties of a director, accounting advisor, company auditor, Representative Director, committee member, executive officer or representative executive officer appointed pursuant to the provisions of Article 346(2), Article 351(2) or Article 401(3) (including cases where it is applied mutatis mutandis pursuant to Article 403(3) or Article 420(3)), a liquidator, a person who is temporarily to perform the duties of a liquidator or representative liquidator appointed pursuant to the provisions of Article 346(2) as applied mutatis mutandis pursuant to Article 479(4) or the provisions of Article 351(2) as applied mutatis mutandis pursuant to Article 483(6), an inspector, or the administrator set forth in Article 825(2) (including cases where it is applied mutatis mutandis pursuant to Article 827(2))

又は第四百一条第三項
or Article 401, paragraph (3)

第八百七十四
条第一号
Article 874,
item (i)

一時取締役、会計参与、監
査役、代表取締役、委員、
執行役若しくは代表執行役
の職務を行うべき者、清算
人、代表清算人、清算持分
会社を代表する清算人、同
号に規定する一時清算人若
しくは代表清算人の職務を
行うべき者、検査役、第五
百一条第一項（第八百二十
二条第三項において準用す
る場合を含む。）若しくは
第六百六十二条第一項の鑑
定人、第五百八条第二項
（第八百二十二条第三項に
おいて準用する場合を含
む。）若しくは第六百七十
二条第三項の帳簿資料の保
存をする者、社債管理者の
特別代理人又は第七百十四
条第三項の事務を承継する
社債管理者

a person who is
temporarily to perform
the duties of a director,
accounting advisor,
company auditor,
Representative Director,
committee member,
executive officer or
representative executive
officer prescribed in item
(ii) of Article 870, a
liquidator, a
representative liquidator,
a liquidator who
represents a Liquidating
Membership Company, a
person who is temporarily
to perform the duties of a
liquidator or
representative liquidator
prescribed in that item,
an inspector, the
appraiser set forth in
Article 501(1) (including
the cases where it is
applied mutatis mutandis
pursuant to Article
822(3)) or Article 662(1),
the person who retains
Accounting Materials¹⁴ set
forth in Article 508(2)
(including the cases where
it is applied mutatis
mutandis pursuant to

一時自主規制委
員の職務を行う
者

a person who
is to
temporarily
perform the
duties of a
member of the
Self-
Regulating
Committee

選任又は選定 appointment or selection	選任 appointment
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(株式会社商品取引所の総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有することができる者)

(Persons who can Acquire or Hold the Subject Voting Rights at not less than the Holding Ratio Threshold but not more than 50 percent of the Holding Ratio Threshold of the voting rights of all shareholders of an Incorporated Commodity Exchange)

第十一条 法第九十六条の十九第一項の政令で定める者は、次に掲げる者とする。

Article 11 Persons to be specified by the Cabinet Order of Article 96-19, paragraph (1) of the Act shall be the following:

一 地方公共団体

(i) Local governments

二 外国商品市場を開設する者（次号において「外国商品市場開設者」という。）であつて、次に掲げるすべての要件を満たす者

(ii) Persons who establish Foreign Commodity Markets (in the following item referred to as "Foreign Commodity Market Establisher") and satisfy all of the following requirements listed:

イ その本店又は主たる事務所の所在する国において法第九条若しくは第七十八条の許可と同種類の許可又はこれに類する認可その他の行政処分を受けていること。

(a) In the country where its head office or principal office is located, the permission of Article 9 or Article 78 of the Act and permission of a similar type or similar authorization or other administrative dispositions have been obtained.

ロ その本店又は主たる事務所の所在する国における法（法に基づく命令を含む。以下このロにおいて同じ。）に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) That the authority responsible for the enforcement of the laws and regulations of the foreign country that correspond to the laws where its head office or principal office is located (including an order passed on this Act; hereinafter in (b) the same) ensures that when Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the law, said request shall be complied with.

ハ その者が法第九十六条の十九第一項又は第九十六条の三十一第一項の認可を受けてその総株主の議決権の保有基準割合（法第八十六条第一項本文又は第九十六条の二十八第一項本文に規定する保有基準割合をいう。第四号ハにおいて同じ。）以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所又は商品取引所持株会社が、商品取引所等の子会社（法第三条の二第三項に規定する子会社をいう。以下この条において同じ。）であること。

(c) The Incorporated Commodity Exchange or Commodity Exchange Holding Company of which that person, having received authorization under Article 96-19, paragraph (1) or Article 96-31, paragraph (1) of the Act, intends to acquire or hold Subject Voting Rights of a number greater than the Holding Ratio Threshold (which refers to the Holding Ratio Threshold prescribed in the main clause of Article 96, paragraph (1) or the main clause of Article 96-28, paragraph (1) of the Act. The same in item (iv), (c)) but less than 50% of the voting rights of all shareholders thereof is a subsidiary of Commodity Exchange, etc (which refers to the subsidiary company prescribed in Article 3-2, paragraph (3) of the Act; hereinafter in this Article the same).

三 外国商品市場開設者を子会社とする者（前号に掲げる者を除く。以下この号において「外国商品市場開設者持株会社」という。）であつて、次に掲げるすべての要件を満たす者

(iii) Persons for which a Foreign Commodity Market Establisher is regarded as a subsidiary (except for persons listed in the preceding item; hereinafter in this item referred to as a "Foreign Commodity Market Establisher Holding Company"), and which have satisfied all of the following requirements:

イ その本店又は主たる事務所の所在する国における法（法に基づく命令を含む。ロにおいて同じ。）に相当する外国の法令を執行する当局が、当該者が外国商品市場開設者持株会社であることについて法第九十六条の二十五第一項の認可と同種類の認可又はこれに類する許可その他の行為をしていること。

(a) That the authority responsible for the enforcement of the laws and regulations of the foreign country that correspond to the laws where its head office or principal office is located carries this out (including an order based on this Act; hereinafter in (b) the same), performs the authorizations of Article 96-25, paragraph (1) along with other similar authorizations, or similar permissions or other acts concerning the fact that said person is a Foreign Commodity Market Establisher Holding Company.

ロ その本店又は主たる事務所の所在する国における法に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) That the authority responsible for the enforcement of the laws and regulations of the foreign country that correspond to the laws where its head office or principal office is located ensures that when Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the law, said request shall be complied with.

ハ その者が法第九十六条の十九第一項の認可を受けてその総株主の議決権の保有基準割合（法第八十六条第一項本文に規定する保有基準割合をいう。第五号ハにおいて同じ。）以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所が、商品取引所等の子会社であること。

(c) The Incorporated Commodity Exchange of which that person, having received authorization under Article 96-19, paragraph (1) of the Act, intends to acquire or hold Subject Voting Rights of a number greater than the Holding Ratio Threshold (which refers to the Holding Ratio Threshold prescribed in the main clause of Article 96, paragraph (1); the same in item (v) (c)) but less than 50% of the voting rights of all shareholders thereof is a subsidiary of the Commodity Exchange, etc.

四 外国金融商品取引市場開設者（金融商品取引法第六十条の二第一項第六号に規定する外国金融商品取引市場開設者をいう。次号において同じ。）であつて、次に掲げるすべての要件を満たす者

(iv) A person who is an Establisher of a Foreign Financial Instruments Exchange Market (which refers to an Establisher of a Foreign Financial Instruments Exchange Market prescribed in Article 60-2, paragraph (1), item (vi) of the Financial Instruments and Exchange Act; hereinafter in this item the same), who has satisfied all of the following requirements:

イ その本店又は主たる事務所の所在する国において金融商品取引法第八十条第一項の免許と同種類の免許又はこれに類する許可その他の行政処分を受けていること。

(a) Has obtained the same kind of license as the license under Article 80, paragraph (1) of the Financial Instruments and Exchange Act or the permission or other administrative disposition similar thereto in the country where its head office or principal office is located

ロ その本店又は主たる事務所の所在する国における金融商品取引法（同法に基づく命令を含む。）に相当する外国の法令を執行する当局が、法（法に基づく命令を含む。次号ロにおいて同じ。）の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) That the authority responsible for the enforcement of the laws and regulations that correspond to the Financial Instruments and Exchange Act (including orders based on said law) in the country where its head office or principal office is located ensures that when Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the law (including orders based on said law; hereinafter the same shall apply in (b) of the next item) said request shall be complied with.

ハ その者が法第九十六条の十九第一項又は第九十六条の三十一第一項の認可を受けてその総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所又は商品取引所持株会社が、商品取引所等の子会社であること。

(c) The Incorporated Commodity Exchange or Commodity Exchange Holding Company of which that person, having received authorization under Article 96-19, paragraph (1) or Article 96-31, paragraph (1) of the Act, intends to

acquire or hold Subject Voting Rights of a number greater than the Holding Ratio Threshold but less than 50% of the voting rights of all shareholders thereof is a subsidiary of the Commodity Exchange, etc.

五 外国金融商品取引市場開設者持株会社（外国金融商品取引市場開設者を子会社とする者であつて前号に掲げる者以外の者をいう。以下この号において同じ。）であつて、次に掲げるすべての要件を満たす者

(v) Persons who represent a Foreign Financial Instruments Exchange Market Establisher Holding Company (meaning persons other than a those mentioned in the preceding item who regard a Foreign Financial Instruments Exchange Market Establisher as a subsidiary) who have satisfied all of the following requirements:

イ その本店又は主たる事務所の所在する国における金融商品取引法（同法に基づく命令を含む。ロにおいて同じ。）に相当する外国の法令を執行する当局が、当該者が外国金融商品取引市場開設者持株会社であることについて金融商品取引法第百六条の十第一項の認可と同種類の認可又はこれに類する許可その他の行為をしていること。

(a) That the authority responsible for the enforcement of the laws and regulations that correspond to the Financial Instruments and Exchange Act (including an order based on this Act; the same in (b)) in the country where its head office or principal office is located performs the authorizations of Article 106-10, paragraph (1) of the Financial Instruments and Exchange Act concerning the fact that said persons represent a Foreign Financial Instruments Exchange Market Establisher Holding Company, and authorizations of the same type or permissions and other acts similar thereto.

ロ その本店又は主たる事務所の所在する国における金融商品取引法に相当する外国の法令を執行する当局が、法の執行のために行う行政上の調査に関する協力を我が国が要請する場合には当該要請に応ずる旨の保証をしていること。

(b) That the authority responsible for the enforcement of the laws and regulations that correspond to the Financial Instruments and Exchange Act in the country where its head office or principal office is located ensures that when Japan requests cooperation concerning an administrative investigation conducted for the enforcement of the law, said request shall be complied with.

ハ その者が法第九十六条の十九第一項の認可を受けてその総株主の議決権の保有基準割合以上百分の五十以下の数の対象議決権を取得し、又は保有しようとする株式会社商品取引所が、商品取引所等の子会社であること。

(c) The Incorporated Commodity Exchange of which those persons, having received authorization under Article 96-19, paragraph (1) of the Act, intend to acquire or hold Subject Voting Rights of a number greater than the Holding Ratio Threshold but less than 50% of the voting rights of all

shareholders thereof is a subsidiary of the Commodity Exchange, etc.

(法第九十六条の四十二において準用する法第八十六条第五項第二号の政令で定める特別の関係)

(Special Relationship specified by Cabinet Order of Article 86, paragraph (5), item (ii) of the Act applied mutatis mutandis in Article 96-42 of the Act)

第十二条 法第九十六条の四十二において準用する法第八十六条第五項第二号の政令で定める特別の関係は、次に掲げる関係とする。

Article 12 (1) Special relationships specified by Cabinet Order of Article 86, paragraph (5), item (ii) of the Act applied mutatis mutandis in Article 96-42 of the Act shall be the following listed relationships:

一 共同で株式会社商品取引所若しくは商品取引所持株会社の対象議決権を取得し、若しくは保有し、又は当該株式会社商品取引所若しくは当該商品取引所持株会社の対象議決権を行使することを合意している者（以下この条において「共同保有者」という。）の関係（共同保有者のいずれかが商品取引所等である場合においては、当該商品取引所等と他の共同保有者との関係を除く。）

(i) The relationship of persons who agree to jointly acquire or hold the Subject Voting Rights of an Incorporated Commodity Exchange or a Commodity Exchange Holding Company, or to exercise the Subject Voting Rights of said Incorporated Commodity Exchange or said Commodity Exchange Holding Company (hereafter referred to as "Joint Holder" in this Article) (when any of the Joint Holders are a Commodity Exchange, etc., the relationship of said Commodity Exchange, etc. with another Joint Holder is excluded)

二 夫婦の関係

(ii) The relationship of husband and wife

三 法人の総株主等の議決権の百分の五十を超える議決権（社債、株式等の振替に関する法律第百四十七条第一項又は第百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している者（以下この条において「支配株主等」という。）と当該法人（以下この条において「被支配法人」という。）との関係（支配株主等又は被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等とその支配株主等又は被支配法人との関係を除く。）

(iii) The relationship between a person who holds voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation (including voting rights pertaining to shares or holdings that cannot be asserted against the issuer according to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc.) (including the cases when these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1),

Article 239, paragraph (1) and Article 276 (limited to the part pertaining to item (ii)) of said Act) (hereafter in this Article, referred to as "Controlling Shareholder, etc.") and said corporation (hereafter in this Article, referred to as "Controlled Corporation") (When either the Controlling Shareholder, etc. or the Controlled Corporation is a Commodity Exchange, etc., the relationship of said Commodity Exchange, etc. and its Controlling Shareholder, etc. or Controlled Corporation is excluded)

四 被支配法人とその支配株主等の他の被支配法人との関係（被支配法人のいずれかが商品取引所等である場合においては、当該商品取引所等と他の被支配法人との関係を除く。）

(iv) The relationship of a Controlled Corporation and another Controlled Corporation of that Controlling Shareholder, etc. (When any Controlled Corporation is a Commodity Exchange, etc. the relationship of said Commodity Exchange, etc. and another Controlled Corporation is excluded)

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

(2) When Joint Holders collectively hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation, said Joint Holders are regarded as Controlling Shareholders, etc. of said corporation respectively and the provisions of the preceding paragraph apply.

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

(3) When husband and wife collectively hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of a corporation, said husband and wife are regarded as Controlling Shareholders, etc. of said corporation respectively and the provisions of paragraph (1) apply.

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

(4) When the Controlling Shareholder, etc. and its Controlled Corporation collectively hold voting rights that exceed 50 percent of the voting rights of all shareholders, etc. of another corporation, said other corporation is also regarded as a Controlled Corporation of said Controlling Shareholder, etc. and the provisions of paragraph (1) apply.

5 次の各号に掲げる場合において、当該各号に定める者が保有する議決権には、社債、株式等の振替に関する法律第四百七条第一項又は第四百八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含むものとす

る。

(5) In cases where any of the following items apply, in the voting rights that the persons prescribed in each said item hold, the voting rights pertaining to shares or holdings which cannot be asserted against the issuer shall be included pursuant to the provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc. (including the cases where these provisions are applied mutatis mutandis pursuant to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1) and Article 276 (limited to the part pertaining to item (ii)) of said Act.

一 第二項の場合 共同保有者

(i) In the case of paragraph (2) Joint Holder

二 第三項の場合 夫婦

(ii) In the case of paragraph (3) Husband and wife

三 前項の場合 支配株主等及びその被支配法人

(iii) In the case of the preceding paragraph Controlling Shareholder, etc. and its Controlled Corporation

(充用有価証券)

(Appropriation Securities)

第十三条 法第百一条第三項の政令で定める有価証券は、次に掲げるものとする。ただし、第三号から第八号までに掲げるものについては、商品取引所が定款（株式会社商品取引所にあつては、業務規程）で定めるところにより指定するものに限る。

Article 13 Securities specified by Cabinet Order as set forth in Article 101, paragraph (3) of the Act shall be as follows; provided, however, that those listed in items (iii) to (viii) inclusive shall be limited to those which a Commodity Exchange designates in its articles of incorporation (in the case of an Incorporated Commodity Exchange, in its market rules).

一 日本銀行の発行する出資証券

(i) Subscription certificates issued by the Bank of Japan

二 特別の法律により法人の発行する債券

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

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

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

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

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

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

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

六 第三号又は第四号の株券を発行する会社の発行する社債券

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

七 信託法（平成十八年法律第百八号）第百八十五条第一項に規定する受益証券、投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第七項に規定する受益証券及び貸付信託法（昭和二十七年法律第百九十五号）第二条第二項に規定する受益証券

(vii) Beneficiary certificates prescribed in Article 185, paragraph (1) of the Loan Trust Act (Act No. 108 of 2006), beneficiary certificates prescribed in Article 2, paragraph (7) of the Act Concerning Investment Trusts and Investment Corporations (Act No. 198 of 1951), and beneficiary certificates prescribed in Article 2, paragraph (2) of the Loan Trust Act (Act No. 195 of 1952)

八 投資信託及び投資法人に関する法律第二条第十五項に規定する投資証券、同条第十八項に規定する投資法人債券及び同法第二百二十条第一項に規定する外国投資証券

(viii) Investment securities prescribed in Article 2, paragraph (15) of the Act on Investment Trusts and Investment Corporations, Investment Corporation Bond Certificates prescribed in paragraph (18) of the same Article, and Foreign Investment Securities prescribed in Article 220, paragraph (1) of the same Act

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

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

第十四条 法第二百二十六条第二項の規定により同条第一項の規定により株式又は金銭の割当てを受ける場合について会社法第八百七十一条の規定を準用する場合においては、同条第二号中「第八百七十四条各号」とあるのは、「第八百七十四条第四号」と読み替えるものとする。

Article 14 In cases where the provisions of Article 871 of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 126, paragraph (2) of the Act, to cases where the allotment of shares or money is received pursuant to the provisions of paragraph (1) of the same Article, "the respective items of Article 874" in item (ii) of Article 871 of the Companies Act shall be deemed to be replaced with "Article 874, item (iv)."

(金銭以外の財産を出資の目的とする場合について準用する会社法の規定の読替え)
(Replacement of Terms of the Provisions of the Companies Act as Applied
Mutatis Mutandis to Cases of Making Property Other than Money the Object
of Contribution)

第十五条 法第百三十一条の六の規定により法第百二十九条第三号に規定する場合について会社法第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合においては、同条第四号中「第八百七十条各号」とあるのは「第八百七十条第二号及び第七号」と、「申立人及び当該各号に定める者（同条第二号、第五号及び第七号に掲げる裁判にあっては、当該各号に定める者）」とあるのは「当該各号に定める者」と読み替えるものとする。

Article 15 In cases where the provisions of Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 131-6 of the Act, to cases prescribed in Article 129, item (iii) of the Act, "the respective items of Article 870" in item (iv) of Article 872 of the Companies Act shall be deemed to be replaced with "Article 870, item (ii) and item (vii)," and "the applicant or the persons respectively prescribed in those items (for the judgments set forth in item (ii), item (v), and item (vii) of the same Article, the persons respectively prescribed in those items)" shall be deemed to be replaced with "the persons respectively prescribed in those items."

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

第十六条 法第百四十四条の九第三項の規定により同条第一項の規定による請求について会社法第七百九十七条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 16 In cases where the provisions of Article 797, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-9, paragraph (3) of the Act, to a demand under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows:

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

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

第十七条 法第百四十四条の十五第二項の規定により同条第一項の規定による請求について会社法第八百六条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 17 In cases where the provisions of Article 806, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-15, paragraph (2) of the Act, to a demand under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows:

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八百六条第五項 Article 806, paragraph (5)	第一項 paragraph (1)	商品先物取引法第百四十四条の十五第一項 Article 144-15, paragraph (1) of the Commodity Derivatives Act
	第三項 paragraph (3)	同法第百四十四条の十四第一項 Article 144-14, paragraph (1) of the same Act

	前項 the preceding paragraph	同条第二項 paragraph (2) of the same Article
第八百七十二条第四号 Article 872, item (iv)	第八百七十条各号 the respective items of Article 870	第八百七十条第四号 Article 870, item (iv)

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

(Replacement of Terms of the Provisions of the Companies Act as Applied

Mutatis Mutandis to a Request for Purchase of a Right to Subscribe for New Shares in the Case of a Consolidation-Type Merger)

第十八条 法第百四十四条の十六第二項の規定により同条第一項の規定による請求について会社法第八百八条第五項、第八百九条第五項及び第八百七十二条（第四号に係る部分に限る。）の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 18 In cases where the provisions of Article 808, paragraph (5), Article 809, paragraph (5) and Article 872 (limited to the part pertaining to item (iv)) of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 144-16, paragraph (2) of the Act, to a request under paragraph (1) of the same Article, the technical replacement of terms pertaining to these provisions shall be as follows:

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八百八条第五項 Article 808, item (v)	第三項 paragraph (3)	商品先物取引法第百四十四条の十四第一項 Article 144-14, paragraph (1) of the Commodity Derivatives Act
	前項 the preceding paragraph	同条第二項 paragraph (2) of the same Article

<p>第八百九条第五項 Article 809, item (v)</p>	<p>次の各号に掲げる新株予約権の区分に応じ、当該各号に定める時 the time prescribed in the following items for the categories of rights to subscribe for new shares set forth respectively in those items</p>	<p>新設合併設立株式会社商品取引所の成立の日 the day of establishment of the Incorporated Commodity Exchange Established by a Consolidation-Type Merger</p>
<p>第八百七十二条第四号 Article 872, item (iv)</p>	<p>第八百七十条各号 the respective items of Article 870</p>	<p>第八百七十条第四号 Article 870, item (iv)</p>

(同種の商品市場)

(Identical Type of Commodity Market)

第十九条 法第一百四十九条第二項及び第四項の政令で定める同種の商品市場は、次に掲げる商品市場とする。

Article 19 An identical type of Commodity Market specified by Cabinet Order as set forth in Article 149, paragraph (2) and paragraph (4) of the Act shall be as follows:

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

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

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

(ii) In the case of a Commodity Market pertaining to a Listed Commodity Index, a Commodity Market which includes, as its Listed Commodity Index, all Commodity Indices included in Listed Commodity Index on a Commodity Market of a Commodity Exchange dissolved as a result of a merger (hereinafter referred to as "Indices Constituting the Listed Commodity

Index" in this item) and which carries out all types of transactions that had been carried out on the Commodity Market of said dissolved Commodity Exchange for each of said Indices Constituting the Listed Commodity Index

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

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

第二十条 法第百五十条の規定により法第百四十二条の吸収合併及び法第百四十三条第一項の新設合併について会社法第二百三十四条第二項及び第八百七十一条の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 20 In cases where the provisions of Article 234, paragraph (2), and Article 871 of the Companies Act are applied mutatis mutandis, pursuant to the provisions of Article 150 of the Act, to an Absorption-Type Merger under Article 142 of the Act and a Consolidation-Type Merger under Article 143, paragraph (1) of the Act, the technical replacement of terms pertaining to these provisions shall be as follows:

読み替える会社法の規定 Provisions of the Companies Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第二百三十四条第二項 Article 234, paragraph (2)	法務省令 an Ordinance of the Ministry of Justice	主務省令 an ordinance of the competent ministry
第八百七十一条第二号 Article 871, item (ii)	第八百七十四条各号 the respective items of Article 874	第八百七十四条第四号 Article 874, item (iv)

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

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

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

Article 21 In cases where the provisions of Article 80 (except for item (ii), item

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

読み替える商業登記法の規定 Provisions of the Commercial Registration Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八十条第三号 Article 80, item (iii)	会社法第七百九十九条第二項 Article 799, paragraph (2) of the Companies Act	商品先物取引法第百四十四条の二第三項の規定により準用する同法第百二十四条第二項 Article 124, paragraph (2) of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144-2, paragraph (3) of the same Act
第八十条第四号 Article 80, item (iv)	会社法第四百四十五条第五項 Article 445, paragraph (5) of the Companies Act	商品先物取引法第百五十四条第二項 Article 154, paragraph (2) of the Commodity Derivatives Act
第八十条第八号 Article 80, item (viii)	会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)	商品先物取引法第百四十四条第五項の規定により準用する同法第百二十四条第二項 Article 124, paragraph (2) of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144, paragraph (5) of the same Act

	同法第七百八十九条第三項（同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)	同条第三項 paragraph (3) of the same Article
第八十一条第八号 Article 81, item (viii)	会社法第八百十条第二項（第三号を除き、同法第八百十三条第二項において準用する場合を含む。） Article 810, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)	商品先物取引法第一百四十四条の三第五項の規定により準用する同法第二百二十四条第二項 Article 124, paragraph (2) of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph (5) of the same Act
	同法第八百十条第三項（同法第八百十三条第二項において準用する場合を含む。） Article 810, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)	同条第三項 paragraph (3) of the same Article

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

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

第二十二條 法第一百五十二条第二項の規定により法第三十九条第二項第二号に掲げる場合における合併による会員商品取引所及び株式会社商品取引所の登記について商業登記法第八十条（第六号、第九号、及び第十号を除く。）、第八十一条及び第八十三条の規定を準用する場合におけるこれらの規定に係る技術的読替えは、次の表のとおりとする。

Article 22 In cases where the provisions of Article 80 (except for item (vi), item (ix), and item (x)), Article 81 and Article 83 of the Commercial Registration Act are applied mutatis mutandis, pursuant to the provisions of Article 152,

paragraph (2) of the Act, to the registration of a Member Commodity Exchange or an Incorporated Commodity Exchange established by the merger in the case set forth in Article 139, paragraph (2), item (ii) of the Act, the technical replacement of terms pertaining to these provisions shall be as follows:

読み替える商業登記法の規定 Provisions of the Commercial Registration Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第八十条第二号 Article 80, item (ii)	会社法第七百九十六条第一項本文又は第三項本文 the main clause of Article 796, paragraph (1) or the main clause of Article 796, paragraph (3) of the Companies Act	商品先物取引法第百四十四条の七第一項本文 the main clause of Article 144-7, paragraph (1) of the Commodity Derivatives Act
第八十条第三号 Article 80, item (iii)	同条第四項 paragraph (4) of the same Article	同条第二項 paragraph (2) of the same Article
第八十条第四号 Article 80, item (iv)	会社法第四百四十五条第五項 Article 445, paragraph (5) of the Companies Act	商品先物取引法第百四十四条の十第二項 Article 144-10, paragraph (2) of the Commodity Derivatives Act
第八十条第八号 Article 80, item (viii)	会社法第七百八十九条第二項（第三号を除き、同法第七百九十三条第二項において準用する場合を含む。） Article 789, paragraph (2) of the Companies Act (except for item (iii) and including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)	商品先物取引法第百四十四条第五項の規定により準用する同法第二百二十四条第二項 Article 124, paragraph (2) of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144, paragraph (5) of the same Act

	<p>同法第七百八十九条第三項 （同法第七百九十三条第二項 において準用する場合を含む。 ） Article 789, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 793, paragraph (2) of the same Act)</p>	<p>同条第三項 paragraph (3) of the same Article</p>
<p>第八十一条第六 号 Article 81, item (vi)</p>	<p>会社法第八百四条第一項及び 第三項 Article 804, paragraph (1) and paragraph (3) of the Companies Act</p>	<p>商品先物取引法第百四十四条の 十三第一項及び第四項 Article 144-13, paragraph (1) and paragraph (4) of the Commodity Derivatives Act</p>
<p>第八十一条第八 号 Article 81, item 8</p>	<p>会社法第八百十条第二項（第 三号を除き、同法第八百十三 条第二項において準用する場 合を含む。） Article 810, paragraph 2 of the Companies Act (except for item 3 and including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph 2 of the same Act)</p>	<p>商品先物取引法第百四十四条の 三第五項の規定により準用する 同法第二百二十四条第二項及び同 法第百四十四条の十七の規定に より準用する同法第百四十四条 の十第二項 Article 124, paragraph 2 of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph 5 of the same Act, and Article 144-10, paragraph 2 of the same Act as applied mutatis mutandis pursuant to the provisions of Article 144-17 of the same Act</p>

	同法第八百十條第三項（同法第八百十三條第二項において準用する場合を含む。） Article 810, paragraph (3) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 813, paragraph (2) of the same Act)	同法第四百四十四條の三第五項の規定により準用する同法第二百四十四條第三項及び同法第四百四十四條の十七の規定により準用する同法第四百四十四條の十第三項 Article 124, paragraph (3) of the Commodity Derivatives Act as applied mutatis mutandis pursuant to the provisions of Article 144-3, paragraph (5) of the same Act, and Article 144-10, paragraph (3) of the same Act as applied mutatis mutandis pursuant to the provisions of Article 144-17 of the same Act
第八十三條第二項 Article 83, paragraph (2)	本店の所在地を管轄する登記所に送付しなければ unless sending to a registry office having jurisdiction over the location of the head office	主たる事務所又は本店の所在地を管轄する登記所に送付しなければ unless sending to a registry office having jurisdiction over the location of the principal office or the head office

（商品先物取引業者としての許可を受けることができる者）

(Entities Eligible for Licensing as Commodity Derivatives Business Operators)

第二十三條 法第九十三條第一項第一号ロの政令で定めるものは、次に掲げるものとする。

Article 23 The entities prescribed by Cabinet Order under Article 193, paragraph (1), item (i), (b) of the Act shall be the following:

一 信用金庫及び信用金庫連合会

(i) Shinkin Banks and the federation of Shinkin Banks

二 信用協同組合及び中小企業等協同組合法（昭和二十四年法律第百八十一号）第九條の九第一項第一号の事業を行う協同組合連合会

(ii) Credit cooperatives and federations of cooperatives engaged in the business of Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act (Act No. 181 of 1949)

三 労働金庫及び労働金庫連合会

(iii) Labor Banks and federations of Labor Banks

四 農林中央金庫

(iv) The Norinchukin Bank

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

(v) Agricultural cooperatives and the federation of agricultural cooperatives engaged in the business of Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947)

六 相互会社（保険業法（平成七年法律第百五号）第二条第五項に規定する相互会社をいう。）である保険会社及び同条第七項に規定する外国保険会社等（株式会社以外の法人又は外国に住所を有する者（法第百九十三条第一項第一号イに該当する者を除く。）に限る。）

(vi) Insurance companies that are mutual companies (referring to mutual companies as defined in Article 2, paragraph (5) of the Insurance Business Act (Act No. 105 of 1995)) and foreign insurance companies prescribed in paragraph (7) of the same Article (limited to corporations other than stock companies, which have an address in a foreign country (excluding those covered by Article 193, paragraph (1), item (i), (a) of the Act)

（特定委託者による一般顧客としての取扱いの申出等の承諾に係る情報通信の技術を利用した提供）

(Provision Utilizing Information Communication Technology Pertaining to Consent to a Proposal for Treatment as a General Customer by an Eligible Consignor)

第二十四条 商品先物取引業者は、法第百九十七条の四第四項（法第百九十七条の五第十三項（法第百九十七条の六第六項及び第百九十七条の九第二項において準用する場合を含む。）、第百九十七条の六第三項及び第百九十七条の八第二項において準用する場合を含む。以下この条において同じ。）の規定により法第百九十七条の四第四項に規定する事項を提供しようとするときは、主務省令で定めるところにより、あらかじめ、当該事項の提供の相手方に対し、その用いる同項に規定する情報通信の技術を利用する方法（次項において「電磁的方法」という。）の種類及び内容を示し、書面又は電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主務省令で定めるもの（次項において「書面等」という。）による承諾を得なければならない。

Article 24 (1) When a Commodity Derivatives Business Operator intends to provide the particulars prescribed in Article 197-4, paragraph (4) of the Act pursuant to provisions of Article 197-4, paragraph (4) of the Act (including the cases where applied mutatis mutandis pursuant to Article 197-5, paragraph (13) (including the cases where applied mutatis mutandis pursuant to Article 197-6, paragraph (6) and Article 197-9, paragraph (2) of the Act), Article 197-6, paragraph (3), and Article 197-8, paragraph (2) of the Act, the same shall apply hereinafter in this Article), the Commodity Derivatives Business Operator must present the party to whom said particulars are to be provided with the type and details of the means of utilizing information communication technology prescribed in the provisions of the same paragraph (referred to in the following paragraph as "Electromagnetic Means"), and obtain consent in

writing or through an electronic data processing system or other means utilizing information communication technology prescribed by an ordinance of the competent ministry (referred to in the following paragraph as "in Writing, etc."), in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面等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、当該相手方に対し、法第百九十七条の四第四項に規定する事項の提供を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) If the party set forth in the preceding paragraph has stated in Writing, etc. that said party will not accept provision by Electromagnetic Means, a Commodity Derivatives Business Operator who has obtained the consent under the provisions of the preceding paragraph must not provide the particulars prescribed in Article 197-4, paragraph (4) of the Act to said party by Electromagnetic Means; provided, however, that this shall not apply when said party reissues consent under provisions of the preceding paragraph.

(復帰申出等の承諾に係る情報通信の技術を利用した同意の取得)

(Obtaining Consent Utilizing Information Communication Technology
Pertaining to Acceptance of a Request for Reinstatement)

第二十五条 商品先物取引業者は、法第百九十七条の四第十二項（法第百九十七条の五第三項（同条第九項（法第百九十七条の六第六項において準用する場合を含む。））、第百九十七条の六第六項及び第百九十七条の九第二項において準用する場合を含む。）及び第百九十七条の八第二項において準用する場合を含む。以下この条において同じ。）の規定により、法第百九十七条の四第十二項に規定する主務省令で定める方法（以下この条において「電磁的方法」という。）により同意を得ようとするときは、主務省令で定めるところにより、あらかじめ、当該同意を得ようとする相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 25 (1) When a Commodity Derivatives Business Operator intends to obtain consent pursuant to provisions of Article 197-4, paragraph (12) of the Act (including the cases where applied mutatis mutandis pursuant to Article 197-5, paragraph (3) (including the cases where applied mutatis mutandis pursuant to paragraph (9) of the same Article (including the cases where applied mutatis mutandis pursuant to Article 197-6, paragraph (6)), Article 197-6, paragraph (6) and Article 197-9, paragraph (2) of the Act) and to Article 197-8, paragraph (2) of the Act; the same shall apply hereinafter in this Article) by the means prescribed by an ordinance of the competent ministry that are set forth in Article 197-4, paragraph (12) of the Act (referred to hereinafter in this Article as "Electromagnetic Means"), the Commodity Futures Business Operator must present the party from whom said consent is

to be obtained with the type and details of the Electromagnetic Means to be utilized, and obtain consent in writing or by Electromagnetic Means, in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面又は電磁的方法により電磁的方法による同意を行わない旨の申出があつたときは、当該相手方に対し、法第百九十七条の四第十二項に規定する同意の取得を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) If the party set forth in the preceding paragraph has stated in writing or by Electromagnetic Means that said party will not consent by Electromagnetic Means, a Commodity Derivatives Business Operator who has obtained consent pursuant to the provisions of the preceding paragraph must not obtain the consent prescribed in Article 197-4, paragraph (12) of the Act by Electromagnetic Means; provided, however, that this shall not apply when said party reissues consent under provisions of the preceding paragraph.

(登録手数料の額)

(Amount of Registration Fee)

第二十六条 法第二百七条第一項（法第二百四十条の十一において準用する場合を含む。）の規定による登録手数料の額は、千円とする。

Article 26 (1) The amount of the registration fee prescribed in Article 207, paragraph (1) of the Act (including the cases when applied mutatis mutandis pursuant to Article 240-11 of the Act) shall be 1,000 yen.

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

(2) In cases where a person pays a registration fee set forth in the preceding paragraph to the national government, they shall pay it by attaching a revenue stamp of the amount equivalent to the registration fee; provided, however, that in cases where a person applies for registration by using an electronic data processing system prescribed in Article 3, paragraph (1) of the Act Concerning Utilization of Information Communications Technology in Administrative Procedures, etc. (Act No. 151 of 2002) pursuant to the provisions of the same paragraph, they may pay it in cash pursuant to the provisions of an ordinance of the competent ministry.

(商品先物取引業者が占有する商品等の処分に係る情報通信の技術を利用した同意の取得)

(Obtaining Consent Utilizing Information Communication Technology)

Pertaining to Disposition of Commodities, etc., in the Possession of a
Commodity Derivatives Business Operator)

第二十七条 商品先物取引業者は、法第二百九条第二項の規定により、同項に規定する主務省令で定める方法（以下この条において「電磁的方法」という。）により同意を得ようとするときは、主務省令で定めるところにより、あらかじめ、当該同意を得ようとする相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 27 (1) When a Commodity Futures Business Operator intends to obtain consent pursuant to provisions of Article 209, paragraph (2) of the Act by the means prescribed by an ordinance of the competent ministry that are set forth in the same paragraph (referred to hereinafter in this Article as "Electromagnetic Means"), the Commodity Derivatives Business Operator must present the party from whom consent is to be obtained with the type and details of Electromagnetic Means to be utilized, and obtain consent in writing or by Electromagnetic Means, in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た商品先物取引業者は、当該相手方から書面又は電磁的方法により電磁的方法による同意を行わない旨の申出があつたときは、当該相手方に対し、法第二百九条第二項に規定する同意の取得を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) If the party set forth in the preceding paragraph has stated in writing or by Electromagnetic Means that said party will not consent by Electromagnetic Means, a Commodity Derivatives Business Operator who has obtained consent pursuant to the provisions of the preceding paragraph must not obtain the consent prescribed in Article 209, paragraph (2) by Electromagnetic Means; provided, however, that this shall not apply when said party reissues consent under provisions of the preceding paragraph.

(純資産額規制比率の届出等をすべき者から除かれる者)

(Entities Excluded from Persons Required to Provide Notification of Net Asset
Restriction Ratio)

第二十八条 法第二百十一条第一項の政令で定める者は、次に掲げる者とする。

Article 28 The entities prescribed by Cabinet Order under Article 211,
paragraph (1) of the Act shall be as follows:

一 銀行

(i) Banks

二 株式会社商工組合中央金庫

(ii) The Shoko Chukin Bank, Ltd.

三 株式会社日本政策投資銀行

(iii) The Development Bank of Japan Inc.

四 信用金庫及び信用金庫連合会

(iv) Shinkin Banks and the federation of Shinkin Banks

五 信用協同組合及び中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会

(v) Credit cooperatives and federations of cooperatives engaged in the business of Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprise Cooperatives Act

六 労働金庫及び労働金庫連合会

(vi) Labor Banks and federation of Labor Banks

七 農林中央金庫

(vii) The Norinchukin Bank

八 農業協同組合法第十条第一項第三号の事業を行う農業協同組合及び農業協同組合連合会

(viii) Agricultural cooperatives and the federation of agricultural cooperatives engaged in the business of Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act

九 保険会社及び保険業法第二条第七項に規定する外国保険会社等

(ix) Insurance companies and foreign insurance companies prescribed in Article 2, paragraph (7) of the Insurance Business Act

(顧客の判断に影響を及ぼす重要事項)

(Important Particulars that May Influence a Customers' Judgment)

第二十九条 法第二百十三條の二第一項第三号の政令で定めるものは、次に掲げるものとする。

Article 29 The particulars specified by Cabinet Order as prescribed in Article 213-2, paragraph (1), item (iii) of the Act shall be the following:

一 商品取引契約に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であつて主務省令で定めるもの

(i) Particulars concerning fees, remuneration and any other consideration to be paid by the customer with regard to a Commodity Transaction Contract, that are specified by an ordinance of the competent ministry

二 商品取引契約に関して顧客が預託すべき取引証拠金等（法第二百七条第一項第一号に規定する取引証拠金等をいう。以下この条、次条及び第三十六条において同じ。）がある場合にあつては、その額又は計算方法

(ii) In cases where there is a Clearing Margin, etc. (meaning the Clearing Margin, etc. prescribed in Article 217, paragraph (1), item (i) of the Act; hereinafter the same shall apply in this Article, the following Article and Article 36) to be deposited by the customer with regard to a Commodity Transaction Contract, the amount or method of calculation thereof

三 商品取引契約に基づく取引（法第二条第三項第四号に掲げる取引にあつては同号の権利を行使することにより成立する同号イからホまでに掲げる取引をいい、同条第十四項第四号に掲げる取引にあつては同号の権利を行使することにより成立する

同号イからニまでに掲げる取引をいい、同項第五号に掲げる取引にあつては同号の権利を行使することにより成立する同号に規定する金銭を授受することとなる取引をいう。第三十六条第三号において同じ。)の額(取引の対価の額又は約定価格若しくは約定数値に、その取引の件数又は数量を乗じて得た額をいう。同号において同じ。)が、当該取引について顧客が預託すべき取引証拠金等の額を上回る可能性がある場合にあつては、次に掲げる事項

(iii) In cases in which the possibility exists that the amount of the transaction based on a Commodity Transaction Contract (in the case of the transactions set forth in Article 2, paragraph (3), item (iv) of the Act, it shall be any transaction set forth in (a) through (e) inclusive of the same item which is closed by exercising the right under the same item; in the case of the transactions set forth in paragraph (14), item (iv) of the same Article, it shall be any transaction set forth in (a) through (d) inclusive of the same item which is closed by exercising the right under the same item; in the case of the transactions set forth item (v) of the same paragraph, it shall be any transaction which is closed by exercising the right under the same item resulting in a receipt of money prescribed in the same item; the same shall apply in Article 36, item (iii) (referring to an amount obtained by multiplying the value of the transaction or the contract price or agreed figure by the number or volume of transactions; the same shall apply in the same item) exceeds the amount of the Clearing Margin, etc. to be deposited by the customer for said transaction, the following particulars:

イ当該取引の額が当該取引証拠金等の額を上回る可能性がある旨

(a) The fact that the possibility exists⁴ that the transaction amount is greater than the amount of the Clearing Margin, etc. and

ロ当該取引の額の当該取引証拠金等の額に対する比率(当該比率を算出することができない場合にあつては、その旨及びその理由)

(b) The ratio of the amount of the transaction to the amount of the Clearing Margin, etc. (in cases in which the ratio cannot be calculated, that fact and the reason therefor)

四 商品市場における相場その他の商品の価格又は商品指数(次条及び第三十六条第四号において「商品市場における相場等」という。)に係る変動により商品取引契約に基づく取引について顧客に損失が生ずることとなるおそれがあり、かつ、当該損失の額が取引証拠金等の額を上回ることとなるおそれがある場合には、その旨及びその理由

(iv) The fact that there is a risk of the customer incurring a loss with regard to the transaction based on said Commodity Transaction Contracts due to fluctuation in the market prices in commodity markets or other commodity prices or commodity indices (referred to as "Commodity Market Price, etc." in the following Article and in Article 36, item (iv)) and a risk that the amount of such loss could exceed the amount of the Clearing Margin, etc., and the

reason therefor.

五 前各号に掲げる事項に準ずるものとして主務省令で定めるもの

(v) The particulars specified by an ordinance of the competent ministry as those equivalent to the particulars listed in the preceding items.

(不招請勧誘が禁止される商品取引契約)

(Commodity Transaction Contracts with Prohibitions on Uninvited Solicitation)

第三十条 法第二百十四条第九号の政令で定めるものは、個人である顧客（以下この条において「個人顧客」という。）を相手方とし、又は個人顧客のために法第二条第二十二項第一号から第四号までに掲げる行為を行うことを内容とする商品取引契約（商品市場における相場等に係る変動により当該商品取引契約に基づく取引について当該個人顧客に損失が生ずることとなるおそれがある場合における当該損失の額が、取引証拠金等の額を上回ることとなるおそれがあるものに限る。）及び個人顧客を相手方とし、又は個人顧客のために同項第五号に掲げる行為を行うことを内容とする商品取引契約とする。

Article 30 The contracts prescribed by Cabinet Order under Article 214, item (ix) of the Act are Commodity Transaction Contracts with customers who are individual persons (referred to hereinafter in this Article as "Individual Customers") as other parties, or contracts wherein the actions listed from Article 2, paragraph (22), items (i) through (iv) are performed for Individual Customers (limited to those wherein in cases in which the risk exists of losses occurring to the Individual Customer with respect to transactions based on said Commodity Transaction Contracts due to fluctuations in commodity market prices, etc., a risk exists that the amount of said losses may exceed the amount of the Clearing Margin, etc.), and Commodity Transaction Contracts with Individual Customers as other parties or contracts wherein the actions listed in item (v) of the same paragraph are performed for Individual Customers.

(商品取引契約の締結前の書面等に係る情報通信の技術を利用した提供又は通知)

(Provision or Notification of Particulars Utilizing Information Communication Technology Pertaining to Documents, etc., Prior to Conclusion of Commodity Transaction Contracts)

第三十一条 商品先物取引業者は、法第二百十七条第二項（法第二百二十条第二項及び第二百二十条の二第二項において準用する場合を含む。以下この条において同じ。）の規定により法第二百十七条第二項に規定する事項を提供し、又は通知しようとするときは、主務省令で定めるところにより、あらかじめ、当該事項の提供又は通知の相手方に対し、その用いる同項に規定する情報通信の技術を利用する方法（次項において「電磁的方法」という。）の種類及び内容を示し、書面又は電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主務省令で定めるもの

(次項において「書面等」という。)による承諾を得なければならない。

Article 31 (1) When a Commodity Derivatives Business Operator intends to provide or notify the particulars prescribed in Article 217, paragraph (2) of the Act pursuant to the provisions of Article 217, paragraph (2) of the Act (including the cases where applied mutatis mutandis pursuant to Article 220, paragraph (2) and Article 220-2, paragraph (2) of the Act; the same shall apply hereinafter in this Article), the Commodity Futures Business Operator must present the party to whom said particulars are to be provided or notified with the type and details of the means of utilizing information communication technology prescribed in the provisions of the same paragraph (referred to in the following paragraph as "Electromagnetic Means") and obtain consent in writing or through an electronic data processing system or other means utilizing information communication technology as prescribed by an ordinance of the competent ministry (referred to in the following paragraph as "in Writing, etc."), in advance, pursuant to the provisions of an ordinance of the competent ministry.

2 前項の規定による承諾を得た者は、当該相手方から書面等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、当該相手方に対し、法第二百十七条第二項に規定する事項の提供又は通知を電磁的方法によつてしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

(2) If the party set forth in the preceding paragraph has stated in Writing, etc. that said party will not accept provision by Electromagnetic Means, a Commodity Derivatives Business Operator who has obtained the consent under the provisions of the preceding paragraph must not provide or give notification of the particulars prescribed in Article 217, paragraph (2) of the Act to said party by Electromagnetic Means; provided, however, that this shall not apply when said party reissues consent under provisions of the preceding Article.

(勧誘方針の策定を要しない者等)

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

第三十二条 法第二百二十条の三の規定により準用する金融商品の販売等に関する法律(平成十二年法律第百一号)第九条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は特別の法律により特別の設立行為をもつて設立された法人(総務省設置法(平成十一年法律第九十一号)第四条第十五号の規定の適用を受けない法人を除く。第三十九条第一項において同じ。)であつて国又は地方公共団体の全額出資に係る法人とする。

Article 32 (1) The persons specified by Cabinet Order as prescribed in the proviso to Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products (Act No. 101 of 2000) as applied mutatis mutandis pursuant to Article 220-3 of the Act shall be corporations directly established pursuant to an Act or corporations established by a special act of incorporation pursuant to a special

Act (excluding corporations which are not subject to application of the provisions of Article 4, item (xv) of the Act for Establishment of the Ministry of Internal Affairs and Communications [Act No. 91 of 1999]; the same shall apply in Article 39, paragraph (1)) that are wholly owned by the national government of Japan or by local governments in Japan.

2 法第二百二十条の三の規定により準用する金融商品の販売等に関する法律第九条第三項に規定する政令で定める方法は、商品先物取引業者の本店又は主たる事務所（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における主たる営業所又は事務所。以下「本店等」という。）において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

(2) The method specified by Cabinet Order as prescribed in Article 9, paragraph (3) of the Act on Sales, etc. of Financial Products as applied mutatis mutandis pursuant to Article 220-3 of the Act shall be that of displaying the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at the head office or principal place of business of the Commodity Derivatives Business Operator (with regard to a corporation established in accordance with the laws and regulations of a foreign state or persons who have an address in a foreign country, the principal business office or place of business in Japan; hereinafter referred to hereinafter as "Head Office, etc."), and in the cases listed in the following items, the methods specified respectively in those items:

一 商品先物取引業者が、その本店等以外の支店その他の営業所又は事務所（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における従たる営業所又は事務所。以下「支店等」という。）において商品取引契約の締結を行う場合 商品取引契約の締結を行う支店等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) In cases where the Commodity Derivatives Business Operator concludes a Commodity Transaction Contract at a branch office or any other business office or places of business other than Head Office, etc. (with regard to a corporation established in accordance with the laws and regulations of a foreign state or a person who has an address in a foreign country, secondary business offices or places of business in Japan; hereinafter referred to as the "Branch Office(s), etc.") displaying the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each Branch Office, etc. where Commodity Transaction Contracts will be concluded

二 商品先物取引業者が、公衆によつて直接受信されることを目的として公衆からの求めに応じ自動的に無線通信又は有線電気通信の送信を行うこと（以下この号及び第三十九条第二項第二号において「自動送信」という。）により商品取引契約の締結を行う場合（前号に掲げる場合に該当する場合を除く。） 勧誘方針を自動送信

する方法

(ii) In cases where the Commodity Derivatives Business Operator concludes a Commodity Transaction Contract by making automatic transmissions, by wireless communications or wire telecommunications, intended for direct reception by the public, upon request from the public (hereinafter referred to as "Automatic Transmission" in this item and in Article 39, paragraph (2), item (ii)) (excluding the cases set forth in the preceding item), making an automatic transmission of the solicitation policy

(商品先物取引業者が行う商品取引契約の締結について準用する金融商品の販売等に関する法律の規定の読替え)

(Replacement of Terms of the Provisions of the Act on Sales, etc. of Financial Products as Applied Mutatis Mutandis to the Conclusion of Commodity Transaction Contracts by a Commodity Derivatives Business Operator)

第三十三条 法第二百二十条の三の規定により商品先物取引業者が行う商品取引契約の締結について金融商品の販売等に関する法律第九条第一項の規定を準用する場合においては、同項中「場合又は特定顧客のみを顧客とする金融商品販売業者等である場合」とあるのは、「場合」と読み替えるものとする。

Article 33 In cases of applying mutatis mutandis the provisions of Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products to the conclusion of Commodity Transaction Contracts by a Commodity Derivatives Business Operator pursuant to the provisions of Article 220-3 of the Act, "...cases, or case of a financial products dealer taking only specified customers as customers" shall be deemed to be replaced by "case."

(国内に保有すべき資産)

(Assets to be Held in Japan)

第三十四条 法第二百三十四条に規定する者の資産のうち政令で定める部分は、主務省令で定めるところにより算定される負債の額に相当する資産の額とする。

Article 34 Among the assets of a Commodity Derivatives Business Operator prescribed in Article 234 of the Act, the portion specified by Cabinet Order shall be the amount of assets equivalent to the amount of liabilities calculated pursuant to the provisions of an ordinance of the competent ministry.

(商品先物取引仲介業者について準用する法の規定の読替え)

(Replacement of Terms of Provisions of the Act Applied Mutatis Mutandis With Regard to Commodity Derivatives Intermediary Service Providers)

第三十五条 法第二百四十条の十一の規定により商品先物取引仲介業者について法の規定を準用する場合における法の規定に係る技術的読替えは、次の表のとおりとする。

Article 35 Technical Replacement of terms pertaining to provisions of the Act in cases in which provisions of the Act are applied mutatis mutandis with respect

to Commodity Derivatives Intermediary Service Providers under provisions of Article 240-11 of the Act shall be as stated in the following table:

読み替える法の規定 Provisions of the Act whose terms are to be replaced	読み替えられる字句 Original term or phrase	読み替える字句 Replacement term or phrase
第二百条第一項第一号 Article 200, paragraph (1), item (i)	第二条第二十二項各号に 掲げる行為 Actions listed in the items of Article 2, paragraph (22)	第二条第二十二項各号に 規定する媒介 Media as defined in the items of Article 2, paragraph (22)
第二百条第一項第二号から 第五号まで Article 200, paragraph (1), item (ii) to item (v) inclusive	委託の勧誘又はその委 託の媒介の申込の勧誘 Solicitation of consignment or solicitation of request for consignment media	委託の媒介の申込みの勧 誘 Solicitation of request for consignment media
第二百条第一項第六号 Article 200, paragraph (1), item (vi)	申込みの勧誘又はその媒 介、取次ぎ若しくは代理 の申込みの勧誘 Solicitation of request and media thereof, solicitation of request for intermediation or agency	媒介の申込みの勧誘 Solicitation of request for media
第二百条第三項第一号 Article 200, paragraph (3), item (i)	商号又は名称及びその代 表者の氏名 Trade name or name and name of representative	氏名又は商号若しくは名 称（法人にあつては、そ の代表者の氏名を含 む。） Name or trade name (for a corporation, including the name of the representative)
第二百二条 Article 202	第二百条第一項各号に掲 げる行為 Actions listed in the respective items of Article 200, paragraph (1)	第二百四十条の十一にお いて準用する第二百条第 一項各号に掲げる行為 Actions listed in the respective items of Article 200, paragraph (1) applied mutatis mutandis in Article 240- 11

<p>第二百三条第一号 Article 203, item (i)</p>	<p>第二百条第三項第二号イ 及びロ Article 203, items (ii) and (iii)</p>	<p>第二百四十条の十一にお いて準用する第二百条第 三項第二号イ及びロ Article 203, items (ii) and (iii) applied mutatis mutandis in Article 240- 11</p>
<p>第二百五条第二号 Article 205, item (ii)</p>	<p>解散し、又は商品先物取 引業を廃止 Dissolved or discontinue the Commodity Derivatives Business</p>	<p>死亡し、解散し、又は商 品先物取引仲介業を廃止 Died, or dissolved or discontinued the Commodity Derivatives Intermediary Service</p>
<p>第二百六条第一項 Article 206, paragraph (1)</p>	<p>第二百条、第二百一条及 び前三条 Article 200, Article 201, and the three preceding Articles</p>	<p>第二百四十条の十一にお いて準用する第二百条、 第二百一条及び前三条 Article 200, Article 201, and the three preceding Articles applied mutatis mutandis in Article 240- 11</p>

	<p>当該協会に所属する商品先物取引業者 Commodity Derivatives Business Operators who is a member of the Association</p>	<p>当該協会の協会員（第二百四十四条第二項に規定する協会員をいう。第五項において同じ。）を所属商品先物取引業者（第二百四十条の三第一項第四号に規定する所属商品先物取引業者をいう。第五項において同じ）とする商品先物取引仲介業者 Commodity Derivatives Intermediary Service Providers deemed to be a member commodity futures transactions dealer (referring to a member commodity futures transactions dealer as defined in Article 240-3, paragraph (1), item (iv); the same shall apply in paragraph (5)) as an Association member of said Association (referring to Association member as defined in Article 244, paragraph (2); the same shall apply in paragraph (5))</p>
	<p>第二百八条 Article 208</p>	<p>第二百四十条の十一において準用する第二百八条 Article 208 applied mutatis mutandis in Article 240-11</p>

<p>第二百六条第四項 Article 206, paragraph (4)</p>	<p>第二百条第五項の規定による登録、第二百三条の規定による届出に係る登録の変更、第二百四条第一項の規定による処分（登録の取消しを除く。）又は前条 Registration pursuant to provisions of Article 200, paragraph (5), registration pertaining to notification pursuant to provisions of Article 203, disposition pursuant to provisions of Article 204, paragraph (1) (excluding recision of registration), or the preceding Article</p>	<p>第二百四十条の十一において準用する第二百条第五項の規定による登録、第二百四十条の十一において準用する第二百三条の規定による届出に係る登録の変更、第二百四十条の十一において準用する第二百四条第一項の規定による処分（登録の取消しを除く。）又は第二百四十条の十一において準用する前条 Registration pursuant to provisions of Article 200, paragraph (5) applied mutatis mutandis in Article 240-11, registration pertaining to notification pursuant to provisions of Article 203 applied mutatis mutandis in Article 240-11, disposition pursuant to provisions of Article 204, paragraph (1) (excluding recision of registration) applied mutatis mutandis in Article 240-11, or the preceding Article applied mutatis mutandis in Article 240-11</p>
<p>第二百六条第五項 Article 206, paragraph (5)</p>	<p>協会に所属する商品先物取引業者 Commodity Derivatives Business Operators who is a member of the Association</p>	<p>協会の協会員を所属商品先物取引業者とする商品先物取引仲介業者 Commodity Derivatives Intermediary Service Providers deemed to be Entrusting Commodity Derivatives Business Operators as a member of the Association</p>

	第二百四条第一項第一号 又は第二号 Article 240, paragraph (1), item (i) or item (ii)	第二百四十条の十一において準用する第二百四条第一項第一号又は第二号 Article 240, paragraph (1), item (i) or item (ii) applied mutatis mutandis in Article 240- 11
第二百七条第一項 Article 207, paragraph (1)	前条第一項 Paragraph (1) of the preceding Article	第二百四十条の十一において準用する前条第一項 Paragraph (1) of the preceding Article applied mutatis mutandis in Article 240- 11
第二百八条 Article 208	第二百六条第一項 Article 206, paragraph (1)	第二百四十条の十一において準用する第二百六条第一項 Article 206, paragraph (1) applied mutatis mutandis in Article 240- 11
	第二百条第三項 Article 200, paragraph (3)	第二百四十条の十一において準用する第二百条第三項 Article 200, paragraph (3) applied mutatis mutandis in Article 240- 11
	第二百一条第一項 Article 201, paragraph (1)	第二百四十条の十一において準用する第二百一条第一項 Article 201, paragraph (1) applied mutatis mutandis in Article 240- 11
	第二百四条第一項 Article 204, paragraph (1)	第二百四十条の十一において準用する第二百四条第一項 Article 204, paragraph (1) applied mutatis mutandis in Article 240- 11

(顧客の判断に影響を及ぼす重要事項)

(Important Particulars Which Influence a Customer's Judgment)

第三十六条 法第二百四十条の十三第一項第三号の政令で定めるものは、次に掲げるものとする。

Article 36 The matters prescribed by Cabinet Order under Article 240-13, paragraph (1), item (iii) of the Act shall be the following:

一 商品先物取引仲介行為（法第二百四十条の十四に規定する商品先物取引仲介行為をいう。以下同じ。）に係る商品取引契約に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であつて主務省令で定めるもの

(i) Matters concerning fees, remuneration and any other consideration to be paid by the customer with regard to a Commodity Transaction Contract pertaining to actions of commodity futures transaction intermediation (refers to actions of commodity futures transaction intermediation prescribed in Article 240-14 of the Act; the same shall apply hereinafter) that are specified by an ordinance of the competent ministry

二 商品先物取引仲介行為に係る商品取引契約に関して顧客が預託すべき取引証拠金等がある場合にあつては、その額又は計算方法

(ii) In cases where there is a Clearing Margin, etc., to be deposited by the customer with regard to a Commodity Transaction Contract pertaining to actions of commodity futures transaction intermediation, the amount or method of calculation thereof

三 商品先物取引仲介行為に係る商品取引契約に基づく取引の額が、当該取引について顧客が預託すべき取引証拠金等の額を上回る可能性がある場合にあつては、次に掲げる事項

(iii) In cases where the possibility exists that the amount of a transaction based on a Commodity Transaction Contract pertaining to actions of commodity futures transaction intermediation may exceed the amount of the Clearing Margin, etc., to be deposited by the customer with regard to said transaction, the following matters:

イ 当該取引の額が当該取引証拠金等の額を上回る可能性がある旨

(a) The fact that the possibility exists that the transaction amount is greater than the amount of the Clearing Margin, etc.

ロ 当該取引の額の当該取引証拠金等の額に対する比率（当該比率を算出することができない場合にあつては、その旨及びその理由）

(b) The ratio of the amount of the transaction to the amount of the Clearing Margin, etc. (in cases in which the ratio cannot be calculated, this fact and the reason therefor)

四 商品市場における相場等に係る変動により商品先物取引仲介行為に係る商品取引契約に基づく取引について顧客に損失が生ずることとなるおそれがあり、かつ、当該損失の額が取引証拠金等の額を上回ることとなるおそれがある場合には、その旨及びその理由

(iv) In cases in which there is a risk of the customer incurring a loss with regard to the transaction based on a Commodity Transaction Contract pertaining to actions of commodity futures transaction intermediation due to fluctuation of the commodity market prices, etc. and a risk that the amount

of such loss could exceed the amount of the Clearing Margin, etc., this fact and the reason therefor

五 前各号に掲げる事項に準ずるものとして主務省令で定めるもの

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

(商品先物取引仲介業者と密接な関係を有する者の範囲)

(Scope of Entities Which Have a Close Relationship with Commodity Derivatives Intermediary Service Providers)

第三十七条 法第二百四十条の十五の政令で定める者は、次に掲げる者とする。ただし、当該商品先物取引仲介業者の所属商品先物取引業者（法第二百四十条の三第一項第四号に規定する所属商品先物取引業者をいう。）、銀行その他の主務省令で定める者を除く。

Article 37 Entities prescribed by Cabinet order under Article 240-15 of the Act shall be those listed below; provided, however, that Entrusted Commodity Derivatives Business Operators of Commodity Derivatives Intermediary Service Providers (refers to Entrusted Commodity Derivatives Business Operators as defined in Article 240-3, paragraph (1), item (iv) of the Act), banks, and other entities prescribed by an ordinance of the competent ministry are excluded.

一 当該商品先物取引仲介業者（個人である者に限る。）の親族（配偶者並びに三親等以内の血族及び姻族に限る。）

(i) Family members (limited to spouses and those related by blood or marriage to within the third degree) of Commodity Derivatives Intermediary Service Providers (limited to individual persons).

二 当該商品先物取引仲介業者の役員又は使用人（前号に掲げる者を除く。）

(ii) Officers and employees of Commodity Derivatives Intermediary Service Providers (excluding persons listed in the preceding item)

三 当該商品先物取引仲介業者が支配関係（他の法人の総株主等の議決権の百分の五十を超える議決権（社債、株式等の振替に関する法律第一百四十七条第一項又は第一百四十八条第一項（これらの規定を同法第二百二十八条第一項、第二百三十五条第一項、第二百三十九条第一項及び第二百七十六条（第二号に係る部分に限る。）において準用する場合を含む。）の規定により発行者に対抗することができない株式又は持分に係る議決権を含む。）を保有している関係その他その法人の事業活動を実質的に支配することが可能なものとして主務省令で定める関係をいう。次号並びに第四十六条第二号及び第三号において同じ。）を有する法人

(iii) A corporation over which the Commodity Derivatives Intermediary Service Providers has a controlling relationship (refers to a relationship in which voting rights exceeding 50 percent of total shareholder voting rights of another corporation are held (including voting rights pertaining to shares or equity interest that cannot be asserted against the issuer pursuant to the

provisions of Article 147, paragraph (1) or Article 148, paragraph (1) of the Act on Transfer of Bonds, Shares, etc. (including the cases where these provisions are applied mutatis mutandis to Article 228, paragraph (1), Article 235, paragraph (1), Article 239, paragraph (1), and Article 276 (limited to the section pertaining to item (ii)) of the same act) or a relationship prescribed by an ordinance of the competent ministry as enabling effective control of the business activities of another corporation; the same shall apply to the following item and Article 46, items (ii) and (iii))

四 当該商品先物取引仲介業者（法人である者に限る。次号において同じ。）に対して支配関係を有する法人

(iv) A corporation having a controlling relationship with respect to said Commodity Derivatives Intermediary Service Providers (limited to entities that are corporations; the same shall apply in the following item)

五 当該商品先物取引仲介業者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個人（第二号に掲げる者を除く。）

(v) An individual person having voting rights exceeding 50 percent of total shareholder voting rights, etc. of said Commodity Derivatives Intermediary Service Providers (excluding those listed in item (ii))

六 前各号に掲げる者に準ずる者として主務省令で定める者

(vi) Persons prescribed by an ordinance of the competent ministry as persons equivalent to those listed in the respective preceding items

（商品先物取引仲介業者について準用する法の規定の読替え）

(Replacement of Terms of Provisions of the Act Applied Mutatis Mutandis with Regard to Commodity Derivatives Intermediary Service Providers)

第三十八条 法第二百四十条の十七の規定により商品先物取引仲介業者について法第二百十五条の規定を準用する場合には、同条中「商品取引契約」とあるのは「商品先物取引仲介行為に係る商品取引契約」と、「商品先物取引業を」とあるのは「商品先物取引仲介業を」と読み替えるものとする。

Article 38 In cases in which the provisions of Article 215 of the Act are applied mutatis mutandis with regard to Commodity Derivatives Intermediary Service Providers pursuant to provisions of Article 240-17 of the Act, the phrase "A Commodity Transaction Contract" shall be replaced with the phrase "A Commodity Transaction Contract pertaining to actions of commodity futures transaction intermediation," and the phrase "Commodity Derivatives Business" shall be replaced with the phrase "Commodity Derivative Intermediary Service."

（勧誘方針の策定を要しない者等）

(Entities Not Required to Adopt a Solicitation Policy)

第三十九条 法第二百四十条の十九の規定により準用する金融商品の販売等に関する法

法律第九条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は特別の法律により特別の設立行為をもつて設立された法人であつて国又は地方公共団体の全額出資に係る法人とする。

Article 39 (1) Entities prescribed by Cabinet Order under the proviso of Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products as applied mutatis mutandis pursuant to provisions of Article 240-19 of the Act shall be corporations founded directly under law or corporations founded through special founding acts under special law that are wholly owned by the national government of Japan or by local governments in Japan.

2 法第二百四十条の十九の規定により準用する金融商品の販売等に関する法律第九条第三項に規定する政令で定める方法は、商品先物取引仲介業者の本店等において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

(2) Methods prescribed by Cabinet Order under Article 9, paragraph (3) of the Act on Sales, etc. of Financial Products as applied mutatis mutandis pursuant to provisions of Article 240-19 of the Act shall be those of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at Head Office, etc. of the Commodity Derivatives Intermediary Service Providers, and in the cases listed in the following items, the methods specified respectively in those items:

一 商品先物取引仲介業者が、その支店等において商品先物取引仲介行為を行う場合商品先物取引仲介行為を行う支店等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) Posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each Branch Offices, etc. at which actions of Commodity Derivatives Intermediary Service Providers are performed, in cases in which the Commodity Derivatives Intermediary Service Providers perform actions of commodity futures transaction intermediation at that Branch Offices, etc.

二 商品先物取引仲介業者が、自動送信により商品先物取引仲介行為を行う場合（前号に掲げる場合に該当する場合を除く。）勧誘方針を自動送信する方法

(ii) The Automatic Transmission of the solicitation policy, in cases in which the Commodity Derivatives Intermediary Service Providers performs actions of commodity futures transaction intermediation by Automatic Transmission (excluding the cases set forth in the preceding item).

(商品先物取引仲介業者が行う商品先物取引仲介行為について準用する金融商品の販売等に関する法律の規定の読替え)

(Replacement of Terms of Provisions of the Act on Sales, etc. of Financial Products Applied Mutatis Mutandis With Regard to Actions of Commodity Futures Transaction Intermediation Performed by Commodity Derivatives

Intermediary Service Providers)

第四十条 法第二百四十条の十九の規定により商品先物取引仲介業者が行う商品先物取引仲介行為について金融商品の販売等に関する法律第九条第一項の規定を準用する場合においては、同項中「場合又は特定顧客のみを顧客とする金融商品販売業者等である場合」とあるのは、「場合」と読み替えるものとする。

Article 40 In cases in which the provisions of Article 9, paragraph (1) of the Act on Sales, etc. of Financial Products are applied mutatis mutandis with regard to actions of commodity futures transaction intermediation performed by Commodity Derivatives Intermediary Service Providers pursuant to provisions of Article 240-19 of the Act, "...cases or case of a financial products sales dealer taking only specified customers as customers" shall be replaced with "case."

(一般委託者から除かれる者)

(Persons Excluded from Being General Consignors)

第四十一条 法第二百六十九条第一項の政令で定める者は、次に掲げる者とする。

Article 41 Persons specified by Cabinet Order as set forth in Article 269, paragraph (1) of the Act shall be as follows:

一 商品先物取引業者

(i) A Commodity Derivatives Business Operator

二 金融商品取引法第二条第三項第一号に規定する適格機関投資家

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

三 商品投資顧問業者

(iii) Commodities Investment Advisor

四 国

(iv) The national government of Japan

五 日本銀行

(v) The Bank of Japan

六 委託者保護基金

(vi) Consignor Protection Fund

七 外国政府その他の外国の法令上前各号に掲げる者に相当する者

(vii) An entity equivalent to an entity set forth in the preceding three items under a foreign government or the laws and regulations of a foreign state

八 前各号に掲げる者のほか、主務大臣が指定する者

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

(委託者保護基金への通知)

(Notice to the Consignor Protection Fund)

第四十二条 法第三百三条第一項第六号の政令で定めるときは、次に掲げるときとする。

Article 42 Cases specified by Cabinet Order as set forth in Article 303,

paragraph (1), item (vi) of the Act shall be as follows:

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

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

イ 金銭債務

(a) Monetary debt

ロ 決済のための商品の受渡し

(b) Delivery of Commodities for settlement

二 手形交換所による取引停止処分を受けたとき。

(ii) When receiving a disposition to suspend transactions with a clearing house

(委託者保護基金による支払に係る公告事項)

(Particulars for Public Notice pertaining to Payment by the Consignor Protection Fund)

第四十三条 法第三百五条第一項の政令で定める事項は、次に掲げる事項とする。

Article 43 Particulars specified by Cabinet Order as set forth in Article 305, paragraph (1) of the Act shall be as follows:

一 法第三百四条の認定を受けた商品先物取引業者の商号又は名称

(i) The trade name or name of a Commodity Derivatives Business Operator who received certification under Article 304 of the Act

二 法第三百六条第一項の請求の方法

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

三 法第三百六条第一項の金額の支払期間、支払場所及び支払方法

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

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

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

五 その他委託者保護基金が必要と認める事項

(v) Any other particulars that the Consignor Protection Fund finds necessary

(届出期間の変更事由)

(Situations for Changing the Period of Notification)

第四十四条 法第三百五条第二項の政令で定める事由は、次に掲げる事由とする。

Article 44 Situations specified by Cabinet Order as set forth in Article 305, paragraph (2) of the Act shall be as follows:

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

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

二 法第三百五条第五項の規定による通知

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

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

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

四 民事再生法（平成十一年法律第二百二十五号）第百七十四条第一項の規定による再生計画認可の決定

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

（円滑な弁済が困難であると認められる債権）

(Claims whose Smooth Repayment is Recognized as Difficult)

第四十五条 一般委託者が認定商品先物取引業者に対して有する債権（当該一般委託者の委託者資産に係るものに限る。）であつて委託者保護基金が法第三百六条第一項の政令で定めるところにより当該認定商品先物取引業者による円滑な弁済が困難であると認めるものは、当該認定商品先物取引業者の財産の状況及び法第二百十条第一号の規定による保全義務の履行の状況に照らして完全な弁済ができないと認められる債権又は弁済に著しく日数を要すると認められる債権とする。

Article 45 Claims which a General Consignor has against a Certified Commodity Derivatives Business Operator (limited to those pertaining to Consignor Assets of said General Consignor) and whose smooth repayment by said Certified Commodity Futures Transactions Dealer is recognized as difficult by the Consignor Protection Fund pursuant to the provisions of Cabinet Order under Article 306, paragraph (1) of the Act shall be claims whose complete repayment is found to be impossible or to require a considerable number of days in light of the status of the assets of said Certified Commodity Derivatives Business Operator and the status of performance of the duty to preserve under Article 210, item (i) of the Act.

（委託者保護基金による支払の対象から除かれる者）

(Persons Excluded from Payment by the Consignor Protection Fund)

第四十六条 法第三百六条第二項の政令で定める者は、次に掲げる者とする。

Article 46 Persons specified by Cabinet Order as set forth in Article 306, paragraph (2) of the Act shall be as follows:

一 認定商品先物取引業者の役員（外国の法令に準拠して設立された法人又は外国に住所を有する者にあつては、国内における営業所又は事務所の業務を統括する者を

含む。)

(i) An officer of a Certified Commodity Derivatives Business Operator (including one who supervises the affairs of an office or place of business in Japan, in the case of a corporation established in accordance with the laws and regulations of a foreign state or a person who has an address in a foreign country)

二 認定商品先物取引業者が支配関係を有する法人

(ii) A corporation in which a Certified Commodity Derivatives Business Operator has a Controlling relationship

三 商品先物取引業者に対して支配関係を有する法人

(iii) A corporation that has a controlling relationship in a Commodity Derivatives Business Operator

四 他人（仮設人を含む。以下この号において同じ。）の名義をもつて委託者資産を有している一般委託者（当該他人の名義をもつて有する委託者資産に係る補償対象債権についての支払を行う場合に限る。）

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

五 前各号に掲げる者のほか、主務大臣が指定する者

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

（委託者保護基金による支払の最高限度額）

(Maximum Amount of Payment by the Consignor Protection Fund)

第四十七条 法第三百七条第三項の政令で定める金額は、千万円とする。

Article 47 The amount of money specified by Cabinet Order as set forth in Article 307, paragraph (3) of the Act shall be 10 million yen.

（補償対象債権の取得）

(Acquisition of Claims Subject to Compensation)

第四十八条 法第三百六条第一項並びに第三百七条第一項及び第三項の規定により保護基金が支払をすべき金額が、当該支払に係る補償対象債権の金額と同額であるときは、委託者保護基金は、当該補償対象債権の全部を取得するものとする。

Article 48 (1) In cases where the amount of money to be paid by the Consignor Protection Fund pursuant to the provisions of Article 306, paragraph (1) and Article 307, paragraph (1) and paragraph (3) of the Act is the same as the amount of the Claims Subject to Compensation pertaining to said payment, the Consignor Protection Fund shall acquire the whole of said Claims Subject to Compensation.

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

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

(商品市場類似施設の開設の禁止の適用除外)

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

第四十九条 法第三百三十一条第一号の政令で定める要件は、次に掲げるものとする。

Article 49 Requirements specified by Cabinet Order as set forth in Article 331, item (i) shall be as follows:

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

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

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

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

(第一種特定商品市場類似施設の開設の許可)

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

第五十条 法第三百三十二条第一項の政令で定める要件は、次に掲げるものとする。

Article 50 Requirements specified by Cabinet Order as set forth in Article 332, paragraph (1) shall be as follows:

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

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

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

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

(法第三百三十二条第一項第三号等の政令で定める者)

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

第五十一条 法第三百三十二条第一項第三号及び第三百四十二条第一項第三号の政令で定める者は、次に掲げる者とする。

Article 51 Persons specified by Cabinet Order as set forth in Article 332, paragraph (1), item (iii) and Article 342, paragraph (1), item (iii) of the Act shall be those listed in Article 3, item (iii) (a) to (i) inclusive.

一 銀行

(i) Banks

二 金融商品取引法第二条第九項に規定する金融商品取引業者（同法第二十八条第一項に規定する第一種金融商品取引業を行う者に限る。）

(ii) Financial Instruments Business Operator prescribed in Article 2, paragraph (9) of the Financial Instruments and Exchange Act (limited to persons who carry out Type I Financial Instruments Business prescribed in Article 28, paragraph (1) of the same Act.)

三 株式会社商工組合中央金庫

(iii) The Shoko Chukin Bank, Ltd.

四 株式会社日本政策投資銀行

(iv) The Development Bank of Japan Inc.

五 信用金庫及び信用金庫連合会

(v) Shinkin Banks and the federation of Shinkin Banks

六 信用協同組合及び中小企業等協同組合法第九条の九第一項第一号の事業を行う協同組合連合会

(vi) Credit cooperatives and a federation of cooperatives that carries out the business of Article 9-9, paragraph (1), item (i) of the Small and Medium-sized

Enterprise Cooperatives Act

七 労働金庫及び労働金庫連合会

(vii) Labor Banks and federations of Labor Banks

八 農林中央金庫

(viii) The Norinchukin Bank

九 農業協同組合法第十条第一項第三号の事業を行う農業協同組合及び農業協同組合連合会

(ix) Agricultural cooperatives and the federation of agricultural cooperatives that carry out the business of Article 10, paragraph (1), item (iii) of the Agricultural Co-operatives Act

十 保険会社及び保険業法第二条第七項に規定する外国保険会社等

(x) Insurance companies and foreign insurance companies, etc. prescribed in Article 2, paragraph (7) of the Insurance Business Act

(第二種特定商品市場類似施設の開設の許可)

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

第五十二条 法第三百四十二条第一項の政令で定める要件は、次に掲げるものとする。
Article 52 Requirements specified by Cabinet Order as set forth in Article 342, paragraph (1) shall be as follows:

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

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

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

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

(協議)

(Consultation)

第五十三条 国家公安委員会、法務大臣、外務大臣、農林水産大臣及び経済産業大臣は、

法第三百四十九条の二第四項の措置をとる場合においては、当該措置について協議を行うものとする。

Article 53 The National Public Safety Commission, the Minister of Justice, the Minister of Foreign Affairs, the Minister of Agriculture, Forestry and Fisheries and the Minister of Economy, Trade and Industry, when taking the measures of Article 349-2, paragraph (4) of the Act, shall carry out consultation concerning said measures.

(参考人等に支給する費用)

(Costs Paid to a Witness, etc.)

第五十四条 法第三百五十条の規定により、参考人又は鑑定人には、国家公務員等の旅費に関する法律（昭和二十五年法律第百十四号）の例により鉄道賃、船賃、車賃、日当又は宿泊料を支給する。

Article 54 (1) A witness or an expert witness shall be provided with train fares, boat fares, vehicle fares, a daily allowance, or lodging expenses in accordance with the Act concerning Travel Expenses of National Public Officers, etc. (Act No. 114 of 1950), pursuant to the provisions of Article 350 of the Act.

2 鑑定人には、鑑定人が鑑定につき特に費用を要した場合で主務大臣（第五十七条第一項の規定により地方農政局長又は経済産業局長が法第二百三十七条及び第二百四十条の二十五において準用する法第百五十八条第二項の規定による主務大臣の権限を行った場合にあつては、当該地方農政局長又は当該経済産業局長）が必要と認めるときは、前項の規定により支給する費用のほか、相当の額の鑑定料を支給することができる。

(2) In cases where an expert witness has incurred special costs for expert testimony and the competent minister (in cases where the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry exercises the authority of the competent minister pursuant to the provisions of Article 158, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 237 and Article 240-25 of the Act, pursuant to the provisions of Article 57, paragraph (1), said Director of the Regional Agricultural Administration Office or said Director of the Bureau of Economy, Trade and Industry) finds it necessary, the expert witness may be provided with a reasonable amount of expert opinion fee in addition to the costs paid pursuant to the provisions of the preceding paragraph.

(外国法人等に対する法の規定の適用に当たつての技術的読替え)

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

第五十五条 法第三百五十三条の規定による外国の法令に準拠して設立された法人又は外国に住所を有する者である商品先物取引業者に対する法の規定の適用についての技術的読替えは、次の表のとおりとする。

Article 55 Technical replacement of terms pertaining to the application of the provisions of the Act to a Commodity Derivatives Business Operator that is a corporation established in compliance with the laws and regulations of a foreign state under Article 353 of the Act, or has an address in a foreign country, shall be as follows:

読み替える法の規定 Provisions of the Act whose terms are to be replaced	読み替えられる字句 Original term	読み替える字句 Term to be replaced with
第百九十二条第一項第 三号 Article 192, paragraph (1), item (iii)	本店、支店 head office, branch offices	本店、国内における主たる営 業所又は事務所 head office and major domestic business offices or places of business
第百九十二条第一項第 四号及び第二百三十六 条第二項 Article 192, paragraph (1), item (iv) and Article 236, paragraph (2)	役員 officers	役員及び国内における営業所 又は事務所の業務を統括する 者 officers and persons who supervise the business of domestic business offices or places of business
第百九十三条第一項第 二号 Article 193, paragraph (1), item (ii)	許可申請者 The applicant for a license	許可申請者及びその国内にお ける営業所又は事務所 The applicant for a license and the domestic business offices or places of business
第百九十三条第一項第 三号 Article 193, paragraph (1), item (iii)	許可申請者 The applicant for a license	許可申請者及びその人的構成 に照らして許可申請者の国内 における営業所又は事務所 The applicant for a license and his/her domestic business office or place of business in light of the personnel structure

<p>第九十五条第一項第四号 Article 195, paragraph (1), item (iv)</p>	<p>破産手続開始、再生手続開始又は更生手続開始の申立てを行ったとき When a petition is filed for initiation of bankruptcy proceedings, for initiation of rehabilitation proceedings, or initiation or reorganization proceedings</p>	<p>破産手続開始、再生手続開始若しくは更生手続開始の申立て又は外国倒産処理手続の承認の申立てを行ったとき When a petition is filed for initiation of bankruptcy proceedings, for initiation of rehabilitation proceedings, or initiation or reorganization proceedings, or when a petition is filed for approval of foreign bankruptcy proceedings</p>
<p>第九十七条第一項第四号 Article 197, paragraph (1), item (iv)</p>	<p>解散したとき When dissolved</p>	<p>解散したとき（国内における営業所又は事務所の清算を開始したときを含む。） When dissolved (including when liquidation of an office or place of business in Japan is initiated)</p>
	<p>その清算人 that liquidator</p>	<p>その清算人又は本店若しくは主たる事務所の所在する国において清算人に相当する者 that liquidator or a person equivalent to a liquidator in the nation in which the head office or principal place of business is located</p>
<p>第九十七条第三項 Article 197, paragraph (3)</p>	<p>すべての営業所又は事務所 all offices or places of business</p>	<p>国内におけるすべての営業所又は事務所 all offices or places of business in Japan</p>
<p>第九十八条第一項 Article 198, paragraph (1)</p>	<p>営業所又は事務所 office or place of business</p>	<p>国内における営業所又は事務所 office or place of business in Japan</p>
<p>第二百条第三項第一号 Article 200, paragraph (3), item (i)</p>	<p>代表者 representative</p>	<p>国内における営業所又は事務所の業務を統括する者 person supervising an office or place of business in Japan</p>
<p>第二百十一条第三項 Article 201, paragraph (3)</p>	<p>すべての営業所又は事務所 all offices or places of business</p>	<p>国内におけるすべての営業所又は事務所 all offices or places of business in Japan</p>

<p>第三百三条第一項第三号 Article 303, paragraph (1), item (iii)</p>	<p>破産手続開始、再生手続開始、更生手続開始又は特別清算開始の申し立てを行つたとき When a petition is filed for initiation of bankruptcy proceedings, for initiation of rehabilitation proceedings, or for initiation of reorganization proceedings</p>	<p>破産手続開始、再生手続開始、更生手続開始若しくは特別清算開始の申し立て又は外国倒産処理手続の承認の申し立てを行つたとき When a petition is filed for initiation of bankruptcy proceedings, for initiation of rehabilitation proceedings, for initiation of reorganization proceedings, or for initiation of special liquidation, or when a petition is filed for approval of foreign bankruptcy proceedings</p>
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(農林水産省関係商品の指定)

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

第五十六条 法第三百五十四条第一項第一号の政令で指定するものは、次に掲げるものとする。

Article 56 Commodities specified by Cabinet Order as set forth in Article 354, paragraph (1), item (i) of the Act shall be as follows:

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

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

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

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

(権限の委任)

(Delegation of Authority)

第五十七条 法第五十七条第一項及び第二項、第二百十四条の三第三項及び第五項、第二百三十一条第一項から第三項まで、第二百三十二条第一項及び第二項、第二百三十五条第一項及び第二項、第二百三十七条及び第二百四十条の二十五において準用する法第五十八条第二項、第二百四十条の十七及び第三百四十九条第三項において準用する法第二百十四条の三第三項及び第五項、第二百四十条の二十二第一項及び第二項並びに第三百四十九条第五項及び第七項の規定による主務大臣の権限であつて次の

各号に掲げるものは、当該各号に定める者に行わせるものとする。ただし、主務大臣が自らその権限を行うことを妨げない。

Article 57 (1) The authority of the competent minister under Article 240, paragraph (3) and paragraph (5), Article 240-22, paragraph (1) and paragraph (2), and Article 349, paragraph (5) and paragraph (7) of the Act as applied mutatis mutandis pursuant to Article 157, paragraph (1) and paragraph (2), Article 214-3, paragraph (3) and paragraph (5), Article 231 paragraphs (1) through (3) inclusive, Article 232, paragraph (1) and paragraph (2), Article 235, paragraph (1) and paragraph (2), and Article 237 and Article 204-25 of the Act, which are listed in the following items shall be exercised by the persons respectively prescribed in said items; provided, however, that the competent minister shall not be precluded from exercising his/her own authority.

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

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

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

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

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

(iii) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Commodity Exchanges other than those prescribed in the preceding two items or their Members, etc.: The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of the principal place of business or the head office of said Commodity Exchange

四 商品先物取引業者に関する農林水産大臣及び経済産業大臣の権限 当該商品先物

- 取引業者の本店等の所在地を管轄する地方農政局長及び経済産業局長
- (iv) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Commodity Derivatives Business Operators: The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of Head Office, etc. of said Commodity Derivatives Business Operator
- 五 商品先物取引仲介業者に関する農林水産大臣及び経済産業大臣の権限 当該商品先物取引仲介業者の本店等の所在地を管轄する地方農政局長及び経済産業局長
- (v) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Commodity Derivatives Intermediary Service Providers: The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of Head Office, etc. of said Commodity Derivatives Intermediary Service Providers
- 六 農林水産省関係商品のみを対象とした特定店頭商品デリバティブ取引に係る特定店頭商品デリバティブ取引業者に関する農林水産大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する地方農政局長
- (vi) The authority of the Minister of Agriculture, Forestry and Fisheries concerning Specified OTC Commodity Derivative Business Operators pertaining to Specified OTC Commodity Derivative Transactions targeting only commodities related to the Ministry of Agriculture, Forestry and Fisheries: The Director of a Regional Agricultural Administration Office who has jurisdiction over the location of Head Office, etc. of said Specified OTC Commodity Derivative Business Operators
- 七 経済産業省関係商品のみを対象とした特定店頭商品デリバティブ取引に係る特定店頭商品デリバティブ取引業者に関する経済産業大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する経済産業局長
- (vii) The authority of the Minister of Economy, Trade and Industry concerning Specified OTC Commodity Derivative Business Operators pertaining to Specified OTC Commodity Derivative Transactions targeting only commodities related to the Ministry of Economy, Trade and Industry: The Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of Head Office, etc. of said Specified OTC Commodity Derivative Business Operators
- 八 特定店頭商品デリバティブ取引業者であつて前二号に規定するもの以外のものに関する農林水産大臣及び経済産業大臣の権限 当該特定店頭商品デリバティブ取引業者の本店等の所在地を管轄する地方農政局長及び経済産業局長
- (viii) The authority of the Minister of Agriculture, Forestry and Fisheries or the Minister of Economy, Trade and Industry concerning Specified OTC Commodity Derivative Business Operators other than those prescribed in the

preceding 2 items: The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of Head Office, etc. of said Specified OTC Commodity Derivative Business Operators

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

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

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

(3) The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has ordered the submission of a report or materials or carried out an on-site inspection under Article 231, paragraph (1) of the Act (hereinafter referred to as an "Inspection, etc." in this paragraph) for Branch Offices, etc. of a Commodity Derivatives Business Operator pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for Head Office, etc. or Branch Offices, etc. other than said Branch Offices, etc. of said Commodity Derivatives Business Operator, if they find this necessary.

4 法第二百四十条の二十二第一項及び第二項の規定による権限であつて商品先物取引仲介業者の支店等に関するものについては、第一項第五号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(4) The authority under provisions of Article 240-22, paragraph (1) and paragraph (2) of the Act relating to Branch Office(s), etc. of a Commodity Derivatives Intermediary Service Providers may be exercised by the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has jurisdiction over the location of said Branch Offices, etc., in addition to the Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and

Industry prescribed in paragraph (1), item (v).

5 前項の規定により商品先物取引仲介業者の支店等に対して法第二百四十条の第二十二第一項の規定による報告若しくは資料の提出の命令又は立入検査（以下この項において「検査等」という。）を行つた地方農政局長及び経済産業局長は、当該商品先物取引仲介業者の本店等又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(5) The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has ordered the submission of a report or materials, or carried out an on-site inspection under Article 240-22, paragraph (1) of the Act (hereinafter referred to as an "Inspection, etc." in this paragraph) for Branch Offices, etc. of a Commodity Derivatives Intermediary Service Providers pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for Head Office, etc. or Branch Offices, etc. other than said Branch Offices, etc. of said Commodity Derivatives Intermediary Service Providers, if they find this necessary.

6 法第三百四十九条第五項の規定による権限であつて第一項第六号に規定する特定店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する地方農政局長のほか、当該支店等の所在地を管轄する地方農政局長も行うことができる。

(6) With regard to the authority under provisions of Article 349, paragraph (5) of the Act over Branch Offices, etc., of Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (vi), in addition to the Director of the Regional Agricultural Administration Office prescribed in the same item, the Director of the Regional Agricultural Administration Office with jurisdiction over the location of said Branch Offices, etc., may also exercise that authority.

7 前項の規定により第一項第六号に規定業者の支店等に対して法第三百四十九条第五項の規定による報告若しくは資料の提出の命令又は立入検査（以下この項、第九項及び第十一項において「検査等」という。）を行つた地方農政局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(7) The Director of a Regional Agricultural Administration Office who has ordered the submission of a report or materials, or carried out an on-site inspection under Article 349, paragraph (5) of the Act (hereinafter referred to as an "Inspection, etc." in this paragraph, in paragraph (9) and paragraph (11)) for Branch Offices, etc. of a Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (vi) pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for Head Office, etc. or Branch Offices, etc. other than said Branch Offices, etc., if they find this necessary.

8 法第三百四十九条第五項の規定による権限であつて第一項第七号に規定する特定店

店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する経済産業局長のほか、当該支店等の所在地を管轄する経済産業局長も行うことができる。

(8) With regard to the authority under provisions of Article 349, paragraph (5) of the Act over Branch Offices, etc., of Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (vii), in addition to the Director of a Bureau of Economy, Trade and Industry prescribed in the same item, the Director of a Bureau of Economy, Trade and Industry with jurisdiction over the location of said Branch Offices, etc., may also exercise that authority.

9 前項の規定により第一項第七号に規定する特定店頭商品デリバティブ取引業者の支店等に対して法第三百四十九条第五項の規定による検査等を行った経済産業局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(9) The Director of a Bureau of Economy, Trade and Industry who has conducted an Inspection, etc. under the provisions of Article 349, paragraph (5) for Branch Offices, etc. of a Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (vii) pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for Head Office, etc. or Branch Offices, etc. other than said Branch Offices, etc., if they find this necessary.

10 法第三百四十九条第五項の規定による権限であつて第一項第八号に規定する特定店頭商品デリバティブ取引業者の支店等に関するものについては、同号に規定する地方農政局長及び経済産業局長のほか、当該支店等の所在地を管轄する地方農政局長及び経済産業局長も行うことができる。

(10) With regard to the authority under provisions of Article 349, paragraph (5) of the Act over Branch Offices, etc., of Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (viii), in addition to the Director of the Regional Agricultural Administration Office and the Director of a Bureau of Economy, Trade and Industry prescribed in the same item, the Director of the Regional Agricultural Administration Office the Director of a Bureau of Economy, Trade and Industry with jurisdiction over the location of said Branch Offices, etc., may also exercise that authority.

11 前項の規定により第一項第八号に規定する特定店頭商品デリバティブ取引業者の支店等に対して法第三百四十九条第五項の規定による検査等を行った地方農政局長及び経済産業局長は、当該特定店頭商品デリバティブ取引業者の本店等又は当該支店等以外の支店等に対して検査等の必要を認めるときは、当該本店等又は当該支店等以外の支店等に対し、検査等を行うことができる。

(11) The Director of a Regional Agricultural Administration Office or the Director of a Bureau of Economy, Trade and Industry who has conducted an Inspection, etc. for Branch Offices, etc. under provisions of Article 349, paragraph (5) of

the Act of a Specified OTC Commodity Derivative Business Operators as defined in paragraph (1), item (viii) pursuant to the provisions of the preceding paragraph may carry out an Inspection, etc. for Head Office, etc. or Branch Offices, etc. other than said Branch Offices, etc., if they find this necessary.

附 則

Supplementary Provisions

この政令は、公布の日から施行する。

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

附 則 〔昭和二十五年九月三十日法律第二百九十九号〕

Supplementary Provisions [Cabinet Order No. 299 of September 30, 1950]

1 この政令は、公布の日から施行する。

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

2 取引所令（大正十一年勅令第三百五十三号）は、廃止する。

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

附 則 〔昭和二十六年三月三日政令第三十七号〕

Supplementary Provisions [Cabinet Order No. 37 of March 3, 1951]

この政令は、公布の日から施行する。

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

附 則 〔昭和二十六年五月四日政令第百三十二号〕

Supplementary Provisions [Cabinet Order No. 132 of May 4, 1951]

この政令は、公布の日から施行する。

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

附 則 〔昭和二十六年九月二十一日政令第三百四号〕

Supplementary Provisions [Cabinet Order No. 304 of September 21, 1951]

この政令は、公布の日から施行する。

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

附 則 〔昭和二十七年六月二十三日政令第二百一号〕

Supplementary Provisions [Cabinet Order No. 201 of June 23, 1952]

この政令は、公布の日から施行する。

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

附 則 〔昭和二十八年九月二十一日政令第二百九十三号〕

Supplementary Provisions [Cabinet Order No. 293 of September 21, 1953]

この政令は、公布の日から施行する。

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

附 則 〔昭和二十九年五月三十一日政令第百十七号〕

Supplementary Provisions [Cabinet Order No. 117 of May 31, 1954]

1 この政令は、昭和二十九年六月一日から施行する。

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

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

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

附 則 〔昭和三十七年十月一日政令第三百九十九号〕

Supplementary Provisions [Cabinet Order No. 399 of October 1, 1962]

この政令は、公布の日から施行する。

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

附 則 〔昭和三十八年十月二十五日政令第三百五十六号〕

Supplementary Provisions [Cabinet Order No. 356 of October 25, 1963]

この政令は、昭和三十九年一月一日から施行する。

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

附 則 〔昭和四十三年一月二十二日政令第四号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 4 of January 22, 1968]
[Extract]

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

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

附 則 〔昭和四十六年四月一日政令第百十二号〕

Supplementary Provisions [Cabinet Order No. 112 of April 1, 1971]

この政令は、公布の日から施行する。

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

附 則 〔昭和四十七年八月一日政令第三百二号〕

Supplementary Provisions [Cabinet Order No. 302 of August 1, 1972]

この政令は、昭和四十七年十月一日から施行する。

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

附 則 〔昭和五十年十二月二十三日政令第三百六十三号〕

Supplementary Provisions [Cabinet Order No. 363 of December 23, 1975]

(施行期日)

(Effective Date)

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

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

(経過措置)

(Transitional Measures)

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

- (2) With regard to a Futures Commission Merchant who holds a license under Article 41, paragraph (1) of the Commodity Exchange Act (hereinafter referred to as the "Act") at the time of the enforcement of this Cabinet Order, in cases where the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision (hereinafter referred to as the

"New Order") exceeds the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision (hereinafter referred to as the "Former Order"), the standard amount for said Futures Commission Merchant prescribed in Article 49, paragraph (1) of the Act shall be the amount prescribed in Article 5 of the Former Order, for one year from the day of the enforcement of this Cabinet Order (hereinafter referred to as the "Effective Date"), notwithstanding the provisions of Article 5 of the New Order.

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

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

附 則 〔昭和五十三年七月五日政令第二百八十二号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 282 of July 5, 1978]

[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、公布の日から施行する。

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

附 則 〔昭和五十六年九月十六日政令第二百八十二号〕

Supplementary Provisions [Cabinet Order No. 282 of September 16, 1981]

(施行期日)

(Effective Date)

1 この政令は、昭和五十六年九月二十四日から施行する。

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

(経過措置)

(Transitional Measures)

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

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

附 則 [昭和五十七年二月二十三日政令第二十三号]

Supplementary Provisions [Cabinet Order No. 23 of February 23, 1982]

この政令は、公布の日から施行する。

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

附 則 [昭和五十八年十月七日政令第二百十四号]

Supplementary Provisions [Cabinet Order No. 214 of October 7, 1983]

(施行期日)

(Effective Date)

- 1 この政令は、昭和五十八年十月十七日から施行する。

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

(経過措置)

(Transitional Measures)

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

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

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

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

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

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

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

(5) The amount specified by Cabinet Order as set forth in Article 97-2, paragraph

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

附 則 〔昭和五十九年四月二十日政令第百十号〕

Supplementary Provisions [Cabinet Order No. 110 of April 20, 1984]

この政令は、公布の日から施行する。

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

附 則 〔昭和五十九年九月二十一日政令第百八十二号〕

Supplementary Provisions [Cabinet Order No. 282 of September 21, 1984]

この政令は、昭和五十九年十月一日から施行する。

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

附 則 〔昭和五十九年十月二十六日政令第百三十一号〕

Supplementary Provisions [Cabinet Order No. 311 of October 26, 1984]

この政令は、昭和五十九年十一月一日から施行する。

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

附 則 〔昭和六十年十二月十七日政令第百三十五号〕

Supplementary Provisions [Cabinet Order No. 315 of December 17, 1985]

(施行期日)

(Effective Date)

1 この政令は、昭和六十一年一月一日から施行する。

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

(経過措置)

(Transitional Measures)

2 この政令の施行の際現に商品取引所法第四十一条第一項の許可を受けている商品取引員について、改正後の商品取引所法施行令第五条に定める額（その者が二以上の商品市場における上場商品について同項の許可を受けている場合にあつては、これらの

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

(2) With regard to a Futures Commission Merchant who holds a license under Article 41, paragraph (1) of the Commodity Exchange Act at the time of the enforcement of this Cabinet Order, in cases where the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision (in cases where a person has received a license under the same paragraph with regard to Listed Commodities on two or more Commodity Markets, the total of the amount prescribed in the same Article with regard to these Listed Commodities on the Commodity Markets) exceeds the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision (in cases where a person has received a license under the same paragraph with regard to Listed Commodities on two or more Commodity Markets, the total of the amount prescribed in the same Article with regard to these Listed Commodities on the Commodity Markets), the standard amount prescribed in Article 49, paragraph (1) of the same Act for said Futures Commission Merchant shall be the amount prescribed in Article 5 of the Order for Enforcement of the Commodity Exchange Act prior to the revision, for one year from the day of the enforcement of this Cabinet Order, notwithstanding the provisions of Article 5 of the Order for Enforcement of the Commodity Exchange Act after the revision.

附 則 [平成二年十二月十四日政令第三百五十四号] [抄]

**Supplementary Provisions [Cabinet Order No. 354 of December 14, 1990]
[Extract]**

(施行期日)

(Effective Date)

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

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

(第一種商品取引受託業の許可に係る最低資本の額に関する経過措置)

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

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

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

附 則 〔平成六年九月十九日政令第三百三号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 303 of September 19, 1994]
[Extract]

（施行期日）

（Effective Date）

第一条 この政令は、行政手続法の施行の日（平成六年十月一日）から施行する。

Article 1 This Cabinet Order shall come into force as of the effective date (October 1, 1994) of the Administrative Procedures Act.

附 則 〔平成七年三月二十三日政令第七十八号〕

Supplementary Provisions [Cabinet Order No. 78 of March 23, 1995]

この政令は、公布の日から施行する。

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

附 則 〔平成八年九月二十六日政令第二百九十四号〕

Supplementary Provisions [Cabinet Order No. 294 of September 26, 1996]

この政令は、公布の日から施行する。

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

附 則 〔平成九年九月二十九日政令第三百五号〕

Supplementary Provisions [Cabinet Order No. 305 of September 29, 1997]

(施行期日)

(Effective Date)

1 この政令は、公布の日から施行する。

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

(罰則に関する経過措置)

(Transitional Measures pertaining to Penal Provisions)

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

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

附 則 〔平成十年十一月二十日政令第三百六十九号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 369 of November 20, 1998]

[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十年十二月一日から施行する。

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

(罰則の適用に関する経過措置)

(Transitional Measures pertaining to the Application of Penal Provisions)

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

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

附 則 〔平成十一年三月二十六日政令第八十号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 80 of March 26, 1999]

[Extract]

(施行期日)

(Effective Date)

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

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

(商品取引員協会等の登記に係る経過措置)

(Transitional Measures pertaining to Registration of the Futures Commission Merchant Association, etc.)

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

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

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

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

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

(3) A registrar must close the registration record when dissolution has been registered pursuant to the provisions of paragraph (1).

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

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

附 則 〔平成十二年六月七日政令第三百十一号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 311 of June 7, 2000]

[Extract]

(施行期日)

(Effective Date)

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

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

附 則 〔平成十二年十一月十七日政令第四百八十二号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 482 of November 17, 2000]
[Extract]

(施行期日)

(Effective Date)

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

Article 1 This Cabinet Order shall come into force as of the day of the enforcement (November 30, 2000; hereinafter referred to as the "Effective Date") of the Act for Partial Revision of the Act concerning Liquidation of Specified Assets by Special Purpose Entities (hereinafter referred to as the "Revising Act").

附 則 〔平成十六年三月二十四日政令第五十七号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 57 of March 24, 2004]
[Extract]

この政令は、平成十六年三月三十一日から施行する。

This Cabinet Order shall come into force as of March 31, 2004.

附 則 〔平成十六年八月二十七日政令第二百五十九号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 259 of August 27, 2004]
[Extract]

(施行期日)

(Effective Date)

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

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

(商品取引債務引受業の許可に関する経過措置)

(Transitional Measures pertaining to a License for the Business of Assuming Commodity Transaction Debts)

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

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

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

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

（委託者保護会員制法人の登記等に係る経過措置）

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

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

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

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

(2) With regard to the management as well as the dissolution and liquidation

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

(委託者保護基金への業務等の承継申出の期限)

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

第四条 改正法附則第十九条第一項の政令で定める日は、平成十八年四月三十日とする。
Article 4 The day specified by Cabinet Order as set forth in Article 19, paragraph (1) of the Supplementary Provisions of the Revising Act shall be April 30, 2006.

(社団法人商品取引受託債務補償基金協会の解散の登記の嘱託等)

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

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

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

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

(2) A registrar must close the registration record when they have registered the dissolution pertaining to the request under the preceding paragraph.

(課税の特例)

(Special Provisions for Taxation)

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

Article 5-2 (1) Where a Consignor Protection Membership Corporation as a Consignor Protection Fund (meaning the Consignor Protection Fund prescribed in Article 296 of the New Act) has succeeded to the assets and liabilities held

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

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

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

附 則 〔平成十七年二月十八日政令第二十四号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 24 of February 18, 2005]
[Extract]

(施行期日)

(Effective Date)

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

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

附 則 〔平成十七年四月二十七日政令第百六十六号〕

Supplementary Provisions [Cabinet Order No. 166 of April 27, 2005]

この政令は、公布の日から施行する。

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

附 則 〔平成十八年四月二十六日政令第百八十号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 180 of April 26, 2006]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、会社法の施行の日（平成十八年五月一日）から施行する。

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

附 則 〔平成十九年八月三日政令第二百三十三号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 233 of August 3, 2007]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日から施行する。

Article 1 This Cabinet Order shall come into effect as of the day of enforcement of the revised Act.

(罰則の適用に関する経過措置)

(Transitional Measure concerning Application of Penal Provisions)

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

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

附 則 〔平成二十年五月二十一日政令第百八十号〕 〔抄〕
Supplementary Provisions [Cabinet Order No. 180 of May 21, 2008]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

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

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

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

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

附 則 〔平成二十年七月四日政令第二百十九号〕 〔抄〕

Supplementary Provisions [Cabinet Order No. 219 of July 4, 2008]
[Extract]

(施行期日)

(Effective Date)

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

Article 1 This Cabinet Order shall come into effect as of the day of the enforcement of the Act for Partial Revision of the Act on Transfer of Bonds, etc. for Achieving Rationalization of Settlements for Transactions of Shares, etc. and Other Acts (hereinafter referred to as the "Revising Act").

附 則 [平成二十年七月二十五日政令第二百三十七号] [抄]

Supplementary Provisions [Cabinet Order No. 237 of July 25, 2008]
[Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成二十年十月一日から施行する。

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

附 則 [平成二十一年八月二十八日政令第二百二十八号]

Supplementary Provisions [Cabinet Order No. 228 of August 28, 2009]

この政令は、商品取引所法及び商品投資に係る事業の規制に関する法律の一部を改正する法律附則第一条第二号に掲げる規定の施行の日（平成二十一年十月八日）から施行する。

This Cabinet Order shall come into effect as of the day of the enforcement (January 8, 2009) of the provisions listed in Article 1, item (ii) of the Supplementary Provisions of the Act for the partial revision of the Act on Regulation of Commodity Investment.

附 則 [平成二十一年十二月二十八日政令第三百一号]

Supplementary Provisions [Cabinet Order No. 301 of December 28, 2009]

この政令は、商品取引所法及び商品投資に係る事業の規制に関する法律の一部を改正する法律（平成二十一年法律第七十四号）附則第一条第三号に掲げる規定の施行の日（平成二十二年七月一日）から施行する。

This Cabinet Order shall come into effect as of the day of the enforcement (July 1, 2010) of the provisions listed in Article 1, item (iii) of the Supplementary

Provisions of the Act for the partial revision of the Act on Regulation of Commodity Investment (Law No. 74 of 2009).

附 則 〔平成二十二年九月十日政令第百九十六号〕 〔抄〕

**Supplementary Provisions [Cabinet Order No. 196 of September 10, 2010]
[Extract]**

(施行期日)

(Effective Date)

第一条 この政令は、改正法の施行の日（平成二十三年一月一日）から施行する。

Article 1 This Cabinet Order shall come into effect as of the day of the enforcement (January 1, 2011) of the Revising Act.