

# 産業競争力強化法

## Act on Strengthening Industrial Competitiveness

(平成二十五年十二月十一日法律第九十八号)  
(Act No. 98 of December 11, 2013)

目次

### Table of Contents

第一章 総則（第一条—第五条）

Chapter I General Provisions (Article 1 to Article 5)

第二章 産業競争力の強化に関する実行計画（第六条・第七条）

Chapter II Action Plan for Strengthening Industrial Competitiveness (Article 6 and Article 7)

第三章 新事業活動に関する規制の特例措置の整備等及び規制改革の推進（第八条—第十五条）

Chapter III Preparation of Special Measures on Regulations Concerning New Business Activities and Facilitation of Regulatory Reform (Article 8 to Article 15)

第四章 産業活動における新陳代謝の活性化

Chapter IV Revitalizing the Functioning of Industrial Activities

第一節 特定新事業開拓投資事業及び特定研究成果活用支援事業の促進（第十六条—第二十二条）

Section 1 Promotion of Specified Investment for Developing New Business and Supporting the Utilization of Specified Research Results (Article 16 to Article 22)

第二節 事業再編の円滑化（第二十三条—第五十条）

Section 2 Facilitation of Corporate Restructuring (Article 23 to Article 50)

第三節 事業再生の円滑化（第五十一条—第六十条）

Section 3 Facilitation of Corporate Rehabilitation (Article 51 to Article 60)

第四節 設備導入促進法人（第六十一条—第七十四条）

Section 4 Corporations Promoting Equipment Installation (Article 61 to Article 74)

第五節 事業活動における知的財産権の活用（第七十五条）

Section 5 Utilization of Intellectual Property Rights in Business Activities (Article 75)

第五章 株式会社産業革新機構による特定事業活動の支援等

Chapter V Support for Specified Business Activities by the Innovation Network Corporation of Japan

第一節 総則（第七十六条—第八十一条）

Section 1 General Provisions (Article 76 to Article 81)

第二節 設立 (第八十二条—第八十七条)	
Section 2 Incorporation (Article 82 to Article 87)	
第三節 管理 (第八十八条—第九十六条)	
Section 3 Administration (Article 88 to Article 96)	
第四節 業務 (第九十七条—第一百一条)	
Section 4 Business Operations (Article 97 to Article 101)	
第五節 国の援助等 (第一百二条)	
Section 5 State Assistance (Article 102)	
第六節 財務及び会計 (第一百三—第一百六条)	
Section 6 Finance and Accounting (Article 103 to Article 106)	
第七節 監督 (第一百七—第一百九条)	
Section 7 Supervision (Article 107 to Article 109)	
第八節 解散等 (第一百—第一百一条)	
Section 8 Dissolution (Article 110 and Article 111)	
第六章 中小企業の活力の再生	
Chapter VI Revitalization of Small and Medium-Sized Enterprises	
第一節 創業等の支援 (第一百二条—第一百九条)	
Section 1 Support for Start-ups (Article 112 to Article 119)	
第二節 中小企業承継事業再生の円滑化 (第一百二十条—第一百二十五条)	
Section 2 Facilitation of SME Rehabilitation through Succession (Article 120 to Article 125)	
第三節 中小企業再生支援体制の整備 (第一百二十六条—第一百三十三条)	
Section 3 Development of a Support System for Small and Medium-Sized Enterprise Revitalization (Article 126 to Article 133)	
第七章 雑則 (第一百三十四条—第一百四十三条)	
Chapter VII Miscellaneous Provisions (Article 134 to Article 143)	
第八章 罰則 (第一百四十四条—第一百五十六条)	
Chapter VIII Penal Provisions (Article 144 to Article 156)	
附 則	
Supplementary Provisions	

## 第一章 総則

### Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、我が国経済を再興すべく、我が国の産業を中長期にわたる低迷の状態から脱却させ、持続的発展の軌道に乗せるためには、経済社会情勢の変化に対応して、産業競争力を強化することが重要であることに鑑み、産業競争力の強化に関し、基本理念、国及び事業者の責務並びに産業競争力の強化に関する実行計画について定めることにより、産業競争力の強化に関する施策を総合的かつ一体的に推進するため

の態勢を整備するとともに、規制の特例措置の整備等及びこれを通じた規制改革を推進し、併せて、産業活動における新陳代謝の活性化を促進するための措置、株式会社産業革新機構に特定事業活動の支援等に関する業務を行わせるための措置及び中小企業の活力の再生を円滑化するための措置を講じ、もって国民生活の向上及び国民経済の健全な発展に寄与することを目的とする。

Article 1 The purpose of this Act is, in view of the importance of strengthening industrial competitiveness in response to changes in the economy and social circumstances for reconstructing the Japanese economy by leading Japanese industry out of prolonged stagnation and setting them on a sustainable growth track, to establish the basic principles and responsibilities of the State and businesses with regard to the strengthening of industrial competitiveness, and to draw up an action plan therefor, with the aim of developing a system to comprehensively and integrally promote policies for strengthening industrial competitiveness, and to prepare special measures on regulations and facilitate regulatory reform through such efforts, and take measures to revitalize the functioning of industrial activities, measures to have the Innovation Network Corporation of Japan engage in business operations concerning support, etc. for specified business activities, and measures to facilitate the revitalization of small and medium-sized enterprises, thereby contributing to enhancing the lives of the public and the sound development of the national economy.

(定義)

(Definitions)

第二条 この法律において「産業競争力」とは、産業活動において、高い生産性及び十分な需要を確保することにより、高い収益性を実現する能力をいう。

Article 2 (1) The term "Industrial Competitiveness" as used in this Act means the capacity to achieve high profitability in industrial activities by way of ensuring high productivity and sufficient demand.

2 この法律において「規制の特例措置」とは、法律により規定された規制についての別に法律で定める法律の特例に関する措置及び政令又は主務省令（以下この項において「政令等」という。）により規定された規制についての政令等で規定する政令等の特例に関する措置であって、第十一条第二項に規定する認定新事業活動計画に従って実施する新事業活動について適用されるものをいう。

(2) The term "Special Measures on Regulations" as used in this Act means measures under special provisions of an Act otherwise provided for by law, with regard to regulations prescribed by law or the measures under the special provisions of a Cabinet Order or order of the competent ministry (hereinafter referred to as "Cabinet Orders, etc." in this paragraph) prescribed by Cabinet Order, etc. concerning regulations prescribed by Cabinet Order, etc. and which apply to new business activities implemented in accordance with the approved new business activity plan prescribed in Article 11, paragraph (2).

3 この法律において「新事業活動」とは、新商品の開発又は生産、新たな役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動であって、産業競争力の強化に資するものとして主務省令で定めるものをいう。

(3) The term "New Business Activities" as used in this Act means the development or production of new goods, development or provision of new services, introduction of a new method of producing or selling goods, introduction of a new method of providing services, or other new business activities that are specified by order of the competent ministry as business activities that contribute to strengthening industrial competitiveness.

4 この法律において「産業活動における新陳代謝」とは、産業活動において、新たな事業の開拓、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再生、設備投資その他の生産性の向上又は需要の拡大のための事業活動が行われることをいう。

(4) The term "Functioning of Industrial Activities" as used in this Act means where industrial activities involve the development of new business, starting of a new business or withdrawal from an unprofitable business through corporate restructuring, corporate rehabilitation, capital investment, or other business activities for improving productivity or expanding demand.

5 この法律において「新事業開拓事業者」とは、新商品の開発又は生産、新たな役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動を行うことにより、新たな事業の開拓を行う事業者（新たに設立される法人を含む。第八項において同じ。）であって、その事業の将来における成長発展を図るために外部からの投資を受けることが特に必要なものその他の経済産業省令で定めるものをいう。

(5) The term "Business Developing New Business" as used in this Act means a business (including a corporation to be newly incorporated; the same applies in paragraph (8)) who is developing new business through the development or production of new goods, development or provision of new services, introduction of a new method of producing or selling goods, introduction of a new method of providing services, or other new business activities and for whom outside investment is especially necessary for achieving growth in the new business into the future, and any other business specified by Order of the Ministry of Economy, Trade and Industry.

6 この法律において「特定新事業開拓投資事業」とは、投資事業有限責任組合（投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合をいう。以下同じ。）が行う新事業開拓事業者に対する投資事業（主として事業規模の拡大を図る新事業開拓事業者に対するものであることその他の経済産業省令で定める要件に該当するものに限る。）であって、当該新事業開拓事業者に対する積極的な経営又は技術の指導を伴うことが確実であると見込まれるものとして経済産業省令で定めるものをいう。

(6) The term "Specified Investment for Developing New Business" as used in this Act means the actions of an investment limited partnership which targets a Business Developing New Business (meaning an investment limited partnership as prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998); the same applies hereinafter) (limited to an investment business mainly targeting a Business Developing New Business which intends to expand the size of its business or an investment business that falls under other requirements specified by Order of the Ministry of Economy, Trade and Industry) , and is specified by Order of the Ministry of Economy, Trade and Industry as business which is expected with confidence to involve giving proactive management or technical guidance to the Business Developing New Business.

7 この法律において「特定研究成果活用支援事業」とは、国立大学法人等（国立大学法人法（平成十五年法律第百十二号）第二条第五項に規定する国立大学法人等をいう。第二十二條において同じ。）における技術に関する研究成果を、当該国立大学法人等と連携しつつ、その事業活動において活用する者に対し、当該事業活動に関する必要な助言、資金供給その他の支援を行う事業であって、当該国立大学法人等における研究の進展に資するものをいう。

(7) The term "Supporting the Utilization of Specified Research Results" as used in this Act means the provision of advice, funds, or other necessary support for the business activities of a person who utilizes the results of research on technology conducted by an Incorporated National University in their business activities (meaning the Incorporated National University prescribed in Article 2, paragraph (5) of the National University Corporation Act (Act No. 112 of 2003); the same applies in Article 22), in collaboration with the Incorporated National University that contributes to the advancement of research at the Incorporated National University.

8 この法律において「関係事業者」とは、事業者であって、他の事業者がその経営を実質的に支配していると認められるものとして主務省令で定める関係を有するものをいう。

(8) The term "Affiliated Business" as used in this Act means a business whose management is considered to be under the material control of another business, and who has a relationship specified by order of the competent ministry with the relevant other business.

9 この法律において「外国関係法人」とは、外国法人（新たに設立されるものを含む。）であって、国内に本店又は主たる事務所を有する事業者がその経営を実質的に支配していると認められるものとして主務省令で定める関係を有するものをいう。

(9) The term "Affiliated Foreign Corporation" as used in this Act means a foreign corporation (including a corporation to be newly incorporated) whose management is considered effectively be under the control of a business with a head office or principal office in Japan, and who has a relationship specified by

order of the competent ministry with the relevant other business.

10 この法律において「経営資源」とは、知識及び技能並びに技術、設備その他の事業活動に活用される資源をいう。

(10) The term "Management Resources" as used in this Act means knowledge and skills, as well as technologies, equipment, and other resources utilized in business activities.

11 この法律において「事業再編」とは、事業者がその事業の全部又は一部の生産性を相当程度向上させることを目指した事業活動であつて、次の各号のいずれにも該当するものをいう。

(11) The term "Corporate Restructuring" as used in this Act means business activities that are carried out by a business with the aim of achieving considerable improvements in productivity in all or part of its business and that fall under both of the following items:

一 次に掲げる措置のいずれかによる事業の全部又は一部の構造の変更（当該事業者の関係事業者及び外国関係法人が行う事業の構造の変更を含む。）を行うものであること。

(i) business activities for making changes to the structure of all or part of the business (including changes to the business structure by an Affiliated Business or an Affiliated Foreign Corporation of the business) through any of the following measures:

イ 合併

(a) merger;

ロ 会社の分割

(b) company split;

ハ 株式交換

(c) share exchange;

ニ 株式移転

(d) share transfer;

ホ 事業又は資産の譲受け又は譲渡（外国におけるこれらに相当するものを含む。）

(e) acceptance or transfer of a business or assets (including equivalents in foreign countries);

ヘ 出資の受入れ

(f) receipt of contributions;

ト 他の会社の株式又は持分の取得（当該取得により当該他の会社が関係事業者となる場合に限る。）

(g) acquisition of shares or equity in another company (limited to cases where the relevant company is to become an Affiliated Business through the acquisition);

チ 関係事業者の株式又は持分の譲渡（当該譲渡により当該事業者の関係事業者でなくなる場合に限る。）

- (h) transfer of shares or equity in an Affiliated Business (limited to cases where it ceases to be an Affiliated Business of the business through the transfer);  
リ 外国法人の株式若しくは持分又はこれらに類似するものの取得（当該取得により当該外国法人が外国関係法人となる場合に限る。）
- (i) acquisition of shares, equity, or the equivalent in a foreign corporation (limited to cases where the foreign corporation is to become an Affiliated Foreign Corporation);  
ヌ 外国関係法人の株式若しくは持分又はこれらに類似するものの譲渡（当該譲渡により当該事業者の外国関係法人でなくなる場合に限る。）
- (j) transfer of shares, equity, or the equivalent in an Affiliated Foreign Corporation (limited to cases where the foreign corporation ceases to be an Affiliated Foreign Corporation of the business through the transfer);  
ル 会社又は外国法人の設立又は清算
- (k) establishment or liquidation of a company or a foreign corporation;  
ヲ 有限責任事業組合（有限責任事業組合契約に関する法律（平成十七年法律第四十号）第二条に規定する有限責任事業組合をいう。第九十七条第一項第一号において同じ。）に対する出資
- (l) contributions to a Limited Liability Partnership (meaning the Limited Liability Partnership prescribed in Article 2 of the Limited Liability Partnership Act (Act No. 40 of 2005); the same applies in Article 97, paragraph (1), item (i)); or  
ワ 保有する施設の相当程度の撤去又は設備の相当程度の廃棄
- (m) dismantling to a considerable extent of the facilities held by the business or the disposal to a considerable extent of its equipment; and  
ニ 事業者がその経営資源を活用して行う事業の全部又は一部の分野又は方式の変更であって、次に掲げるもののいずれかを行うものであること。
- (ii) business activities for making changes to the field or format of all or part of the affairs that the business conducts by utilizing its management resources, wherein any of the following is carried out:  
イ 新商品の開発及び生産又は新たな役務の開発及び提供（次項第二号において「新商品の開発等」という。）により、生産若しくは販売に係る商品の構成又は提供に係る役務の構成を相当程度変化させること。
- (a) considerable changes to the composition of goods produced or sold, or the composition of services provided, through the development and production of new goods or development and provision of new services (referred to as the "Development, etc. of New Goods" in item (ii) of the following paragraph);  
ロ 商品の新たな生産の方式の導入又は設備の能率の向上により、商品の生産を著しく効率化すること。
- (b) significant streamlining in the production of goods through the

introduction of new methods of producing goods or the improvement of the efficiency of equipment;

ハ 商品の新たな販売の方式の導入又は役務の新たな提供の方式の導入により、商品の販売又は役務の提供を著しく効率化すること。

(c) significant streamlining in the sale of goods or the provision of services through the introduction of new methods of selling goods or the introduction of a new method of providing services; or

ニ 新たな原材料、部品若しくは半製品の使用又は原材料、部品若しくは半製品の新たな購入の方式の導入により、商品の生産に係る費用を相当程度低減すること。

(d) considerable reduction of expenses pertaining to the production of goods, through the use of new raw materials, parts or semi-finished goods, or introduction of new methods of purchasing raw materials, parts or semi-finished goods.

12 この法律において「特定事業再編」とは、事業再編のうち、二以上の事業者が、それぞれの経営資源を有効に組み合わせて一体的に活用して、当該二以上の事業者のそれぞれの事業の全部又は一部の生産性を著しく向上させることを目指したものであって、次の各号のいずれにも該当するものをいう。

(12) The term "Specified Corporate Restructuring" as used in this Act means Corporate Restructuring wherein two or more businesses effectively combine their management resources and utilize them integrally with the aim of achieving considerable improvements in productivity in all or part of their businesses, respectively, and that fall under both of the following items:

一 次に掲げる措置のいずれかによる事業の全部又は一部の構造の変更を行うものであること。

(i) Corporate Restructuring for making changes to the structure of all or part of a business through any of the following measures:

イ 当該二以上の事業者のそれぞれの完全子会社（一の事業者がその設立の日から引き続き発行済株式の全部を有する株式会社をいう。以下この号において同じ。）相互間の新設合併又は吸収合併

(a) a consolidation-type merger or absorption-type merger among two or more of the business' Wholly Owned Subsidiary Companies (meaning stock companies whose issued shares have been wholly owned by a single business continuously since the day of its establishment; hereinafter the same applies in this item);

ロ 当該二以上の事業者が共同して行う新設分割

(b) an incorporation-type company split jointly effected by those two or more businesses;

ハ 当該二以上の事業者のいずれか一の事業者の完全子会社に、当該二以上の事業者のうち他の事業者が、その事業に関して有する権利義務の全部又は一部を承継させる吸収分割

(c) an absorption-type company split wherein a Wholly Owned Subsidiary



Company of any one of those two or more businesses succeeds to all or part of the rights and obligations held by the other businesses in relation to their business;

ニ 当該二以上の事業者のいずれか一の事業者の完全子会社が行う当該二以上の事業者のうち他の事業者からの出資の受入れ

(d) acceptance of contributions by a Wholly Owned Subsidiary Company of any one of those two or more businesses from the other businesses; or

ホ 当該二以上の事業者が共同して行うそのそれぞれの完全子会社の発行済株式の全部を取得する会社の設立

(e) joint establishment of a company by two or more of those businesses that acquires the issued shares of their Wholly Owned Subsidiary Companies in their entirety; and

二 次に掲げる会社（第二十六条第三項、第二十七条第二項及び第三十三条第一項において「特定会社」という。）のいずれかが、外国における新たな需要を相当程度開拓し、又は新商品の開発等により国内における新たな需要を相当程度開拓するものであること。

(ii) Corporate Restructuring wherein any one of the following companies

(referred to as a "Specified Company" in Article 26, paragraph (3), Article 27, paragraph (2), and Article 33, paragraph (1)) creates a considerable new demand in a foreign country or creates a considerable new demand in Japan through the Development, etc. of New Goods:

イ 前号イの新設合併により設立された会社又は同号イの吸収合併後存続する会社

(a) a company established as a result of a consolidation-type merger as set forth in (a) of the preceding item or a company that survives an absorption-type merger as set forth in (a) of the same item;

ロ 前号ロの新設分割により設立された会社

(b) a company established as a result of an absorption-type company split as set forth in (b) of the preceding item;

ハ 前号ハの吸収分割により事業に関して権利義務の全部又は一部を承継した会社

(c) a company that has succeeded to all or part of the rights and obligations in relation to the business as a result of an absorption-type company split as set forth in (c) of the preceding item;

ニ 前号ニの出資の受入れをした会社

(d) a company that has accepted contributions as set forth in (d) of the preceding item; or

ホ 前号ホの会社の設立により設立された会社

(e) a company established as a result of the joint establishment of a company as set forth in (e) of the preceding item.

13 この法律において「生産性向上設備等」とは、商品の生産若しくは販売又は役務の提供の用に供する施設、設備、機器、装置又はプログラム（情報処理の促進に関する法律（昭和四十五年法律第九十号）第二条第二項に規定するプログラムをいう。）

であって、事業の生産性の向上に特に資するものとして経済産業省令で定めるものをいう。

(13) The term "Equipment for Productivity Improvement, etc." as used in this Act means facilities, equipment, apparatus, devices, or Programs (meaning the Programs prescribed in Article 2, paragraph (2) of the Act on Facilitation of Information Processing (Act No. 90 of 1970)) to be used for the production or sale of goods or provision of services that are specified by Order of the Ministry of Economy, Trade and Industry as those which especially contribute to the improvement of productivity in business.

1 4 この法律において「事業再生」とは、過大な債務を負っている事業者が、その全部又は一部の債権者の協力を得ながらその事業の再生を図ること（再生手続、更生手続その他政令で定める法律に定める手続によりその事業の再生を図ることを除く。）をいう。

(14) The term "Corporate Rehabilitation" as used in this Act means the rehabilitation of the affairs of a business which owes extensive obligations, by gaining the cooperation of all or part of its creditors (excluding cases where the rehabilitation of the business is to be implemented through rehabilitation proceedings, reorganization proceedings, or other proceedings specified by an Act specified by Cabinet Order).

1 5 この法律において「特定認証紛争解決事業者」とは、認証紛争解決事業者（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第四号に規定する者をいう。第五十一条において同じ。）であって、同条第一項の認定を受けたものをいう。

(15) The term "Specified Certified Dispute Resolution Businesses" as used in this Act means Certified Dispute Resolution Businesses (meaning those persons prescribed in Article 2, item (iv) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004); the same applies in Article 51) who have obtained approval as set forth in Article 51, paragraph (1).

1 6 この法律において「特定認証紛争解決手続」とは、認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律第二条第三号に規定する手続をいう。第五十一条第一項第二号において同じ。）であって、特定認証紛争解決事業者が事業再生に係る紛争について行うものをいう。

(16) The term "Specified Certified Dispute Resolution Procedures" as used in this Act means Certified Dispute Resolution Procedures (meaning the procedures prescribed in Article 2, item (iii) of the Act on Promotion of Use of Alternative Dispute Resolution; the same applies in Article 51, paragraph (1), item (ii)) which are undertaken by a Specified Certified Dispute Resolution Business with respect to disputes pertaining to Corporate Rehabilitation.

1 7 この法律において「中小企業者」とは、次の各号のいずれかに該当する者をいう。

(17) The term "Small and Medium-sized Enterprise" as used in this Act means a person falling under any of the following:

- 一 資本金の額又は出資の総額が三億円以下の会社並びに常時使用する従業員の数が三百人以下の会社及び個人であって、製造業、建設業、運輸業その他の業種（次号から第四号までに掲げる業種及び第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの
- (i) a company whose amount of stated capital or total amount of contributions is not more than 300,000,000 yen, together with a company and an individual that regularly employs 300 employees or fewer, whose principal business is in the manufacturing industry, the construction industry, the transportation industry or any other business type (excluding the business types set forth in the following item to item (iv) and the business types specified by Cabinet Order set forth in item (v));
- 二 資本金の額又は出資の総額が一億円以下の会社並びに常時使用する従業員の数が百人以下の会社及び個人であって、卸売業（第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの
- (ii) a company whose amount of stated capital or total amount of contributions is not more than 100,000,000 yen, together with a company and an individual that regularly employs 100 employees or fewer, whose principal business is in the wholesale industry (excluding the business types specified by Cabinet Order set forth in item (v));
- 三 資本金の額又は出資の総額が五千万円以下の会社並びに常時使用する従業員の数が百人以下の会社及び個人であって、サービス業（第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの
- (iii) a company whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen, together with a company and an individual that regularly employs 100 employees or fewer, whose principal business is in the service industry (excluding the business types specified by Cabinet Order set forth in item (v));
- 四 資本金の額又は出資の総額が五千万円以下の会社並びに常時使用する従業員の数が五十人以下の会社及び個人であって、小売業（次号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの
- (iv) a company whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen, together with a company and an individual that regularly employ 50 employees or fewer, whose principal business is in the retail industry (excluding the business types specified by Cabinet Order set forth in the following item);
- 五 資本金の額又は出資の総額がその業種ごとに政令で定める金額以下の会社並びに常時使用する従業員の数がその業種ごとに政令で定める数以下の会社及び個人であって、その政令で定める業種に属する事業を主たる事業として営むもの
- (v) a company whose amount of stated capital or total amount of contributions is not more than an amount specified by Cabinet Order for each business type, together with a company and an individual that regularly employ a

number of employees not more than a number specified by Cabinet Order for each business type, whose principal business is a type specified by Cabinet Order;

六 企業組合

(vi) business co-operatives;

七 協業組合

(vii) joint business co-operatives; or

八 事業協同組合、協同組合連合会その他の特別の法律により設立された組合及びその連合会であつて、政令で定めるもの

(viii) business cooperatives, federations of cooperatives, and other partnerships and their federations established pursuant to a special Act that are specified by Cabinet Order.

18 この法律において「先端設備等」とは、先端的な技術を活用した設備、機器又は装置であつて、将来におけるその価格の変動が著しく不確実なものであり、かつ、産業競争力の強化に資するものとして経済産業省令で定めるものをいう。

(18) The term "Cutting-edge Equipment, etc." as used in this Act means equipment, apparatus, or devices utilizing cutting-edge technology as specified by Order of the Ministry of Economy, Trade and Industry as those whose prices will be significantly uncertain in the future and which will contribute to strengthening industrial competitiveness.

19 この法律において「リース契約」とは、対価を得て先端設備等を使用させる契約であつて、先端設備等を使用させる期間（次項第一号において「使用期間」という。）の開始の日（以下この項及び次項第二号において「使用開始日」という。）以後又は使用開始日から一定期間を経過した後当事者の一方又は双方がいつでも解約の申入れをすることができる旨の定めがないものをいう。

(19) The term "Lease Contract" as used in this Act means a contract to permit the use of Cutting-edge Equipment, etc. for consideration that does not contain provisions to the effect that either or both of the parties may give notice of termination of the contract at any time after the first date of the period to permit the use of the Cutting-edge Equipment, etc. (hereinafter, such period is referred to as the "Lease Period" in item (i) of the following paragraph and such date is referred to as the "Effective Date" in this paragraph and item (ii) of the following paragraph) or after the expiration of a certain period from the Effective Date.

20 この法律において「リース保険契約」とは、次の各号のいずれにも該当する保険契約をいう。

(20) The term "Lease Insurance Contract" as used in this Act means an insurance contract that falls under both of the following items:

一 先端設備等をリース契約（その使用期間が三年以上のもの（次号において「長期リース契約」という。）に限る。）により使用させる事業を行う者（次号において「リース業者」という。）が保険料を支払うことを約するものであること。

(i) an insurance contract wherein a person conducting business permitting the use of Cutting-edge Equipment, etc. under a Lease Contract (limited to a contract for a Lease Period not shorter than three years (referred to as a "Long-term Lease Contract" in the following item); such person is referred to as a "Leaser" in the following item) pledges to pay insurance premiums; and  
二 その引受けを行う者が、リース業者が締結した長期リース契約につき、当該リース業者が使用開始日後に到来する支払期日において対価の支払を受けることができなかつたときに、当該リース業者の請求に基づき、その対価の支払を受けることができなかつたことによって生じた当該リース業者の損害を填補することを約して保険料を収受するものであること。

(ii) an insurance contract wherein a person who undertakes it accepts insurance premiums for a Long-term Lease Contract signed by a Leaser, pledging that the person will compensate for any damage sustained by the Leaser, when the Leaser was unable to receive the consideration for the Long-term Lease Contract on the due date after the Effective Date, based on the request of the Leaser.

2 1 この法律において「特定事業活動」とは、自らの経営資源以外の経営資源を活用し、高い生産性が見込まれる事業を行うこと又は新たな事業の開拓を行うことを目指した事業活動及び当該事業活動を支援する事業活動をいう。

(21) The term "Specified Business Activities" as used in this Act means business activities aimed towards undertaking business expected to have high productivity, or for the development of new business, utilizing management resources other than a person's own management resources, or business activities supporting the business activities.

2 2 この法律において「創業」とは、次に掲げる行為をいう。

(22) The term "Start-up" as used in this Act means the acts set forth as follows:

一 事業を営んでいない個人が新たに事業を開始すること（次号に掲げるものを除く。）。

(i) the starting of a new business by an individual not currently engaged in business (excluding those set forth in the following item);

二 事業を営んでいない個人が新たに会社を設立し、当該新たに設立された会社が事業を開始すること。

(ii) the establishment of a new company by an individual not currently engaged in business and the starting of a business by the newly established company;  
or

三 会社が自らの事業の全部又は一部を継続して実施しつつ、新たに会社を設立し、当該新たに設立された会社が事業を開始すること（中小企業者の行為に限る。）。

(iii) the establishment of a new company by another company which is continuing all or part of its existing business and the starting of a business by the newly established company (limited to acts by Small and Medium-sized Enterprises).

23 この法律において「創業者」とは、次に掲げる者をいう。

(23) The term "Founder" as used in this Act means the persons set forth as follows:

一 前項第一号に掲げる創業を行おうとする個人であつて、一月以内（認定創業支援事業計画（第百十四条第二項に規定する認定創業支援事業計画をいう。）に記載された特定創業支援事業（第三号において「認定特定創業支援事業」という。）により経済産業省令で定めるところにより支援を受けて創業を行おうとする者にあつては、六月以内）に当該創業を行う具体的な計画を有するもの

(i) an individual intending to start a Start-up as set forth in item (i) of the preceding paragraph who has a concrete plan to start the Start-up within one month (or within six months for a person intending to start a Start-up by receiving support as prescribed by Order of the Ministry of Economy, Trade and Industry under Specified Start-up Support recorded in an approved start-up support plan (meaning the "Approved Start-up Support Plan" prescribed in Article 114, paragraph (2)); such business is referred to as an "Approved Specified Start-up Support" in item (iii));

二 前項第一号に掲げる創業を行った個人であつて、事業を開始した日以後五年を経過していないもの

(ii) an individual who started a Start-up as set forth in item (i) of the preceding paragraph and for whom five years have not yet elapsed since the date the business started;

三 前項第二号に掲げる創業を行おうとする個人であつて、二月以内（認定特定創業支援事業により経済産業省令で定めるところにより支援を受けて創業を行おうとする者にあつては、六月以内）に当該創業を行う具体的な計画を有するもの

(iii) an individual intending to start a Start-up as set forth in item (ii) of the preceding paragraph who has a concrete plan to start the Start-up within two months (or within six months for a person intending to start a Start-up by receiving support as prescribed by Order of the Ministry of Economy, Trade and Industry under an Approved Specified Start-up Support);

四 前項第二号に掲げる創業により設立された会社であつて、その設立の日以後五年を経過していないもの

(iv) a company established through starting a Start-up as set forth in item (ii) of the preceding paragraph and for which five years have not yet elapsed since the date of that establishment:

五 前項第三号に掲げる創業を行おうとする会社であつて、当該創業を行う具体的な計画を有するもの

(v) a company intending to start a Start-up as set forth in item (iii) of the preceding paragraph that has a concrete plan to start the Start-up; or

六 前項第三号に掲げる創業により設立された会社であつて、その設立の日以後五年を経過していないもの

(vi) a company established through start a Start-up as set forth in item (iii) of

the preceding paragraph and for which five years have not yet elapsed since the date of that establishment.

24 この法律において「創業支援事業」とは、創業を行おうとする者に対する創業に必要な情報の提供、研修又は創業についての指導若しくは助言、創業者の新たに開始する事業の用に供する工場、事業場、店舗その他の施設の整備並びにこれらの賃貸及び管理その他の取組により、創業を支援する事業をいう。

(24) The term "Start-up Support" as used in this Act means the business of offering support to a person intending to start a Start-up by means such as providing information necessary for a Start-up, giving training, guidance or advice on a Start-up, developing factories, workplaces, stores or other facilities to be used for the business that the Founder intends to start, and leasing and managing such facilities.

25 この法律において「特定創業支援事業」とは、創業支援事業のうち、特に創業の促進に寄与するものとして経済産業省令で定めるものをいう。

(25) The term "Specified Start-up Support" as used in this Act means Start-up Support specified by Order of the Ministry of Economy, Trade and Industry as that which will particularly contribute to facilitating Start-ups.

26 この法律において「特定信用状」とは、国内に本店又は主たる事務所を有する事業者の依頼により銀行、信用金庫、信用協同組合その他の政令で定める金融機関（次項において単に「金融機関」という。）が発行する信用状であって、当該事業者の外国関係法人の外国銀行等（銀行法（昭和五十六年法律第五十九号）第四条第三項に規定する外国銀行等をいう。）からの借入れ（手形の割引を受けることを含む。）による債務の不履行が生じた場合に当該信用状に基づく債務を履行する旨を表示するものをいう。

(26) The term "Specified Letter of Credit" as used in this Act means a letter of credit issued by a bank, Shinkin Bank, credit cooperative or other financial institution specified by Cabinet Order (simply referred to as a "Financial Institution" in the following paragraph) at the request of a business which has its head office or principal office in Japan, which represents that obligations based on the letter of credit will be performed if the non-performance of obligations has arisen through borrowings (including discounts received on negotiable instruments) from a Foreign Bank, etc. (meaning a Foreign Bank, etc. as prescribed in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981)) of an Affiliated Foreign Corporation of the business

27 この法律において「特定信用状発行契約」とは、事業者と金融機関との間で締結される契約であって、当該金融機関が特定信用状を発行することを約し、当該金融機関が当該特定信用状に基づく債務を履行した場合において当該事業者が当該金融機関に対して当該債務を履行した額に相当する金額その他経済産業省令で定める金額を支払うことを約するものをいう。

(27) The term "Specified Letter of Credit Issuance Contract" as used in this Act means a contract concluded between a business and a Financial Institution in

which the Financial Institution pledges to issue a Specified Letter of Credit, and the business, if the Financial Institution has performed obligations based on the Specified Letter of Credit, pledges to pay to the Financial Institution an amount equivalent to the amount resulting from the performance of the obligations or an amount specified by Order of the Ministry of Economy, Trade and Industry.

28 この法律において「特定中小企業者」とは、過大な債務を負っていることその他の事情によって財務の状況が悪化していることにより、事業の継続が困難となっている中小企業者をいう。

(28) The term "Specified Small and Medium-sized Enterprise" as used in this Act means a Small and Medium-sized Enterprise for whom the continuation of business is becoming extremely difficult due to owing extensive obligations or the deterioration of the state of the finances due to other circumstances.

29 この法律において「中小企業承継事業再生」とは、特定中小企業者が会社の分割又は事業の譲渡によりその事業の全部又は一部を他の事業者へ承継させるとともに、当該他の事業者が承継した事業について収支の改善その他の強化を図ることにより、当該事業の再生を図ることをいう。

(29) The term "SME Rehabilitation through Succession" as used in this Act means the promotion of the rehabilitation of business through the succession to all or part of the business of a Specified Small and Medium-sized Enterprise by another business by way of a company split or transfer of business, together with improvements in the balance of payments or other improvements with respect to the business succeeded to by the relevant other business.

30 この法律において「承継事業者」とは、中小企業承継事業再生により事業を承継する事業者をいう。

(30) The term "Succeeding Business" as used in this Act means a business succeeding to a business through a SME Rehabilitation through Succession.

(基本理念)

(Basic Principles)

第三条 産業競争力の強化は、事業者が、経済事情の変動に対応して、経営改革を推進することにより、生産性の向上及び需要の拡大を目指し、新たな事業の開拓、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再生、設備投資その他の事業活動を積極的に行うことを基本とし、国が、これらの取組を促進するために、規制の見直しその他の必要な事業環境の整備を行うとともに、事業者に対する支援措置を講ずることを旨として、行わなければならない。

Article 3 The strengthening of industrial competitiveness must be achieved in principle through the proactive business activities of businesses, such as the development of new business, starting of a new business or withdrawal from unprofitable business through Corporate Restructuring, Corporate Rehabilitation, capital investment, etc. with the aim of improving productivity



or expanding demand, while promoting management reforms in response to fluctuations in the state of the economy, with the State's support measures for businesses and initiatives to review regulations or otherwise develop business environments necessary for promoting their efforts.

(国の責務)

(Responsibilities of the State)

第四条 国は、前条に定める基本理念にのっとり、産業競争力の強化のための施策を総合的に策定し、及び迅速かつ確実に実施する責務を有する。

Article 4 (1) The State is responsible for establishing measures for strengthening industrial competitiveness in a comprehensive manner and implementing them promptly and without fail, pursuant to the basic principles prescribed in the preceding Article.

2 国は、産業競争力の強化に関する施策の推進に当たっては、平成二十五年以降の五年度の期間（以下「集中実施期間」という。）を、産業競争力の強化に関する施策を集中的かつ計画的に実施する期間とし、事業者による新たな事業の開拓、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再生、設備投資その他の事業活動が積極的に行われるよう、規制の見直しその他の必要な事業環境の整備を行うとともに、事業者に対する支援措置を講ずるものとする。

(2) When promoting measures for strengthening industrial competitiveness, the State is to set a five-year period from FY2013 (hereinafter referred to as the "Intensive Implementation Period") as a period to intensively and systematically implement measures for strengthening industrial competitiveness, and is to endeavor to review regulations or otherwise develop business environments, and take measures to support businesses to encourage their proactive business activities, such as the development of new business, starting of a new business or withdrawal from an unprofitable business through Corporate Restructuring, Corporate Rehabilitation, capital investment, etc.

(事業者の責務)

(Responsibilities of Businesses)

第五条 事業者は、第三条に定める基本理念にのっとり、集中実施期間において、当該事業者の属する事業分野における商品若しくは役務に関する需給の動向又は事業者間の競争の状況その他の当該事業者の事業を取り巻く環境を踏まえて、経営改革を推進することにより、生産性の向上及び需要の拡大を目指し、新たな事業の開拓、事業再編による新たな事業の開始若しくは収益性の低い事業からの撤退、事業再生、設備投資その他の事業活動を積極的に行うよう努めなければならない。

Article 5 Each business must make efforts during the Intensive Implementation Period, pursuant to the basic principles prescribed in Article 3, to actively carry out business activities, such as the development of new business, opening

of new business or withdrawal from unprofitable business through Corporate Restructuring, Corporate Rehabilitation, capital investment, etc. with the aim of improving productivity or expanding demand, while promoting management reforms in light of the supply and demand trends of goods or services or the state of competition among businesses in the relevant field of business to which its business belongs, or other environments surrounding its business.

## 第二章 産業競争力の強化に関する実行計画

### Chapter II Action Plan for Strengthening Industrial Competitiveness

(実行計画)

(Action Plan)

第六条 政府は、集中実施期間における産業競争力の強化に関する施策の総合的な推進及び迅速かつ確実な実施を図るため、産業競争力の強化に関する実行計画（以下この条において「実行計画」という。）を作成するものとする。

Article 6 (1) The government is to prepare an action plan for strengthening industrial competitiveness (hereinafter referred to as the "Action Plan" in this Article) in order to comprehensively promote measures for strengthening industrial competitiveness and implement them promptly and without fail during the Intensive Implementation Period.

2 実行計画は、次に掲げる事項について定めるものとする。

(2) The Action Plan is to specify the following:

一 産業競争力の強化に関する施策についての基本的な方針

(i) basic policies concerning measures for strengthening industrial competitiveness;

二 産業競争力の強化に関する施策について重点的に講ずべき施策ごとの次に掲げる事項

(ii) the following particulars for each of the measures to be focused on and taken intensively for strengthening industrial competitiveness:

イ 施策の内容

(a) details of the measures;

ロ 施策の実施期限

(b) deadlines for completing the measures; and

ハ 担当大臣

(c) responsible ministers; and

三 その他産業競争力の強化に関する施策の総合的な推進及び迅速かつ確実な実施を図るために必要な事項

(iii) other matters necessary for comprehensively promoting measures for strengthening industrial competitiveness and implementing them promptly and without fail.

3 前項第二号ハの「担当大臣」とは、実行計画に定められた同号に規定する施策（以

下この条及び次条において「重点施策」という。) についての内閣法 (昭和二十二年法律第五号) にいう主任の大臣をいう。

(3) "Responsible Ministers" as set forth in item (ii), (c) of the preceding paragraph means the competent ministers stipulated in the Cabinet Act (Act No. 5 of 1947) for the measures prescribed in the same item specified in the Action Plan (hereinafter referred to as the "Priority Measures" in this Article and the following Article).

4 実行計画は、その作成の日から起算して三年を超えない期間について定めるものとする。

(4) The Action Plan is to be prepared for the period not exceeding three years from the day on which it is prepared.

5 内閣総理大臣は、実行計画の案を作成し、閣議の決定を求めるものとする。

(5) The Prime Minister is required to prepare a draft of the Action Plan and seek a Cabinet decision.

6 政府は、実行計画を作成したときは、これを公表するものとする。

(6) The government is to publicize the Action Plan it has prepared.

7 政府は、集中実施期間中、平成二十六年度以降の各年度において少なくとも一回、重点施策の進捗及び実施の状況を取りまとめ、重点施策の進捗及び実施の効果に関する評価を行い、その評価の結果及び経済事情の変動を勘案し、実行計画に検討を加え、必要があると認めるときは、これを改定するものとする。

(7) During the Intensive Implementation Period, at least once every fiscal year in or after FY2014, the government is to compile the progress and implementation state of the Priority Measures, evaluate such progress and the effect of the Priority Measures, review the Action Plan in consideration of the results of the evaluation and fluctuations in the state of the economy, and revise the Action Plan when the government finds it to be necessary to do so.

8 第四項から第六項までの規定は、実行計画の改定について準用する。

(8) The provisions of paragraph (4) to paragraph (6) apply mutatis mutandis to the revision of the Action Plan.

9 政府は、第七項の規定による評価を行ったときは、同項の重点施策の進捗及び実施の状況並びに評価の結果を公表するものとする。

(9) When the government has conducted an evaluation pursuant to the provisions of paragraph (7), it is to publicize the progress and state of the implementation of the Priority Measures and the results of the evaluation set forth in the same paragraph.

10 政府は、第七項の重点施策の進捗及び実施の状況並びに評価の結果に関して、各年度ごとに、報告書を作成し、これを国会に提出しなければならない。

(10) The government must prepare a report on the progress and state of the implementation of the Priority Measures and the results of the evaluation set forth in paragraph (7) every fiscal year and submit it to the Diet.

(担当大臣の責務)

**(Responsibilities of Responsible Ministers)**

第七条 担当大臣（前条第三項に規定する担当大臣をいう。以下この条において同じ。）は、重点施策を、その実施期限までに、実施するものとする。

Article 7 (1) The relevant Responsible Minister (meaning the Responsible Minister prescribed in paragraph (3) of the preceding Article; hereinafter the same applies in this Article) is to implement the Priority Measures by the deadline for completing them.

2 担当大臣は、重点施策をその実施期限までに実施できないおそれがあるときは、当該実施期限を遵守するために、必要な措置を講ずるものとする。

(2) When there is a risk that the Priority Measures might not be completed by the deadline, the relevant Responsible Minister is to take necessary measures in order to meet the deadline.

3 担当大臣は、重点施策をその実施期限までに実施できなかったときは、前条第七項の規定による評価のときまでに、その理由を明らかにするとともに、可能な限り早い時期に当該重点施策を実施するために、必要な措置を講ずるものとする。

(3) When the relevant Responsible Minister has failed to complete the Priority Measures by the deadline, the minister is to clarify the reason therefor by the time of the evaluation under paragraph (7) of the preceding Article and take necessary measures in order to complete the Priority Measures as early as possible.

**第三章 新事業活動に関する規制の特例措置の整備等及び規制改革の推進**  
**Chapter III Preparation of Special Measures on Regulations Concerning**  
**New Business Activities and the Facilitation of Regulatory Reform**

(新たな規制の特例措置の求め)

**(Request for New Special Measures on Regulations)**

第八条 新たな規制の特例措置の適用を受けて新事業活動を実施しようとする者は、主務省令で定めるところにより、主務大臣に対し、当該新たな規制の特例措置の整備を求めることができる。

Article 8 (1) A person who intends to start New Business Activities by receiving the application of new Special Measures on Regulations may request the competent minister to prepare the new Special Measures on Regulations, as prescribed by order of the competent ministry.

2 前項の規定による求めを受けた主務大臣は、当該求めに係る新たな規制の特例措置がその所管する法律、政令又は主務省令により規定された規制についての特例に関する措置を求めるものである場合において、当該求めを踏まえた新たな規制の特例措置を講ずる必要があると認めるときは、遅滞なく、その旨及び講ずることとする新たな規制の特例措置の内容を当該求めをした者に通知するとともに、講ずることとする新たな規制の特例措置の内容を公表するものとする。

- (2) When the competent minister has received a request under the preceding paragraph and finds it necessary to take new Special Measures on Regulations based on the request and when the new Special Measures on Regulations thus requested require any measures concerning special provisions for regulations specified by an Act or Cabinet Order under the minister's jurisdiction or by order of the relevant competent ministry, the minister is to without delay give notice to that effect and notify the requester of the details of the new Special Measures on Regulations to be taken and is to publicize the details of the new Special Measures on Regulations to be taken.
- 3 第一項の規定による求めを受けた主務大臣は、当該求めに係る新たな規制の特例措置が他の関係行政機関の長（当該行政機関が合議制である場合にあっては、当該行政機関。以下同じ。）の所管する法律、政令又は主務省令に係るものである場合において、当該求めを踏まえた新たな規制の特例措置を講ずる必要があると認めるときは、遅滞なく、当該他の関係行政機関の長に新たな規制の特例措置の整備を要請するとともに、その旨を当該求めをした者に通知するものとする。
- (3) When the competent minister has received a request under paragraph (1) and finds it necessary to take new Special Measures on Regulations based on the request and when the new Special Measures on Regulations thus requested pertain to any Act, Cabinet Order, or order of the competent ministry under the jurisdiction of the head of another relevant administrative organ (when the administrative organ is a council, the administrative organ; the same applies hereinafter), the minister is to without delay request the head of another relevant administrative organ to prepare new Special Measures on Regulations and is to give notice to that effect to the requester.
- 4 第一項の規定による求めを受けた主務大臣は、当該求めを踏まえた新たな規制の特例措置を講ずる必要がないと認めるときは、遅滞なく、その旨及びその理由を当該求めをした者に通知するものとする。
- (4) When the competent minister has received a request under paragraph (1) and finds it unnecessary to take new Special Measures on Regulations based on the request, the minister is to without delay give notice to that effect and notify the requester of the reason therefor.
- 5 第三項の規定による要請を受けた関係行政機関の長は、当該要請を踏まえた新たな規制の特例措置を講ずることとするときは、遅滞なく、その旨及び講ずることとする新たな規制の特例措置の内容を当該要請をした主務大臣に通知するとともに、講ずることとする新たな規制の特例措置の内容を公表するものとする。
- (5) When the head of the relevant administrative organ has received a request under paragraph (3) and has decided to take new Special Measures on Regulations based on the request, the head is to without delay make a report to that effect and notify the competent minister who has made the request of the details of the new Special Measures on Regulations to be taken and is to publicize the details of the new Special Measures on Regulations to be taken.

6 第三項の規定による要請を受けた関係行政機関の長は、当該要請を踏まえた新たな規制の特例措置を講じないこととするときは、遅滞なく、その旨及びその理由を当該要請をした主務大臣に通知するものとする。

(6) When the head of the relevant administrative organ has received a request under paragraph (3) and has decided not to take any new Special Measures on Regulations based on the request, the head is to without delay make a report to that effect and notify the competent minister who has made the request of the reason therefor.

7 前二項の規定による通知を受けた主務大臣は、遅滞なく、その通知の内容を当該通知に係る第一項の規定による求めをした者に通知するものとする。

(7) When the competent minister has received a report under the preceding two paragraphs, the minister is to without delay give notice concerning the details of the report to the person who filed a request under paragraph (1) pertaining to the report.

(解釈及び適用の確認)

(Confirmation Regarding Interpretation and Application)

第九条 新事業活動を実施しようとする者は、主務省令で定めるところにより、主務大臣に対し、その実施しようとする新事業活動及びこれに関連する事業活動に関する規制について規定する法律及び法律に基づく命令（告示を含む。以下この条及び第十五条において同じ。）の規定の解釈並びに当該新事業活動及びこれに関連する事業活動に対する当該規定の適用の有無について、その確認を求めることができる。

Article 9 (1) A person who intends to start New Business Activities may ask for confirmation from the competent minister regarding the interpretation of provisions of Acts that provide for regulations on the New Business Activities and relevant business activities and orders based on Acts (including public notices; hereinafter the same applies in this Article and Article 15) and the applicability of the provisions to the New Business Activities and relevant business activities, as prescribed by order of the competent ministry.

2 前項の規定による求めを受けた主務大臣は、当該求めに係る解釈及び適用の有無の確認がその所管する法律及び法律に基づく命令に関するものであるときは、遅滞なく、当該求めをした者に回答するものとする。

(2) When the competent minister has been asked for the confirmation under the preceding paragraph and the confirmation regarding the interpretation and the applicability of provisions pertains to Acts under the minister's jurisdiction and orders based on Acts, the minister is to without delay respond to the requester.

3 第一項の規定による求めを受けた主務大臣は、当該求めに係る解釈及び適用の有無の確認が他の関係行政機関の長の所管する法律及び法律に基づく命令に関するものであるときは、遅滞なく、当該関係行政機関の長に対し、その確認を求めるものとする。この場合において、当該確認を求められた関係行政機関の長は、遅滞なく、当該主務

大臣に回答するものとする。

(3) When the competent minister has been asked for the confirmation under paragraph (1) and the confirmation regarding the interpretation and the applicability of provisions pertains to Acts under the jurisdiction of the head of another relevant administrative organ and orders based on Acts, the minister is to without delay ask for the confirmation from the head of another relevant administrative organ. In this case, the head of the relevant administrative organ who has been asked for the confirmation is to without delay respond to the competent minister.

4 前項の規定による回答を受けた主務大臣は、遅滞なく、その回答の内容を当該回答に係る第一項の規定による求めをした者に通知するものとする。

(4) When the competent minister has received a response under the preceding paragraph, the minister is to without delay give notice concerning the details of the response to the person who asked for the confirmation under paragraph (1) pertaining to the response.

(新事業活動計画の認定)

(Approval of a Plan for New Business Activities)

第十条 新事業活動を実施しようとする者は、その実施しようとする新事業活動に関する計画（以下この条、次条及び第百四十二条において「新事業活動計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 10 (1) A person who intends to start New Business Activities may prepare a plan for the New Business Activities (hereinafter referred to as a "Plan for New Business Activities" in this Article and Article 142), and submit it to the competent minister during the Intensive Implementation Period to seek the approval thereof, as prescribed by order of the competent ministry.

2 二以上の者が新事業活動を共同して実施しようとする場合にあっては、当該二以上の者は共同して新事業活動計画を作成し、前項の認定を受けることができる。

(2) When two or more persons intend to jointly start New Business Activities, those two or more persons may jointly prepare a Plan for New Business Activities to seek the approval therefor as set forth in the preceding paragraph.

3 新事業活動計画には、次に掲げる事項を記載しなければならない。

(3) A Plan for New Business Activities must contain the following:

一 新事業活動の目標

(i) the goal of the New Business Activities;

二 新事業活動の内容及び実施時期

(ii) details of the New Business Activities and implementation period;

三 新事業活動の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for carrying out the New Business Activities and how to raise it;

四 第十二条の規定による政令又は主務省令で規定された規制の特例措置の適用を受けようとする場合にあっては、当該規制の特例措置の内容

(iv) when intending to receive the application of the Special Measures on Regulations prescribed by Cabinet Order or order of the competent ministry under Article 12, the details of the Special Measures on Regulations; and

五 その他新事業活動の実施に関し必要な事項

(v) other particulars necessary for carrying out the New Business Activities.

4 主務大臣は、第一項の認定の申請があった場合において、その新事業活動計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(4) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Plan for New Business Activities to conform to both of the following items, the minister is to approve the plan:

一 当該新事業活動計画に係る新事業活動が円滑かつ確実に実施されると見込まれるものであること。

(i) the New Business Activities under the Plan for New Business Activities are expected to be carried out smoothly and reliably; and

二 当該新事業活動計画の内容がこの法律及びこの法律に基づく命令その他関係法令に違反するものでないこと。

(ii) the details of the Plan for New Business Activities do not violate this Act, orders based on this Act, or other relevant laws and orders.

5 主務大臣は、新事業活動計画に第三項第四号に掲げる事項（他の関係行政機関の長が所管する第十二条の規定による政令又は主務省令で規定された規制の特例措置に係るものに限る。）が記載されている場合において、第一項の認定をしようとするときは、同号に掲げる事項について当該他の関係行政機関の長の同意を得るものとする。この場合において、当該関係行政機関の長は、当該事項が、当該政令又は主務省令で定めるところに適合すると認められるときは、同意をするものとする。

(5) When the Plan for New Business Activities contains the particulars set forth in paragraph (3), item (iv) (limited to the particulars pertaining to the Special Measures on Regulations prescribed by Cabinet Order or order of the competent ministry under Article 12 under the jurisdiction of the head of another relevant administrative organ) and the competent minister intends to grant approval as set forth in paragraph (1), the minister is to obtain the consent of the head of another relevant administrative organ with regard to the particulars set forth in the same item. In this case, when those particulars are found to be in conformity with what are provided for by Cabinet Order or order of the competent ministry, the head of another relevant administrative organ is to give consent.

6 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る新事業活動計画の内容を公表するものとする。

(6) When the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Plan for New Business



Activities pertaining to the approval, as prescribed by order of the competent ministry.

(新事業活動計画の変更等)

(Changes to a Plan for New Business Activities)

第十一条 前条第一項の認定を受けた者（以下「認定新事業活動実施者」という。）は、当該認定に係る新事業活動計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 11 (1) When a person who has obtained the approval set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "Approved Implementer of New Business Activities") intends to make changes to the Plan for New Business Activities pertaining to the approval, such person must seek the approval of the competent minister, as prescribed by order of the competent ministry.

2 主務大臣は、認定新事業活動実施者が当該認定に係る新事業活動計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定新事業活動計画」という。）に従って新事業活動を実施していないと認めるときは、その認定を取り消すことができる。

(2) When the competent minister finds that an Approved Implementer of New Business Activities is not carrying out New Business Activities in accordance with the Plan for New Business Activities pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the plan after the changes; hereinafter referred to as an "Approved Plan for New Business Activities"), the minister may rescind the approval.

3 主務大臣は、認定新事業活動計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定新事業活動実施者に対して、当該認定新事業活動計画の変更を指示し、又はその認定を取り消すことができる。

(3) When the competent minister finds that an Approved Plan for New Business Activities no longer conforms to either of the items of paragraph (4) of the preceding Article, the minister may direct the Approved Implementer of New Business Activities to make changes to the Approved Plan for New Business Activities or may rescind the approval.

4 前条第四項から第六項までの規定は、第一項の認定について準用する。

(4) The provisions of paragraph (4) to paragraph (6) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(政令等で規定された規制の特例措置)

(Special Measures on Regulations Prescribed by Cabinet Order or Ministerial Order)

第十二条 認定新事業活動実施者が認定新事業活動計画に従って実施する新事業活動については、政令により規定された規制に係るものにあつては政令で、主務省令により

規定された規制に係るものにあつては主務省令で、それぞれ定めるところにより、規制の特例措置を適用する。

**Article 12 Special Measures on Regulations apply to New Business Activities carried out by an Approved Implementer of New Business Activities in accordance with the Approved Plan for New Business Activities, as prescribed by Cabinet Order for such New Business Activities pertaining to regulations prescribed by Cabinet Order and as prescribed by order of the competent ministry for such New Business Activities pertaining to regulations prescribed by order of the competent ministry.**

(独立行政法人中小企業基盤整備機構の行う新事業活動円滑化業務)

**(Business Operations to Facilitate New Business Activities Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第十三条 独立行政法人中小企業基盤整備機構は、新事業活動を円滑化するため、認定新事業活動実施者が認定新事業活動計画に従って新事業活動の実施に必要な資金を調達するために発行する社債（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第六十六条第一号に規定する短期社債を除く。第三十八条及び第九十七条第一項第六号において同じ。）及び当該資金の借入れに係る債務の保証の業務を行う。

**Article 13 For the purpose of facilitating New Business Activities, the Organization for Small & Medium Enterprises and Regional Innovation is to undertake business operations to guarantee bonds (excluding short term corporate bonds as prescribed in Article 66, item (i) of the Act on Book-Entry Transfer of Company Bonds, Shares, etc. (Act No. 75 of 2001); the same applies in Article 38 and Article 97, paragraph (1), item (vi)) issued by Approved Implementers of New Business Activities in order to raise funds necessary for carrying out New Business Activities in accordance with the Approved Plan for New Business Activities, and debt obligations pertaining to the borrowing of the funds.**

(規制の特例措置の見直し)

**(Review of Special Measures on Regulations)**

第十四条 第八条第二項の主務大臣及び同条第三項の関係行政機関の長は、第一百三十七条第一項及び第二項の報告を踏まえ、当該報告に係る規制の特例措置について、必要があると認めるときは、その見直しその他必要な措置を講ずるものとする。

**Article 14 Based on the report set forth in Article 137, paragraph (1) and paragraph (2), the competent minister set forth in Article 8, paragraph (2) and the head of the relevant administrative organ set forth in paragraph (3) of the same Article are to review the Special Measures on Regulations pertaining to the report or otherwise take necessary measures when they find it to be necessary to do so.**

(規制改革の推進)

**(Promotion of Regulatory Reform)**

第十五条 第八条第二項の主務大臣及び同条第三項の関係行政機関の長は、新事業活動及びこれに関連する事業活動に関する規制について規定する法律及び法律に基づく命令の規定に基づく規制の在り方について、規制の特例措置の整備及び適用の状況、諸外国における規制の状況、技術の進歩の状況その他の事情を踏まえて検討を加え、その結果に基づき、規制の撤廃又は緩和のために必要な法制上の措置その他の措置を講ずるものとする。

Article 15 (1) The competent minister set forth in Article 8, paragraph (2) and the head of the relevant administrative organ set forth in paragraph (3) of the same Article are to discuss ideal regulations based on provisions of Acts that provide for regulations on New Business Activities and relevant business activities and orders based on Acts, in consideration of the state of the preparation and application of Special Measures on Regulations, the state of regulations in foreign countries, the advancement of technology, and other factors, and are to take legal or other measures necessary for the removal or relaxation of regulations based on the results of the discussion.

2 主務大臣は、第百三十七条第一項の報告を踏まえ、前項に規定する規制の在り方について、必要があると認めるときは、当該規制について規定する法律及び法律に基づく命令を所管する関係行政機関の長に対し、意見を述べることができる。

(2) Based on the report set forth in Article 137, paragraph (1), the competent minister may present the opinion concerning ideal regulations as prescribed in the preceding paragraph to the head of the relevant administrative organ that has jurisdiction over the Acts that provide for the regulations and orders based on Acts, when the minister finds it to be necessary.

**第四章 産業活動における新陳代謝の活性化**

**Chapter IV Revitalizing the Functioning of Industrial Activities**

**第一節 特定新事業開拓投資事業及び特定研究成果活用支援事業の促進**

**Section 1 Promotion of Specified Investment for Developing New Business and Supporting the Utilization of Specified Research Results**

(特定新事業開拓投資事業及び特定研究成果活用支援事業の実施に関する指針)

(Guidelines for the Implementation of Specified Investment for Developing New Business and Supporting the Utilization of Specified Research Results)

第十六条 経済産業大臣及び文部科学大臣（文部科学大臣にあつては、次項第二号に掲げる事項に限る。）は、特定新事業開拓投資事業及び特定研究成果活用支援事業の実施に関する指針（以下この条、次条第三項第一号及び第二十条第三項第一号において「実施指針」という。）を定めるものとする。

Article 16 (1) The Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology are to establish the

guidelines for the implementation of Specified Investment for Developing New Business and Supporting the Utilization of Specified Research Results (hereinafter referred to as the "Implementation Guidelines" in this Article, paragraph (3), item (i) of the following Article, and Article 20, paragraph (3), item (i)) (for the Minister of Education, Culture, Sports, Science and Technology, limited to the matters set forth in item (ii) of the following paragraph).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The Implementation Guidelines are to specify the following:

一 特定新事業開拓投資事業の実施方法に関する事項その他特定新事業開拓投資事業に関する重要事項

(i) particulars concerning the means of implementing the Specified Investment for Developing New Business and other important particulars relating to the Specified Investment for Developing New Business; and

二 特定研究成果活用支援事業の実施方法に関する事項その他特定研究成果活用支援事業に関する重要事項

(ii) particulars concerning the means of implementing Supporting the Utilization of Specified Research Results and other important matters relating to Supporting the Utilization of Specified Research Results.

3 経済産業大臣及び文部科学大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology are to make changes to the Implementation Guidelines when any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び文部科学大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。

(4) When the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology intend to establish the Implementation Guidelines or make changes thereto, they are to consult with the head of the relevant administrative organ in advance.

5 経済産業大臣及び文部科学大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) When the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology have established the Implementation Guidelines or have made changes thereto, they are to without delay publicize the established or changed Implementation Guidelines.

(特定新事業開拓投資事業計画の認定)

(Approval of a Plan for Specified Investment for Developing New Business)

第十七条 特定新事業開拓投資事業を実施しようとする投資事業有限責任組合は、当該

特定新事業開拓投資事業に関する計画（以下この条、次条及び第百四十二条において「特定新事業開拓投資事業計画」という。）を作成し、経済産業省令で定めるところにより、これを集中実施期間中に経済産業大臣に提出して、その認定を受けることができる。

Article 17 (1) An investment limited partnership that intends to start Specified Investment for Developing New Business may prepare a plan for the Specified Investment for Developing New Business (hereinafter referred to as a "Plan for Specified Investment for Developing New Business" in this Article, the following Article, and Article 142), and submit it to the Minister of Economy, Trade and Industry during the Intensive Implementation Period to seek approval therefor, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 特定新事業開拓投資事業計画には、次に掲げる事項を記載しなければならない。

(2) A Plan for Specified Investment for Developing New Business must contain the following:

一 特定新事業開拓投資事業を実施する投資事業有限責任組合に関する事項

(i) particulars concerning the investment limited partnership that starts the Specified Investment for Developing New Business;

二 特定新事業開拓投資事業の内容及び実施時期

(ii) details of the Specified Investment for Developing New Business and the implementation period; and

三 特定新事業開拓投資事業の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for conducting the Specified Investment for Developing New Business and how to raise funds.

3 経済産業大臣は、第一項の認定の申請があった場合において、その特定新事業開拓投資事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) When the Minister of Economy, Trade and Industry has received an application for approval as set forth in paragraph (1) and finds the Plan for Specified Investment for Developing New Business to conform to both of the following items, the minister is to approve the plan:

一 当該特定新事業開拓投資事業計画が実施指針に照らし適切なものであること。

(i) the Plan for Specified Investment for Developing New Business is appropriate in light of the Implementation Guidelines; and

二 当該特定新事業開拓投資事業計画に係る特定新事業開拓投資事業が円滑かつ確実に実施されると見込まれるものであること。

(ii) the Specified Investment for Developing New Business under the Plan for Specified Investment for Developing New Business is expected to be conducted smoothly and reliably.

4 経済産業大臣は、第一項の認定をしたときは、経済産業省令で定めるところにより、当該認定に係る特定新事業開拓投資事業計画の内容を公表するものとする。

(4) When the Minister of Economy, Trade and Industry has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Plan for Specified Investment for Developing New Business pertaining to the approval, as prescribed by Order of the Ministry of Economy, Trade and Industry.

(特定新事業開拓投資事業計画の変更等)

(Changes to a Plan for Specified Investment for Developing New Business)

第十八条 前条第一項の認定を受けた投資事業有限責任組合（以下「認定特定新事業開拓投資事業組合」という。）は、当該認定に係る特定新事業開拓投資事業計画を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認定を受けなければならない。

Article 18 (1) When an investment limited partnership that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "Approved Partnership Conducting Specified Investment for Developing New Business") intends to make changes to the Plan for Specified Investment for Developing New Business pertaining to the approval, the partnership must seek the approval of the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、認定特定新事業開拓投資事業組合が当該認定に係る特定新事業開拓投資事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定特定新事業開拓投資事業計画」という。）に従って特定新事業開拓投資事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) When the Minister of Economy, Trade and Industry finds that an Approved Partnership Conducting Specified Investment for Developing New Business is not conducting the Specified Investment for Developing New Business in accordance with the Plan for Specified Investment for Developing New Business pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the plan after the changes; hereinafter referred to as an "Approved Plan for Specified Investment for Developing New Business"), the minister may rescind the approval.

3 経済産業大臣は、認定特定新事業開拓投資事業計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定特定新事業開拓投資事業組合に対して、当該認定特定新事業開拓投資事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) When the Minister of Economy, Trade and Industry finds that an Approved Plan for Specified Investment for Developing New Business no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the Approved Partnership Conducting Specified Investment for Developing New Business to make changes to the Approved Plan for Specified

Investment for Developing New Business or may rescind the approval.

4 経済産業大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) When the Minister of Economy, Trade and Industry has rescinded the approval under the preceding two paragraphs, the minister is to publicize such fact.

5 前条第三項及び第四項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (3) and paragraph (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(独立行政法人中小企業基盤整備機構の行う特定新事業開拓投資事業円滑化業務)  
(Business Operations to Facilitate Specified Investment for Developing New Business Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第十九条 独立行政法人中小企業基盤整備機構は、特定新事業開拓投資事業を円滑化するため、認定特定新事業開拓投資事業組合が認定特定新事業開拓投資事業計画に従って特定新事業開拓投資事業を実施するために必要な資金の借入れに係る債務の保証の業務を行う。

Article 19 For the purpose of facilitating Specified Investment for Developing New Business, the Organization for Small & Medium Enterprises and Regional Innovation is to undertake business to guarantee debt obligations pertaining to the borrowing of the funds necessary for Approved Partnerships Conducting Specified Investment for Developing New Business to conduct Specified Investment for Developing New Business in accordance with the Approved Plan for Specified Investment for Developing New Business.

(特定研究成果活用支援事業計画の認定)

(Approval of a Plan for Supporting the Utilization of Specified Research Results)

第二十条 特定研究成果活用支援事業を実施しようとする者（特定研究成果活用支援事業を実施する法人を設立しようとする者並びに特定研究成果活用支援事業を実施しようとする投資事業有限責任組合及び特定研究成果活用支援事業を実施する投資事業有限責任組合を投資事業有限責任組合契約に関する法律第三条第一項に規定する投資事業有限責任組合契約によって成立させようとする者を含む。）は、その実施しようとする特定研究成果活用支援事業に関する計画（以下この条、次条及び第四百四十条第一項第二号において「特定研究成果活用支援事業計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 20 (1) A person who intends to start Supporting the Utilization of Specified Research Results (including a person who intends to establish a corporation conducting Supporting the Utilization of Specified Research

Results, an investment limited partnership that intends to start Supporting the Utilization of Specified Research Results, and a person who intends to incorporate an investment limited partnership conducting Supporting the Utilization of Specified Research Results under a limited partnership agreement for investment as prescribed in Article 3, paragraph (1) of the Limited Partnership Act for Investment) may prepare a plan for the Supporting the Utilization of Specified Research Results (hereinafter referred to as a "Plan for Supporting the Utilization of Specified Research Results" in this Article, the following Article, and Article 140, paragraph (1), item (ii)), and submit it to the competent minister during the Intensive Implementation Period to seek approval therefor, as prescribed by order of the competent ministry.

2 特定研究成果活用支援事業計画には、次に掲げる事項を記載しなければならない。

(2) A Plan for Supporting the Utilization of Specified Research Results must contain the following:

一 特定研究成果活用支援事業を実施する者に関する事項

(i) particulars concerning the person who starts Supporting the Utilization of Specified Research Results;

二 特定研究成果活用支援事業の内容及び実施時期

(ii) details of Supporting the Utilization of Specified Research Results and the implementation period; and

三 特定研究成果活用支援事業の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for conducting Supporting the Utilization of Specified Research Results and how to raise the funds.

3 主務大臣は、第一項の認定の申請があった場合において、その特定研究成果活用支援事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Plan for Supporting the Utilization of Specified Research Results to conform to both of the following items, the minister is to approve the plan:

一 当該特定研究成果活用支援事業計画が実施指針に照らし適切なものであること。

(i) the Plan for Supporting the Utilization of Specified Research Results is appropriate in light of the Implementation Guidelines; and

二 当該特定研究成果活用支援事業計画に係る特定研究成果活用支援事業が円滑かつ確実に実施されると見込まれるものであること。

(ii) the Supporting the Utilization of Specified Research Results under the Plan for Supporting the Utilization of Specified Research Results is expected to be conducted smoothly and reliably.

4 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る特定研究成果活用支援事業計画の内容を公表するものとする。



(4) When the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Plan for Supporting the Utilization of Specified Research Results pertaining to the approval, as prescribed by order of the competent ministry.

(特定研究成果活用支援事業計画の変更等)

(Changes to a Plan for Supporting the Utilization of Specified Research Results)

第二十一条 前条第一項の認定を受けた者（その者の設立に係る同項の法人又はその者による成立に係る同項の投資事業有限責任組合を含む。以下「認定特定研究成果活用支援事業者」という。）は、当該認定に係る特定研究成果活用支援事業計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 21 (1) When a person who has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation as set forth in the same paragraph established by the person or an investment limited partnership as set forth in the same paragraph incorporated by the person; hereinafter referred to as an "Approved Business Supporting the Utilization of Specified Research Results") intends to make changes to the Plan for Supporting the Utilization of Specified Research Results pertaining to the approval, such person must seek the approval of the competent minister, as prescribed by order of the competent ministry.

2 主務大臣は、認定特定研究成果活用支援事業者が当該認定に係る特定研究成果活用支援事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定特定研究成果活用支援事業計画」という。）に従って特定研究成果活用支援事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) When the competent minister finds that an Approved Business Supporting the Utilization of Specified Research Results is not conducting Supporting the Utilization of Specified Research Results in accordance with the Plan for Supporting the Utilization of Specified Research Results pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the plan after the changes; hereinafter referred to as an "Approved Plan for Supporting the Utilization of Specified Research Results"), the minister may rescind the approval.

3 主務大臣は、認定特定研究成果活用支援事業計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定特定研究成果活用支援事業者に対して、当該認定特定研究成果活用支援事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) When the competent minister finds that an Approved Plan for Supporting the Utilization of Specified Research Results no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the

Approved Business Supporting the Utilization of Specified Research Results to make changes to the Approved Plan for Supporting the Utilization of Specified Research Results or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) When the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize such fact.

5 前条第三項及び第四項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (3) and paragraph (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(国立大学法人等の行う出資等業務)

(Contributions and Other Business by Incorporated National Universities)

第二十二條 国立大学法人等は、当該国立大学法人等における技術に関する研究成果の活用を促進するため、認定特定研究成果活用支援事業者が認定特定研究成果活用支援事業計画に従って実施する特定研究成果活用支援事業の実施に必要な資金の出資並びに人的及び技術的援助の業務を行う。

Article 22 For the purpose of facilitating the utilization of the results of research on technology conducted by an Incorporated National University, the Incorporated National University is to undertake business to make contributions for funds and provide the personnel and technical assistance necessary for Approved Businesses Supporting the Utilization of Specified Research Results to conduct Supporting the Utilization of Specified Research Results in accordance with the Approved Plan for Supporting the Utilization of Specified Research Results.

## 第二節 事業再編の円滑化

### Section 2 Facilitation of Corporate Restructuring

(事業再編の実施に関する指針)

(Guidelines for the Implementation of Corporate Restructuring)

第二十三條 経済産業大臣及び財務大臣（財務大臣にあつては、次項第五号に掲げる事項に限る。）は、事業再編の実施に関する指針（以下この節において「実施指針」という。）を定めるものとする。

Article 23 (1) The Minister of Economy, Trade and Industry and the Minister of Finance are to establish the guidelines for the implementation of Corporate Restructuring (hereinafter referred to as the "Implementation Guidelines" in this Section) (for the Minister of Finance, limited to the particulars set forth in item (v) of the following paragraph).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The Implementation Guidelines are to specify the following:

- 一 事業再編による生産性及び財務内容の健全性の向上に関する目標の設定に関する事項（第三号に掲げる事項を除く。）
- (i) particulars concerning the setting up of goals for improvements in productivity and the soundness of financial conditions through Corporate Restructuring (excluding the particulars set forth in item (iii));
- 二 事業再編の実施方法に関する事項（第四号に掲げる事項を除く。）
- (ii) particulars concerning the means of implementing Corporate Restructuring (excluding the particulars set forth in item (iv));
- 三 特定事業再編による生産性及び財務内容の健全性の向上に関する目標の設定に関する事項
- (iii) particulars concerning the setting up of goals for improvements in productivity and the soundness of financial conditions through the Specified Corporate Restructuring;
- 四 特定事業再編の実施方法に関する事項
- (iv) particulars concerning the means of implementing Specified Corporate Restructuring;
- 五 事業再編のための措置のうち生産性向上設備等の導入を行い、又は特定事業再編のための措置を行うのに必要な資金の調達円滑化に関して株式会社日本政策金融公庫（以下「公庫」という。）及び指定金融機関（第四十一条第一項の規定により指定された指定金融機関をいう。第三十九条第一項第一号及び第二号において同じ。）が果たすべき役割に関する事項
- (v) particulars concerning roles to be fulfilled by the Japan Finance Corporation (hereinafter referred to as the "JFC") and Designated Financial Institutions (meaning the Designated Financial Institutions designated pursuant to the provisions of Article 41, paragraph (1); the same applies in Article 39, paragraph (1), item (i) and item (ii)) for facilitating raising the funds necessary for installing Equipment for Productivity Improvement, etc. out of measures for Corporate Restructuring or for taking measures for the Specified Corporate Restructuring; and
- 六 その他事業再編に関する重要事項
- (vi) other important particulars relating to Corporate Restructuring.
- 3 経済産業大臣及び財務大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。
- (3) The Minister of Economy, Trade and Industry and the Minister of Finance are to make changes to the Implementation Guidelines when any need arises due to fluctuations in the state of the economy.
- 4 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。
- (4) When the Minister of Economy, Trade and Industry and the Minister of Finance intend to establish the Implementation Guidelines or make changes thereto, they are to consult with the head of the relevant administrative organ

in advance.

5 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) When the Minister of Economy, Trade and Industry and the Minister of Finance have established the Implementation Guidelines or have made changes thereto, they are to without delay publicize the established or changed Implementation Guidelines.

(事業再編計画の認定)

(Approval of a Corporate Restructuring Plan)

第二十四条 事業者は、その実施しようとする事業再編（当該事業者が法人を設立し、その法人が実施しようとするものを含む。）に関する計画（以下「事業再編計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 24 (1) A business may prepare a plan for Corporate Restructuring that it intends to start (including Corporate Restructuring that a corporation established by the business intends to start; hereinafter such plan is referred to as a "Corporate Restructuring Plan"), and submit it to the competent minister during the Intensive Implementation Period to seek approval therefor, as prescribed by order of the competent ministry.

2 二以上の事業者がその事業再編のための措置を共同して行おうとする場合にあつては、当該二以上の事業者は共同して事業再編計画を作成し、前項の認定を受けることができる。

(2) When two or more businesses intend to jointly start measures for Corporate Restructuring, those two or more businesses may jointly prepare a Corporate Restructuring Plan to seek approval therefor as set forth in the preceding paragraph.

3 事業再編計画には、次に掲げる事項を記載しなければならない。

(3) A Corporate Restructuring Plan must contain the following:

一 事業再編の目標

(i) the goal of Corporate Restructuring;

二 事業再編による生産性及び財務内容の健全性の向上の程度を示す指標

(ii) indicators to show the level of improvement in productivity and how sound the financial conditions are through Corporate Restructuring;

三 事業再編の内容及び実施時期

(iii) details of Corporate Restructuring and the implementation period;

四 事業再編の実施に必要な資金の額及びその調達方法

(iv) the amount of funds necessary for conducting Corporate Restructuring and how to raise the funds; and

五 事業再編に伴う労務に関する事項

(v) particulars concerning the labor associated with Corporate Restructuring.

4 事業再編計画には、関係事業者及び外国関係法人が当該事業者の事業再編のために行う措置に関する計画を含めることができる。

(4) A Corporate Restructuring Plan may contain plans for the measures to be taken by Affiliated Businesses and Affiliated Foreign Corporations for the purpose of Corporate Restructuring by the business (es).

5 主務大臣は、第一項の認定の申請があった場合において、その事業再編計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(5) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Corporate Restructuring Plan conforms to all of the following items, the minister is to approve the plan:

一 当該事業再編計画が実施指針に照らし適切なものであること。

(i) the Corporate Restructuring Plan is appropriate in light of the Implementation Guidelines;

二 当該事業再編計画に係る事業再編が円滑かつ確実に実施されると見込まれるものであること。

(ii) Corporate Restructuring under the Corporate Restructuring Plan is expected to be conducted smoothly and reliably;

三 当該事業再編計画に係る事業再編による生産性の向上が、当該事業分野における市場構造に照らして、持続的なものと見込まれるものであること。

(iii) the improvements in productivity through Corporate Restructuring under the Corporate Restructuring Plan are expected to be sustainable in light of the market structures in the relevant field of business;

四 当該事業再編計画に係る事業の属する事業分野が過剰供給構造（供給能力が需要に照らし著しく過剰であり、かつ、その状態が長期にわたり継続することが見込まれる状態をいう。第二十六条第四項第四号及び第五十条において同じ。）にある場合にあつては、当該事業再編計画に係る事業再編が、当該事業分野の過剰供給構造の解消に資するものであること。

(iv) when business subject to the Corporate Restructuring Plan belongs to a field which is in a state of Structural Oversupply (meaning a state in which the capacity to supply clearly and significantly exceeds demand, and it is expected that this state will continue for a lengthy period; the same applies in Article 26, paragraph (4), item (iv) and Article 50), Corporate Restructuring under the Corporate Restructuring Plan will contribute to the dissolution of Structural Oversupply;

五 当該事業再編計画が従業員の地位を不当に害するものでないこと。

(v) the Corporate Restructuring Plan will not cause unreasonable damage to the state of employees; and

六 二以上の事業者の申請に係る事業再編計画又は他の事業者から事業を譲り受ける事業者の申請に係る事業再編計画にあつては、次のイ及びロに適合すること。

(vi) with regard to Corporate Restructuring Plans pertaining to applications filed by two or more businesses or Corporate Restructuring Plans pertaining

to applications filed by businesses which have taken over affairs from another business, they conform to (a) and (b) below:

イ 内外の市場の状況に照らして、当該申請を行う事業者とその営む事業と同一の事業分野に属する事業を営む他の事業者との間の適正な競争が確保されるものであること。

(a) fair competition between the business filing the application and other businesses engaging in business that belongs to the same field as the former will be maintained in light of the situation in domestic and foreign markets; and

ロ 一般消費者及び関連事業者の利益を不当に害するおそれがあるものでないこと。

(b) there is no risk of causing unreasonable damage to the interests of general consumers and related businesses.

6 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る事業再編計画の内容を公表するものとする。

(6) When the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Corporate Restructuring Plan pertaining to the approval, as prescribed by order of the competent ministry.

(事業再編計画の変更等)

(Changes to a Corporate Restructuring Plan)

第二十五条 前条第一項の認定を受けた者（当該認定に係る事業再編計画に従って設立された法人を含む。以下「認定事業再編事業者」という。）は、当該認定に係る事業再編計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 25 (1) When a person who has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation established in accordance with the Corporate Restructuring Plan pertaining to the approval; hereinafter such person is referred to as an "Approved Business Conducting Corporate Restructuring") intends to make changes to the Corporate Restructuring Plan pertaining to the approval, such person must seek the approval of the competent minister, as prescribed by order of the competent ministry.

2 主務大臣は、認定事業再編事業者又はその関係事業者若しくは外国関係法人が当該認定に係る事業再編計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定事業再編計画」という。）に従って事業再編のための措置を行っていないと認めるときは、その認定を取り消すことができる。

(2) When the competent minister finds that an Approved Business Conducting Corporate Restructuring, or its Affiliated Business or Affiliated Foreign Corporation is not taking measures for Corporate Restructuring in accordance with the Corporate Restructuring Plan pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the

plan after the changes; hereinafter referred to as an "Approved Corporate Restructuring Plan"), the minister may rescind the approval.

3 主務大臣は、認定事業再編計画が前条第五項各号のいずれかに適合しないものとなったと認めるときは、認定事業再編事業者に対して、当該認定事業再編計画の変更を指示し、又はその認定を取り消すことができる。

(3) When the competent minister finds that an Approved Corporate Restructuring Plan no longer conforms to any of the items of paragraph (5) of the preceding Article, the minister may direct the Approved Business Conducting Corporate Restructuring to make changes to the Approved Corporate Restructuring Plan or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) When the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize such fact.

5 前条第五項及び第六項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (5) and paragraph (6) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(特定事業再編計画の認定)

(Approval of a Specified Corporate Restructuring Plan)

第二十六条 二以上の事業者は、その実施しようとする特定事業再編に関する計画（以下「特定事業再編計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 26 (1) Two or more businesses may prepare a plan for the Specified Corporate Restructuring that they intend to start (hereinafter referred to as a "Specified Corporate Restructuring Plan"), and submit it to the competent minister during the Intensive Implementation Period to seek approval therefor, as prescribed by order of the competent ministry.

2 特定事業再編計画には、次に掲げる事項を記載しなければならない。

(2) A Specified Corporate Restructuring Plan must contain the following:

一 特定事業再編の目標

(i) the goal of the Specified Corporate Restructuring;

二 特定事業再編による生産性及び財務内容の健全性の向上の程度を示す指標

(ii) indicators to show the level of the improvements in productivity and how sound the financial conditions are through the Specified Corporate Restructuring;

三 特定事業再編の内容及び実施時期

(iii) details of the Specified Corporate Restructuring and implementation period;

四 特定事業再編の実施に必要な資金の額及びその調達方法

(iv) the amount of funds necessary for conducting the Specified Corporate

Restructuring and how to raise it; and  
五 特定事業再編に伴う労務に関する事項

(v) particulars concerning the labor associated with the Specified Corporate Restructuring.

3 特定事業再編計画には、特定会社が当該事業者の特定事業再編のために行う措置に関する計画を含めることができる。

(3) A Specified Corporate Restructuring Plan may contain plans for the measures to be taken by Specified Companies for the purpose of the Specified Corporate Restructuring of the businesses.

4 主務大臣は、第一項の認定の申請があった場合において、その特定事業再編計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(4) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Specified Corporate Restructuring Plan to conform to all of the following items, the minister is to approve the plan:

一 当該特定事業再編計画が実施指針に照らし適切なものであること。

(i) the Specified Corporate Restructuring Plan is appropriate in light of the Implementation Guidelines;

二 当該特定事業再編計画に係る特定事業再編が円滑かつ確実に実施されると見込まれるものであること。

(ii) the Specified Corporate Restructuring under the Specified Corporate Restructuring Plan is expected to be conducted smoothly and reliably;

三 当該特定事業再編計画に係る特定事業再編による生産性の向上が、当該事業分野における市場構造に照らして、持続的なものと見込まれるものであること。

(iii) the improvements in productivity through the Specified Corporate Restructuring under the Specified Corporate Restructuring Plan are expected to be sustainable in light of the market structures in the relevant field of business;

四 当該特定事業再編計画に係る事業の属する事業分野が過剰供給構造にある場合にあっては、当該特定事業再編計画に係る特定事業再編が、当該事業分野の過剰供給構造の解消に資するものであること。

(iv) when business subject to the Specified Corporate Restructuring Plan belongs to a field which is in a state of Structural Oversupply, the Specified Corporate Restructuring under the Specified Corporate Restructuring Plan will contribute to the dissolution of Structural Oversupply;

五 当該特定事業再編計画が従業員の地位を不当に害するものでないこと。

(v) the Specified Corporate Restructuring Plan will not cause unreasonable damage to the state of employees; and

六 次のイ及びロに適合すること。

(vi) the Specified Corporate Restructuring Plan conforms to (a) and (b) below:

イ 内外の市場の状況に照らして、当該申請を行う事業者とその営む事業と同一の



事業分野に属する事業を営む他の事業者との間の適正な競争が確保されるものであること。

(a) fair competition between the businesses filing the application and other businesses engaging in business that belongs to the same field of business as the former will be maintained in light of the situation in domestic and foreign markets; and

ロ 一般消費者及び関連事業者の利益を不当に害するおそれがあるものでないこと。

(b) there is no risk of causing unreasonable damage to the interests of general consumers and related businesses.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る特定事業再編計画の内容を公表するものとする。

(5) When the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Specified Corporate Restructuring Plan pertaining to the approval, as prescribed by order of the competent ministry.

(特定事業再編計画の変更等)

(Changes to a Specified Corporate Restructuring Plan)

第二十七条 前条第一項の認定を受けた者（以下「認定特定事業再編事業者」という。）は、当該認定に係る特定事業再編計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 27 (1) When a person who has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "Approved Business Conducting Specified Corporate Restructuring") intends to make changes to the Specified Corporate Restructuring Plan pertaining to the approval, such person must seek the approval of the competent minister, as prescribed by order of the competent ministry.

2 主務大臣は、認定特定事業再編事業者又は特定会社が当該認定に係る特定事業再編計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定特定事業再編計画」という。）に従って特定事業再編のための措置を行っていないと認めるときは、その認定を取り消すことができる。

(2) When the competent minister finds that an Approved Business Conducting Specified Corporate Restructuring or a Specified Company is not taking measures for the Specified Corporate Restructuring in accordance with the Specified Corporate Restructuring Plan pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the plan after the changes; hereinafter referred to as an "Approved Specified Corporate Restructuring Plan"), the minister may rescind the approval.

3 主務大臣は、認定特定事業再編計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定特定事業再編事業者に対して、当該認定特定事業再編計画の変更を指示し、又はその認定を取り消すことができる。

- (3) When the competent minister finds that an Approved Specified Corporate Restructuring Plan no longer conforms to any of the items of paragraph (4) of the preceding Article, the minister may direct the Approved Business Conducting Specified Corporate Restructuring to make changes to the Approved Specified Corporate Restructuring Plan or may rescind the approval.
- 4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。
- (4) When the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize such fact.
- 5 前条第四項及び第五項の規定は、第一項の認定について準用する。
- (5) The provisions of paragraph (4) and paragraph (5) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(公正取引委員会との関係)

**(Relations with the Fair Trade Commission)**

第二十八条 主務大臣は、二以上の事業者の申請に係る事業再編計画若しくは他の事業者から事業を譲り受ける事業者の申請に係る事業再編計画について第二十四条第一項の認定（第二十五条第一項の変更の認定を含む。第三項において同じ。）をしようとする場合又は特定事業再編計画について第二十六条第一項の認定（前条第一項の変更の認定を含む。第三項において同じ。）をしようとする場合において、当該事業再編計画に従って行おうとする事業再編のための措置又は当該特定事業再編計画に従って行おうとする特定事業再編のための措置（以下この項において「事業再編関連措置」という。）が、当該申請を行う事業者の営む事業の属する事業分野における適正な競争が確保されないおそれがある場合として政令で定める場合に該当するときは、当該認定に係る申請書の写しを公正取引委員会に送付するとともに、あらかじめ公正取引委員会に協議するものとする。この場合において、主務大臣は、事業再編関連措置が当該申請を行う事業者の営む事業の属する事業分野における競争に及ぼす影響に関する事項その他の必要な事項について意見を述べるとともに、当該事業分野における内外の市場の状況、事業再編関連措置を講ずることによる生産性の向上の程度その他の当該意見の裏付けとなる根拠を示すものとする。

Article 28 (1) When the competent minister intends to grant approval as set forth in Article 24, paragraph (1) (including the approval of changes as set forth in Article 25, paragraph (1); the same applies in paragraph (3)) with respect to a Corporate Restructuring Plan pertaining to an application filed by two or more businesses or a Corporate Restructuring Plan pertaining to an application filed by a business which has taken over the affairs of another business, or the competent minister intends to grant approval as set forth in Article 26, paragraph (1) (including the approval of changes as set forth in paragraph (1) of the preceding Article; the same applies in paragraph (3)) with respect to a Specified Corporate Restructuring Plan, and when the measures for the Corporate Restructuring to be conducted in accordance with the

Corporate Restructuring Plan or the measures for the Specified Corporate Restructuring to be conducted in accordance with the Specified Corporate Restructuring Plan (hereinafter referred to as "Corporate Restructuring-Related Measures" in this paragraph) fall under the cases specified by Cabinet Order as cases where fair competition might not be ensured within the field of business to which the business engaged in by the business[es] filing the application belong, the competent minister is to forward a copy of the application form pertaining to the approval to the Fair Trade Commission and consult with the Fair Trade Commission in advance. In this case, the competent minister is to present the opinion with respect to matters concerning the influence that will be exerted by the Corporate Restructuring-Related Measures on competition within the field of business to which the businesses engaged in by the business[es] filing the application belong, as well as with respect to other necessary matters, and is to indicate the situation in domestic and foreign markets within the field of business, the extent of improvements in productivity through the Corporate Restructuring-Related Measures, and any other supporting grounds for the opinion.

2 主務大臣及び公正取引委員会は、前項の協議に当たっては、産業競争力の強化を図ることの必要性に鑑み、所要の手續の迅速かつ的確な実施を図るため、相互に緊密に連絡するものとする。

(2) Upon having a consultation as set forth in the preceding paragraph, the competent minister and the Fair Trade Commission are to maintain a close liaison with each other so as to carry out necessary procedures promptly and appropriately, in consideration of the necessity of strengthening industrial competitiveness.

3 主務大臣及び公正取引委員会は、第一項の規定による送付に係る事業再編計画又は特定事業再編計画であつて主務大臣が第二十四条第一項の認定又は第二十六条第一項の認定をしたものに従つてする行為について、当該認定後の経済事情の変動により事業者間の適正な競争関係を阻害し、並びに一般消費者及び関連事業者の利益を不当に害することとならないよう、相互に緊密に連絡するものとする。

(3) With respect to actions taken in accordance with Corporate Restructuring Plans or Specified Corporate Restructuring Plans, for which a copy of the application form has been forwarded under paragraph (1) and to which the competent minister has granted approval as set forth in Article 24, paragraph (1) or approval as set forth in Article 26, paragraph (1), the competent minister and the Fair Trade Commission are to maintain a close liaison with each other so as to prevent damage to fair competitive relations among businesses due to fluctuations in the state of the economy after the approval, as well as unreasonable damage to the interests of general consumers and related businesses.

(現物出資及び財産引受の調査に関する特例)

(Special Provisions Concerning the Investigation of Capital Contributions in Kind and Property Transactions)

第二十九条 事業者が認定事業再編計画又は認定特定事業再編計画（以下この節において「認定計画」という。）に従ってその財産の全部又は一部を出資し、又は譲渡することにより新たに株式会社を設立する場合における当該新たに設立される株式会社の発起人に係る会社法（平成十七年法律第八十六号）第三十三条第十項第一号の規定の適用については、同号中「超えない場合」とあるのは、「超えない場合並びに産業競争力強化法（平成二十五年法律第九十八号）第二十九条第一項に規定する場合」とする。

Article 29 (1) When a business newly establishes a stock company through the contribution or transfer of all or part of its assets in accordance with an Approved Corporate Restructuring Plan or an Approved Specified Corporate Restructuring Plan (hereinafter referred to as an "Approved Plan" in this Section), with respect to the application of the provisions of Article 33, paragraph (10), item (i) of the Companies Act (Act No. 86 of 2005) pertaining to the incorporators of the newly established stock company, the phrase "does not exceed 5,000,000 yen" in the same item is deemed to be replaced with "does not exceed 5,000,000 yen, and in cases prescribed in Article 29, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

2 前項の場合における商業登記法（昭和三十八年法律第百二十五号）第四十七条第二項の規定の適用については、同項中「次の書面」とあるのは、「次の書面（第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十九条第一項に規定する認定計画に従った財産の出資又は譲渡であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 47, paragraph (2) of the Commercial Registration Act (Act No. 125 of 1963) in the cases set forth in the preceding paragraph, the phrase "the following documents" in the same paragraph is deemed to be replaced with "the following documents (excluding the documents set forth in item (iv)) and documents evidencing that the contribution or transfer of assets was in accordance with an Approved Plan prescribed in Article 29, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(株式の発行等に係る現物出資の調査に関する特例)

(Special Provisions Concerning the Investigation of Capital Contributions in Kind Pertaining to the Issuance of Shares)

第三十条 事業者が認定計画に従ってその財産の全部又は一部を他の株式会社に出資する場合（新株予約権を行使する場合を含む。）における当該他の株式会社については、会社法第二百七条第一項から第八項まで及び第二百八十四条第一項から第八項までの規定は、適用しない。

Article 30 (1) When a business contributes to all or part of its assets to another stock company in accordance with an Approved Plan (including cases where share options are exercised), the provisions of Article 207, paragraph (1) to paragraph (8), and Article 284, paragraph (1) to paragraph (8) of the Companies Act do not apply to the relevant other stock company.

2 前項の場合における商業登記法第五十六条及び第五十七条の規定の適用については、これらの規定中「次の書面」とあるのは、「次の書面（第三号イ及び第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十九条第一項に規定する認定計画に従った財産の出資であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 56 and Article 57 of the Commercial Registration Act in the cases set forth in the preceding paragraph, the phrase "the following documents" in these provisions is deemed to be replaced with "the following documents (excluding the documents set forth in item (iii) (a) and item (iv)) and documents evidencing that the contribution of assets was in accordance with an Approved Plan prescribed in Article 29, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

第三十一条 前条第一項の規定は、技術研究組合法（昭和三十六年法律第八十一号）第六十一条第二項に規定する組織変更をする技術研究組合が同法第六十七条第一号に規定する組織変更時発行株式を発行する際に、事業者が認定計画に従ってその財産の全部又は一部を出資する場合について準用する。この場合において、前条第一項中「会社法第二百七条第一項から第八項まで及び第二百八十四条第一項から第八項までの規定」とあるのは、「技術研究組合法（昭和三十六年法律第八十一号）第七十五条において準用する会社法第二百七条第一項から第八項までの規定」と読み替えるものとする。

Article 31 (1) The provisions of paragraph (1) of the preceding Article apply mutatis mutandis when a business contributes to all or part of its assets in accordance with an Approved Plan, at the time of the issuance of shares upon entity conversion as prescribed in Article 67, item (i) of the Research and Development Partnerships Act (Act No. 81 of 1961) by a technical research partnership undergoing the entity conversion prescribed in Article 61, paragraph (2) of the same Act. In this case, the phrase "the provisions of Article 207, paragraph (1) to paragraph (8), and Article 284, paragraph (1) to paragraph (8) of the Companies Act" in paragraph (1) of the preceding Article is deemed to be replaced with "the provisions of Article 207, paragraph (1) to paragraph (8) of the Companies Act as applied mutatis mutandis pursuant to Article 75 of the Research and Development Partnerships Act (Act No. 81 of 1961)".

2 前条第一項の規定は、技術研究組合法第百十八条第二項に規定する新設分割をする技術研究組合が同法第百二十二条第一号に規定する新設分割時発行株式を発行する際

に、事業者が認定計画に従ってその財産の全部又は一部を出資する場合について準用する。この場合において、前条第一項中「会社法第二百七条第一項から第八項まで及び第二百八十四条第一項から第八項までの規定」とあるのは、「技術研究組合法（昭和三十六年法律第八十一号）第百三十条において準用する会社法第二百七条第一項から第八項までの規定」と読み替えるものとする。

(2) The provisions of paragraph (1) of the preceding Article apply mutatis mutandis when a business contributes to all or part of its assets in accordance with an Approved Plan, at the time of the issuance of shares upon an incorporation-type company split as prescribed in Article 122, item (i) of the Research and Development Partnerships Act by a research and development partnership undergoing the incorporation-type company split prescribed in Article 118, paragraph (2) of the same Act. In this case, the phrase "the provisions of Article 207, paragraph (1) to paragraph (8), and Article 284, paragraph (1) to paragraph (8) of the Companies Act" in paragraph (1) of the preceding Article is deemed to be replaced with "the provisions of Article 207, paragraph (1) to paragraph (8) of the Companies Act as applied mutatis mutandis pursuant to Article 130 of the Research and Development Partnerships Act (Act No. 81 of 1961)".

3 前二項の場合における技術研究組合法第百六十九条第一項及び第百七十条第一項の規定の適用については、同法第百六十九条第一項第九号及び第百七十条第一項第十号中「発行したときは、次に掲げる書面」とあるのは、「発行したときは、次に掲げる書面（ハ（1）及びニに掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十九条第一項に規定する認定計画に従った財産の出資であることを証する書面」とする。

(3) With respect to the application of the provisions of Article 169, paragraph (1) and Article 170, paragraph (1) of the Research and Development Partnerships Act in the cases set forth in the preceding two paragraphs, the phrase "the following documents, when issuing" in Article 169, paragraph (1), item (ix) and Article 170, paragraph (1), item (x) of the same Act is deemed to be replaced with "the following documents (excluding the documents set forth in (c) 1. and (d)), and documents evidencing that the contribution of assets was in accordance with an Approved Plan prescribed in Article 29, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), when issuing".

（特別支配会社への事業譲渡等に関する特例）

(Special Provisions Concerning the Business Transfer, etc. to a Special Controlling Company)

第三十二条 認定事業再編事業者の特定関係事業者（関係事業者であって、当該認定事業再編事業者及び当該認定事業再編事業者が発行済株式の全部を有する株式会社がその総株主の議決権の三分の二以上を有しているものをいう。以下この条において同

じ。)である株式会社であって認定事業再編計画に従って次に掲げる行為(第三号から第六号までに掲げるものにあつては、株式会社とするものに限る。)をするものに係る会社法第四百六十八条第一項、第七百八十四条第一項及び第七百九十六条第一項の規定の適用については、同法第四百六十八条第一項中「特別支配会社(ある株式会社の総株主の議決権の十分の九(これを上回る割合を当該株式会社の定款で定めた場合にあつては、その割合)以上を他の会社及び当該他の会社が発行済株式の全部を有する株式会社その他これに準ずるものとして法務省令で定める法人が有している場合における当該他の会社をいう。以下同じ。)」とあるのは「特定特別支配会社(産業競争力強化法(平成二十五年法律第九十八号)第二十五条第二項に規定する認定事業再編計画においてある株式会社が特定関係事業者(同法第三十二条第一項に規定する特定関係事業者をいう。以下この条において同じ。))である場合における当該特定関係事業者に係る同法第二十五条第一項に規定する認定事業再編事業者若しくは当該認定事業再編事業者の他の特定関係事業者又は当該認定事業再編計画に係る他の認定事業再編事業者若しくは当該他の認定事業再編事業者の特定関係事業者をいう。以下同じ。)」と、同法第七百八十四条第一項及び第七百九十六条第一項中「特別支配会社」とあるのは「特定特別支配会社」とする。

Article 32 (1) With respect to the application of the provisions of Article 468, paragraph (1), Article 784, paragraph (1), and Article 796, paragraph (1) of the Companies Act pertaining to a stock company that is a Specified Affiliated Business of an Approved Business Conducting Corporate Restructuring (meaning an Affiliated Business, in which two thirds or more of the voting rights of all shareholders are held by the Approved Business Conducting Corporate Restructuring or by a stock company all of whose issued shares are held by the Approved Business Conducting Corporate Restructuring; hereinafter the same applies in this Article) and which performs any of the following acts (with respect to acts as set forth in item (iii) to item (vi), limited to an act resulting in a stock company) in accordance with an Approved Corporate Restructuring Plan, the phrase "Special Controlling Company (hereinafter, when nine tenths (9/10) (or, when any proportion higher than that is provided for in the articles of incorporation, such proportion) or more of the voting rights of all shareholders of a Stock Company are held by other Company, and by Stock Companies all of the issued shares in which are held by such other Company and other corporations prescribed by the applicable Order of the Ministry of Justice as entities equivalent to the above, referring to such other Company" in Article 468, paragraph (1) of the same Act is deemed to be replaced with "Specified Special Controlling Company (when a stock company is a Specified Affiliated Business (meaning the Specified Affiliated Business prescribed in Article 32, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); hereinafter the same applies in this Article) in an Approved Corporate Restructuring Plan as prescribed in Article 25, paragraph (2) of the same Act, a Specified Special Controlling

Company means an Approved Business Conducting Corporate Restructuring as prescribed in Article 25, paragraph (1) of the same Act pertaining to the Specified Affiliated Business, another Specified Affiliated Business of the Approved Business Conducting Corporate Restructuring, another Approved Business Conducting Corporate Restructuring pertaining to the Approved Corporate Restructuring Plan, or a Specified Affiliated Business of the relevant other Approved Business Conducting Corporate Restructuring; the same applies hereinafter); and the phrase "Special Controlling Company" in Article 784, paragraph (1) and Article 796, paragraph (1) of the Companies Act is deemed to be replaced with "Specified Special Controlling Company":

一 事業の譲渡

(i) transfer of business;

二 事業の全部の譲受け

(ii) acceptance of all business;

三 吸収合併

(iii) absorption-type merger;

四 吸収分割

(iv) absorption-type company split;

五 吸収分割による他の会社とその事業に関して有する権利義務の全部又は一部の承継

(v) succession to all or part of the rights and obligations held by another company concerning its business through an absorption-type company split;

六 株式交換

(vi) share exchange; or

七 株式交換による他の株式会社の発行済株式の全部の取得

(vii) acquisition of all issued shares of another stock company through a share exchange.

2 認定事業再編事業者の特定関係事業者であって株式会社であるものが、認定事業再編計画に従って次に掲げる行為をする場合においては、当該特定関係事業者については、会社法第八百四条第一項の規定は、適用しない。

(2) When a Specified Affiliated Business of an Approved Business Conducting Corporate Restructuring that is a stock company performs either of the following acts in accordance with an Approved Corporate Restructuring Plan, the provisions of Article 804, paragraph (1) of the Companies Act do not apply to the Specified Affiliated Business:

一 新設合併（当該認定事業再編事業者若しくは当該認定事業再編事業者の他の特定関係事業者又は当該認定事業再編計画に係る他の認定事業再編事業者若しくは当該他の認定事業再編事業者の特定関係事業者とするものであって、新設合併により設立する会社が株式会社である場合に限る。）

(i) consolidation-type merger (limited to cases where a consolidation-type merger is executed with the Approved Business Conducting Corporate



Restructuring, another Specified Affiliated Business of the Approved Business Conducting Corporate Restructuring, another Approved Business Conducting Corporate Restructuring pertaining to the Approved Corporate Restructuring Plan, or a Specified Affiliated Business of the relevant other Approved Business Conducting Corporate Restructuring, and the company established through the consolidation-type merger is a stock company); or  
二 新設分割（新設分割により設立する会社が持分会社である場合及び会社法第八百五条に規定する場合を除く。）

(ii) incorporation-type company split (excluding cases where the company established through an incorporation-type company split is a membership company, and the cases prescribed in Article 805 of the Companies Act).

3 前項に規定する場合において、同項各号の行為が法令又は定款に違反する場合であつて、特定関係事業者の株主が不利益を受けるおそれがあるときは、当該特定関係事業者の株主は、当該特定関係事業者に対し、当該行為をやめることを請求することができる。

(3) In the cases prescribed in the preceding paragraph, when any of the acts set forth in the items of the same paragraph are in violation of laws and orders or the articles of incorporation and there is a risk that the shareholders of a Specified Affiliated Business are likely to be disadvantaged, the shareholders of the Specified Affiliated Business may demand that the Specified Affiliated Business should refrain from the acts.

4 前二項の場合における会社法第八百六条第三項及び第八百八条第三項の規定の適用については、同法第八百六条第三項中「決議の日」とあるのは「決議の日（産業競争力強化法（平成二十五年法律第九十八号）第三十二条第二項に規定する場合にあっては、新設合併契約の日又は新設分割計画の作成の日）」と、同法第八百八条第三項中「作成の日」とあるのは「作成の日、産業競争力強化法第三十二条第二項に規定する場合にあっては新設合併契約の日又は新設分割計画の作成の日」とする。

(4) With respect to the application of the provisions of Article 806, paragraph (3) and Article 808, paragraph (3) of the Companies Act in the cases set forth in the preceding two paragraphs, the phrase "the day of resolution of the shareholders meeting set forth in Article 804 (1)" in Article 806, paragraph (3) of the same Act is deemed to be replaced with "day of resolution of the shareholders meeting set forth in Article 804 (1) (in the cases prescribed in Article 32, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), the day of the conclusion of the consolidation-type merger agreement or the day of the preparation of the incorporation-type company split plan)"; and the phrase "and in the cases prescribed in Article 805, the day of the preparation of the Incorporation-type Company Split plan" in Article 808, paragraph (3) of the same Act is deemed to be replaced with "in the cases prescribed in Article 805, the day of the preparation of the Incorporation-type Company Split plan, and in the cases

prescribed in Article 32, paragraph (2) of the Act on Strengthening Industrial Competitiveness, the day of the conclusion of the consolidation-type merger agreement or the day of the preparation of the incorporation-type company split plan)".

- 5 第一項及び第二項の場合における商業登記法第八十条、第八十一条、第八十五条、第八十六条及び第八十九条の規定の適用については、同法第八十条中「次の書面」とあるのは「次の書面並びに産業競争力強化法（平成二十五年法律第九十八号）第二十四条第一項の認定（同法第二十五条第一項の変更の認定を含む。以下単に「認定」という。）を受けたことを証する書面及び認定を受けた計画に従った吸収合併であることを証する書面」と、同法第八十一条中「次の書面」とあるのは「次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従った新設合併であることを証する書面」と、同条第六号中「書面」とあるのは「書面（産業競争力強化法第三十二条第二項に規定する場合にあつては、当該場合に該当することを証する書面及び取締役の過半数の一致があつたことを証する書面又は取締役会の議事録）」と、同法第八十五条中「次の書面」とあるのは「次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従った吸収分割又は吸収分割による他の会社とその事業に関して有する権利義務の全部若しくは一部の承継であることを証する書面」と、同法第八十六条中「次の書面」とあるのは「次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従った新設分割であることを証する書面」と、同条第六号中「当該場合」とあるのは「当該場合」と、「議事録」とあるのは「議事録、産業競争力強化法第三十二条第二項に規定する場合にあつては当該場合に該当することを証する書面及び取締役の過半数の一致があつたことを証する書面又は取締役会の議事録」と、同法第八十九条中「次の書面」とあるのは「次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従った株式交換又は株式交換による他の株式会社の発行済株式の全部の取得であることを証する書面」とする。

- (5) With respect to the application of the provisions of Article 80, Article 81, Article 85, Article 86, and Article 89 of the Commercial Registration Act in the cases set forth in paragraph (1) and paragraph (2), the phrase "the following documents" in Article 80 of the same Act is deemed to be replaced with "the following documents, a document evidencing the obtainment of the approval set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (including the approval of changes as set forth in Article 25, paragraph (1) of the same Act; hereinafter simply referred to as the "Approval"), and a document evidencing that the absorption-type merger was in accordance with the plan for which the Approval was obtained"; the phrase "the following documents" in Article 81 of the same Act is deemed to be replaced with "the following documents, a document evidencing the obtainment of the Approval, and a document evidencing that the consolidation-type merger was in accordance with the plan for which the Approval was obtained"; the phrase "the consolidation-type merger agreement" in item (vi) of the same Article is deemed to be replaced with "the consolidation-type merger

agreement (in the cases prescribed in Article 32, paragraph (2) of the Act on Strengthening Industrial Competitiveness, a document evidencing that the case provided for therein is applicable, a document or minutes of board of directors evidencing that the consent of the majority of the directors has been obtained"); the phrase "the following documents" in Article 85 of the same Act is deemed to be replaced with "the following documents, a document evidencing the obtainment of the Approval, and a document evidencing that the absorption-type company split, or the succession to all or part of the rights and obligations held by another company concerning its business through an absorption-type company split, was in accordance with the plan for which the Approval was obtained"; the phrase "the following documents" in Article 86 of the same Act is deemed to be replaced with "the following documents, a document evidencing the obtainment of the Approval, and a document evidencing that the incorporation-type company split was in accordance with the plan for which the Approval was obtained"; the phrase "has been obtained" in item (vi) of the same Article is deemed to be replaced with "has been obtained, and in the cases prescribed in Article 32, paragraph (2) of the Act on Strengthening Industrial Competitiveness, a document evidencing that the case provided for therein is applicable, a document or minutes of board of directors evidencing that the consent of the majority of the directors has been obtained"; and the phrase "the following documents" in Article 89 of the same Act is deemed to be replaced with "the following documents, a document evidencing the obtainment of the Approval, and a document evidencing that the share exchange or acquisition of all of the issued shares of another company through a share exchange was in accordance with the plan for which the Approval was obtained."

(株式の併合に関する特例)

(Special Provisions Concerning the Consolidation of Shares)

第三十三条 認定事業再編事業者若しくはその関係事業者（以下「認定事業再編事業者等」という。）又は認定特定事業再編事業者若しくは当該認定に係る特定会社（以下「認定特定事業再編事業者等」という。）である株式会社が認定計画に従って資本金、資本準備金又は利益準備金の額の減少と同時に行う株式の併合であって次の各号のいずれにも該当するものに係る会社法第百八十条第二項の規定の適用については、同項中「株主総会」とあるのは、「株主総会（取締役会設置会社にあつては、取締役会）」とする。

Article 33 (1) With respect to the application of the provisions of Article 180, paragraph (2) of the Companies Act pertaining to the consolidation of shares undertaken, at the same time as a reduction in the amount of stated capital, capital reserves or retained earnings reserves, in accordance with the Approved Plan by a stock company that is an Approved Business Conducting

Corporate Restructuring or its Affiliated Business (hereinafter referred to as an "Approved Business Conducting Corporate Restructuring, etc.") or an Approved Business Conducting Specified Corporate Restructuring or a Specified Company pertaining to the approval (hereinafter referred to as an "Approved Business Conducting Specified Corporate Restructuring, etc.") which falls under both of the following items, the phrase "a shareholders meeting" in the same paragraph is deemed to be replaced with "a shareholders meeting (for a company with a board of directors, a board of directors meeting)":

一 当該株式の併合と同時に単元株式数を減少し、又はその数を廃止するものであること。

(i) there is a reduction in the number of share units, or a discontinuation of that number, at the same time as the consolidation of shares; and

二 当該株式の併合後各株主がそれぞれ有する単元の数（当該株式の併合と同時に単元株式数を廃止する場合にあっては、各株主がそれぞれ有する株式の数）が当該株式の併合前において各株主がそれぞれ有する単元の下回るものでないこと。

(ii) there is no fall in the number of share units owned by each individual shareholder after the consolidation of shares (when a number of share units is discontinued at the time as the consolidation of shares, the number of shares owned by each individual shareholder), below the number of share units held by each individual shareholder before the consolidation.

2 前項の場合における商業登記法第六十一条の規定の適用については、同条中「掲げる書面」とあるのは、「掲げる書面及び産業競争力強化法（平成二十五年法律第九十八号）第二十九条第一項に規定する認定計画に従った株式の併合であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 61 of the Commercial Registration Act in the cases set forth in the preceding paragraph, the phrase "documents listed in Article 59, paragraph (1), item (ii)" in the same Article is deemed to be replaced with "documents as set forth in Article 59, paragraph (1), item (ii), and a document evidencing that the consolidation of shares was in accordance with the Approved Plan prescribed in Article 29, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

（株式を対価とする公開買付けに際しての株式の発行等に関する特例）

(Special Provisions Concerning the Issuance of Shares or the Disposal of Treasury Shares upon Tender Offer in Exchange for Shares)

第三十四条 認定事業再編事業者である株式会社が認定事業再編計画に従って公開買付け（金融商品取引法（昭和二十三年法律第二十五号）第二十七条の二第六項に規定する公開買付けをいう。以下この項及び次条第一項において同じ。）の方法による他の株式会社の株式の取得により当該他の株式会社をその関係事業者としようとする場合

(外国における公開買付けの方法に相当するものによる外国法人の株式若しくは持分又はこれらに類似するものの取得により当該外国法人をその外国関係法人としようとする場合を含む。以下この項において同じ。)であって当該取得の対価として株式の発行若しくは自己株式の処分をするとき又は認定事業再編事業者である株式会社が認定事業再編計画に従ってその子会社(会社法第二条第三号に規定する子会社をいい、会社が発行済株式の全部を有する株式会社その他これに準ずるものとして主務省令で定める法人に限る。以下この項において同じ。)に対して株式の発行若しくは自己株式の処分をするとともに当該子会社が当該認定事業再編計画に従って当該株式を対価とする公開買付けの方法による他の株式会社の株式の取得により当該他の株式会社をその関係事業者としようとする場合における当該認定事業再編事業者に係る同法第九十九条、第二百一条(第一項及び第二項を除く。)、第二百八条及び第四百四十五条の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とするほか、必要な技術的読替えは、政令で定める。

Article 34 (1) When a stock company that is an Approved Business Conducting Corporate Restructuring intends to make another stock company its Affiliated Business through the acquisition of shares of the relevant other stock company by way of a Tender Offer (meaning the Tender Offer prescribed in Article 27-2, paragraph (6) of the Financial Instruments and Exchange Act (Act No. 25 of 1948); hereinafter the same applies in this paragraph and paragraph (1) of the following Article) in accordance with an Approved Corporate Restructuring Plan (including cases where it intends to make a foreign corporation its Affiliated Foreign Corporation through the acquisition of shares, equity, or the equivalent in the foreign corporation by means equivalent to a Tender Offer in foreign countries; hereinafter the same applies in this paragraph), and when it issues shares or disposes of treasury shares in exchange for the acquisition; or when a stock company that is an Approved Business Conducting Corporate Restructuring issues shares or disposes of treasury shares to its Subsidiary (meaning the Subsidiary prescribed in Article 2, item (iii) of the Companies Act and limited to stock companies all of whose issued shares are held by the company and other corporations specified by order of the competent ministry as those equivalent thereto; hereinafter the same applies in this paragraph) in accordance with an Approved Corporate Restructuring Plan and the Subsidiary intends to make another stock company its Affiliated Business through the acquisition of shares of the relevant other stock company by way of a Tender Offer in exchange for the shares in accordance with the Approved Corporate Restructuring Plan; with respect to the application of the provisions of Article 199, Article 201 (excluding paragraph (1) and paragraph (2)), Article 208, and Article 445 of the Companies Act pertaining to the Approved Business Conducting Corporate Restructuring, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act

set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and any other necessary technical replacement of the phrases are to be specified by Cabinet Order.

<p>第百九十九条第一項 各号列記以外の部分 the part other than the items below of Article 199, paragraph (1)</p>	<p>株式会社は、 a Stock Company intends to solicit persons to subscribe for shares it issues or for Treasury Shares it disposes of</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第二十五条第一項に規定する認定事業再編事業者である株式会社は、同条第二項に規定する認定事業再編計画に従って公開買付け（金融商品取引法（昭和二十三年法律第二十五号）第二十七条の二第六項に規定する公開買付けをいう。以下同じ。）の方法による他の株式会社の株式の取得の対価として a stock company that is an Approved Business Conducting Corporate Restructuring as prescribed in Article 25, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) intends to solicit persons to subscribe for shares it issues or for treasury shares it disposes of in an exchange for the acquisition of shares of another stock company by way of a Tender Offer (meaning the Tender Offer prescribed in Article 27-2, paragraph (6) of the Financial Instruments and Exchange Act (Act No. 25 of 1948); hereinafter the same applies) in accordance with an Approved Corporate Restructuring Plan as prescribed in Article 25, paragraph (2) of the Industrial Competitiveness Enhancement Act</p>
	<p>次に掲げる事項 the following particulars</p>	<p>次に掲げる事項（第三号に掲げる事項を除く。） the following particulars (excluding the matters set forth in item (iii))</p>

<p>第百九十九条第一項 第一号 Article 199, paragraph (1), item (i)</p>	<p>募集株式の数（種類株式発行会社にあつては、募集株式の種類及び数。以下この節において同じ。） The number of Shares for Subscription (or, for a Company with Class Shares, the classes and the number of the Shares for Subscription. The same applies hereinafter in this Section.)</p>	<p>募集株式の数（種類株式発行会社にあつては、募集株式の種類及び数。以下この節において同じ。）又はその数の算定方法 The number of shares of the relevant other stock company (including shares, equity, or similar instruments of the foreign corporation) to be contributed in exchange for one of the shares for subscription, as well as of share options and bonds with share options (hereinafter referred to as the "Specified Shares, etc.") of the relevant other stock company purchased along with the shares upon the Tender Offer</p>
<p>第百九十九条第一項 第二号 Article 199, paragraph (1), item (ii)</p>	<p>募集株式の払込金額（募集株式一株と引換えに払い込む金銭又は給付する金銭以外の財産の額をいう。以下この節において同じ。） The Amount to Be Paid in (meaning the amount of the monies to be paid in in exchange for one of the Shares for Subscription, or the amount of any property other than monies to be contributed. The same applies hereinafter in this Section.) for the Shares for Subscription</p>	<p>募集株式一株と引換えに給付する当該他の株式会社の株式（当該外国法人の株式若しくは持分又はこれらに類似するものを含む。）並びに当該公開買付けにおいて当該株式と併せて買い付ける当該他の株式会社の新株予約権及び新株予約権付社債（以下「特定株式等」という。）の数 The number of shares of the relevant other stock company (including shares, equity, or the equivalent in the foreign corporation) to be contributed in exchange for one of the shares for subscription, as well as of share options and bonds with share options (hereinafter referred to as "Specified Shares, etc.") of the relevant other stock company purchased along with the shares upon the Tender Offer</p>

<p>第百九十九条第一項 第四号 Article 199, paragraph (1), item (iv)</p>	<p>金銭の払込み又は前 号の財産 the payment of the monies in exchange for the Shares for Subscription, or the contribution of the property under the preceding item</p>	<p>当該他の株式会社の特定株式等 the contribution of the Specified Shares, etc. of the relevant other stock company in exchange for the shares for subscription</p>
<p>第二百一条第三項 Article 201, paragraph (3)</p>	<p>第一項の規定により 読み替えて適用する 第百九十九条第二項 の取締役会の決議に よって by a resolution of the board of directors meeting provided for in Article 199(2) applied by the reading of terms pursuant to the provisions of the preceding paragraph</p>	<p>産業競争力強化法第三十四条第三項 の規定により読み替えて準用する第 七百九十六条第二項の規定により、 株主総会の決議によらないで not by a resolution of the board of directors meeting under Article 796, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 34, paragraph (3) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms</p>
<p>第二百一条第五項 Article 201, paragraph (5)</p>	<p>法務省令 the applicable Order of the Ministry of Justice</p>	<p>産業競争力強化法第百四十条第二項 に規定する主務省令（以下単に「主 務省令」という。） the applicable order of the competent ministry prescribed in Article 140, paragraph (2) of the Act on Strengthening Industrial Competitiveness (hereinafter simply referred to as "Order of the Competent Ministry")</p>
<p>第二百八条第二項 Article 208, paragraph (2)</p>	<p>募集株式の払込金額 の全額に相当する現 物出資財産 the Properties Contributed in Kind equivalent in value to the entire Amount to Be Paid in of the Shares for Subscription for which the subscribers respectively subscribed</p>	<p>募集株式と引換えに給付する当該他 の株式会社の特定株式等の全部 all of the Specified Shares, etc. of the relevant other stock company to be contributed in exchange for the shares for subscription</p>



第四百四十五条第一項 Article 445, paragraph (1)	財産の額 the amount of properties	財産の額として主務省令で定める額 the amount specified by Order of the Competent Ministry as the amount of properties
第四百四十五条第二項 Article 445, paragraph (2)	給付に係る額 the amount of contribution	給付に係る額として主務省令で定める額 the amount specified by Order of the Competent Ministry as the amount of the contribution

2 前項の規定により認定事業再編事業者である株式会社が行う株式の発行又は自己株式の処分については、会社法第百三十五条第一項、第二百条、第二百一条第一項及び第二項並びに第二百十二条の規定は、適用しない。

(2) With respect to the issuance of shares or disposal of treasury shares undertaken by a stock company that is an Approved Business Conducting Corporate Restructuring pursuant to the provisions of the preceding paragraph, the provisions of Article 135, paragraph (1), Article 200, Article 201, paragraph (1) and paragraph (2), and Article 212 of the Companies Act do not apply.

3 会社法第二百三十四条、第三百九条第二項、第七百九十六条第二項及び第三項、第七百九十七条、第七百九十八条、第八百六十八条から第八百七十六条まで並びに第九百四十条の規定は、第一項の場合について準用する。この場合において、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるほか、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 234, Article 309, paragraph (2), Article 796, paragraph (2) and paragraph (3), Article 797, Article 798, Article 868 to Article 876, and Article 940 of the Companies Act apply mutatis mutandis to the cases set forth in paragraph (1). In this case, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and any other necessary technical replacement of the phrases are to be specified by Cabinet Order.

<p>第二百三十四          条第一項          Article          234,          paragraph          (1)</p>	<p>次の各号に掲げる行為に際して当該各号に定める者に当該株式会社の株式を交付する場合          In cases where a Stock Company delivers shares in such Stock Company to the persons listed in the following items when any act listed in such items is carried out</p>	<p>産業競争力強化法第三十四          条第一項の規定による株式の発行又は自己株式の処分（以下「特定株式発行等」という。）に際してこれらの株式の引受けの申込みをした者にこれらの株式を交付する場合          In cases where a stock company delivers such shares to persons who have submitted applications for subscription for such shares at the time of the issuance of shares or disposal of treasury shares under Article 34, paragraph (1) of the Act on Strengthening Industrial Competitiveness (hereinafter referred to as the "Issuance, etc. of Specified Shares")</p>
	<p>当該株式会社の株式の数          the number of the shares of such Stock Company</p>	<p>当該認定事業再編事業者である株式会社の株式の数          the number of the shares of the stock company that is the Approved Business Conducting Corporate Restructuring</p>
<p>第七百九十六          条第二項          各号列記以          外の部分          the part          other than          the items          below of          Article          796,          paragraph          (2)</p>	<p>前条第一項から第三項まで          paragraphs (1) to (3) of the preceding Article</p>	<p>第九十九          条第二項          Article 199, paragraph (2)</p>

	<p>五分之一（これを下回る割合を存続株式会社等の定款で定めた場合にあつては、その割合）</p> <p>one-fifth (or, in cases where a lesser proportion is prescribed in the articles of incorporation of the Surviving Stock Company, etc., such proportion)</p>	<p>五分之一</p> <p>one-fifth</p>
	<p>同条第二項各号に掲げる場合又は前項ただし書に規定する場合</p> <p>the cases listed in the items of paragraph (2) of the preceding Article or the cases prescribed in the proviso to the preceding paragraph</p>	<p>特定株式発行等に際してこれらの株式の引受けの申込みをした者に交付する株式の全部又は一部が当該認定事業再編事業者である株式会社の譲渡制限株式である場合であつて、当該認定事業再編事業者である株式会社が公開会社でないとき</p> <p>the cases where all or part of the shares to be delivered to persons who have submitted applications for subscription for such shares at the time of the Issuance, etc. of Specified Shares are shares with restrictions on the transfer of the stock company that is the Approved Business Conducting Corporate Restructuring and when the stock company that is the Approved Business Conducting Corporate Restructuring is not a public company</p>
第七百九十六条第二項	<p>次に掲げる額の合計額</p> <p>the total amount of the amounts listed below:</p>	<p>特定株式発行等に際してこれらの株式の引受けの申込</p>

<p>第一号 Article 796, paragraph (2), item (i)</p>	<p>イ 吸収合併消滅株式会社若しくは株式交換完全子会社の株主、吸収合併消滅持分会社の社員又は吸収分割会社（以下この号において「消滅会社等の株主等」という。）に対して交付する存続株式会社等の株式の数に一株当たり純資産額を乗じて得た額 (a) the amount obtained by multiplying the number of shares of the Surviving Stock Company, etc. to be delivered to shareholders of the Stock Company Absorbed in Absorption-type Merger or the Wholly Owned Subsidiary Company in Share Exchange, to partners of the Membership Company Absorbed in Absorption-type Merger or to the Splitting Company in Absorption-type Company Split (hereinafter referred to as "Shareholders, etc. of the Absorbed Company, etc." in this item) by the amount of net assets per share;</p>	<p>みをした者に交付する当該認定事業再編事業者である株式会社の株式の数に一株当たり純資産額を乗じて得た額 the amount obtained by multiplying the number of shares of the stock company that is the Approved Business Conducting Corporate Restructuring to be delivered to persons who have submitted applications for subscription for such shares at the time of the Issuance, etc. of Specified Shares</p>
	<p>ロ 消滅会社等の株主等に対して交付する存続株式会社等の社債、新株予約権又は新株予約権付社債の帳簿価額の合計額 (b) the total amount of the book value of Bonds, Share Options or Bonds with Share Options of the Surviving Stock Company, etc. to be delivered to Shareholders, etc. of the Absorbed Company, etc.; and</p>	
	<p>ハ 消滅会社等の株主等に対して交付する存続株式会社等の株式等以外の財産の帳簿価額の合計額 (c) the total amount of the book value of property other than shares, etc. of the Surviving Stock Company, etc. to be delivered to Shareholders, etc. of the Absorbed Company, etc.</p>	
<p>第七百九十六条第二項 第二号 Article 796, paragraph (2), item (ii)</p>	<p>存続株式会社等 the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>

	法務省令 the applicable Order of the Ministry of Justice	産業競争力強化法第百四十条第二項に規定する主務省令（以下単に「主務省令」という。） the order of the competent ministry prescribed in Article 140, paragraph (2) of the Act on Strengthening Industrial Competitiveness (hereinafter simply referred to as the "Order of the Competent Ministry")
第七百九十六条第三項 Article 796, paragraph (3)	法務省令 the applicable Order of the Ministry of Justice	主務省令 Order of the Competent Ministry
	前条第一項 paragraph (1) of the preceding Article	第百九十九条第二項 Article 199, paragraph (2)
	吸収合併等 the Absorption-type Merger, etc.	特定株式発行等 the Issuance, etc. of Specified Shares
	存続株式会社等に the Surviving Stock Company, etc.	当該認定事業再編事業者である株式会社に the stock company that is the Approved Business Conducting Corporate Restructuring
	当該存続株式会社等 such Surviving Stock Company, etc.	当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring

<p>効力発生日 the Effective Day</p>	<p>産業競争力強化法第三十四条第一項の規定より読み替えて適用する第百九十九条第一項第四号の期日又は同号の期間の初日（以下「特定期日等」という。） the date set forth in Article 199, paragraph (1), item (iv) as applied, by replacing the phrases, pursuant to the provisions of Article 34, paragraph (1) of the Act on Strengthening Industrial Competitiveness or the first day of the period set forth in the same item (hereinafter referred to as the "Specified Date, etc.")</p>	
<p>吸収合併契約等の承認を受けなければ obtain the approval of the Absorption-type Merger Agreement, etc.</p>	<p>当該募集事項を定めなければ determine the subscription requirements</p>	
<p>第七百九十七条第一項 Article 797, paragraph (1)</p>	<p>吸収合併等 an Absorption-type Merger, etc.</p>	<p>特定株式発行等 the Issuance, etc. of Specified Shares</p>
<p>存続株式会社等 the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>	

<p>第七百九十七條第二項第一号（イ及びロ以外の部分に限る。） Article 797, paragraph (2), item (i) (limited to the part other than (a) and (b))</p>	<p>吸収合併等 the Absorption-type Merger, etc.</p>	<p>特定株式発行等 the Issuance, etc. of Specified Shares</p>
<p>第七百九十七條第二項第一号イ Article 797, paragraph (2), item (i), (a)</p>	<p>吸収合併等 such Absorption-type Merger, etc.</p>	<p>特定株式発行等 the Issuance, etc. of Specified Shares</p>
<p>第七百九十七條第三項 Article 797, paragraph (3)</p>	<p>当該存続株式会社等 such Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>
	<p>効力発生日 the Effective Day</p>	<p>特定期日等 the Specified Date, etc.</p>
	<p>存続株式会社等 A Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>

	<p>吸収合併等をする旨並びに消滅会社等の商号及び住所（第七百九十五条第三項に規定する場合にあっては、吸収合併等をする旨、消滅会社等の商号及び住所並びに同項の株式に関する事項） that it will effect an Absorption-type Merger, etc. and the trade name and domicile of the Absorbed Company, etc. (or, in the cases prescribed in Article 795(3), the fact that it will effect an Absorption-type Merger, etc., the trade name and domicile of the Absorbed Company, etc. and the matters concerning shares set forth in that paragraph)</p>	<p>特定株式発行等をする旨並びに当該他の株式会社又は外国法人の商号又は名称及び住所 that it will carry out the Issuance, etc. of Specified Shares, and the trade name and domicile of the relevant other stock company or foreign corporation</p>
<p>第七百九十七条第四項第一号 Article 797, paragraph (4), item (i)</p>	<p>存続株式会社等 the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>
<p>第七百九十七条第四項第二号 Article 797, paragraph (4), item (ii)</p>	<p>存続株式会社等 the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring</p>
	<p>第七百九十五条第一項の株主総会の決議によって吸収合併契約等の承認を受けた場合 obtains the approval of the Absorption-type Merger Agreement, etc. by the resolution of a shareholders meeting set forth in Article 795(1)</p>	<p>第九十九条第二項の株主総会の決議によって募集事項を定めた場合 determines subscription requirements by a resolution of the board of directors meeting as set forth in Article 199, paragraph (2)</p>
<p>第七百九十七条第五項 Article 797, paragraph (5)</p>	<p>効力発生日 the Effective Day</p>	<p>特定期日等 the Specified Date, etc.</p>



第七百九十七条第六項及び第七項 Article 797, paragraph (6) and paragraph (7)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring
第七百九十七条第八項 Article 797, paragraph (8)	吸収合併等を中止 the Absorption-type Merger, etc. is cancelled	特定株式発行等の全部を中止 the Issuance, etc. of Specified Shares is cancelled in its entirety
第七百九十八条第一項及び第二項 Article 798, paragraph (1) and paragraph (2)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株式会社 the stock company that is the Approved Business Conducting Corporate Restructuring
	効力発生日 the Effective Day	特定期日等 the Specified Date, etc.
第七百九十八条第三項 Article 798, paragraph (3)	効力発生日 the Effective Day	特定期日等 the Specified Date, etc.
第七百九十八条第四項及び第五項 Article 798, paragraph (4) and paragraph (5)	存続株式会社等 Surviving Stock Company, etc.	当該認定事業再編事業者である株式会社 stock company that is the Approved Business Conducting Corporate Restructuring

- 4 第一項の場合における商業登記法第五十六条の規定の適用については、同条中「次の書面」とあるのは、「次の書面（第三号イ及び第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十四条第一項の認定（同法第二十五条第一項の変更の認定を含む。）を受けた計画に従った株式の発行であることを証する書面」とする。

(4) With respect to the application of the provisions of Article 56 of the Commercial Registration Act in the cases set forth in paragraph (1), the phrase "the following documents" in the same Article is deemed to be replaced with "the following documents (excluding the documents set forth in item (iii) (a) and item (iv)), and a document evidencing that the issuance of shares was in accordance with the plan for which the approval set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (including the approval of changes as set forth in Article 25, paragraph (1) of the same Act) was obtained".

5 社債、株式等の振替に関する法律第百五十五条（第八項を除く。）の規定は、第一項の場合に準用する。この場合において、同条第一項中「会社法第百十六条第一項各号の行為、同法第百八十二条の二第一項に規定する株式の併合、事業譲渡等（同法第四百六十八条第一項に規定する事業譲渡等をいう。第四項において同じ。）、合併、吸収分割契約、新設分割、株式交換契約又は株式移転をしようとする場合」とあるのは「産業競争力強化法第三十四条第一項の規定による株式の発行又は自己株式の処分をしようとする場合」と、同条第四項中「会社法第百十六条第一項各号の行為、同法第百八十二条の二第一項に規定する株式の併合、事業譲渡等、吸収合併、吸収分割若しくは株式交換がその効力を生ずる日又は新設合併、新設分割若しくは株式移転により設立する会社の成立の日」とあるのは「産業競争力強化法第三十四条第一項の規定により読み替えて適用する会社法第百九十九条第一項第四号の期日又は同号の期間の初日」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 155 (excluding paragraph (8)) the Act on Book-Entry Transfer of Company Bonds, Shares, etc. apply to the cases set forth in paragraph (1). In this case, the phrase "intends to perform any of the acts set forth in the items of Article 116, paragraph (1) of the Companies Act, consolidation of shares prescribed in Article 182-2, paragraph (1) of the same Act, business transfer, etc. (meaning the business transfer, etc. prescribed in Article 468, paragraph (1) of the same Act; the same applies in paragraph (4)), merger, conclusion of an absorption-type company split agreement, incorporation-type company split, conclusion of a share exchange agreement, or share transfer" in paragraph (1) of the same Article is deemed to be replaced with "intends to undertake the issuance of shares or disposal of treasury shares under Article 34, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "the day when any of the acts set forth in the items of Article 116, paragraph (1) of the Companies Act, consolidation of shares prescribed in Article 182-2, paragraph (1) of the same Act, business transfer, etc., absorption-type merger, absorption-type company split, or a share exchange becomes effective or the day of the establishment of a company through a consolidation-type merger, incorporation-type company split, or share transfer" in paragraph (4) of the same Article is deemed to be replaced with "the date set forth in Article 199, paragraph (1), item (iv) of the

Companies Act as applied, by replacing the phrases, pursuant to the provisions of Article 34, paragraph (1) of the Act on Strengthening Industrial Competitiveness or the first day of the period set forth in the same item"; and any other necessary technical replacement of the phrases are to be specified by Cabinet Order.

(全部取得条項付種類株式の発行及び取得に関する特例)

(Special Provisions Concerning the Issue and Acquisition of Shares Subject to Class-Wide Call)

第三十五条 認定事業再編事業者が認定事業再編計画に従って公開買付けの方法により他の株式会社の株式を取得した場合（当該他の株式会社の総株主の議決権の十分の九以上の数の議決権及び会社法第百八条第一項第七号に掲げる事項についての定款の定めを設けようとする種類の株式の種類株主の議決権の十分の九以上の数の議決権の保有者になった場合に限る。）における当該他の株式会社が行う全部取得条項付種類株式（同法第百七十一条第一項に規定する全部取得条項付種類株式をいう。以下この項において同じ。）の発行のために必要な定款の変更及び当該全部取得条項付種類株式の全部の取得（その取得に際して当該他の株式会社の株主に対し交付しなければならない当該他の株式会社の株式の数に一株に満たない端数がある場合にあっては、当該端数の合計数（その合計数に一に満たない端数があるときにあっては、これを切り捨てるものとする。）に相当する数の株式の競売以外の方法による売却を含む。）であって次の各号のいずれにも該当するものとして主務省令で定めるところにより主務大臣の認定を受けたものに係る同法第百十一条第二項、第百五十五条、第百七十一条、第百七十二条、第百七十三条第二項、第二百三十四条及び第四百六十六条の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とするほか、必要な技術的読替えは、政令で定める。

Article 35 (1) If an Approved Business Conducting Corporate Restructuring has acquired the shares of another stock company by way of a Tender Offer in accordance with an Approved Corporate Restructuring Plan (limited to cases where it has come to hold nine tenths or more of the voting rights of all shareholders of the relevant other stock company and nine tenths or more of the voting rights of shareholders of class shares for which the provisions of the articles of incorporation is to be created with respect to the matters set forth in Article 108, paragraph (1), item (vii) of the Companies Act); with respect to the application of the provisions of Article 111, paragraph (2), Article 155, Article 171, Article 172, Article 173, paragraph (2), Article 234, and Article 466 of the same Act pertaining to changes to the articles of incorporation necessary for the issuance of Shares Subject to Class-Wide Call (meaning the Shares Subject to Class-Wide Call prescribed in Article 171, paragraph (1) of the same Act; hereinafter the same applies in this paragraph) undertaken by the relevant other stock company, and the acquisition of all of the Shares Subject to Class-Wide Call (when the number of shares of the relevant other stock company that

need to be issued to shareholders of the relevant other stock company upon the acquisition includes a fraction of less than one share, including sales of the number of shares equivalent to the total sum of the fractions (when the total sum includes a fraction of less than one, such fraction is to be rounded off) by means other than an auction), and for which approval has been obtained from the competent minister as the acquisition that falls under both of the following items, as prescribed by order of the competent ministry; the phrases set forth in the middle column of the following table that are used in the provisions of the same Act as set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and any other necessary technical replacement of the phrases is to be specified by Cabinet Order:

一 法令又は定款に違反していないこと。

(i) the acquisition is not in violation of laws and orders or the articles of incorporation; and

二 当該全部取得条項付種類株式の取得に際して、当該他の株式会社の株主に対し、当該公開買付けにおける買付け等の価格（金融商品取引法第二十七条の二第三項に規定する買付け等の価格をいう。）に相当する取得対価（会社法第一百七十一条第一項に規定する取得対価をいう。）が割り当てられること。

<p>第百十一 条第二項 Article 111, paragrap h (2)</p>	<p>次に掲げる種類株主 the following Class Shareholders</p>	<p>次に掲げる種類株主（産業競争力強化法（平成二十五年法律第九十八号）第三十五条第一項の主務大臣の認定を受けた場合にあつては、第二号又は第三号に掲げる種類株主に限る。） the following class shareholders (in cases where the approval of the competent minister set forth in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) has been obtained, limited to class shareholders set forth in item (ii) or item (iii))</p>
--	---	---

<p>第一百七十一条第一項 Article 171, paragraph (1)</p>	<p>定めなければならない the following matters must be prescribed by resolution of such shareholders meeting</p>	<p>定めなければならない。ただし、産業競争力強化法第三十五条第一項の主務大臣の認定を受けた場合には、株主総会の決議によらないで、その認定に係る全部取得条項付種類株式を取得すること及び次に掲げる事項を定めることができる the following matters must be prescribed by resolution of such shareholders meeting; provided, however, that in cases where the approval of the competent minister set forth in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness has been obtained, the Shares Subject to Class-Wide Call pertaining to the approval may be acquired and the following matters may be prescribed without a resolution from a shareholders meeting</p>
<p>第一百七十二条第一項 Article 172, paragraph (1)</p>	<p>次に掲げる株主 the following shareholders</p> <p>同項の株主総会の日 the day of the shareholders meeting under that paragraph</p>	<p>全ての株主 all shareholders</p> <p>産業競争力強化法第三十五条第二項の規定により読み替えて準用する第一百六十九条第三項の規定による通知又は同法第三十五条第二項の規定により準用する第一百六十九条第四項の公告の日 the day of the notification under Article 169, paragraph (3) as applied mutatis mutandis pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms, or the day of the public notice set forth in Article 169, paragraph (4) as applied mutatis mutandis pursuant to the provisions of Article 35, paragraph (2) of the same Act</p>

<p>第七十三 条第二 項 Article 173, paragrap h (2)</p>	<p>第七十一 条第一 項の株 主総会 の決議 による 定め provisions made by resolution of the shareholders meeting under Article 171(1)</p>	<p>産業競争 力強化法 第三十五 条第一 項の規 定により 読み替 えて適 用する 第七十 一条第 一項の 規定に より定 めたと ころ what has been spec ified un der Ar ticle 17 1, para graph (1) as appl ied, by replac ing the phrases, pursuan t to the provis ions of Article 35, para graph (1) of the Act on Streng thening Indust rial Compet itiveness</p>
<p>第二 百三 十四 条第 二項 Article 234, paragrap h (2)</p>	<p>裁判所 の許可 を得て 競売以 外の方 法によ り、こ れを売 却する ことが できる 。この 場合に おいて 、当該 許可の 申立て は、取 締役が 二人以 上ある ときは 、その 全員の 同意に よって しなけ ればな らな い using a means other than auction with the permiss ion of the court . In such cases, if there are two or more directors 、the petition for such permiss ion must be filed with the consent of all directors</p>	<p>産業競争 力強化法 第三十五 条第一 項の主 務大臣 の認定 に係る 競売以 外の方 法によ り、こ れを売 却する ことが できる using a means other than an auction pertain ing to the app roval of the compet ent min ister set for th in Article 35, para graph (1) of the Act on Streng thening Indust rial Compet itiveness</p>
<p>第四 百六 十六 条 Article 466</p>	<p>変更す ることが できる after its incorpor ation</p>	<p>変更す ることが できる 。ただし 、産業 競争力 強化法 第三十 五條第 一項の 主務大 臣の認 定を受 けた定 款の変 更につ いては 、株主 総会の 決議に よらな いで、 これを するこ とがで きる after its incorpor ation; provided 、howe ver, that changes to the articles of incor poration 、for which the app roval of the compet ent min ister set for th in Article 35, para graph (1) of the Act on Streng thening Indust rial Compet itiveness has been obtain ed, may be effe cted witho ut a resol ution from a share holders meeting</p>

2 前項の場合における商業登記法第四十六条第一項、第二項、第四項及び第五項の規定の適用については、同条第一項、第四項及び第五項中「書面」とあるのは「書面及び産業競争力強化法（平成二十五年法律第九十八号）第三十五条第一項の主務大臣の認定を受けたことを証する書面」と、同条第二項中「その議事録」とあるのは「その

議事録及び産業競争力強化法第三十五条第一項の主務大臣の認定を受けたことを証する書面」とする。

- (2) With respect to the application of the provisions of Article 46, paragraph (1), paragraph (2), paragraph (4), and paragraph (5) of the Commercial Registration Act in the cases set forth in the preceding paragraph, the phrase "a document evidencing that such consent or unanimous consent has been obtained" in paragraph (1) of the same Article is deemed to be replaced with "a document evidencing that such consent or unanimous consent has been obtained, and a document evidencing the obtainment of the approval of the competent minister as set forth in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; the phrase "the relevant minutes" in paragraph (2) of the same Article is deemed to be replaced with "the relevant minutes, and a document evidencing the obtainment of the approval of the competent minister as set forth in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; and the phrase "a document evidencing that such decision has been made" in paragraph (4) and paragraph (5) of the same Article is deemed to be replaced with "a document evidencing that such decision has been made, and a document evidencing the obtainment of the approval of the competent minister as set forth in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness."

(事業の譲渡の場合の債権者の異議の催告等)

(Demands for Objections by Obligees in Cases of the Transfer of Business)

第三十六条 事業者であつて株式会社であるもの（以下この項及び第四項において単に「会社」という。）は、認定計画に従つて行われる事業の全部又は一部の譲渡について株主総会若しくは取締役会の決議又は執行役の決定がされたときは、当該決議又は決定の日から二週間以内に、特定債権者（当該会社に対する債権を有する者のうち、当該事業の全部又は一部の譲渡に伴い、当該事業の全部又は一部を譲り受ける者に対する債権を有することとなり、当該債権を当該会社に対して有しないこととなる者をいう。以下この条において同じ。）に対して各別に、当該事業の全部又は一部の譲渡の要領を通知し、かつ、当該事業の全部又は一部の譲渡に異議のある場合には一定の期間内に異議を述べるべき旨を催告することができる。

Article 36 (1) A business which is a stock company (hereinafter simply referred to as a "Company" in this paragraph and paragraph (4)) may, when a resolution of the shareholders meeting or the board of directors or a decision by executive officers has been made with respect to the transfer of all or part of a business undertaken in accordance with an Approved Plan, give separate notices to each of its Specified Obligees (meaning, from among persons holding claims against the Company, those who will hold claims against those persons taking over all or part of the business, and who will not hold the claims against

the Company through the transfer of all or part of the business; hereinafter the same applies in this Article), within two weeks from the date of the resolution or decision, explaining the outline of the transfer of all or part of the business, and may require them to state any objections to the transfer of all or part of the business, if any, within a fixed period of time.

2 前項の期間は、一月を下ってはならない。

(2) The period set forth in the preceding paragraph must not be less than one month.

3 第一項に規定する催告を受けた特定債権者が同項の期間内に異議を述べなかったときは、当該特定債権者は、当該事業の全部又は一部の譲渡を承認したものとみなす。

(3) When a Specified Obligee who has received a notice as prescribed in paragraph (1) has stated no objection within the period set forth in the same paragraph, the Specified Obligee is deemed to have approved the transfer of all or part of the business.

4 特定債権者が第一項の期間内に異議を述べたときは、当該会社は弁済し、又は相当の担保を提供し、若しくは特定債権者に弁済を受けさせることを目的として信託会社若しくは信託業務を営む金融機関に相当の財産を信託しなければならない。ただし、当該事業の全部又は一部の譲渡をしても当該特定債権者を害するおそれがないときは、この限りでない。

(4) When a Specified Obligee has stated an objection within the period set forth in paragraph (1), the Company must entrust appropriate assets to a trust company or financial institution engaged in a trust business with the aim of liquidation or the provision of reasonable security, or having the Specified Obligee receive repayment; provided, however, that this does not apply when there is no risk of damage to the Specified Obligee even if the transfer of all of part of the business takes place.

(投資事業有限責任組合契約に関する法律の特例)

(Special Provisions of the Limited Partnership Act for Investment)

第三十七条 投資事業有限責任組合の組合員は、事業再編を円滑化するため、投資事業有限責任組合契約に関する法律第三条第一項の組合契約において、同項各号に掲げる事業のほか、各当事者が共同で、外国法人の発行する株式、新株予約権若しくは指定有価証券（同項第三号に規定する指定有価証券をいう。）若しくは外国法人の持分又はこれらに類似するものであって、外国関係法人（認定事業再編計画において外国関係法人が行う措置に関する計画が含まれている場合における当該外国関係法人に限る。）に係るものの取得及び保有の事業を営むことを約することができる。

Article 37 (1) Each of the partners of an investment limited partnership may, for the purpose of facilitating Corporate Restructuring, under the terms of the partnership agreement set forth in Article 3, paragraph (1) of the Limited Partnership Act for Investment, jointly pledge to manage a business acquiring and holding shares, share options or Designated Securities (meaning the



Designated Securities prescribed in item (iii) of the same paragraph) issued by a foreign corporation, or equity or the equivalent in a foreign corporation that pertain to an Affiliated Foreign Corporation (limited to an Affiliated Foreign Corporation when a plan concerning measures to be taken by the Affiliated Foreign Corporation is included in the Approved Corporate Restructuring Plan), in addition to the business activities set forth in the items of the same paragraph.

2 前項に規定する事業を営むことを約した投資事業有限責任組合の組合員に対する投資事業有限責任組合契約に関する法律第七条第四項の規定の適用については、同項中「第三条第一項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び産業競争力強化法（平成二十五年法律第九十八号）第三十七条第一項に規定する事業以外の行為」と、「同項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び同法第三十七条第一項に規定する事業以外の行為」とする。

(2) With respect to the application of the provisions of Article 7, paragraph (4) of the Limited Partnership Act for Investment pertaining to partners of an investment limited partnership who have pledged to manage a business prescribed in the preceding paragraph, in Article 7, paragraph (4) of the same Act, the phrase "acts other than the business activities listed in Article 3 (1)" is deemed to be replaced with "acts other than the business activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 37, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; and the phrase "a business other than those set forth in the same paragraph" is deemed to be replaced with "acts other than the business activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 37, paragraph (1) of the same Act".

（独立行政法人中小企業基盤整備機構の行う事業再編円滑化業務）

**(Business Operations to Facilitate Corporate Restructuring Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第三十八条 独立行政法人中小企業基盤整備機構は、事業再編を円滑化するため、次の各号に掲げる者が当該各号に定める資金を調達するために発行する社債及び当該資金の借入れに係る債務の保証の業務を行う。

Article 38 For the purpose of facilitating Corporate Restructuring, the Organization for Small & Medium Enterprises and Regional Innovation is to undertake business operations to guarantee bonds issued by persons as set forth in the following items in order to raise funds as specified therein, and debt obligations pertaining to the borrowing of the funds:

一 認定事業再編事業者等 認定事業再編計画に従って事業再編のための措置を行うのに必要な資金

(i) Approved Businesses Conducting Corporate Restructuring, etc.: funds necessary for taking measures for Corporate Restructuring in accordance

- with an Approved Corporate Restructuring Plan; and
- 二 認定特定事業再編事業者等 認定特定事業再編計画に従って特定事業再編のための措置を行うのに必要な資金
- (ii) Approved Businesses Conducting Specified Corporate Restructuring, etc.: funds necessary for taking measures for Specified Corporate Restructuring in accordance with an Approved Specified Corporate Restructuring Plan.

(公庫の行う事業再編促進円滑化業務)

**(Business Operations to Facilitate Corporate Restructuring Promotion Undertaken by the JFC)**

第三十九条 公庫は、株式会社日本政策金融公庫法（平成十九年法律第五十七号。次項において「公庫法」という。）第一条及び第十一条の規定にかかわらず、次に掲げる業務（以下「事業再編促進円滑化業務」という。）を行うことができる。

**Article 39 (1) Notwithstanding the provisions of Article 1 and Article 11 of the Japan Finance Corporation Act (Act No. 57 of 2007; referred to as the "JFC Act" in the following paragraph), the JFC may undertake the following business operations (hereinafter referred to as "Business Operations to Facilitate Corporate Restructuring Promotion"):**

- 一 指定金融機関に対し、認定事業再編事業者等が認定事業再編計画に従って行う事業再編のための措置のうち生産性向上設備等の導入その他政令で定めるもの（第四十一条第一項において「認定事業再編関連措置」という。）を行うのに必要な資金の貸付けに必要な資金を貸し付ける業務及びこれに附帯する業務

- (i) business operations to lend a Designated Financial Institution funds for offering loans for funds for installing Equipment for Productivity Improvement, etc. or other measures for Corporate Restructuring as specified by Cabinet Order that are taken by an Approved Business Conducting Corporate Restructuring, etc. in accordance with an Approved Corporate Restructuring Plan (such measures are referred to as "Approved Corporate Restructuring-Related Measures" in Article 41, paragraph (1)), and incidental business operations; and
- 二 指定金融機関に対し、認定特定事業再編事業者等が認定特定事業再編計画に従って行う特定事業再編のための措置のうち政令で定めるもの（第四十一条第一項において「認定特定事業再編関連措置」という。）を行うのに必要な資金の貸付けに必要な資金を貸し付ける業務及びこれに附帯する業務
- (ii) business operations to lend a Designated Financial Institution funds necessary for offering loans for funds necessary for measures for the Specified Corporate Restructuring specified by Cabinet Order that are taken by an Approved Business Conducting Specified Corporate Restructuring, etc. in accordance with an Approved Specified Corporate Restructuring Plan (such measures are referred to as "Approved Specified Corporate Restructuring-Related Measures" in Article 41, paragraph (1)), and

incidental business operations.

- 2 事業再編促進円滑化業務が行われる場合には、事業再編促進円滑化業務をエネルギー環境適合製品の開発及び製造を行う事業の促進に関する法律（平成二十二年法律第三十八号）第六条に規定する特定事業促進円滑化業務とみなし、かつ、同法第十七条の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句（次の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句を除く。）は、それぞれ同条の表の下欄に掲げる字句とし、次の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。この場合において、必要な技術的読替は、政令で定める。

(2) When Business Operations to Facilitate Corporate Restructuring Promotion are undertaken, the operations are deemed to be Business Operations to Facilitate Specified Business Promotion as prescribed in Article 6 of the Act on the Promotion of Business Developing and Manufacturing Energy-Environment Friendly Products (Act No. 38 of 2010); and the phrases set forth in the middle column of the table of Article 17 of the same Act that are used in the provisions of the JFC Act set forth in the left-hand column of the same table (excluding the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table) are deemed to be replaced with the phrases set forth in the right-hand column of the table of the same Article, and the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table. In this case, the necessary technical replacement of the phrases is to be specified by Cabinet Order.

第五十八条第一項 Article 58, paragraph (1)	この法律 this Act	この法律、産業競争力強化法（平成二十五年法律第九十八号） this Act, the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)
第五十八条第二項及び第五十九条第一項 Article 58, paragraph (2) and Article 59, paragraph (1)	この法律 this Act	この法律、産業競争力強化法 this Act, the Act on Strengthening Industrial Competitiveness

第七十一条 Article 71	第五十九条第一項 Article 59, paragraph (1)	産業競争力強化法第三十九条第二項の規定により読み替えて適用する第五十九条第一項 Article 59, paragraph (1) as applied, by replacing the phrases, pursuant to the provisions of Article 39, paragraph (2) of the Act on Strengthening Industrial Competitiveness
第七十三条第一号 Article 73, item (i)	この法律 this Act	この法律（産業競争力強化法第三十九条第二項の規定により読み替えて適用する場合を含む。） this Act (including cases where applied, by replacing the phrases, pursuant to the provisions of Article 39, paragraph (2) of the Act on Strengthening Industrial Competitiveness)
第七十三条第三号 Article 73, item (iii)	第十一条 Article 11	第十一条及び産業競争力強化法第三十九条第一項 Article 11 and Article 39, paragraph (1) of the Act on Strengthening Industrial Competitiveness
第七十三条第七号 Article 73, item (vii)	第五十八条第二項 Article 58, paragraph (2)	第五十八条第二項（産業競争力強化法第三十九条第二項の規定により読み替えて適用する場合を含む。） Article 58, paragraph (2) (including cases where applied, by replacing the phrases, pursuant to the provisions of Article 39, paragraph (2) of the Act on Strengthening Industrial Competitiveness)
附則第四十七条第一項 Article 47, paragraph (1) of the Supplementary Provisions	公庫の業務 business of the JFC	公庫の業務（産業競争力強化法第三十九条第一項に規定する事業再編促進円滑化業務を除く。） business operations of the JFC (excluding the Business to Facilitate Corporate Restructuring prescribed in Article 39, paragraph (1) of the Act on Strengthening Industrial Competitiveness)

(事業再編促進円滑化業務実施方針)

(Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion)

第四十条 公庫は、実施指針（第二十三条第二項第五号に掲げる事項に限る。次条第一項第二号及び第二項において同じ。）に即して、主務省令で定めるところにより、事業再編促進円滑化業務の方法及び条件その他事業再編促進円滑化業務を実施するための方針（以下この条並びに次条第一項第二号及び第二項において「事業再編促進円滑化業務実施方針」という。）を定めなければならない。

Article 40 (1) In line with the Implementation Guidelines (limited to the particulars set forth in Article 23, paragraph (2), item (v); the same applies in paragraph (1), item (ii) and paragraph (2) of the following Article), the JFC must specify the method and conditions of Business Operations to Facilitate Corporate Restructuring Promotion and other policies for undertaking the same (hereinafter referred to as "Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion"), as prescribed by order of the competent ministry.

2 公庫は、事業再編促進円滑化業務実施方針を定めようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) When intending to specify Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion, the JFC must obtain the authorization of the competent minister. This also applies when the JFC intends to make changes to those policies.

3 公庫は、前項の主務大臣の認可を受けたときは、遅滞なく、事業再編促進円滑化業務実施方針を公表しなければならない。

(3) When the JFC has obtained the authorization of the competent minister set forth in the preceding paragraph, it must without delay publicize the Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion.

4 公庫は、事業再編促進円滑化業務実施方針に従って事業再編促進円滑化業務を行わなければならない。

(4) The JFC must undertake Business Operations to Facilitate Corporate Restructuring Promotion in accordance with the Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion.

（指定金融機関の指定）

(Designation of Designated Financial Institutions)

第四十一条 主務大臣は、主務省令で定めるところにより、認定事業再編事業者等が認定事業再編計画に従って認定事業再編関連措置を行うのに必要な資金又は認定特定事業再編事業者等が認定特定事業再編計画に従って認定特定事業再編関連措置を行うのに必要な資金を貸し付ける業務のうち、当該貸付けに必要な資金について公庫から貸付けを受けて行おうとするもの（以下「事業再編促進業務」という。）に関し、次の各号のいずれにも適合すると認められる者を、その申請により、指定金融機関として指定することができる。

Article 41 (1) With respect to a business to offer loans for funds necessary for

Approved Corporate Restructuring-Related Measures taken by an Approved Business Conducting Corporate Restructuring, etc. in accordance with an Approved Corporate Restructuring Plan or for Approved Specified Corporate Restructuring-Related Measures taken by an Approved Business Conducting Specified Corporate Restructuring, etc. in accordance with an Approved Specified Corporate Restructuring Plan, which is to be undertaken by way of borrowing funds necessary for the loans from the JFC (hereinafter referred to as "Business Operations to Promote Corporate Restructuring"), the competent minister may designate those that are deemed to conform to all of the following items as Designated Financial Institutions, upon application from them, as prescribed by order of the competent ministry:

一 銀行その他の政令で定める金融機関であること。

(i) they fall under the category of a bank or other financial institutions specified by Cabinet Order;

二 その次項に規定する業務規程が、法令並びに実施指針及び事業再編促進円滑化業務実施方針に適合し、かつ、事業再編促進業務を適正かつ確実に実施するために十分なものであること。

(ii) their business regulations prescribed in the following paragraph are in conformity with laws and orders, the Implementation Guidelines, and the Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion, and are sufficient for undertaking Business Operations to Promote Corporate Restructuring properly and reliably; and  
三 人的構成に照らして、事業再編促進業務を適正かつ確実に実施することができる知識及び経験を有していること。

(iii) in light of the personnel structure, they have the knowledge and experience for undertaking Business Operations to Promote Corporate Restructuring properly and reliably.

2 前項の規定による指定（以下この節において単に「指定」という。）を受けようとする者は、主務省令で定める手続に従い、実施指針及び事業再編促進円滑化業務実施方針に即して事業再編促進業務に関する規程（次項及び第四十三条において「業務規程」という。）を定め、これを指定申請書に添えて、主務大臣に提出しなければならない。

(2) A person intending to receive designation under the preceding paragraph (hereinafter simply referred to as "Designation" in this Section) must specify the Business Regulations for Business Operations to Promote Corporate Restructuring Promotion (referred to as the "Business Regulations" in the following paragraph and Article 43), in line with the Implementation Guidelines, and the Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion, in accordance with the procedures specified by order of the competent ministry, and submit it to the competent minister together with a designated application form.

3 業務規程には、事業再編促進業務の実施体制及び実施方法に関する事項その他の主務省令で定める事項を定めなければならない。

(3) The Business Regulations must specify particulars concerning the implementation framework for and the means of implementing Business Operations to Promote Corporate Restructuring and other particulars specified by order of the competent ministry.

4 次の各号のいずれかに該当する者は、指定を受けることができない。

(4) Those falling under any of the following items may not receive Designation:

一 この法律、銀行法その他の政令で定める法律若しくはこれらの法律に基づく命令又はこれらに基づく処分に違反し、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して五年を経過しない者

(i) a person who has violated this Act, the Banking Act, or any other Acts specified by Cabinet Order, an order based on these Acts, or a disposition based on these, and has been sentenced to a punishment heavier than a fine, and for whom five years have not yet elapsed since the day on which the execution of the sentence has been completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第四十八条第一項又は第二項の規定により指定を取り消され、その取消の日から起算して五年を経過しない者

(ii) a person whose Designation has been rescinded pursuant to the provisions of Article 48, paragraph (1) or paragraph (2), and for whom five years have not yet elapsed since the day of the rescission; or

三 法人であって、その業務を行う役員のうち、次のいずれかに該当する者がある者

(iii) a corporation, any of whose officers in charge of its business fall under either of the following:

イ 成年被後見人若しくは被保佐人又は破産手続開始の決定を受けて復権を得ない者

(a) an adult ward, a person under curatorship, or a bankrupt whose civil rights have not been restored; or

ロ 指定金融機関が第四十八条第一項又は第二項の規定により指定を取り消された場合において、当該指定の取消しに係る聴聞の期日及び場所の公示の日前六十日以内にその指定金融機関の役員であった者で当該指定の取消しの日から起算して五年を経過しないもの

(b) if a Designated Financial Institution has had its Designation rescinded pursuant to the provisions of Article 48, paragraph (1) or paragraph (2), a person who was an officer of the Designated Financial Institution within at least 60 days before the day on which a public notice was issued concerning the date and place of hearing pertaining to the rescission of the Designation, and for whom five years have not yet elapsed since the day of the rescission.

(指定の公示等)

**(Public Notice of a Designation)**

第四十二条 主務大臣は、指定をしたときは、指定金融機関の商号又は名称、住所及び事業再編促進業務を行う営業所又は事務所の所在地を公示するものとする。

Article 42 (1) When the competent minister has made a Designation, the minister is to issue a public notice concerning the trade name or name, and the address of the Designated Financial Institution, as well as the location of the business office or office where it undertakes Business Operations to Promote Corporate Restructuring.

2 指定金融機関は、その商号若しくは名称、住所又は事業再編促進業務を行う営業所若しくは事務所の所在地を変更しようとするときは、あらかじめ、その旨を主務大臣に届け出なければならない。

(2) When a Designated Financial Institution intends to change its trade name or name, address, location of the business office or office where it undertakes Business Operations to Promote Corporate Restructuring, it must notify the competent minister of that fact in advance.

3 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) When the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(業務規程の変更の認可等)

**(Authorization of Changes to the Business Regulations)**

第四十三条 指定金融機関は、業務規程を変更しようとするときは、主務大臣の認可を受けなければならない。

Article 43 (1) When intending to change the Business Regulations, a Designated Financial Institution must obtain the authorization of the competent minister.

2 主務大臣は、指定金融機関の業務規程が事業再編促進業務の適正かつ確実な実施上不適当となったと認めるときは、その業務規程を変更すべきことを命ずることができる。

(2) When the competent minister finds that the Business Regulations of a Designated Financial Institution is no longer appropriate for the proper and reliable implementation of Business Operations to Promote Corporate Restructuring, the minister may order the institution to change its Business Regulations.

(協定)

**(Agreement)**

第四十四条 公庫は、事業再編促進円滑化業務については、指定金融機関と次に掲げる事項をその内容を含む協定を締結し、これに従いその業務を行うものとする。

Article 44 (1) The JFC is to conclude an agreement containing the following



particulars with a Designated Financial Institution, with respect to Business Operations to Facilitate Corporate Restructuring Promotion, and undertake its business in accordance with the agreement:

一 指定金融機関が行う事業再編促進業務に係る貸付けの条件の基準に関する事項

(i) particulars concerning the standards for conditions for loans for Business Operations to Promote Corporate Restructuring undertaken by the Designated Financial Institution;

二 指定金融機関は、その財務状況及び事業再編促進業務の実施状況に関する報告書を作成し、公庫に提出すること。

(ii) a requirement for the Designated Financial Institution to prepare a report on its financial situation and the state of implementation of Business Operations to Promote Corporate Restructuring and submit it to the JFC; and

三 前二号に掲げるもののほか、指定金融機関が行う事業再編促進業務及び公庫が行う事業再編促進円滑化業務の内容及び方法その他の主務省令で定める事項

(iii) the details and means of Business Operations to Promote Corporate Restructuring undertaken by the Designated Financial Institution and Business Operations to Facilitate Corporate Restructuring Promotion undertaken by the JFC, and other particulars specified by order of the competent ministry, beyond what are set forth in the preceding two items.

2 公庫は、前項の協定を締結しようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) When intending to conclude an agreement as set forth in the preceding paragraph, the JFC must obtain the authorization of the competent minister. This also applies when the JFC intends to make changes to the agreement.

(帳簿の記載)

(Bookkeeping)

第四十五条 指定金融機関は、事業再編促進業務について、主務省令で定めるところにより、帳簿を備え、主務省令で定める事項を記載し、これを保存しなければならない。

Article 45 A Designated Financial Institution must keep books with respect to Business Operations to Promote Corporate Restructuring, record the matters specified by order of the competent ministry, and preserve it, as prescribed by order of the competent ministry.

(監督命令)

(Supervision Orders)

第四十六条 主務大臣は、この法律を施行するため必要があると認めるときは、指定金融機関に対し、事業再編促進業務に関し監督上必要な命令をすることができる。

Article 46 When the competent minister finds it necessary for the enforcement of this Act, the minister may issue orders necessary for supervision with respect

to Business Operations to Promote Corporate Restructuring to a Designated Financial Institution.

(業務の休廃止)

(Suspension or Discontinuation of Business Operations)

第四十七条 指定金融機関は、事業再編促進業務の全部又は一部を休止し、又は廃止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、その旨を主務大臣に届け出なければならない。

Article 47 (1) When a Designated Financial Institution intends to suspend or discontinue all or part of the Business Operations to Promote Corporate Restructuring, it must notify the competent minister of that fact in advance, as prescribed by order of the competent ministry.

2 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(2) When the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

3 指定金融機関が事業再編促進業務の全部を廃止したときは、当該指定金融機関の指定は、その効力を失う。

(3) When a Designated Financial Institution has discontinued all of the Business Operations to Promote Corporate Restructuring, the Designation of the Designated Financial Institution ceases to be effective.

(指定の取消し等)

(Rescission of a Designation)

第四十八条 主務大臣は、指定金融機関が第四十一条第四項各号（第二号を除く。）のいずれかに該当するに至ったときは、その指定を取り消すものとする。

Article 48 (1) When a Designated Financial Institution has come to fall under any of the items (excluding item (ii)) of Article 41, paragraph (4), the competent minister is to rescind the Designation of the Designated Financial Institution.

2 主務大臣は、指定金融機関が次の各号のいずれかに該当するときは、その指定を取り消すことができる。

(2) When a Designated Financial Institution falls under any of the following items, the competent minister may rescind the Designation of the Designated Financial Institution:

一 事業再編促進業務を適正かつ確実に実施することができないと認められるとき。

(i) when the Designated Financial Institution is deemed to be incapable of undertaking Business Operations to Promote Corporate Restructuring properly and reliably;

二 指定に関し不正の行為があったとき。

(ii) when there has been a wrongful act relating to the Designation; or

三 この法律又はこの法律に基づく命令若しくは処分に違反したとき。

(iii) when the Designated Financial Institution has violated this Act or an order or disposition based on this Act.

3 主務大臣は、前二項の規定により指定を取り消したときは、その旨を公示するものとする。

(3) When the competent minister has rescinded a Designation pursuant to the provisions of the preceding two paragraphs, the minister is to issue a public notice of that fact.

(指定の取消し等に伴う業務の終了)

(Completion of Business Operations due to Rescission of Designation)

第四十九条 指定金融機関について、第四十七条第三項の規定により指定が効力を失ったとき、又は前条第一項若しくは第二項の規定により指定が取り消されたときは、当該指定金融機関であった者又はその一般承継人は、当該指定金融機関が行った事業再編促進業務の契約に基づく取引を結了する目的の範囲内においては、なお指定金融機関とみなす。

Article 49 When a Designation of a Designated Financial Institution has ceased to be effective pursuant to the provisions of Article 47, paragraph (3) or has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, a person that was the Designated Financial Institution or its general successor is deemed to be the Designated Financial Institution within the context of its purpose of completing transactions based on the agreement on the Business Operations to Promote Corporate Restructuring undertaken by the Designated Financial Institution.

(調査等)

(Investigation)

第五十条 政府は、事業者による事業再編の実施の円滑化のために必要があると認めるときは、商品若しくは役務の需給の動向又は各事業分野が過剰供給構造にあるか否かその他の市場構造に関する調査を行い、その結果を公表するものとする。

Article 50 When the government finds it necessary for facilitating Corporate Restructuring through businesses, it is to investigate the supply and demand trends of goods or services, whether each field of business is in a state of Structural Oversupply, or other particulars concerning market structures, and publicize the results thereof.

### 第三節 事業再生の円滑化

#### Section 3 Facilitation of Corporate Rehabilitation

(認証紛争解決事業者の認定)

(Approval of Certified Dispute Resolution Businesses)

第五十一条 認証紛争解決事業者であつて、裁判外紛争解決手続の利用の促進に関する

法律第六条第一号の紛争の範囲を事業再生に係る紛争を含めて定めているものは、経済産業省令で定めるところにより、次の各号のいずれにも適合していることにつき、経済産業大臣の認定を受けることができる。

Article 51 (1) Certified Dispute Resolution Businesses that have specified the scope of disputes set forth in Article 6, item (i) of the Act on Promotion of Use of Alternative Dispute Resolution, while including disputes pertaining to Corporate Rehabilitation, may obtain the approval of the Minister of Economy, Trade and Industry with respect to the fact that they conform to both of the following items, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 事業再生に係る専門的知識及び実務経験を有すると認められる者として経済産業省令で定める要件に該当する者を手続実施者（裁判外紛争解決手続の利用の促進に関する法律第二条第二号の手続実施者をいう。）として選任することができること。

(i) they can appoint a person falling under the requirements for a person considered to have specialist knowledge and practical experience pertaining to Corporate Rehabilitation as specified by Order of the Ministry of Economy, Trade and Industry, as a Dispute Resolution Provider (meaning the Dispute Resolution Provider set forth in Article 2, item (ii) of the Act on Promotion of Use of Alternative Dispute Resolution); and

二 事業再生に係る紛争についての認証紛争解決手続の実施方法が経済産業省令で定める基準に適合すること。

(ii) the means of implementation for the Certified Dispute Resolution Procedures with respect to disputes pertaining to Corporate Rehabilitation are in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の認定の申請に係る認証紛争解決事業者が同項各号のいずれにも適合していると認めるときは、同項の認定をするものとする。

(2) When the Minister of Economy, Trade and Industry finds that the Certified Dispute Resolution Business pertaining to the application for approval set forth in the preceding paragraph conforms to both of the items of the preceding paragraph, the minister is to grant approval as set forth in the same paragraph.

3 経済産業大臣は、第一項の認定を受けた認証紛争解決事業者が同項各号のいずれかに適合しなくなつたと認めるとき、又は第五十六条第一項の償還すべき社債の金額の減額に係る確認若しくは第五十八条第一項の資金の借入れに係る確認を適切に行っていないと認めるときは、当該認定を取り消すことができる。

(3) When the Minister of Economy, Trade and Industry finds that a Certified Dispute Resolution Business who has obtained the approval set forth in paragraph (1) no longer conforms to either of the items of the same paragraph, or finds that confirmation pertaining to the reduction of the amount of bonds to be redeemed set forth in Article 56, paragraph (1) or confirmation pertaining to the borrowing of funds set forth in Article 58, paragraph (1) is not being made

properly, the minister may rescind the approval.

(調停機関に関する特例)

(Special Provisions Concerning Conciliation Authorities)

第五十二条 事業者が特定債務等の調整（特定債務等の調整の促進のための特定調停に関する法律（平成十一年法律第百五十八号）第二条第二項に規定する特定債務等の調整をいう。）に係る調停の申立てをした場合（当該調停の申立ての際に同法第三条第二項の申述をした場合に限る。）において、当該申立て前に当該申立てに係る事件について特定認証紛争解決手続が実施されていた場合には、裁判所は、当該特定認証紛争解決手続が実施されていることを考慮した上で、民事調停法（昭和二十六年法律第二百二十二号）第五条第一項ただし書の規定により裁判官だけで調停を行うことが相当であるかどうかの判断をするものとする。

Article 52 If a business has filed an application for conciliation pertaining to the Arrangement of Specified Debts, etc. (meaning the Arrangement of Specified Debts, etc. prescribed in Article 2, paragraph (2) of the Act on Special Conciliation Proceedings for Expediting Arrangement of Specified Debts, etc. (Act No. 158 of 1999)) (limited to cases where a request as set forth in Article 3, paragraph (2) of the same Act was made at the time of the application for conciliation), when Specified Dispute Resolution Procedures had been undertaken with respect to the incident pertaining to the application prior to the application, the court is to make a judgment as to whether it is appropriate for the conciliation to be undertaken only by judges pursuant to the provisions of the proviso to Article 5, paragraph (1) of the Civil Conciliation Act (Act No. 222 of 1951), in consideration of the fact that the Specified Dispute Resolution Procedures had been undertaken.

(独立行政法人中小企業基盤整備機構の行う事業再生円滑化業務)

(Business Operations to Facilitate Corporate Rehabilitation Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第五十三条 独立行政法人中小企業基盤整備機構は、次の各号に掲げる者が関与する事業再生について、それぞれ当該各号に定める期間（当該期間内に破産手続開始、再生手続開始、更生手続開始又は特別清算開始の申立てがあったときは、当該申立ての時点までの期間。次条第一項において「事業再生準備期間」という。）における事業再生を行おうとする事業者の事業の継続に欠くことができない資金の借入れに係る債務の保証を行う。

Article 53 With respect to Corporate Rehabilitation participated in by the persons set forth in the following items, the Organization for Small & Medium Enterprises and Regional Innovation is to guarantee obligations pertaining to the borrowing of funds that are indispensable for the continuation of the affairs of a business intending to conduct Corporate Rehabilitation within the period specified respectively in each of the same items (when an application for the

starting of bankruptcy proceedings, the starting of rehabilitation proceedings, the starting of reorganization proceedings, or the starting of special liquidation has been filed within the period, the period up to the time when the application was filed; such period is referred to as the "Corporate Rehabilitation Preparation Period" in paragraph (1) of the following Article):

一 特定認証紛争解決事業者 特定認証紛争解決手続の開始から終了に至るまでの間

(i) Specified Certified Dispute Resolution Businesses: the period between the starting of the specified dispute resolution procedures up to their termination; or

二 独立行政法人中小企業基盤整備機構又は認定支援機関（第百二十七条第二項に規定する認定支援機関をいう。第五十五条第一項及び第百二十六条第一項において同じ。） 事業再生を行おうとする中小企業者に係る事業再生の計画の作成についての指導又は助言（特定認証紛争解決手続において行うものを除く。）を開始した時から当該計画に係る債権者全員の当該計画についての合意が成立し、又は合意が成立しないことが明らかになるまでの間

(ii) the Organization for Small & Medium Enterprises and Regional Innovation or Approved Support Institutions (meaning the Approved Support Institutions prescribed in Article 127, paragraph (2); the same applies in Article 55, paragraph (1) and Article 126, paragraph (1)): the period between the starting of the provision of guidance or advice (excluding guidance or advice provided under the specified dispute resolution procedures) with respect to the preparation of a plan for Corporate Rehabilitation pertaining to a Small and Medium-sized Enterprise intending to conduct Corporate Rehabilitation, up to the moment when it becomes clear that all of the obligees subject to the plan have reached an agreement, or will not reach an agreement, with respect to the plan.

（中小企業信用保険法の特例）

(Special Provisions of the Small and Medium-sized Enterprise Credit Insurance Act)

第五十四条 中小企業信用保険法（昭和二十五年法律第二百六十四号）第三条第一項に規定する普通保険（以下「普通保険」という。）、同法第三条の二第一項に規定する無担保保険（以下「無担保保険」という。）又は同法第三条の三第一項に規定する特別小口保険（以下「特別小口保険」という。）の保険関係であって、事業再生円滑化関連保証（同法第三条第一項、第三条の二第一項又は第三条の三第一項に規定する債務の保証であって、事業再生を行おうとする中小企業者の原材料の購入のための費用その他の事業の継続に欠くことができない費用で経済産業省令で定めるものに充てるために必要な資金の借入れ（事業再生準備期間における資金の借入れに限る。）に係るものをいう。以下この条において同じ。）を受けた中小企業者に係るものについての次の表の上欄に掲げる同法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 54 (1) With respect to the application of the provisions of the Small and Medium-sized Enterprise Credit Insurance Act (Act No. 264 of 1950) set forth in the left-hand column of the following table pertaining to the insurance relationships of ordinary insurance prescribed in Article 3, paragraph (1) of the same Act (hereinafter referred to as "Ordinary Insurance"), unsecured insurance prescribed in Article 3-2, paragraph (1) of the same Act (hereinafter referred to as "Unsecured Insurance"), or special petty insurance prescribed in Article 3-3, paragraph (1) of the same Act (hereinafter referred to as "Special Petty Insurance") that pertain to Small and Medium-sized Enterprises who have received a Corporate Rehabilitation Facilitation-related Guarantee (meaning a guarantee of obligations as prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1) or Article 3-3, paragraph (1) of the same Act that pertains to the borrowing of funds (limited to the borrowing of funds within the Corporate Rehabilitation Preparation Period) necessary to be allocated as expenses for the purpose of purchasing raw materials by a Small and Medium-sized Enterprise intending to conduct Corporate Rehabilitation or other expenses indispensable for the continuation of its business that are specified by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第三条第一項 Article 3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第五十四条第一項に規定する事業再生円滑化関連保証（以下「事業再生円滑化関連保証」という。）に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Facilitation-related Guarantee prescribed in Article 54, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (hereinafter referred to as a "Corporate Rehabilitation Facilitation-related Guarantee") and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise, respectively,</p>
--	--	---

<p>第三条の二第一項及び第三条の三第一項 Article 3-2, paragraph (1) and Article 3-3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>事業再生円滑化関連保証に係る保険 関係の保険価額の合計額とその他の 保険関係の保険価額の合計額とがそ れぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Facilitation- related Guarantee and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise, respectively,</p>
<p>第三条の二第三項 Article 3-2, paragraph (3)</p>	<p>当該借入金の額のうち out of the amount of the borrowings</p>	<p>事業再生円滑化関連保証及びその他 の保証ごとに、それぞれ当該借入金 の額のうち out of the amount of the borrowings for the Corporate Rehabilitation Facilitation- related Guarantee and other guarantees, respectively</p>
	<p>当該債務者 the obligee</p>	<p>事業再生円滑化関連保証及びその他 の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Facilitation- related Guarantee and other guarantees, respectively,</p>
<p>第三条の三第二項 Article 3-3, paragraph (2)</p>	<p>当該保証をした the borrowings guaranteed</p>	<p>事業再生円滑化関連保証及びその他 の保証ごとに、それぞれ当該保証を した the borrowings guaranteed for the Corporate Rehabilitation Facilitation-related Guarantee and other guarantees, respectively,</p>
	<p>当該債務者 the obligee</p>	<p>事業再生円滑化関連保証及びその他 の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Facilitation- related Guarantee and other guarantees, respectively,</p>

2 普通保険の保険関係であって、事業再生円滑化関連保証に係るものについての中小企業信用保険法第三条第二項及び第五条の規定の適用については、同法第三条第二項中「百分の七十」とあり、及び同法第五条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるの



は、「百分の八十」とする。

(2) With respect to the application of the provisions of Article 3, paragraph (2) and Article 5 of the Small and Medium-sized Enterprise Credit Insurance Act pertaining to the insurance relationships of Ordinary Insurance that pertain to a Corporate Rehabilitation Facilitation-related Guarantee, the phrase "70 percent" in Article 3, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent for Unsecured Insurance, Special Petty Insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, Corporate Rehabilitation insurance, and specific corporate bond insurance)" are deemed to be replaced with "80 percent".

3 普通保険、無担保保険又は特別小口保険の保険関係であって、事業再生円滑化関連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

(3) The amount of insurance premiums relating to the insurance relationships of Ordinary Insurance, Unsecured Insurance, or Special Petty Insurance that pertain to a Corporate Rehabilitation Facilitation-related Guarantee is to be the amount obtained by multiplying the insurance amount by a ratio specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

第五十五条 普通保険、無担保保険又は特別小口保険の保険関係であって、事業再生計画実施関連保証（中小企業信用保険法第三条第一項、第三条の二第一項又は第三条の三第一項に規定する債務の保証であって、独立行政法人中小企業基盤整備機構又は認定支援機関による指導若しくは助言を受けて作成した第五十三条第二号の事業再生の計画（当該計画に係る債権者全員の合意が成立したものに限る。）その他経済産業省令で定めるところにより作成された事業再生の計画に従って行われる事業再生に必要な資金に係るものをいう。以下この条において同じ。）を受けた中小企業者に係るものについての次の表の上欄に掲げる同法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 55 (1) With respect to the application of the provisions of the Small and Medium-sized Enterprise Credit Insurance Act set forth in the left-hand column of the following table pertaining to the insurance relationships of Ordinary Insurance, Unsecured Insurance, or Special Petty Insurance that pertain to Small and Medium-sized Enterprises who have received a Corporate Rehabilitation Plan Implementation-related Guarantee (meaning a guarantee of obligations as prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1) or Article 3-3, paragraph (1) of the same Act that pertains to funds necessary for Corporate Rehabilitation to be conducted in accordance with a plan for Corporate Rehabilitation set forth in Article 53, item (ii) prepared

through receiving guidance or advice from the Organization for Small & Medium Enterprises and Regional Innovation or Approved Support Institutions (limited to a plan for which all of the obligees subject to the plan have reached an agreement) or a plan for Corporate Rehabilitation as prescribed by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第三条第一項 Article 3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第五十五条第一項に規定する事業再生計画実施関連保証（以下「事業再生計画実施関連保証」という。）に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Plan Implementation-related Guarantee prescribed in Article 55, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (hereinafter referred to as a "Corporate Rehabilitation Plan Implementation-related Guarantee") and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise Operator, respectively,</p>
--	--	--

<p>第三条の二第一項及び第三条の三第一項 Article 3-2, paragraph (1) and Article 3-3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>事業再生計画実施関連保証に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Plan Implementation-related Guarantee and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise Operator, respectively,</p>
<p>第三条の二第三項 Article 3-2, paragraph (3)</p>	<p>当該借入金の額のうち out of the amount of said the borrowings</p>	<p>事業再生計画実施関連保証及びその他の保証ごとに、それぞれ当該借入金の額のうち out of the amount of said the borrowings for the Business Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively</p>
	<p>当該債務者 the obligee</p>	<p>事業再生計画実施関連保証及びその他の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively,</p>
<p>第三条の三第二項 Article 3-3, paragraph (2)</p>	<p>当該保証をした the borrowings guaranteed</p>	<p>事業再生計画実施関連保証及びその他の保証ごとに、それぞれ当該借入金の額のうち out of the borrowings for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively</p>
	<p>当該債務者 the obligee</p>	<p>事業再生計画実施関連保証及びその他の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively,</p>

2 普通保険の保険関係であって、事業再生計画実施関連保証に係るものについての中

小企業信用保険法第三条第二項及び第五条の規定の適用については、同法第三条第二項中「百分の七十」とあり、及び同法第五条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるのは、「百分の八十」とする。

(2) With respect to the application of the provisions of Article 3, paragraph (2) and Article 5 of the Small and Medium-sized Enterprise Credit Insurance Act pertaining to the insurance relationships of Ordinary Insurance that pertains to a Corporate Rehabilitation Plan Implementation-related Guarantee, the phrase "70 percent" in Article 3, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent for Unsecured Insurance, Special Petty Insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)" are deemed to be replaced with "80 percent".

3 普通保険、無担保保険又は特別小口保険の保険関係であつて、事業再生計画実施関連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

(3) The amount of insurance premiums relating to the insurance relationships of Ordinary Insurance, Unsecured Insurance, or Special Petty Insurance that pertain to a Corporate Rehabilitation Plan Implementation-related Guarantee is to be the amount obtained by multiplying the insurance amount by a ratio specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

(償還すべき社債の金額の減額に関する特定認証紛争解決事業者の確認)

(Confirmation by a Specified Certified Dispute Resolution Business Pertaining to the Reduction of the Amount of Bonds to be Redeemed)

第五十六条 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、社債権者集会の決議に基づき行う償還すべき社債の金額の減額が、当該事業者の事業再生に欠くことができないものとして経済産業省令・内閣府令で定める基準に適合するものであることの確認を求めることができる。

Article 56 (1) A business intending to promote Corporate Rehabilitation through Specified Certified Dispute Resolution Procedures may request the Specified Certified Dispute Resolution Business undertaking the Specified Certified Dispute Resolution Procedures to confirm that the reduction of the amount of bonds to be redeemed based on a resolution at the bondholders meeting is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order as being indispensable for the

Corporate Rehabilitation of the business.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該確認を求めた事業者に通知するものとする。

(2) When having made a confirmation as set forth in the preceding paragraph, the Specified Certified Dispute Resolution Business is to give notice to that effect to the business who sought the confirmation.

(社債権者集会の決議の認可に関する判断の特例)

(Special Provisions Concerning Decisions on the Authorization of Resolutions at a Bondholders Meeting)

第五十七条 裁判所は、前条第一項の規定により特定認証紛争解決事業者が確認を行った償還すべき社債の金額について減額を行う旨の社債権者集会の決議に係る会社法第七百三十二条に規定する認可の申立てが行われた場合には、当該減額が当該事業者の事業再生に欠くことができないものであることが確認されていることを考慮した上で、当該社債権者集会の決議が同法第七百三十三条第四号に掲げる場合に該当するかどうかを判断するものとする。

Article 57 (1) When an application has been filed for the authorization prescribed in Article 732 of the Companies Act pertaining to a resolution at a bondholders meeting to the effect that the amount of bonds to be redeemed is to be reduced, which has been confirmed by a Specified Certified Dispute Resolution Business pursuant to the provisions of paragraph (1) of the preceding Article, the court is to make a decision as to whether the resolution at the bondholders meeting falls under the cases set forth in Article 733, item (iv) of the same Act, in consideration of the fact that it had been confirmed that the reduction is indispensable for the Corporate Rehabilitation of the relevant business.

2 裁判所は、前項に規定する認可の申立てが行われた場合には、特定認証紛争解決事業者に対し、意見の陳述を求めることができる。

(2) When an application has been filed for the authorization prescribed in the preceding paragraph, the court may request the Specified Certified Dispute Resolution Business to present opinions.

(資金の借入れに関する特定認証紛争解決事業者の確認)

(Confirmation by a Specified Certified Dispute Resolution Business on the Borrowing of Funds)

第五十八条 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、当該特定認証紛争解決手続の開始から終了に至るまでの間における当該事業者の資金の借入れが次の各号のいずれにも適合することの確認を求めることができる。

Article 58 (1) A business intending to promote Corporate Rehabilitation through Specified Certified Dispute Resolution Procedures may request the Specified

Certified Dispute Resolution Business undertaking the Specified Certified Dispute Resolution Procedures to confirm that the borrowing of funds by the relevant business during a period from the starting of the Specified Certified Dispute Resolution Procedures up to their termination conforms to both of the following items:

一 当該事業者の事業の継続に欠くことができないものとして経済産業省令で定める基準に適合するものであること。

(i) it is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry as being indispensable for the continuation of the affairs of the business; and

二 当該資金の借入に係る債権の弁済を、当該特定認証紛争解決手続における紛争の当事者である債権者が当該事業者に対して当該資金の借入れの時点において有している他の債権の弁済よりも優先的に取り扱うことについて、当該債権者全員の同意を得ていること。

(ii) with respect to the preferential treatment of the performance of claims pertaining to the borrowing of funds above, the performance of other claims against the business that are held, as of the time of the borrowing of funds, by obligees who are party to the dispute under the Specified Certified Dispute Resolution Procedures, the consent of all the obligees has been obtained.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該確認を求めた事業者に通知するものとする。

(2) When having made a confirmation as set forth in the preceding paragraph, the Specified Certified Dispute Resolution Business is to give notice to that effect to the business who sought the confirmation.

(再生手続の特例)

(Special Provisions Concerning Rehabilitation Proceedings)

第五十九条 裁判所（再生事件を取り扱う一人の裁判官又は裁判官の合議体をいう。）は、前条第一項の規定による確認を受けた資金の借入れをした事業者について再生手続開始の決定があった場合において、同項の規定による確認を受けた資金の借入れに係る再生債権と他の再生債権（同項第二号の債権者に同号の同意の際保有されていた再生債権に限る。）との間に権利の変更の内容に差を設ける再生計画案（民事再生法（平成十一年法律第二百二十五号）第百六十三条第一項の再生計画案をいう。）が提出され、又は可決されたときは、当該資金の借入れが前条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該再生計画案が同法第百五十五条第一項ただし書に規定する差を設けても衡平を害しない場合に該当するかどうかを判断するものとする。

Article 59 If a ruling has been rendered on the starting of rehabilitation proceedings with respect to a business who has borrowed funds that were confirmed pursuant to the provisions of paragraph (1) of the preceding Article,

when a Proposed Rehabilitation Plan (meaning the Proposed Rehabilitation Plan set forth in Article 163, paragraph (1) of the Civil Rehabilitation Act (Act No. 225 of 1999)) that creates a difference in the details of changes to rights between rehabilitation claims pertaining to the borrowed funds that were confirmed pursuant to the provisions of the same paragraph and other rehabilitation claims (limited to rehabilitation claims that were held by the obligees set forth in item (ii) of the same paragraph at the time of giving the consent set forth in the same item) has been submitted or approved, the Court (meaning an individual judge or a council of judges dealing with the rehabilitation case) is to make a decision as to whether the Proposed Rehabilitation Plan falls under the cases where equality will not be compromised even if the difference prescribed in the proviso to Article 155, paragraph (1) of the same Act is created, in consideration of the fact that it had been confirmed that the borrowing of funds conforms to both of the items of paragraph (1) of the preceding Article.

(更生手続の特例)

(Special Provisions Concerning Reorganization Proceedings)

第六十条 裁判所（更生事件を取り扱う一人の裁判官又は裁判官の合議体をいう。）は、第五十八条第一項の規定による確認を受けた資金の借入れをした事業者について更生手続開始の決定があった場合において、同項の規定による確認を受けた資金の借入れに係る更生債権とこれと同一の種類他の更生債権（同項第二号の債権者に同号の同意の際保有されていた更生債権に限る。）との間に権利の変更の内容に差を設ける更生計画案が提出され、又は可決されたときは、当該資金の借入れが同項各号のいずれにも適合することが確認されていることを考慮した上で、当該更生計画案が会社更生法（平成十四年法律第百五十四号）第百六十八条第一項ただし書に規定する差を設けても衡平を害しない場合に該当するかどうかを判断するものとする。

Article 60 If a ruling has been rendered on the starting of reorganization proceedings with respect to a business who has borrowed funds that were confirmed pursuant to the provisions of Article 58, paragraph (1), when a proposed reorganization plan that creates a difference in the details of changes to rights between reorganization claims pertaining to the borrowed funds that were confirmed pursuant to the provisions of the same paragraph and other reorganization claims of the same type (limited to reorganization claims that were held by the obligees set forth in item (ii) of the same paragraph at the time of giving the consent set forth in the same item) has been submitted or approved, the Court (meaning an individual judge or a council of judges dealing with the reorganization case) is to make a decision as to whether the proposed reorganization plan falls under the cases where equality will not be compromised even if the difference prescribed in the proviso to Article 168, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002) is

created, in consideration of the fact that it had been confirmed that the borrowing of funds conforms to both of the items of Article 58, paragraph (1).

#### 第四節 設備導入促進法人

#### Section 4 Corporations Promoting Equipment Installation

(設備導入促進法人の指定)

(Designation of Corporations Promoting Equipment Installation)

第六十一条 経済産業大臣は、経済産業省令で定めるところにより、先端設備等の導入の促進のための事業を行うことを目的とする一般社団法人、一般財団法人その他政令で定める法人であつて、次項に規定する業務（以下「設備導入促進業務」という。）に関し、次の各号のいずれにも適合すると認められるものを、その申請により、設備導入促進法人として指定することができる。

Article 61 (1) The Minister of Economy, Trade and Industry may designate general incorporated associations, general incorporated foundations, or other corporations specified by Cabinet Order whose purpose to conduct business to promote the installation of Cutting-edge Equipment, etc. and are found to conform to all of the following items with regard to business operations prescribed in the following paragraph (hereinafter referred to as "Business Operations to Promote Equipment Installation") as corporations promoting equipment installation, upon application from the entities, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 設備導入促進業務を的確に実施するために必要と認められる経済産業省令で定める基準に適合する財産的基礎を有し、かつ、設備導入促進業務に係る収支の見込みが適正であること。

(i) it has a financial basis that is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry as required for properly undertaking Business Operations to Promote Equipment Installation, and has favorable prospects for income and expenditures pertaining to Business Operations to Promote Equipment Installation;

二 職員、業務の方法その他の事項についての設備導入促進業務の実施に関する計画が、設備導入促進業務を的確に実施するために適切なものであること。

(ii) the plan for undertaking Business Operations to Promote Equipment Installation, which covers personnel, operational procedures, and other particulars, is appropriate for properly undertaking Business Operations to Promote Equipment Installation;

三 役員又は構成員の構成が、設備導入促進業務の公正な実施に支障を及ぼすおそれがないものであること。

(iii) the composition of the officers or members poses no risk of interfering with the fair implementation of Business Operations to Promote Equipment Installation; and



四 設備導入促進業務以外の業務を行っている場合には、その業務を行うことによって設備導入促進業務の公正な実施に支障を及ぼすおそれがないものであること。

(iv) when it undertakes business operations other than Business Operations to Promote Equipment Installation, the relevant other business operations pose no risk of interfering with the fair implementation of Business Operations to Promote Equipment Installation.

2 設備導入促進法人は、次に掲げる業務を行うものとする。

(2) A corporation promoting equipment installation is to undertake the following:

一 リース保険契約の引受けを行うこと。

(i) underwriting of Lease Insurance Contracts;

二 先端設備等をリース契約により使用させる事業を行う者に対する情報の提供、助言、指導その他の援助を行うこと。

(ii) provision of information, advice, guidance or other assistance to persons undertaking business permitting the use of Cutting-edge Equipment, etc. under a Lease Contract; and

三 前二号に掲げる業務に附帯する業務を行うこと。

(iii) business incidental to those set forth in the preceding two items.

3 次の各号のいずれかに該当する者は、第一項の規定による指定（以下この節において単に「指定」という。）を受けることができない。

(3) A person who falls under any of the following items may not receive the designation under paragraph (1) (hereinafter simply referred to as the "Designation" in this Section):

一 この法律の規定に違反して、刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して二年を経過しない者

(i) a person who has received a penal sentence for a violation of the provisions of this Act and for whom two years have not yet elapsed since the day on which the execution of the sentence has been completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第七十二条第一項又は第二項の規定により指定を取り消され、その取消の日から起算して二年を経過しない者

(ii) a person whose Designation has been rescinded pursuant to the provisions of Article 72, paragraph (1) or paragraph (2), and for whom two years have not yet elapsed since the day of the rescission; or

三 その役員のうち、次のいずれかに該当する者がある者

(iii) a person any of whose officers falls under either of the following:

イ 第一号に該当する者

(a) a person who falls under item (i); or

ロ 第六十三条第二項の規定による命令により解任され、その解任の日から起算して二年を経過しない者

(b) a person who was dismissed by an order under Article 63, paragraph (2), and for whom two years have not yet elapsed since the day of the dismissal.

(指定の公示等)

**(Public Notice of a Designation)**

第六十二条 経済産業大臣は、指定をしたときは、設備導入促進法人の名称、住所、設備導入促進業務を行う事務所の所在地及び設備導入促進業務の開始の日を公示するものとする。

Article 62 (1) When the Minister of Economy, Trade and Industry has made a Designation, the minister is to issue a public notice concerning the name and the address of the corporation promoting equipment installation, the location of the office where it undertakes Business Operations to Promote Equipment Installation, and the day of commencing Business Operations to Promote Equipment Installation.

2 設備導入促進法人は、その名称、住所又は設備導入促進業務を行う事務所の所在地を変更しようとするときは、変更しようとする日の二週間前までに、その旨を経済産業大臣に届け出なければならない。

(2) When a corporation promoting equipment installation intends to change its name, address, or location of the office where it undertakes Business Operations to Promote Equipment Installation, it must notify the Minister of Economy, Trade and Industry of that fact by two weeks prior to the day of making the change.

3 経済産業大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) If the Minister of Economy, Trade and Industry receives a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(役員を選任及び解任)

**(Appointment and Dismissal of Officers)**

第六十三条 設備導入促進法人の役員を選任及び解任は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 63 (1) The appointment and dismissal of officers of a corporation promoting equipment installation does not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

2 経済産業大臣は、設備導入促進法人の役員が、この法律若しくはこの法律に基づく命令若しくはこれらに基づく処分若しくは次条第一項に規定する業務規程に違反する行為をしたとき、又は設備導入促進業務に関し著しく不適当な行為をしたときは、設備導入促進法人に対し、その役員を解任すべきことを命ずることができる。

(2) When an officer of a corporation promoting equipment installation has committed any act in violation of this Act or an order based on this Act, or a disposition based on these, or a Business Regulations prescribed in paragraph (1) of the following Article, or has committed an extremely inappropriate act in

relation to Business Operations to Promote Equipment Installation, the Minister of Economy, Trade and Industry may order the corporation promoting equipment installation to dismiss the officer.

(業務規程)

(Business Regulations)

第六十四条 設備導入促進法人は、設備導入促進業務の開始前に、設備導入促進業務に関する規程（以下この条において「業務規程」という。）を定め、経済産業大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 64 (1) A corporation promoting equipment installation must specify the business regulations for Business Operations to Promote Equipment Installation (hereinafter referred to as the "Business Regulations" in this Article) prior to the commencing of Business Operations to Promote Equipment Installation and obtain the authorization of the Minister of Economy, Trade and Industry. This also applies when the corporation intends to make changes to the Business Regulations.

2 設備導入促進業務の実施の方法その他の業務規程で定めるべき事項は、経済産業省令で定める。

(2) The implementation means of Business Operations to Promote Equipment Installation and other particulars to be specified in the Business Regulations are to be prescribed by Order of the Ministry of Economy, Trade and Industry.

3 経済産業大臣は、第一項の認可をした業務規程が設備導入促進業務の適正かつ確実な実施上不適当となったと認めるときは、その業務規程を変更すべきことを命ずることができる。

(3) When the Minister of Economy, Trade and Industry finds that the Business Regulations for which the minister has given the authorization set forth in paragraph (1) is no longer appropriate for the proper and reliable implementation of Business Operations to Promote Equipment Installation, the minister may order the corporation to change its Business Regulations.

(事業計画等)

(Business Plans)

第六十五条 設備導入促進法人は、事業年度ごとに、その事業年度の事業計画及び収支予算を作成し、毎事業年度開始前に（指定を受けた日の属する事業年度にあっては、その指定を受けた後遅滞なく）、経済産業大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 65 (1) A corporation promoting equipment installation must prepare a business plan and an income and expenditure budget for each business year before the start thereof (for the business year containing the day on which it received the Designation, after receiving the Designation without delay), and obtain the authorization of the Minister of Economy, Trade and Industry. This

also applies when it intends to make changes to those documents.

2 設備導入促進法人は、事業年度ごとに、その事業年度の事業報告書及び収支決算書を作成し、毎事業年度経過後三月以内に経済産業大臣に提出しなければならない。

(2) A corporation promoting equipment installation must prepare a business report and a settlement of accounts for each business year and submit them to the Minister of Economy, Trade and Industry within three months of the end of each business year.

(区分経理)

(Separate Accounting)

第六十六条 設備導入促進法人は、次に掲げる業務ごとに経理を区分し、それぞれ勘定を設けて整理しなければならない。

Article 66 A corporation promoting equipment installation must separate accounting and prepare separate accounts for each of the following business operations:

一 第六十一条第二項第一号の業務及びこれに附帯する業務

(i) business as set forth in Article 61, paragraph (2), item (i) and incidental business operations; and

二 前号に掲げる業務以外の業務

(ii) business other than that set forth in the preceding item.

(責任準備金)

(Liability Reserves)

第六十七条 設備導入促進法人は、経済産業省令で定めるところにより、毎事業年度末において、責任準備金を積み立てなければならない。

Article 67 A corporation promoting equipment installation must save liability reserves as of the end of each business year, as prescribed by Order of the Ministry of Economy, Trade and Industry.

(帳簿の記載)

(Bookkeeping)

第六十八条 設備導入促進法人は、設備導入促進業務について、経済産業省令で定めるところにより、帳簿を備え、経済産業省令で定める事項を記載し、これを保存しなければならない。

Article 68 A corporation promoting equipment installation must keep books with respect to Business Operations to Promote Equipment Installation, record particulars specified by Order of the Ministry of Economy, Trade and Industry, and keep them, as prescribed by Order of the Ministry of Economy, Trade and Industry.

(財務及び会計に関し必要な事項の経済産業省令への委任)

(Delegation of Important Matters Concerning Finance and Accounting to Order of the Ministry of Economy, Trade and Industry)

第六十九条 この節に定めるもののほか、設備導入促進法人が設備導入促進業務を行う場合における設備導入促進法人の財務及び会計に関し必要な事項は、経済産業省令で定める。

Article 69 Beyond what is provided for in this Section, important matters concerning finance and accounting of a corporation promoting equipment installation when it undertakes Business Operations to Promote Equipment Installation are to be specified by Order of the Ministry of Economy, Trade and Industry.

(監督命令)

(Supervision Orders)

第七十条 経済産業大臣は、この法律を施行するため必要があると認めるときは、設備導入促進法人に対し、設備導入促進業務に関し監督上必要な命令をすることができる。

Article 70 When the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may issue orders necessary for the supervision with respect to Business Operations to Promote Equipment Installation to a corporation promoting equipment installation.

(業務の休廃止)

(Suspension or Discontinuation of Business Operations)

第七十一条 設備導入促進法人は、経済産業大臣の許可を受けなければ、設備導入促進業務の全部若しくは一部を休止し、又は廃止してはならない。

Article 71 (1) A corporation promoting equipment installation must not suspend or discontinue all or part of its Business Operations to Promote Equipment Installation unless it obtains the permission of the Minister of Economy, Trade and Industry.

2 経済産業大臣は、前項の許可をしたときは、その旨を公示するものとする。

(2) When the Minister of Economy, Trade and Industry has given the permission set forth in the preceding paragraph, the minister is to issue a public notice of that fact.

3 経済産業大臣が設備導入促進業務の全部の廃止を許可したときは、当該設備導入促進法人の指定は、その効力を失う。

(3) When the Minister of Economy, Trade and Industry has permitted the discontinuation of all of the Business Operations to Promote Equipment Installation, the Designation of the relevant corporation promoting equipment installation ceases to be effective.

(指定の取消し等)

(Rescission of a Designation)

第七十二条 経済産業大臣は、設備導入促進法人が第六十一条第三項各号（第二号を除く。）のいずれかに該当するに至ったときは、その指定を取り消すものとする。

Article 72 (1) When a corporation promoting equipment installation has come to fall under any of the items (excluding item (ii)) of Article 61, paragraph (3), the Minister of Economy, Trade and Industry is to rescind the Designation of the corporation promoting equipment installation.

2 経済産業大臣は、設備導入促進法人が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて設備導入促進業務の全部若しくは一部の停止を命ずることができる。

(2) When a corporation promoting equipment installation falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the Designation of the corporation promoting equipment installation, or specify a time period and order the suspension of all or part of the Business Operations to Promote Equipment Installation:

一 設備導入促進業務を適正かつ確実に実施することができないと認められるとき。

(i) when the corporation is deemed to be incapable of undertaking Business Operations to Promote Equipment Installation properly and reliably;

二 指定に関し不正の行為があったとき。

(ii) when there has been a wrongful act relating to the Designation; or

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

(iii) when the corporation has violated this Act, an order based on this Act, or a disposition based on these.

3 経済産業大臣は、前二項の規定により指定を取り消し、又は前項の規定により設備導入促進業務の全部若しくは一部の停止を命じたときは、その旨を公示するものとする。

(3) When the Minister of Economy, Trade and Industry has rescinded a Designation pursuant to the provisions of the preceding two paragraphs, or has ordered the suspension of all or part of the Business Operations to Promote Equipment Installation pursuant to the provisions of the preceding paragraph, the minister is to issue a public notice of that fact.

(指定の取消しに伴う措置)

(Measures Associated with the Rescission of Designations)

第七十三条 設備導入促進法人は、前条第一項又は第二項の規定により指定を取り消されたときは、その設備導入促進業務の全部を、当該設備導入促進業務の全部を承継するものとして経済産業大臣が指定する設備導入促進法人に引き継がなければならない。

Article 73 (1) When a corporation promoting equipment installation has had its Designation rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, it must turn over all of its Business Operations to Promote Equipment Installation to another corporation promoting equipment installation designated by the Minister of Economy,

Trade and Industry as a corporation to succeed to all of the Business Operations to Promote Equipment Installation.

2 前項に定めるもののほか、前条第一項又は第二項の規定により指定を取り消された場合における設備導入促進業務の引継ぎその他の必要な事項は、経済産業省令で定める。

(2) Beyond what is provided for in the preceding paragraph, the succession of Business Operations to Promote Equipment Installation and other necessary matters if a Designation has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article are to be specified by Order of the Ministry of Economy, Trade and Industry.

(情報の提供等)

(Provision of Information)

第七十四条 経済産業大臣は、設備導入促進法人に対し、設備導入促進業務の実施に関し必要な情報及び資料の提供又は指導及び助言を行うものとする。

Article 74 The Minister of Economy, Trade and Industry is to provide the information and materials, or guidance and advice necessary for the implementation of Business Operations to Promote Equipment Installation to a corporation promoting equipment installation.

#### 第五節 事業活動における知的財産権の活用

#### Section 5 Utilization of Intellectual Property Rights in Business Activities

第七十五条 特許庁長官は、産業競争力の強化に資するものとして経済産業省令で定める技術の分野に属する発明に係る特許出願（集中実施期間中に出願審査の請求がされたものに限る。）に係る特許法（昭和三十四年法律第二百一十一号）第一百七条第一項の規定による第一年から第十年までの各年分の特許料を納付すべき者が新たな産業の創出による産業競争力の強化に対する寄与の程度及び資力を考慮して政令で定める要件に該当する者であるときは、政令で定めるところにより、特許料を軽減し若しくは免除し、又はその納付を猶予することができる。

Article 75 (1) Regarding a patent application (limited to a patent application for which a request for examination of the application has been filed during the Intensive Implementation Period) concerning an invention belonging to technology fields specified by Order of the Ministry of Economy, Trade and Industry as those contributing to strengthening industrial competitiveness, when a person who should pay patent fees for each year from the first to the tenth year pursuant to the provisions of Article 107, paragraph (1) of the Patent Act (Act No. 121 of 1959) is a person who falls under the requirements specified by Cabinet Order in consideration of such person's financial resources and level of contribution to strengthening industrial competitiveness through

the creation of new industry, the Commissioner of the Japan Patent Office may grant such person a reduction of, exemption from, or a grace period for the payment of the patent fees, as prescribed by Cabinet Order.

2 特許庁長官は、前項に規定する発明に係る自己の特許出願について出願審査の請求（集中実施期間中に行うものに限る。）をする者が同項に規定する要件に該当する者であるときは、政令で定めるところにより、特許法第百九十五条第二項の規定により納付すべき出願審査の請求の手数料を軽減し、又は免除することができる。

(2) When a person who files a request for examination (limited to a request filed during the Intensive Implementation Period), is a person who falls under the requirements prescribed in the same paragraph, the Commissioner of the Japan Patent Office may, with regard to such person's own patent application concerning an invention prescribed in the preceding paragraph, grant such person a reduction of or exemption from the payment of the fees for a request for examination of the application that are to be paid pursuant to the provisions of Article 195, paragraph (2) of the Patent Act, as prescribed by Cabinet Order.

3 特許庁長官は、第一項に規定する発明に係る日本語でされた国際出願（特許協力条約に基づく国際出願等に関する法律（昭和五十三年法律第三十号）第二条に規定する国際出願をいい、集中実施期間中にされたものに限る。）をする者が同項に規定する要件に該当する者であるときは、政令で定めるところにより、同法第十八条第二項（同項の表二の項に掲げる部分を除く。）の規定により納付すべき手数料（同項に規定する同表の第三欄に掲げる金額の範囲内において同項の政令で定める金額に係る部分に限る。）を軽減し、又は免除することができる。

(3) When a person who files an International Application (meaning International Application as prescribed in Article 2 of the Act on International Applications under the Patent Cooperation Treaty (Act No. 30 of 1978) and limited to such application filed during the Intensive Implementation Period) in Japanese, concerning an invention prescribed in paragraph (1), is a person who falls under the requirements prescribed in the same paragraph, the Commissioner of the Japan Patent Office may grant such person a reduction of or exemption from the payment of the fees that are to be paid pursuant to the provisions of Article 18, paragraph (2) (excluding the portion set forth in row (ii) of the table of the same paragraph) of the same Act (limited to the portion pertaining to the amount specified by Cabinet Order set forth in the same paragraph within the amount set forth in column 3 of the same table as prescribed in the same paragraph), as prescribed by Cabinet Order.

## 第五章 株式会社産業革新機構による特定事業活動の支援等

### Chapter V Support for Specified Business Activities by the Innovation Network Corporation of Japan

#### 第一節 総則



## Section 1 General Provisions

(機構の目的)

(Purpose of the Innovation Network Corporation of Japan)

第七十六条 株式会社産業革新機構は、最近における国際経済の構造的な変化に我が国産業が的確に対応するためには、自らの経営資源以外の経営資源の有効な活用を通じた産業活動の革新が重要となっていることに鑑み、特定事業活動に対し資金供給その他の支援等を行うことにより、我が国において特定事業活動を推進することを目的とする株式会社とする。

Article 76 The Innovation Network Corporation of Japan is to be a stock company, with the purpose of promoting Specified Business Activities within Japan through providing funds and other support towards Specified Business Activities, considering the circumstances in which innovation in industrial activities by effectively utilizing management resources other than those owned individually has become increasingly important in order for Japanese industries to properly deal with the recent structural changes in the global economy.

(数)

(Number)

第七十七条 株式会社産業革新機構（以下「機構」という。）は、一を限り、設立されるものとする。

Article 77 The Innovation Network Corporation of Japan (hereinafter referred to as the "INCJ") is to be limited to one incorporated company.

(株式の政府保有)

(Shares Owned by the Government)

第七十八条 政府は、常時、機構が発行している株式（株主総会において決議することができる事項の全部について議決権を行使することができないものと定められた種類の株式を除く。以下この条において同じ。）の総数の二分の一以上に当たる数の株式を保有するものとする。

Article 78 The government is to ordinarily hold a number of shares equivalent to 50 percent or greater of the total number of shares issued by the INCJ (excluding shares of a class specified as being unable to exercise voting rights with respect to all of the matters for which a resolution can be made at a shareholders meeting; hereinafter the same applies in this Article).

(株式、社債及び借入金の認可等)

(Authorization of Shares, Bonds and Borrowings)

第七十九条 機構は、会社法第九十九条第一項に規定する募集株式（第一百五十五条第一号において「募集株式」という。）、同法第二百三十八条第一項に規定する募集新

株予約権（同号において「募集新株予約権」という。）若しくは同法第六百七十六条に規定する募集社債（第百八条及び同号において「募集社債」という。）を引き受ける者の募集をし、株式交換に際して株式、社債若しくは新株予約権を発行し、又は資金を借り入れようとするときは、経済産業大臣の認可を受けなければならない。

Article 79 (1) When the INCJ intends to solicit persons to subscribe for the Shares for Subscription prescribed in Article 199, paragraph (1) of the Companies Act (referred to as "Shares for Subscription" in Article 155, item (i)), the Share Options for Subscription prescribed in Article 238, paragraph (1) of the same Act (referred to as "Share Options for Subscription" in the same item), or the Bonds for Subscription prescribed in Article 676 of the same Act (referred to as "Bonds for Subscription" in Article 108 and the same item); or intends to issue shares, bonds or share options at a share exchange; or intends to borrow funds, it must obtain the authorization of the Minister of Economy, Trade and Industry.

2 機構は、新株予約権の行使により株式を発行した後、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(2) After issuing shares through exercising share options, the INCJ must without delay notify the Minister of Economy, Trade and Industry of that fact.

（政府の出資）

(Contributions by the Government)

第八十条 政府は、必要があると認めるときは、予算で定める金額の範囲内において、機構に出資することができる。

Article 80 The government may make contributions to the INCJ, when it considers it to be necessary, within a range of amounts specified in the budget.

（商号）

(Trade Name)

第八十一条 機構は、その商号中に株式会社産業革新機構という文字を用いなければならない。

Article 81 (1) The INCJ must use the words "Innovation Network Corporation of Japan" in its trade name.

2 機構でない者は、その名称中に産業革新機構という文字を用いてはならない。

(2) Those other than the INCJ must not use the words "Innovation Network Corporation" in their names.

## 第二節 設立

### Section 2 Incorporation

（定款の記載又は記録事項）

(Particulars Specified or Recorded in the Articles of Incorporation)

第八十二条 機構の定款には、会社法第二十七条各号に掲げる事項のほか、次に掲げる事項を記載し、又は記録しなければならない。

Article 82 (1) Beyond the particulars set forth in the items of Article 27 of the Companies Act, the following particulars must be specified or recorded in the articles of incorporation of the INCJ:

一 機構の設立に際して発行する株式（次号、第三号及び次条において「設立時発行株式」という。）の数（機構を種類株式発行会社として設立しようとする場合にあっては、その種類及び種類ごとの数）

(i) the number of shares (when the INCJ is intended to be incorporated as a company with class shares, their class and the number of shares in each class) issued at the time of the incorporation of the INCJ (referred to as "Shares Issued at Incorporation" in the following item, item (iii), and the following Article);

二 設立時発行株式の払込金額（設立時発行株式一株と引換えに払い込む金銭又は給付する金銭以外の財産の額をいう。）

(ii) the amount to be paid in for Shares Issued at Incorporation (meaning the amount of money paid, or assets other than money contributed, in exchange for one Share Issued at Incorporation);

三 政府が割当てを受ける設立時発行株式の数（機構を種類株式発行会社として設立しようとする場合にあっては、その種類及び種類ごとの数）

(iii) the number of Shares Issued at Incorporation allotted to the government (when the INCJ is intended to be incorporated as a company with class shares, their class and the number of shares in each class);

四 会社法第一百七条第一項第一号に掲げる事項

(iv) the particulars set forth in Article 107, paragraph (1), item (i) of the Companies Act;

五 取締役会及び監査役を置く旨

(v) the fact that a board of directors and company auditors are to be installed; and

六 第九十七条第一項各号に掲げる業務の完了により解散する旨

(vi) the fact that the INCJ is to be dissolved upon the completion of the business operations set forth in the items of Article 97, paragraph (1).

2 機構の定款には、次に掲げる事項を記載し、又は記録してはならない。

(2) The following particulars must not be specified or recorded in the articles of incorporation of the INCJ:

一 監査等委員会又は会社法第二条第十二号に規定する指名委員会等を置く旨

(i) the fact that an audit, etc. committee or a nominating committee, etc. prescribed in Article 2, item (xii) of the Companies Act is to be installed; and

二 会社法第一百三十九条第一項ただし書に規定する別段の定め

(ii) the provisions provided otherwise in the proviso to Article 139, paragraph (1) of the Companies Act.

(設立の認可等)

**(Authorization of Incorporation)**

第八十三条 機構の発起人は、定款を作成し、かつ、発起人が割当てを受ける設立時発行株式を引き受けた後、速やかに、定款及び事業計画書を経済産業大臣に提出して、設立の認可を申請しなければならない。

**Article 83** The incorporators of the INCJ must prepare the articles of incorporation and, after having subscribed for their allotted Shares Issued at Incorporation, promptly submit the articles of incorporation and the business plan to the Minister of Economy, Trade and Industry and apply for authorization of incorporation.

第八十四条 経済産業大臣は、前条の規定による認可の申請があった場合においては、その申請が次の各号のいずれにも適合するかどうかを審査するものとする。

**Article 84** (1) If an application for authorization under the preceding Article has been filed, the Minister of Economy, Trade and Industry is to examine whether the application conforms to all of the following:

一 設立の手續及び定款の内容が法令の規定に適合するものであること。

(i) the procedures of the incorporation and the details of the articles of incorporation are in conformity with the provisions of laws and orders;

二 定款に虚偽の記載若しくは記録又は虚偽の署名若しくは記名押印（会社法第二十六条第二項の規定による署名又は記名押印に代わる措置を含む。）がないこと。

(ii) false statements are not made or recorded, and false signatures or names and seals (including measures in lieu of the affixation of signatures or names and seals pursuant to the provisions of Article 26, paragraph (2) of the Companies Act) are not contained in the articles of incorporation; and

三 業務の運営が健全に行われ、我が国における特定事業活動の推進に寄与することが確実であると認められること。

(iii) it is found that the sound management of business operations will realistically contribute to the promotion of Specified Business Activities within Japan.

2 経済産業大臣は、前項の規定により審査した結果、その申請が同項各号のいずれにも適合していると認めるときは、設立の認可をするものとする。

(2) When the Minister of Economy, Trade and Industry finds that the application conforms to all of the items of the preceding paragraph as a result of the examination carried out pursuant to the provisions of the same paragraph, the minister is to give authorization for the incorporation.

(設立時取締役及び設立時監査役の選任及び解任)

**(Appointment and Dismissal of Directors at Incorporation and Auditors at Incorporation)**

第八十五条 会社法第三十八条第一項に規定する設立時取締役及び同条第二項第二号に規定する設立時監査役の選任及び解任は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 85 The appointment and dismissal of the Directors at Incorporation prescribed in Article 38, paragraph (1) of the Companies Act and the Auditors at Incorporation prescribed in paragraph (2), item (ii) of the same Article do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(会社法の規定の読替え)

(Replacement of Phrases in the Provisions of the Companies Act)

第八十六条 会社法第三十条第二項、第三十四条第一項、第五十九条第一項第一号及び第九百六十三条第一項の規定の適用については、同法第三十条第二項中「前項の公証人の認証を受けた定款は、株式会社の成立前」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）第八十四条第二項の認可の後株式会社産業革新機構の成立前は、定款」と、同法第三十四条第一項中「設立時発行株式の引受け」とあるのは「産業競争力強化法第八十四条第二項の認可の」と、同法第五十九条第一項第一号中「定款の認証の年月日及びその認証をした公証人の氏名」とあるのは「産業競争力強化法第八十四条第二項の認可の年月日」と、同法第九百六十三条第一項中「第三十四条第一項」とあるのは「第三十四条第一項（産業競争力強化法第八十六条の規定により読み替えて適用する場合を含む。）」とする。

Article 86 With respect to the application of the provisions of Article 30, paragraph (2), Article 34, paragraph (1), Article 59, paragraph (1), item (i) and Article 963, paragraph (1) of the Companies Act, the phrase "Articles of incorporation that are certified by a notary public pursuant to the preceding paragraph may not be amended before the formation of the Stock Company" in Article 30, paragraph (2) of the same Act is deemed to be replaced with "Articles of incorporation may not be amended before the formation of the Innovation Network Corporation of Japan after the authorization set forth in Article 84, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; the phrase "subscription for Shares Issued at Incorporation" in Article 34, paragraph (1) of the same Act is deemed to be replaced with "the authorization set forth in Article 84, paragraph (2) of the Act on Strengthening Industrial Competitiveness"; the phrase "The date of the certification of the articles of incorporation and the name of the notary public who effected such certification" in Article 59, paragraph (1), item (i) of the same Act is deemed to be replaced with "the date of the authorization set forth in Article 84, paragraph (2) of the Act on Strengthening Industrial Competitiveness"; and the phrase "Article 34 (1)" in Article 963, paragraph (1) of the same Act is deemed to be replaced with "Article 34, paragraph (1) (including cases where applied, by replacing the phrases, pursuant to the

provisions of Article 86 of the Act on Strengthening Industrial Competitiveness)".

(会社法の規定の適用除外)

(Exclusion from the Application of Provisions of the Companies Act)

第八十七条 会社法第三十条第一項及び第三十三条の規定は、機構の設立については、適用しない。

Article 87 The provisions of Article 30, paragraph (1) and Article 33 of the Companies Act do not apply to the incorporation of the INCJ.

### 第三節 管理

#### Section 3 Administration

(取締役及び監査役の選任等の認可)

(Authorization of the Appointment of Directors and Company Auditors)

第八十八条 機構の取締役及び監査役の選任及び解任の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 88 Resolutions on the appointment and dismissal of directors and company auditors do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(取締役等の秘密保持義務)

(Obligation of Confidentiality by Directors)

第八十九条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役若しくは職員又はこれらの職にあった者は、その職務上知ることができた秘密を漏らし、又は盗用してはならない。

Article 89 The directors, accounting advisors (when an accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), company auditors, or employees of the INCJ, or persons who were employed as such, must not divulge or misappropriate any confidential information that has come to their knowledge in the performance of their duties.

(産業革新委員会の設置)

(Establishment of the Innovation Network Committee)

第九十条 機構に、産業革新委員会（以下この章において「委員会」という。）を置く。

Article 90 An Innovation Network Committee (hereinafter referred to as the "Committee" in this Chapter) is to be established in the INCJ.

(委員会の権限)

(Authority of the Committee)

第九十一条 委員会は、次に掲げる決定（特定事業活動の支援（第九十七条第一項第一号から第七号までに掲げる業務によりされるものに限る。以下「特定事業活動支援」という。）の内容が出資（その額が一定額以下のものその他の経済産業省令で定めるものに限る。）のみである場合にあっては、第一号に掲げる決定を除く。）を行う。

Article 91 (1) The Committee is to make the following decisions (when support for Specified Business Activities (limited to support provided in the business operations set forth in Article 97, paragraph (1), item (i) to item (vii); hereinafter referred to as "Support for Specified Business Activities") solely consists of contributions (limited to contributions whose amount is below a certain amount and other contributions specified by Order of the Ministry of Economy, Trade and Industry), excluding the decision set forth in item (i)):

一 第九十九条第一項の特定事業活動支援の対象となる事業者及び当該特定事業活動支援の内容の決定

(i) decisions on businesses that are to be subject to Support for Specified Business Activities as set forth in Article 99, paragraph (1), and on the details of the Support for Specified Business Activities;

二 第一百一条第一項の株式等又は債権の譲渡その他の処分の決定

(ii) decisions on the transfer of shares or claims or other dispositions set forth in Article 101, paragraph (1); and

三 前二号に掲げるもののほか、会社法第三百六十二条第四項第一号及び第二号に掲げる事項のうち取締役会の決議により委任を受けた事項の決定

(iii) beyond what is set forth in the preceding two items, decisions on the matters set forth in Article 362, paragraph (4), item (i) and item (ii) of the Companies Act that have been delegated through a resolution of the board of directors.

2 委員会は、前項第一号に掲げる事項の決定（特定事業活動支援の内容が出資（その額が一定額以下のものその他の経済産業省令で定めるものに限る。）のみである場合を除く。）及び同項第二号に掲げる事項の決定について、取締役会から委任を受けたものとみなす。

(2) The Committee is deemed to have received the delegation from the board of directors with respect to decisions on the matters set forth in item (i) of the preceding paragraph (excluding cases where Support for Specified Business Activities solely consists of contributions (limited to contributions whose amount is below a certain amount and other contributions specified by Order of the Ministry of Economy, Trade and Industry)) and decisions on the matters set forth in item (ii) of the same paragraph.

（委員会の組織）

(Committee Organization)

第九十二条 委員会は、取締役である委員三人以上七人以内で組織する。

Article 92 (1) The Committee is to be composed of three to seven members who

are directors.

- 2 委員の中には、代表取締役及び社外取締役が、それぞれ一人以上含まれなければならない。
- (2) One or more representative directors and one or more outside directors must be included within the members of the Committee.
- 3 委員は、取締役会の決議により定める。
- (3) Committee members are to be decided through a resolution of the board of directors.
- 4 委員の選定及び解職の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。
- (4) Resolutions on the appointment and dismissal of Committee members do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.
- 5 委員は、それぞれ独立してその職務を執行する。
- (5) Committee members perform their duties independently.
- 6 委員会に委員長を置き、委員の互選によってこれを定める。
- (6) The Committee must have a chairperson, who is to be elected from among the Committee members.
- 7 委員長は、委員会の会務を総理する。
- (7) The chairperson presides over all of the affairs of the Committee.
- 8 委員会は、あらかじめ、委員のうちから、委員長に事故がある場合に委員長の職務を代理する者を定めておかなければならない。
- (8) The Committee must designate, in advance, a Committee member to undertake the duties of the chairperson in the event that the chairperson is unable to perform duties.

(委員会の運営)

(Committee Operations)

第九十三条 委員会は、委員長（委員長に事故があるときは、前条第八項に規定する委員長の職務を代理する者。次項及び第三項において同じ。）が招集する。

Article 93 (1) The Committee is to be convened by the chairperson (or, when the chairperson is unable to perform duty, the person who undertakes the duties of the chairperson as prescribed in paragraph (8) of the preceding Article; the same applies in the following paragraph and paragraph (3)).

- 2 委員会は、委員長が出席し、かつ、現に在任する委員の総数の三分の二以上の出席がなければ、会議を開き、議決をすることができない。
- (2) The Committee may not hold a meeting or make resolutions without the attendance of the chairperson and at least two thirds of the total number of incumbent Committee members.
- 3 委員会の議事は、出席した委員の過半数をもって決する。可否同数のときは、委員長が決する。



- (3) A resolution of the Committee is to be made by a majority of the attending Committee members. In the event of a tie, the chairperson is to make a decision.
- 4 前項の規定による決議について特別の利害関係を有する委員は、議決に加わることができない。
- (4) Committee members who have a special interest with respect to a resolution pursuant to the provisions of the preceding paragraph may not participate in voting on it.
- 5 前項の規定により議決に加わることができない委員の数は、第二項に規定する現に在任する委員の数に算入しない。
- (5) The number of Committee members who may not participate in voting pursuant to the provisions of the preceding paragraph is not be included in the number of incumbent Committee members prescribed in paragraph (2).
- 6 監査役は、委員会に出席し、必要があると認めるときは、意見を述べなければならない。
- (6) Company auditors must attend Committee meetings and, when it is considered necessary, state their opinions.
- 7 委員会の委員であって委員会によって選定された者は、第三項の規定による決議後、遅滞なく、当該決議の内容を取締役会に報告しなければならない。
- (7) After a resolution has been made pursuant to the provisions of paragraph (3), a member of the Committee who has been appointed by the Committee must without delay notify the board of directors of the details of the resolution.
- 8 委員会の議事については、経済産業省令で定めるところにより、議事録を作成し、議事録が書面をもって作成されているときは、出席した委員及び監査役は、これに署名し、又は記名押印しなければならない。
- (8) When minutes have been prepared with respect to the resolutions of the Committee, as prescribed by Order of the Ministry of Economy, Trade and Industry, and those minutes are in the form of written documents, Committee members and company auditors who attended the Committee meeting must sign, or affix their names and seals to those minutes.
- 9 前項の議事録が電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。以下この項及び次条第二項第二号において同じ。）をもって作成されている場合における当該電磁的記録に記録された事項については、経済産業省令で定める署名又は記名押印に代わる措置をとらなければならない。
- (9) If the minutes set forth in the preceding paragraph have been prepared in the form of electronic or magnetic records (meaning records used in computer data processing, which are created in electronic form, magnetic form, or any other form that is impossible to perceive through the human senses alone, which is used in information processing by computers; hereinafter the same applies in this paragraph and paragraph (2), item (ii) of the following Article), measures

in lieu of the affixation of signatures or names and seals specified by Order of the Ministry of Economy, Trade and Industry must be taken with respect to the particulars recorded in the electronic or magnetic records.

10 前各項及び次条に定めるもののほか、議事の手続その他委員会の運営に関し必要な事項は、委員会が定める。

(10) Beyond what is provided for in the preceding paragraphs and the following Article, the Committee is to decide on the procedures for resolutions and other necessary matters concerning its own operations.

(委員会の議事録)

(Committee Minutes)

第九十四条 機構は、委員会の日から十年間、前条第八項の議事録をその本店に備え置かなければならない。

Article 94 (1) The INCJ must keep the minutes set forth in paragraph (8) of the preceding Article at its head office for ten years from the date of the Committee meeting.

2 株主は、その権利を行使するため必要があるときは、裁判所の許可を得て、次に掲げる請求をすることができる。

(2) Shareholders may make the following requests, when it is necessary for exercising their rights, and on receiving the permission of the court:

一 前項の議事録が書面をもって作成されているときは、当該書面の閲覧又は謄写の請求

(i) when the minutes set forth in the preceding paragraph are prepared in the form of written documents, a request to inspect or copy the documents; and

二 前項の議事録が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を経済産業省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) when the minutes set forth in the preceding paragraph are prepared in the form of electronic or magnetic records, a request to inspect or copy anything representing the particulars recorded in the electronic or magnetic records in a manner specified by Order of the Ministry of Economy, Trade and Industry.

3 債権者は、委員の責任を追及するため必要があるときは、裁判所の許可を得て、第一項の議事録について前項各号に掲げる請求をすることができる。

(3) Obligees may make requests as set forth in the items of the preceding paragraph with respect to the minutes set forth in paragraph (1), when it is necessary for pursuing the liability of a Committee member, and on receiving the permission of the court.

4 裁判所は、第二項各号に掲げる請求又は前項の請求に係る閲覧又は謄写をすることにより、機構に著しい損害を及ぼすおそれがあると認めるときは、第二項又は前項の許可をすることができない。

(4) The court may not give the permission set forth in paragraph (2) or the

preceding paragraph when it considers that substantial detriment to the INCJ is likely to be caused by the inspection or copying pertaining to the requests set forth in the items of paragraph (2) or the request set forth in the preceding paragraph.

5 会社法第八百六十八条第一項、第八百六十九条、第八百七十条第二項（第一号に係る部分に限る。）、第八百七十条の二、第八百七十一条本文、第八百七十二条（第五号に係る部分に限る。）、第八百七十二条の二、第八百七十三条本文、第八百七十五条及び第八百七十六条の規定は、第二項及び第三項の許可について準用する。

(5) The provisions of Article 868, paragraph (1), Article 869, Article 870, paragraph (2) (limited to the portion pertaining to item (i)), Article 870-2, the main clause of Article 871, Article 872 (limited to the portion pertaining to item (v)), Article 872-2, the main clause of Article 873, Article 875 and Article 876 of the Companies Act apply mutatis mutandis to the permission set forth in paragraph (2) and paragraph (3).

6 取締役は、第一項の議事録について第二項各号に掲げる請求をすることができる。

(6) The directors may make requests set forth in the items of paragraph (2) with respect to the minutes set forth in paragraph (1).

(委員の登記)

(Registration of Committee Members)

第九十五条 機構は、委員を選定したときは、二週間以内に、その本店の所在地において、委員の氏名を登記しなければならない。委員の氏名に変更を生じたときも、同様とする。

Article 95 (1) When the INCJ has appointed Committee members, it must register their names at the location of its head office within two weeks. This also applies when changes to the names of the Committee members have arisen.

2 前項の規定による委員の選定の登記の申請書には、委員の選定及びその選定された委員が就任を承諾したことを証する書面を添付しなければならない。

(2) In filing an application for registration of the appointment of Committee members pursuant to the provisions of the preceding paragraph, documents evidencing the appointment of Committee members and the appointed Committee members' acceptance of the assumption of office must be attached to a written application.

3 委員の退任による変更の登記の申請書には、これを証する書面を添付しなければならない。

(3) In filing an application for registration of changes due to the resignation of Committee members, documents evidencing the fact must be attached to a written application.

4 機構は、委員に選定された取締役のうち社外取締役であるものについて、社外取締役である旨を登記しなければならない。

(4) With respect to directors who are appointed as Committee members and who

are outside directors, the INCJ must register the fact that they are outside directors.

(定款の変更)

(Changes to the Articles of Incorporation)

第九十六条 機構の定款の変更の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 96 Resolutions on changes to the articles of incorporation of the INCJ do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

#### 第四節 業務

#### Section 4 Business

(業務の範囲)

(Scope of Business)

第九十七条 機構は、その目的を達成するため、次に掲げる業務を営むものとする。

Article 97 (1) The INCJ is to undertake the following business, for the purpose of achieving its objective:

一 対象事業者（第九十九条第一項の規定により支援の対象となった事業者（民法（明治二十九年法律第八十九号）第六百六十七条第一項に規定する組合契約によって成立する組合、商法（明治三十二年法律第四十八号）第五百三十五条に規定する匿名組合契約によって成立する匿名組合、投資事業有限責任組合若しくは有限責任事業組合又は外国に所在するこれらの組合に類似する団体を含む。以下この章において同じ。）をいう。以下同じ。）に対する出資

(i) making contributions to Subject Businesses (meaning businesses (including partnerships established through a partnership agreement prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896), silent partnerships established through a silent partnership agreement prescribed in Article 535 of the Commercial Code (Act No. 48 of 1899), investment limited partnerships or limited liability partnerships or organizations equivalent to those partnerships that are located abroad; hereinafter the same applies in this Chapter) that are subject to support pursuant to the provisions of Article 99, paragraph (1); the same applies hereinafter):

二 対象事業者に対する基金（一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百三十一条に規定する基金をいう。）の拠出

(ii) making contributions to the Foundation (meaning the Foundation prescribed in Article 131 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006)) of a Subject Business;

三 対象事業者に対する資金の貸付け

(iii) loaning of funds to a Subject Business;

四 対象事業者が発行する有価証券（金融商品取引法第二条第一項各号に掲げる有価証券及び同条第二項の規定により有価証券とみなされるものをいう。以下この号及び第十二号において同じ。）及び対象事業者が保有する有価証券の取得

(iv) acquisition of Securities (meaning the Securities set forth in the items of Article 2, paragraph (1) of the Financial Instruments and Exchange Act and those deemed to be Securities pursuant to the provisions of paragraph (2) of the same Article; hereinafter the same applies in this item and item (xii)) issued by a Subject Business and Securities held by a Subject Business;

五 対象事業者に対する金銭債権及び対象事業者が保有する金銭債権の取得

(v) acquisition of monetary claims against a Subject Business and monetary claims held by a Subject Business;

六 対象事業者の発行する社債及び資金の借入に係る債務の保証

(vi) guaranteeing of bonds issued by a Subject Business and obligations pertaining to the borrowing of funds;

七 対象事業者のためにする有価証券（金融商品取引法第二条第二項の規定により有価証券とみなされる同項第五号又は第六号に掲げる権利に限る。）の募集又は私募

(vii) solicitation or private placement of Securities (limited to the rights set forth in Article 2, paragraph (2), item (v) or item (vi) of the Financial Instruments and Exchange Act that are deemed to be Securities pursuant to the provisions of the same paragraph) for the purpose of a Subject Business;

八 特定事業活動を行い、又は行おうとする事業者に対する専門家の派遣

(viii) dispatch of experts to a business which is carrying out or intending to carry out Specified Business Activities;

九 特定事業活動を行い、又は行おうとする事業者に対する助言

(ix) provision of advice to a business which is carrying out or intending to carry out Specified Business Activities;

十 特定事業活動を行い、又は行おうとする事業者に対する知的財産権（知的財産基本法（平成十四年法律第百二十二号）第二条第二項の知的財産権及び外国におけるこれに相当するものをいう。次号において同じ。）の移転、設定若しくは許諾又は営業秘密（不正競争防止法（平成五年法律第四十七号）第二条第六項の営業秘密及び外国におけるこれに相当するものをいう。次号において同じ。）の開示

(x) transfer, establishment or authorization of Intellectual Property Rights (meaning the Intellectual Property Rights set forth in Article 2, paragraph (2) of the Basic Act on Intellectual Property (Act No. 122 of 2002), and the equivalent in foreign countries; the same applies in the following item), or disclosure of Trade Secrets (meaning the Trade Secrets set forth in Article 2, paragraph (6) of the Unfair Competition Prevention Act (Act No. 47 of 1993) or the equivalent in foreign countries; the same applies in the following item), to a business who is carrying out or intending to carry out Specified Business Activities;

十一 前号に掲げる業務のために必要な知的財産権の取得をし、若しくは移転、設定若しくは許諾を受け、又は営業秘密の開示を受けること。

(xi) acquisition or receipt of the transfer, establishment, or authorization of Intellectual Property Rights necessary for the business set forth in the preceding item, or receipt of the disclosure of Trade Secrets;

十二 保有する株式、新株予約権、持分又は有価証券（第百一条第一項及び第二項において「株式等」という。）の譲渡その他の処分

(xii) transfer or other disposition of shares, share options, equity or securities (referred to as "Shares, etc." in Article 101, paragraph (1) and paragraph (2)) that the INCJ holds;

十三 債権の管理及び譲渡その他の処分

(xiii) administration of claims and their transfer or other disposition;

十四 前各号に掲げる業務に関連して必要な交渉及び調査

(xiv) necessary negotiations and investigations relating to the business set forth in the preceding items;

十五 特定事業活動を推進するために必要な調査及び情報の提供

(xv) investigations and provision of information necessary for the promotion of Specified Business Activities;

十六 前各号に掲げる業務に附帯する業務

(xvi) business incidental to those set forth in the preceding items; and

十七 前各号に掲げるもののほか、機構の目的を達成するために必要な業務

(xvii) beyond what is set forth in the preceding items, business necessary for achieving the objective of the INCJ.

2 機構は、前項第十七号に掲げる業務を営もうとするときは、あらかじめ、経済産業大臣の認可を受けなければならない。

(2) When the INCJ intends to undertake the business set forth in item (xvii) of the preceding paragraph, it must obtain the authorization of the Minister of Economy, Trade and Industry in advance.

(支援基準)

(Support Standards)

第九十八条 経済産業大臣は、特定事業活動支援の対象となる事業者及び当該特定事業活動支援の内容を決定するに当たって従うべき基準（次項及び第三項並びに次条第一項において「支援基準」という。）を定めるものとする。

Article 98 (1) The Minister of Economy, Trade and Industry is to specify the standards that the INCJ must comply with when deciding on a business that is to be subject to Support for Specified Business Activities and the details of the Support for Specified Business Activities (such standards are referred to as the "Support Standards" in the following paragraph, paragraph (3) and paragraph (1) of the following Article).

2 経済産業大臣は、前項の規定により支援基準を定めようとするときは、あらかじめ、

特定事業活動支援の対象となる活動に係る事業を所管する大臣（次条第四項及び第五項において「事業所管大臣」という。）の意見を聴くものとする。

(2) When intending to specify the Support Standards pursuant to the provisions of the preceding paragraph, the Minister of Economy, Trade and Industry is to hear, in advance, the opinion of the minister who has jurisdiction over the business pertaining to the activities that are to be subject to Support for Specified Business Activities (referred to as the "minister with jurisdiction" in paragraph (4) and paragraph (5) of the following Article).

3 経済産業大臣は、第一項の規定により支援基準を定めたときは、これを公表するものとする。

(3) When the Minister of Economy, Trade and Industry has specified the Support Standards pursuant to the provisions of paragraph (1), the minister is to publicize them.

（支援決定）

(Decision of Support)

第九十九条 機構は、特定事業活動支援を行おうとするときは、支援基準に従って、その対象となる事業者及び当該特定事業活動支援の内容を決定しなければならない。

Article 99 (1) When the INCJ intends to provide Support for Specified Business Activities, it must decide on a business that is to be subject to it and the details of the Support for Specified Business Activities, in accordance with the Support Standards.

2 機構は、特定事業活動支援をするかどうかを決定しようとするときは、あらかじめ、経済産業大臣にその旨を通知し、相当の期間を定めて、意見を述べる機会を与えなければならない。ただし、特定事業活動支援の内容が出資（その額が一定額以下のものその他の政令で定めるものに限る。）のみである場合は、この限りでない。

(2) When the INCJ intends to make a decision on whether or not to provide Support for Specified Business Activities, it must notify the Minister of Economy, Trade and Industry of that fact in advance and specify a reasonable period of time for the minister to state the opinion; provided, however, that this does not apply when Support for Specified Business Activities solely consists of contributions (limited to contributions whose amount is below a certain amount and other contributions specified by Cabinet Order).

3 機構は、前項ただし書に規定する場合において、特定事業活動支援をする旨の決定を行ったときは、速やかに、経済産業大臣にその旨及びその内容を報告しなければならない。

(3) When the INCJ has made a decision to provide Support for Specified Business Activities in cases prescribed in the proviso to the preceding paragraph, it must promptly report to the Minister of Economy, Trade and Industry to that effect and on the details of the Support for Specified Business Activities.

4 経済産業大臣は、第二項の規定による通知を受けたときは、速やかに、その内容を

事業所管大臣に通知するものとする。

(4) When the Minister of Economy, Trade and Industry has received a notification pursuant to the provisions of paragraph (2), the minister is to promptly notify the minister with jurisdiction of the details of the notification.

5 事業所管大臣は、前項の規定による通知を受けた場合において、当該事業者の属する事業分野の実態を考慮して必要があると認めるときは、第二項の期間内に、機構に対して意見を述べることができる。

(5) If the minister with jurisdiction has received a notification pursuant to the provisions of the preceding paragraph, when the minister finds it to be necessary in view of the situation in the field of business to which the business belongs, the minister may state the opinion to the INCJ within the period of time set forth in paragraph (2).

(支援決定の撤回)

(Revocation of the Decision of Support)

第百条 機構は、次に掲げる場合には、速やかに、支援決定を撤回しなければならない。

Article 100 (1) In the following cases, the INCJ must promptly revoke a decision of support:

一 対象事業者が特定事業活動を行わないとき。

(i) when a Subject Business does not carry out Specified Business Activities;  
and

二 対象事業者が破産手続開始の決定、再生手続開始の決定、更生手続開始の決定、特別清算開始の命令又は外国倒産処理手続の承認の決定を受けたとき。

(ii) when a Subject Business has received a ruling on the starting of bankruptcy proceedings, a ruling on the starting of rehabilitation proceedings, a ruling on the starting of reorganization proceedings, an order to start special liquidation, or an approval of foreign insolvency proceedings.

2 機構は、前項の規定により支援決定を撤回したときは、直ちに、対象事業者に対し、その旨を通知しなければならない。

(2) When the INCJ has revoked the decision of support pursuant to the provisions of the preceding paragraph, it must immediately notify the Subject Business of that fact.

(株式等の譲渡その他の処分等)

(Transfer and Other Dispositions of Shares)

第百一条 機構は、その保有する対象事業者に係る株式等又は債権の譲渡その他の処分の決定を行おうとするときは、あらかじめ、経済産業大臣にその旨を通知し、相当の期間を定めて、意見を述べる機会を与えなければならない。

Article 101 (1) When the INCJ intends to make a decision on the transfer and other disposition of Shares, etc. or claims pertaining to a Subject Business that it holds, it must notify the Minister of Economy, Trade and Industry of that



fact in advance and specify a reasonable period of time for the minister to state the opinion.

2 機構は、経済事情、対象事業者の事業の状況等を考慮しつつ、平成三十七年三月三十一日までに、保有する全ての株式等及び債権の譲渡その他の処分を行うよう努めなければならない。

(2) The INCJ must endeavor to transfer or otherwise dispose of all Shares, etc. and claims that it holds by March 31, 2025, in consideration of the economic situation and the state of the business of Subject Businesses.

3 機構が債務の保証を行う場合におけるその対象となる貸付金の償還期限は、平成三十七年三月三十一日まででなければならない。

(3) The redemption date for loans that are subject to a guarantee of obligations by the INCJ must be not later than March 31, 2025.

## 第五節 国の援助等

### Section 5 State Assistance

第一百条 経済産業大臣及び国の関係行政機関の長は、機構及び対象事業者に対し、その事業の円滑かつ確実な実施に関し必要な助言その他の援助を行うよう努めるものとする。

Article 102 (1) The Minister of Economy, Trade and Industry and heads of national administrative organs are to endeavor to provide the INCJ and Subject Business with advice and any other assistance necessary for the smooth and reliable implementation of their business.

2 前項に定めるもののほか、経済産業大臣及び国の関係行政機関の長は、機構及び対象事業者の行う事業の円滑かつ確実な実施が促進されるよう、相互に連携を図りながら協力するものとする。

(2) Beyond what is provided for in the preceding paragraph, the Minister of Economy, Trade and Industry and heads of national administrative organs are to cooperate and develop mutual coordination so as to promote the smooth and reliable implementation of business by the INCJ and Subject Businesses.

## 第六節 財務及び会計

### Section 6 Finance and Accounting

(予算の認可)

(Budget Authorization)

第一百三条 機構は、毎事業年度の開始前に、その事業年度の予算を経済産業大臣に提出して、その認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 103 (1) Before the start of each business year, the INCJ must submit the budget for the relevant business year to the Minister of Economy, Trade and

Industry, and obtain the authorization of the minister. This also applies when the INCJ intends to make changes to the budget.

2 前項の予算には、その事業年度の事業計画及び資金計画に関する書類を添付しなければならない。

(2) The INCJ must attach documents concerning the business plan and financial plan for the business year to the budget set forth in the preceding paragraph.

(剰余金の配当等の決議)

(Resolutions on Dividends of Surplus)

第百四条 機構の剰余金の配当その他の剰余金の処分の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 104 Resolutions of the INCJ on dividends of surplus and other dispositions of surplus do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(財務諸表)

(Financial Statements)

第百五条 機構は、毎事業年度終了後三月以内に、その事業年度の貸借対照表、損益計算書及び事業報告書を経済産業大臣に提出しなければならない。

Article 105 The INCJ must submit a balance sheet, profit and loss statement, and business report within three months from the end of each business year, for the relevant business year to the Minister of Economy, Trade and Industry.

(政府保証)

(Government Guarantees)

第百六条 政府は、法人に対する政府の財政援助の制限に関する法律（昭和二十一年法律第二十四号）第三条の規定にかかわらず、国会の議決を経た金額の範囲内において、機構の第七十九条第一項の社債又は借入れに係る債務について、保証契約をすることができる。

Article 106 Notwithstanding the provisions of Article 3 of the Act on the Restrictions on Financial Assistance by the Government to Corporations (Act No. 24 of 1946), the government may provide guarantees for obligations pertaining to the bonds or the borrowing by the INCJ set forth in Article 79, paragraph (1) within the limit of the amount approved by the Diet.

## 第七節 監督

### Section 7 Supervision

(監督)

(Supervision)

第百七条 機構は、経済産業大臣がこの法律の定めるところに従い監督する。

Article 107 (1) The INCJ is to be supervised by the Minister of Economy, Trade and Industry in accordance with what is provided for by this Act.

2 経済産業大臣は、この法律を施行するため必要があると認めるときは、機構に対し、その業務に関し監督上必要な命令をすることができる。

(2) When the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may issue orders to the INCJ concerning its business as necessary for its supervision.

(財務大臣との協議)

(Consultations with the Minister of Finance)

第百八条 経済産業大臣は、第七十九条第一項（募集社債を引き受ける者の募集をし、株式交換に際して社債を発行し、又は資金を借り入れようとするときに限る。）、第八十四条第二項、第九十六条、第九十七条第二項、第百三条第一項、第百四条又は第百十一条の認可をしようとするときは、財務大臣に協議するものとする。

Article 108 When the Minister of Economy, Trade and Industry intends to give the authorization set forth in Article 79, paragraph (1) (limited to cases where the INCJ intends to solicit persons to subscribe for the Shares for Subscription, issue bonds at a share exchange, or borrow funds), Article 84, paragraph (2), Article 96, Article 97, paragraph (2), Article 103, paragraph (1), Article 104, or Article 111, the minister is to consult with the Minister of Finance.

(業務の実績に関する評価)

(Evaluation on the Performance of Business Operations)

第百九条 経済産業大臣は、機構の事業年度ごとの業務の実績について、評価を行うものとする。

Article 109 (1) The Minister of Economy, Trade and Industry is to make evaluations with respect to the performance of business operations by the INCJ for each business year.

2 経済産業大臣は、前項の評価を行ったときは、遅滞なく、機構に対し、当該評価の結果を通知するとともに、これを公表するものとする。

(2) When the Minister of Economy, Trade and Industry has made the evaluations set forth in the preceding paragraph, the minister is to without delay give notice concerning the results of the evaluations to the INCJ and publicize them.

## 第八節 解散等

### Section 8 Dissolution

(機構の解散)

(Dissolution of the INCJ)

第百十条 機構は、第九十七条第一項各号に掲げる業務の完了により解散する。

Article 110 The INCJ is to be dissolved through the completion of the business

set forth in the items of Article 97, paragraph (1).

(合併等の決議)

(Resolutions on Mergers)

第百十一条 機構の合併、分割、事業の譲渡又は譲受け及び解散の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 111 Resolutions on mergers, company splits, transfer or acceptance of business, and dissolution of the INCJ do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

## 第六章 中小企業の活力の再生

### Chapter VI Revitalization of Small and Medium-Sized Enterprises

#### 第一節 創業等の支援

##### Section 1 Support for Start-ups

(創業支援事業の実施に関する指針)

(Guidelines for the Implementation of Start-up Support)

第百十二条 経済産業大臣及び総務大臣は、創業支援事業により創業を適切に支援し、中小企業の活力の再生に資するため、創業支援事業の実施に関する指針（以下この条及び次条第四項第一号において「実施指針」という。）を定めるものとする。

Article 112 (1) The Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications are to establish guidelines for the implementation of start-up support (hereinafter referred to as "Implementation Guidelines" in this Article and paragraph (4), item (i) of the following Article) for the purpose of properly supporting start-ups by undertaking the start-up support, thereby contributing to the revitalization of small and medium-sized enterprises.

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The Implementation Guidelines are to specify the following:

一 創業支援事業による創業の促進に関する目標の設定に関する事項

(i) particulars concerning the setting-up of goals for the promotion of start-ups through start-up support;

二 創業支援事業の実施方法に関する事項

(ii) particulars concerning the means of implementing start-up support;

三 創業支援事業の実施に関して市町村（特別区を含む。以下同じ。）が果たすべき役割に関する事項

(iii) particulars concerning roles to be fulfilled by municipalities (including special wards; hereinafter the same applies) pertaining to the implementation of start-up support; and

四 その他創業支援事業に関する重要事項

(iv) other important particulars relating to start-up support.

3 経済産業大臣及び総務大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications are to make changes to the Implementation Guidelines when any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び総務大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、中小企業者の事業を所管する大臣に協議するとともに、中小企業政策審議会の意見を聴くものとする。

(4) When the Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications intends to establish Implementation Guidelines or make changes thereto, they are to in advance consult with the ministers with jurisdiction over the business of Small and Medium-sized Enterprises, and hear the opinion of the Small and Medium-Sized Enterprise Policy Making Council.

5 経済産業大臣及び総務大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) When the Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications have established Implementation Guidelines or have made changes thereto, they are to without delay publicize the established or changed Implementation Guidelines.

(創業支援事業計画の認定)

(Approval of a Start-up Support Plan)

第百十三条 市町村は、その実施しようとする創業支援事業（これと連携して市町村以外の者が実施しようとする創業支援事業を含む。以下同じ。）に関する計画（以下「創業支援事業計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 113 (1) A municipality may prepare a plan for the start-up support it intends to undertake (including start-up support that a person other than the municipality intends to undertake in collaboration with the municipality's start-up support; hereinafter the same applies) (hereinafter such plan is referred to as a "Start-up Support Plan"), and submit it to the competent minister during the Intensive Implementation Period to seek approval therefor, as prescribed by order of the competent ministry.

2 二以上の市町村がその創業支援事業を共同して実施しようとする場合にあつては、当該二以上の市町村は共同して創業支援事業計画を作成し、前項の認定を受けることができる。

(2) When two or more municipalities intend to jointly undertake their start-up support, those two or more municipalities may jointly prepare a Start-up

Support Plan to seek approval therefor as set forth in the preceding paragraph.

3 創業支援事業計画には、次に掲げる事項を記載しなければならない。

(3) A Start-up Support Plan must contain the following:

一 創業支援事業の目標

(i) the goal of the start-up support;

二 当該市町村が実施する創業支援事業の内容（当該創業支援事業の全部又は一部が特定創業支援事業に該当する場合にあっては、その旨を含む。）及び実施方法に関する事項

(ii) details of the start-up support that the municipalities intend to undertake (when all or part of the start-up support falls under the Specified Start-up Support, including to that effect), and particulars concerning the means of implementing thereof;

三 当該市町村が実施する創業支援事業と連携して市町村以外の者が実施する創業支援事業がある場合にあっては、次に掲げる事項

(iii) when there is any start-up support that a person other than the municipalities intends to undertake in collaboration with the municipalities' start-up support, the following:

イ 当該創業支援事業を実施する者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(a) name and address of the person who undertakes the start-up support and in the case of a corporation, the name of its representative;

ロ 当該創業支援事業の内容（当該創業支援事業の全部又は一部が特定創業支援事業に該当する場合にあっては、その旨を含む。）及び実施方法に関する事項

(b) details of the start-up support (when all or part of the start-up support falls under the Specified Start-up Support, including to that effect), and particulars concerning the means of implementing thereof; and

ハ 当該市町村が実施する創業支援事業との連携に関する事項

(c) particulars concerning the collaboration with the start-up support that the municipalities intend to undertake; and

四 計画期間

(iv) period for the plan.

4 主務大臣は、第一項の認定の申請があった場合において、その創業支援事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(4) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Start-up Support Plan to conform to both of the following items, the minister is to approve the plan:

一 当該創業支援事業計画が実施指針に照らし適切なものであること。

(i) the Start-up Support Plan is appropriate in light of the Implementation Guidelines; and

二 当該創業支援事業計画に係る創業支援事業が円滑かつ確実に実施されると見込ま

れるものであること。

(ii) the start-up support under the Start-up Support Plan is expected to be conducted smoothly and reliably.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る創業支援事業計画の内容を公表するものとする

(5) When the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the Start-up Support Plan pertaining to the approval, as prescribed by order of the competent ministry.

(創業支援事業計画の変更等)

(Changes to a Start-up Support Plan)

第百十四条 前条第一項の認定を受けた市町村（以下「認定市町村」という。）は、当該認定に係る創業支援事業計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 114 (1) When a municipality that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "Approved Municipality") intends to make changes to the Start-up Support Plan pertaining to the approval, the municipality must seek the approval of the competent minister, as prescribed by order of the competent ministry.

2 主務大臣は、認定市町村（当該認定に係る創業支援事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定創業支援事業計画」という。）において認定市町村が実施する創業支援事業と連携して市町村以外の者が実施する事業（第百十六条において「認定連携創業支援事業」という。）を実施する者（第百十七条第一項及び第百三十四条において「認定連携創業支援事業者」という。）を含む。）が認定創業支援事業計画に従って創業支援事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) When the competent minister finds that an Approved Municipality (including a person who intends to undertake start-up support in collaboration with the start-up support that the Approved Municipality intends to undertake under the Start-up Support Plan pertaining to the approval (when an approval has been granted for changes under the preceding paragraph, the plan after the changes; hereinafter referred to as an "Approved Start-up Support Plan"); such collaborative business is referred to as an "Approved Collaborative Start-up Support" in Article 116 and such person is referred to as an "Approved Collaborative Start-up Support Business" in Article 117, paragraph (1) and Article 134) is not conducting the start-up support in accordance with the Approved Start-up Support Plan, the minister may rescind the approval.

3 主務大臣は、認定創業支援事業計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定市町村に対して、当該認定創業支援事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) When the competent minister finds that an Approved Start-up Support Plan

no longer conforms to either of the items of paragraph (4) of the preceding Article, the minister may direct the Approved Municipality to make changes to the Approved Start-up Support Plan or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) When the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize such fact.

5 前条第四項及び第五項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (4) and paragraph (5) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(中小企業信用保険法の特例)

(Special Provisions of the Small and Medium-sized Enterprise Credit Insurance Act)

第百十五条 無担保保険の保険関係であつて、創業関連保証（中小企業信用保険法第三条の二第一項に規定する債務の保証であつて、创业者の要する資金のうち経済産業省令で定めるものに係るものをいう。以下この条において同じ。）を受けた创业者である中小企業者（第二条第二十三項第一号、第三号及び第五号に掲げる创业者を含む。以下同じ。）に係るものについての同法第三条の二第一項及び第三項の規定の適用については、同条第一項中「中小企業者の」とあるのは「中小企業者（産業競争力強化法（平成二十五年法律第九十八号）第二条第二十三項第一号、第三号及び第五号に掲げる创业者を含む。以下同じ。）の」と、「保険価額の合計額が八千万円」とあるのは「同法第百十五条第一項に規定する創業関連保証（以下「創業関連保証」という。）に係る保険関係の保険価額の合計額及びその他の保険関係の保険価額の合計額がそれぞれ千万円（同法第二条第二十三項第一号に規定する認定特定創業支援事業により経済産業省令で定めるところにより支援を受けて行う創業に要する資金に係る創業関連保証（以下「支援創業関連保証」という。）に係る保険関係の保険価額の合計額にあつては、千五百万円）及び八千万円」と、同条第三項中「当該借入金の額のうち保証をした額が八千万円（当該債務者」とあるのは「創業関連保証及びその他の保証ごとに、当該借入金の額のうち保証をした額がそれぞれ千万円（支援創業関連保証にあつては、千五百万円）及び八千万円（創業関連保証及びその他の保証ごとに、当該債務者」と、「八千万円から」とあるのは「それぞれ千万円（支援創業関連保証にあつては、千五百万円）及び八千万円から」とする。

Article 115 (1) With respect to the application of the provisions of Article 3-2, paragraph (1) and paragraph (3) of the Small and Medium-sized Enterprise Credit Insurance Act pertaining to the insurance relationships of Unsecured Insurance that pertain to Small and Medium-sized Enterprises who are Founders (including the Founders set forth in Article 2, paragraph (23), item (i), item (iii), and item (v); hereinafter the same applies) having received a Start-up-related Guarantee (meaning a guarantee of obligations prescribed in Article 3-2, paragraph (1) of the same Act pertaining to the required funds of a



Founder that is specified by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), in paragraph (1) of the same Article, the phrase "Small and Medium-sized Enterprise" is deemed to be replaced with "Small and Medium-sized Enterprise (including the Founders set forth in Article 2, paragraph (23), item (i), item (iii), and item (v) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); hereinafter the same applies)"; the phrase "the total insurance value per each Small and Medium-sized Enterprise" is deemed to be replaced with "the total insurance value of the insurance relationships pertaining to a Start-up-related Guarantee prescribed in Article 115, paragraph (1) of the same Act (hereinafter referred to as a "Start-up-related Guarantee") and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise, respectively,"; and the phrase "80,000,000 yen" is deemed to be replaced with "10,000,000 yen (or 15,000,000 yen for the total insurance value of the insurance relationships pertaining to a Start-up-related Guarantee that pertains to the funds required for a start-up by receiving support through the approved specified start-up support prescribed in Article 2, paragraph (23), item (i) of the same Act, as prescribed by Order of the Ministry of Economy, Trade and Industry (hereinafter referred to as a "Supported Start-up-related Guarantee")) and 80,000,000 yen"; and in paragraph (3) of the same Article, the phrase "the amount guaranteed out of the amount of the borrowings" is deemed to be replaced with "the amount guaranteed out of the amount of the borrowings, for each of the Start-up-related Guarantee and other guarantees, respectively,"; the phrase "exceed 80,000,000 yen" is deemed to be replaced with "exceed 10,000,000 yen (or 15,000,000 yen for a Supported Start-up-related Guarantee) and 80,000,000 yen"; the phrase "a Small and Medium-sized Enterprise who is the obligor" is deemed to be replaced with "a Small and Medium-sized Enterprise who is the obligor, for each of the Start-up-related Guarantee and other guarantees"; and the phrase "from 80,000,000 yen" is deemed to be replaced with "from 10,000,000 yen (or 15,000,000 yen for a Supported Start-up-related Guarantee) and 80,000,000 yen, respectively."

2 第二条第二十三項第一号、第三号及び第五号に掲げる創業者であって、創業関連保証を受けたものについては、当該創業者を中小企業信用保険法第二条第一項の中小企業者とみなして、同法第三条の二及び第四条から第八条までの規定を適用する。

(2) The Founder set forth in Article 2, paragraph (23), item (i), item (iii), and item (v) that has received a Start-up-related Guarantee is deemed to be a Small and Medium-sized Enterprise as set forth in Article 2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3-2 and Article 4 to Article 8 of the same Act apply to such Founder.

3 無担保保険の保険関係であって、創業関連保証に係るもののうち、次の各号のい

れにも該当する創業者である中小企業者に係るものについての中小企業信用保険法第三条の二第二項及び第五条の規定の適用については、同法第三条の二第二項中「百分の八十」とあり、及び同法第五条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるのは、「百分の九十」とする。

(3) With respect to the application of the provisions of Article 3-2, paragraph (2) and Article 5 of the Small and Medium-Sized Enterprise Credit Insurance Act pertaining to the insurance relationships of Unsecured Insurance from among those pertaining to Start-up-related Guarantees that pertain to Small and Medium-sized Enterprises who are Founders falling under both of the following items, the phrase "80 percent" in Article 3-2, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent, for Unsecured Insurance, Special Petty Insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, Corporate Rehabilitation insurance, and specific corporate bond insurance)" in Article 5 of the same Act are deemed to be replaced with "90 percent":

一 次のいずれかに該当すること。

(i) they fall under either of the following:

イ 第二条第二十三項第一号から第三号までに掲げる者に該当する場合において、過去に自らが営んでいた事業をその経営の状況の悪化により廃止した経験を有すること又は過去に経営の状況の悪化により解散した会社の当該解散の日において当該会社の業務を執行する役員であったこと。

(a) if they fall under the categories of persons set forth in Article 2, paragraph (23), item (i) to item (iii), they have experienced the discontinuation of a business they managed in the past due to a worsening of its circumstances, or they were an officer conducting the business of a company that was dissolved due to a worsening of its circumstances as of the day on which the dissolution occurred; or

ロ 第二条第二十三項第四号に掲げる者に該当する場合において、当該会社を設立した個人が過去に自らが営んでいた事業をその経営の状況の悪化により廃止した経験を有すること又は当該会社を設立した個人が過去に経営の状況の悪化により解散した会社の当該解散の日において当該会社の業務を執行する役員であったこと。

(b) if they fall under the categories of persons set forth in Article 2, paragraph (23), item (iv), the individual who established the company has experienced the discontinuation of a business the individual managed in the past due to a worsening of its circumstances, or the individual was an officer conducting the business of a company that was dissolved due to a worsening of its circumstances as of the day on which the dissolution

occurred; and

二 当該保険関係に係る債務の保証の委託の申込みを、前号イ及びロに規定する事業の廃止の日又は解散の日から五年を経過する日前に行ったこと。

(ii) they made an offer for the entrustment of a guarantee of obligations pertaining to the insurance relationships prior to the date on which five years have elapsed from the date of the discontinuation of business or the date of dissolution prescribed in (a) and (b) of the preceding item.

4 創業関連保証を受けた者一人についての無担保保険の保険関係であって政令で指定するものの保険価額の合計額の限度額は、政令で定める。

(4) The limit on the total of the insurance values of the insurance relationships of Unsecured Insurance that are designated by Cabinet Order relating to an individual that has received a Start-up-related Guarantee is to be specified by Cabinet Order.

5 無担保保険の保険関係であって、創業関連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

(5) The amount of insurance premiums relating to the insurance relationships of Unsecured Insurance that pertain to Start-up-related Guarantees is to be an amount obtained by multiplying the insurance amount by a ratio specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

第百十六条 認定連携創業支援事業を実施する一般社団法人若しくは一般財団法人（一般社団法人にあってはその社員総会における議決権の二分の一以上を中小企業者が有しているもの、一般財団法人にあっては設立に際して拠出された財産の価額の二分の一以上が中小企業者により拠出されているものに限る。）又は特定非営利活動促進法（平成十年法律第七号）第二条第二項に規定する特定非営利活動法人（その社員総会における表決権の二分の一以上を中小企業者が有しているものに限る。）であって、当該認定連携創業支援事業の実施に必要な資金に係る中小企業信用保険法第三条第一項又は第三条の二第一項に規定する債務の保証を受けたもの（以下この条において「認定一般社団法人等」という。）については、当該認定一般社団法人等を同法第二条第一項の中小企業者とみなして、同法第三条、第三条の二及び第四条から第八条までの規定を適用する。この場合において、同法第三条第一項及び第三条の二第一項の規定の適用については、これらの規定中「借入れ」とあるのは、「産業競争力強化法（平成二十五年法律第九十八号）第百十四条第二項に規定する認定連携創業支援事業の実施に必要な資金の借入れ」とする。

Article 116 A general incorporated association or general incorporated foundation (limited to a general incorporated association for which at least a half of the voting rights in its general meeting of members are held by Small and Medium-sized Enterprises and a general incorporated foundation for which at least a half of the value of the property contributed upon its incorporation

has been contributed by Small and Medium-sized Enterprises) or a specified nonprofit corporation prescribed in Article 2, paragraph (2) of the Act to Promote Specified Non-profit Activities (Act No. 7 of 1998) (limited to a specified nonprofit corporation for which at least a half of the rights to vote in its general meeting of members are held by Small and Medium-sized Enterprises) that undertakes an Approved Collaborative Start-up Support and has received a guarantee of obligations prescribed in Article 3, paragraph (1) or Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act pertaining to funds necessary for undertaking the Approved Collaborative Start-up Support (referred to as an "Approved General Incorporated Association, etc." in this Article), the Approved General Incorporated Association, etc. is deemed to be a Small and Medium-sized Enterprise as set forth in Article 2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3, Article 3-2, and Article 4 to Article 8 of the same Act apply to such Approved General Incorporated Association, etc. In this case, with respect to the application of the provisions of Article 3, paragraph (1) and Article 3-2, paragraph (1) of the same Act, the phrase "borrowing" in those provisions is deemed to be replaced with "borrowing of funds necessary for undertaking an Approved Collaborative Start-up Support prescribed in Article 114, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(認定市町村に対する情報の提供等)

(Provision of Information to Approved Municipalities)

第百十七条 独立行政法人中小企業基盤整備機構は、認定市町村又は認定連携創業支援事業者の依頼に応じて、その行う創業支援事業に関する情報の提供その他必要な協力の業務を行う。

Article 117 (1) In response to a request from an Approved Municipality or an Approved Collaborative Start-up Support, the Organization for Small & Medium Enterprises and Regional Innovation is to provide information concerning the relevant start-up support or other necessary cooperation.

2 都道府県は、創業支援事業計画を作成しようとする市町村又は認定市町村に対し、創業支援事業に関する情報の提供その他の援助を行うことができる。

(2) Prefectures may provide municipalities that intend to prepare a Start-up Support Plan or Approved Municipalities with information concerning a start-up support or other assistance.

(中小企業信用保険法の特例)

(Special Provisions of the Small and Medium-sized Enterprise Credit Insurance Act)

第百十八条 中小企業者の特定信用状発行契約に基づく債務については、当該債務を中

小企業信用保険法第三条第一項に規定する借入れによる債務とみなして、同法第三条及び第四条から第八条までの規定を適用する。この場合において、普通保険の保険関係であって、特定信用状関連保証（特定信用状発行契約に基づく債務の保証をいう。以下この条において同じ。）を受けた中小企業者に係るものについての同法第三条第一項の規定の適用については、同項中「保険価額の合計額が」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）第百十八条第一項に規定する特定信用状関連保証に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ」と、「借入金」とあるのは「特定信用状発行契約（同法第二条第二十七項の特定信用状発行契約をいう。）に基づく債務の額（当該中小企業者の外国関係法人（同法第二条第九項の外国関係法人をいう。）の外国銀行等（銀行法（昭和五十六年法律第五十九号）第四条第三項の外国銀行等をいう。）からの借入金の額に相当する額に限る。）のうち保証をした額（特殊保証の場合は限度額）の総額と借入金」と、「総額が」とあるのは「総額とがそれぞれ」とする。

Article 118 (1) The obligations of Small and Medium-sized Enterprises based on a Specified Letter of Credit Issuance Contract are deemed to be obligations on a loan as prescribed in Article 3, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3 and Article 4 to Article 8 of the same Act apply thereto. In this case, with respect to the application of the provisions of Article 3, paragraph (1) of the same Act pertaining to the insurance relationships of Ordinary Insurance that pertain to Small and Medium-sized Enterprises that have received a Specified Letter of Credit-related Guarantee (meaning a guarantee of obligations based on a Specified Letter of Credit Issuance Contract; hereinafter the same applies in this Article), in the same paragraph, the phrase "the total insurance value per each Small and Medium-sized Enterprise" is deemed to be replaced with "the total insurance value of the insurance relationships pertaining to a Specified Letter of Credit-related Guarantee as prescribed in Article 118, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise, respectively,;" the phrase "the total amount guaranteed out of the amount of the borrowings" is deemed to be replaced with "the total amount guaranteed (or the maximum amount in the case of a special guarantee) out of the amount of obligations based on a Specified Letter of Credit Issuance Contract (meaning the Specified Letter of Credit Issuance Contract set forth in Article 2, paragraph (27) of the same Act) (limited to the amount equivalent to the amount of borrowings from a Foreign Bank, etc. (meaning the Foreign Bank, etc. as set forth in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981)) of an Affiliated Foreign Corporation (meaning the Affiliated Foreign Corporation as set forth in Article 2, paragraph (9) of the Act on Strengthening Industrial Competitiveness) of the Small and Medium-sized Enterprise) and the total amount guaranteed out of

the amount of the borrowings"; and the phrase "reaches" is deemed to be replaced with ", respectively, reaches".

2 普通保険の保険関係であつて、特定信用状関連保証に係るものについての次の表の上欄に掲げる中小企業信用保険法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

(2) With respect to the application of the provisions of the Small and Medium-sized Enterprise Credit Insurance Act set forth in the left-hand column of the following table pertaining to the insurance relationships of Ordinary Insurance that pertain to a Specified Letter of Credit-related Guarantee, the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

第三条第二項 Article 3, paragraph (2)	百分の七十 70 percent	百分の八十 80 percent
---------------------------------------	---------------------	---------------------

<p>第三条第三項 Article 3, paragraph (3)</p>	<p>借入金の額のうち保証をした額 the amount guaranteed out of the amount of the borrowings</p>	<p>特定信用状発行契約（産業競争力強化法（平成二十五年法律第号）第二条第二十七項の特定信用状発行契約をいう。以下同じ。）に基づく債務の額（中小企業者の外国関係法人（同法第二条第九項の外国関係法人をいう。以下同じ。）の外国銀行等（銀行法（昭和五十六年法律第五十九号）第四条第三項の外国銀行等をいう。以下同じ。）からの借入金の額に相当する額に限る。以下同じ。） the amount of obligations based on a Specified Letter of Credit Issuance Contract (meaning the Specified Letter of Credit Issuance Contract set forth in Article 2, paragraph (27) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); the same applies hereinafter) (limited to the amount equivalent to the amount of the borrowings from a Foreign Bank, etc. (meaning the Foreign Bank, etc. set forth in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981); the same applies hereinafter) of an Affiliated Foreign Corporation (meaning the Affiliated Foreign Corporation set forth in Article 2, paragraph (9) of the Industrial Competitiveness Enhancement Act; the same applies hereinafter) of a Small and Medium-sized Enterprise; the same applies hereinafter)</p>
	<p>保証をした額 amount guaranteed</p>	<p>保証をした額（特殊保証の場合は限度額） amount guaranteed (or the maximum amount in the case of a special guarantee)</p>

	<p>借入金の弁済（手形の割引の場合は手形の支払、電子記録債権の割引の場合は電子記録債権に係る債務の支払）</p> <p>performance of borrowings (in the case of the discounting of bills, payment of bills, and in the case of the discounting of electronically recorded monetary claims, payment of the obligations pertaining to electronically recorded monetary claims)</p>	<p>特定信用状発行契約に基づく債務の弁済</p> <p>performance of obligations based on a Specified Letter of Credit Issuance Contract</p>
<p>第三条第四項 Article 3, paragraph (4)</p>	<p>第一項の保険関係が成立する保証をした借入金（手形の割引の場合は手形の割引により融通を受けた資金、電子記録債権の割引の場合は電子記録債権の割引により融通を受けた資金）</p> <p>Borrowings (in the case of the discounting of bills, funds receiving financing through the discounting of bills, and in the case of the discounting of electronically recorded monetary claims, funds receiving financing through the discounting of electronically recorded monetary claims) for which the establishment of the insurance relationships set forth in paragraph (1) has been guaranteed</p> <p>中小企業者 a Small and Medium-sized Enterprise Operator</p>	<p>第一項の保険関係が成立する保証をした場合における前項に規定する中小企業者の外国関係法人の外国銀行等からの借入金</p> <p>Borrowings from a Foreign Bank, etc. of an Affiliated Foreign Corporation of a Small and Medium-sized Enterprise as prescribed in the preceding paragraph in cases where the establishment of the insurance relationships set forth in paragraph (1) has been guaranteed</p> <p>当該中小企業者 the Small and Medium-sized Enterprise Operator</p>



<p>第五条 Article 5</p>	<p>弁済（手形の割引及び電子記録債権の割引の場合は、支払。以下同じ。） performed (or paid in the case of the discounting of bills or the discounting of electronically recorded monetary claims; the same applies hereinafter)</p>	<p>弁済 performed</p>
	<p>借入金（手形の割引の場合は手形債務、電子記録債権の割引の場合は電子記録債権に係る債務。以下同じ。）、社債に係る債務（利息に係るものを除く。以下同じ。）又は特定支払債務 borrowings (in the case of the discounting of bills, bill obligations, and in the case of the discounting of electronically recorded monetary claims, obligations pertaining to electronically recorded monetary claims; the same applies hereinafter), obligations pertaining to bonds (excluding those pertaining to interest; the same applies hereinafter), or specified payables</p>	<p>特定信用状発行契約に基づく債務 obligations based on a Specified Letter of Credit Issuance Contract</p>

	<p>百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）</p> <p>70 percent (or 80 percent for Unsecured Insurance, Special Petty Insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)"</p>	<p>百分の八十</p> <p>80 percent</p>
<p>第五条第一号及び第三号並びに第八条第一号及び第三号</p> <p>Article 5, item (i) and item (iii) and Article 8, item (i) and item (iii)</p>	<p>借入金又は社債に係る債務 borrowings or obligations pertaining to bonds</p>	<p>特定信用状発行契約に基づく債務 obligations based on a Specified Letter of Credit Issuance Contract</p>

(新事業の開拓の成果を有する中小企業者の国等の契約における受注機会の増大への配慮)

**(Consideration for Increasing Opportunities for Receipt of Orders under State Contracts for Small and Medium-sized Enterprises Which Succeeded in Developing New Business)**

第百十九条 官公需についての中小企業者の受注の確保に関する法律（昭和四十一年法律第九十七号）第二条第二項に規定する国等は、中小企業の活力の再生を速やかに実現するため、同法第三条に規定する国等の契約を締結するに当たっては、予算の適正な使用に留意しつつ、同法第二条第一項各号に掲げる中小企業者であつて新商品、新技術又は新たな役務の開発、企業化、需要の開拓その他の新たな事業の開拓の成果を有する者の受注の機会の増大を図るよう配慮するものとする。

Article 119 The State, etc. as prescribed in Article 2, paragraph (2) of the Act on

Ensuring the Receipt of Orders from the Government and Other Public Agencies by Small and Medium-Sized Enterprises (Act No. 97 of 1966) is to give consideration to increasing opportunities for receipt of orders for Small and Medium-sized Enterprises as prescribed in the items of Article 2, paragraph (1) of the same Act who have succeeded in developing new goods, new technologies or new services, commercialization, exploitation of demand or other newly exploited business, in concluding the State contracts, etc. prescribed in Article 3 of the same Act, while paying due attention to the proper use of budgets, for the purpose of promptly realizing the revitalization of Small and Medium-sized Enterprises.

## 第二節 中小企業承継事業再生の円滑化

### Section 2 Facilitation of SME Rehabilitation through Succession

(中小企業承継事業再生の実施に関する指針)

(Guidelines for the Implementation of SME Rehabilitation through Succession)

第百二十条 経済産業大臣は、中小企業承継事業再生による中小企業の事業の再生を適切に支援し、その活力の再生に資するため、中小企業承継事業再生の実施に関する指針（以下この条及び次条第四項第一号において「実施指針」という。）を定めるものとする。

Article 120 (1) The Minister of Economy, Trade and Industry is to establish the guidelines for the implementation of SME Rehabilitation through Succession (hereinafter referred to as the "Implementation Guidelines" in this Article and paragraph (4), item (i) of the following Article) for the purpose of properly supporting the rehabilitation of small and medium-sized enterprise businesses through SME Rehabilitation through Succession, thereby contributing to their revitalization.

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The Implementation Guidelines are to specify the following:

一 中小企業承継事業再生による事業の強化に関する目標の設定に関する事項

(i) particulars concerning the setting up of goals for the strengthening of business through SME Rehabilitation through Succession;

二 中小企業承継事業再生の実施方法に関する事項

(ii) particulars concerning the means of implementing SME Rehabilitation through Succession; and

三 その他中小企業承継事業再生に関する重要事項

(iii) other important particulars relating to SME Rehabilitation through Succession.

3 経済産業大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry is to make changes to the

Implementation Guidelines when any need arises due to fluctuations in the state of the economy.

4 経済産業大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、中小企業者の事業を所管する大臣に協議するとともに、中小企業政策審議会の意見を聴くものとする。

(4) When the Minister of Economy, Trade and Industry intends to establish the Implementation Guidelines or make changes thereto, the minister is to consult with the ministers who have jurisdiction over the business of Small and Medium-sized Enterprises, and hear the opinion of the Small and Medium-Sized Enterprise Policy Making Council, in advance.

5 経済産業大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) When the Minister of Economy, Trade and Industry has established the Implementation Guidelines or has made changes thereto, the minister is to without delay publicize the established or changed Implementation Guidelines.

(中小企業承継事業再生計画の認定)

(Approval of a Plan for SME Rehabilitation through Succession)

第百二十一条 特定中小企業者及び承継事業者（承継事業者となる法人を設立しようとする者を含む。）は、共同で（特定中小企業者が承継事業者となる法人を設立しようとする者である場合においては、特定中小企業者は、単独で）、その実施しようとする中小企業承継事業再生に関する計画（以下「中小企業承継事業再生計画」という。）を作成し、主務省令で定めるところにより、これを集中実施期間中に主務大臣に提出して、その認定を受けることができる。

Article 121 (1) A Specified Small and Medium-sized Enterprise and a Succeeding Business (including those intending to establish a corporation that will become a Succeeding Business) may jointly (when a Specified Small and Medium-sized Enterprise intends to establish a corporation that will become a Succeeding Business, the Specified Small and Medium-sized Enterprise may act independently) prepare a plan concerning SME Rehabilitation through Succession they intend to conduct (hereinafter referred to as a "Plan for SME Rehabilitation through Succession"), and submit it to the competent minister during the Intensive Implementation Period to seek approval therefor, as prescribed by order of the competent ministry.

2 中小企業承継事業再生計画には、次に掲げる事項を記載しなければならない。

(2) Plan for SME Rehabilitation through Succession must contain the following particulars:

一 中小企業承継事業再生の目標

(i) the goal of SME Rehabilitation through Succession;

二 特定中小企業者の業務及び財務の状況に関する事項

(ii) particulars concerning the state of the business operations and financial

- conditions of the Specified Small and Medium-sized Enterprise;
- 三 承継事業者に関する事項
- (iii) particulars concerning the Succeeding Business;
- 四 中小企業承継事業再生による事業の強化の程度を示す指標
- (iv) indicators to show the levels of the strengthening of business through SME Rehabilitation through Succession;
- 五 中小企業承継事業再生の内容及び実施時期
- (v) details of SME Rehabilitation through Succession and implementation period;
- 六 中小企業承継事業再生の実施に必要な資金の額及びその調達方法
- (vi) the amount of funds necessary for conducting SME Rehabilitation through Succession and how to raise them; and
- 七 中小企業承継事業再生に伴う労務に関する事項
- (vii) particulars concerning the labor associated with SME Rehabilitation through Succession.
- 3 中小企業承継事業再生計画には、特定許認可等（行政手続法（平成五年法律第八十八号）第二条第三号の許認可等であって、それに基づく地位を特定中小企業者が有する場合において当該地位が承継事業者に承継されることが中小企業承継事業再生の円滑化に特に資するものとして政令で定めるものをいう。以下この条から第二百二十三条までにおいて同じ。）に基づく特定中小企業者の地位であって、当該中小企業承継事業再生のために承継事業者が承継しようとするものを記載することができる。
- (3) A Plan for SME Rehabilitation through Succession may record the state of a Specified Small and Medium-sized Enterprise based on Specified Permission, etc. (meaning permission, etc. set forth in Article 2, item (iii) of the Administrative Procedure Act (Act No. 88 of 1993) that is specified by Cabinet Order as being permission, etc. if a state based thereon is held by a Specified Small and Medium-sized Enterprise, and the state is succeeded to by a Succeeding Business, it would be especially conducive to the facilitation of the SME Rehabilitation through Succession; hereinafter the same applies from this Article to Article 123), which a Succeeding Business intends to succeed to for the purposes of the SME Rehabilitation through Succession.
- 4 主務大臣は、第一項の認定の申請があった場合において、その中小企業承継事業再生計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。
- (4) When the competent minister has received an application for approval as set forth in paragraph (1) and finds the Plan for SME Rehabilitation through Succession to conform to all of the following items, the minister is to approve the plan:
- 一 当該中小企業承継事業再生計画が実施指針に照らし適切なものであること。
- (i) the Plan for SME Rehabilitation through Succession is appropriate in light of the Implementation Guidelines;

二 当該中小企業承継事業再生計画に係る中小企業承継事業再生が円滑かつ確実に実施されると見込まれるものであること。

(ii) SME Rehabilitation through Succession under the Plan for SME

Rehabilitation through Succession is expected to be conducted smoothly and reliably;

三 当該中小企業承継事業再生計画に係る中小企業承継事業再生により、承継事業者が承継する事業に係る特定中小企業者の経営資源が著しく損なわれ、又は失われるものでないこと。

(iii) the management resources of the Specified Small and Medium-sized Enterprise pertaining to the business succeeded to by the Succeeding Business will not be significantly lost or damaged through SME Rehabilitation through Succession under the Plan for SME Rehabilitation through Succession;

四 当該中小企業承継事業再生計画が従業員の状態を不当に害するものでないこと。

(iv) the Plan for SME Rehabilitation through Succession will not cause unreasonable damage to the state of employees; and

五 当該中小企業承継事業再生計画が特定中小企業者の取引の相手方である事業者の利益を不当に害するおそれがあるものでないこと。

(v) there is no risk that the Plan for SME Rehabilitation through Succession will cause unreasonable damage to the interests of businesses that are counterparties to transactions with the Specified Small and Medium-sized Enterprise.

5 主務大臣は、中小企業承継事業再生計画に第三項の特定許認可等に基づく特定中小企業者の地位が記載されている場合において、前項の認定をしようとするときは、当該特定許認可等をした行政庁に協議し、その同意を得るものとする。

(5) When a Plan for SME Rehabilitation through Succession records the state of a Specified Small and Medium-sized Enterprise, based on a Specified Permission, etc. as set forth in paragraph (3), and when the competent minister intends to grant approval as set forth in the preceding paragraph, the minister is to consult with and obtain the consent of the administrative agency which had given the Specified Permission, etc.

6 行政庁は、主務大臣及び第一項の認定の申請を行った者に対して、同意に必要な情報の提供を求めることができる。

(6) An administrative agency may request the competent minister and the person filing the application for approval set forth in paragraph (1) to submit the information necessary for giving consent.

7 行政庁は、当該特定許認可等をする根拠となる規定の趣旨を考慮して、同意をするかどうかを判断するものとする。

(7) An administrative agency is to determine whether or not to give consent, while taking into consideration the purpose of the provisions on which the Specified Permission, etc. is to be based.

8 前三項に定めるもののほか、同意に関し必要な事項は、政令で定める。

(8) Beyond what is provided for in the preceding three paragraphs, the necessary particulars concerning consent are to be specified by Cabinet Order.

(中小企業承継事業再生計画の変更等)

(Changes to a Plan for SME Rehabilitation through Succession)

第百二十二条 前条第一項の認定を受けた者（当該認定を受けた者が当該認定に係る中小企業承継事業再生計画に従って設立した承継事業者となる法人を含む。以下「認定中小企業承継事業再生事業者」という。）は、当該認定に係る中小企業承継事業再生計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。ただし、主務省令で定める軽微な変更については、この限りでない。

Article 122 (1) When a person who has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation that is to become a Succeeding Business established by the person who has obtained the approval in accordance with the Plan for SME Rehabilitation through Succession pertaining to the approval; hereinafter such person is referred to as an "Approved Business Conducting SME Rehabilitation through Succession") intends to make changes to the Plan for SME Rehabilitation through Succession pertaining to the approval, such person must obtain the approval of the competent minister, as prescribed by order of the competent ministry; provided, however, that this does not apply with respect to minor changes specified by order of the competent ministry.

2 認定中小企業承継事業再生事業者は、前項ただし書の主務省令で定める軽微な変更をしたときは、遅滞なく、その旨を主務大臣に届け出なければならない。

(2) When an Approved Business Conducting SME Rehabilitation through Succession has made minor changes as specified by order of the competent ministry as set forth in the proviso to the preceding paragraph, the Business must without delay notify the competent minister of that fact.

3 第一項の変更の認定の申請及び前項の規定による変更の届出は、認定中小企業承継事業再生事業者が、共同で（当該申請又は届出が、前条第一項の認定を単独で受けた特定中小企業者に係る中小企業承継事業再生計画に係るものである場合であって、当該中小企業承継事業再生計画に従って承継事業者となる法人を設立する前に行われるときは、当該特定中小企業者が、単独で）行うものとする。ただし、同条第一項の認定に係る中小企業承継事業再生計画（第一項の規定による変更の認定又は前項の規定による変更の届出があったときは、その変更後のもの。以下「認定中小企業承継事業再生計画」という。）に従って承継事業者が事業を承継した後においては、当該承継事業者が、単独で行うことができる。

(3) An application for approval for the changes set forth in paragraph (1) and a notification of changes pursuant to the provisions of the preceding paragraph are to be made jointly by the Approved Business Conducting SME

Rehabilitation through Succession (when the application or notification pertains to a Plan for SME Rehabilitation through Succession pertaining to a Specified Small and Medium-sized Enterprise that has independently obtained the approval set forth in paragraph (1) of the preceding Article, and such application or notification is made prior to the establishment of a corporation that is to become a Succeeding Business in accordance with the Plan for SME Rehabilitation through Succession, the specified Small and Medium-sized Enterprise may act independently); provided, however, that after a Succeeding Business has succeeded to the business in accordance with the Plan for SME Rehabilitation through Succession pertaining to the approval set forth in paragraph (1) of the same Article (when an approval has been granted for changes pursuant to the provisions of paragraph (1) or a notification of changes has been made pursuant to the provisions of the preceding paragraph, the plan after the changes; hereinafter such plan is referred to as an "Approved Plan for SME Rehabilitation through Succession"), the Succeeding Business may act independently.

4 主務大臣は、認定中小企業承継事業再生計画に従って承継事業者が事業を承継する前に第一項の規定による変更の認定の申請がされ、かつ、その変更が次の各号のいずれかに該当するものである場合において、同項の認定をしようとするときは、当該各号に定める行政庁に協議し、その同意を得るものとする。

(4) If an application for the approval of changes pursuant to the provisions of paragraph (1) has been filed before a Succeeding Business succeeds to a business in accordance with the Approved Plan for SME Rehabilitation through Succession, and the changes fall under either of the following items, when the competent minister intends to grant approval as set forth in the same paragraph, the minister is to consult with and obtain the consent of the administrative agency specified in the same items:

一 主務大臣が前条第五項の規定により行政庁の同意を得てした同条第四項の認定に係る中小企業承継事業再生計画の変更 当該行政庁（当該変更が特定許認可等に基づく特定中小企業者の地位の全部又は一部の記載を削除しようとするものである場合においては、当該削除に係る特定許認可等をした行政庁を除く。）

(i) changes to a Plan for SME Rehabilitation through Succession pertaining to the approval set forth in paragraph (4) of the preceding Article that the competent minister has granted by obtaining the consent of the administrative agency pursuant to the provisions of paragraph (5) of the same Article: the administrative agency (when the changes are intended to delete all or part of the record concerning the state of the Specified Small and Medium-sized Enterprise based on a Specified Permission, etc., excluding the administrative agency that has given the Specified Permission, etc. pertaining to the deletion); or

二 新たに特定許認可等に基づく特定中小企業者の地位を記載しようとする変更 当



該特定許認可等をした行政庁

(ii) changes intended to newly record the state of a Specified Small and Medium-sized Enterprise based on a Specified Permission, etc.: the administrative agency that has given the Specified Permission, etc.

5 主務大臣は、認定中小企業承継事業再生事業者が当該認定中小企業承継事業再生計画に従って中小企業承継事業再生を実施していないと認めるときは、その認定を取り消すことができる。

(5) If the competent minister finds that an Approved Business Conducting SME Rehabilitation through Succession is not conducting SME Rehabilitation through Succession in accordance with the Approved Plan for SME Rehabilitation through Succession, the minister may rescind the approval.

6 主務大臣は、認定中小企業承継事業再生計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定中小企業承継事業再生事業者に対して、当該認定中小企業承継事業再生計画の変更を指示し、又はその認定を取り消すことができる。

(6) If the competent minister finds that an Approved Plan for SME Rehabilitation through Succession no longer conforms to any of the items of paragraph (4) of the preceding Article, the minister may direct the Approved Business Conducting SME Rehabilitation through Succession to make changes to the Approved Plan for SME Rehabilitation through Succession or may rescind the approval.

7 前条第四項の規定は第一項の認定について、同条第六項から第八項までの規定は第四項の同意についてそれぞれ準用する。

(7) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1), and the provisions of paragraph (6) to paragraph (8) of the same Article apply mutatis mutandis to the consent set forth in paragraph (4).

(特定許認可等に基づく地位の承継等)

(Succession of State Based on Specified Permission)

第二百二十三条 認定中小企業承継事業再生計画に第二百二十一条第三項の特定許認可等に基づく特定中小企業者の地位が記載されている場合において、当該認定中小企業承継事業再生計画に従って承継事業者が事業を承継したときは、当該承継事業者は、当該特定許認可等の根拠となる法令の規定にかかわらず、当該特定許認可等に基づく特定中小企業者の地位を承継する。

Article 123 (1) When an Approved Plan for SME Rehabilitation through Succession records the state of a Specified Small and Medium-sized Enterprise, based on a Specified Permission, etc. as set forth in Article 121, paragraph (3), if a Succeeding Business has succeeded to a business in accordance with the Approved Plan for SME Rehabilitation through Succession, the Succeeding Business is to succeed to the state of a Specified Small and Medium-sized

Enterprise based on the Specified Permission, etc., irrespective of the provisions of laws and orders on which the Specified Permission, etc. is to be based.

2 認定中小企業承継事業再生事業者は、当該認定中小企業承継事業再生計画に従って承継事業者が事業を承継したときは、遅滞なく、その事実を証する書面を添えて、その旨を主務大臣に報告しなければならない。

(2) When a Succeeding Business has succeeded to a business in accordance with the Approved Plan for SME Rehabilitation through Succession, the relevant Approved Business Conducting SME Rehabilitation through Succession must without delay report that fact to the competent minister, attaching a document evidencing it.

3 主務大臣は、第一項の規定により承継事業者が特定許認可等に基づく特定中小企業者の地位を承継した場合において、前項の規定による報告を受けたときは、主務省令で定めるところにより、その報告に係る事項を当該特定許認可等に係る行政庁に通知するものとする。

(3) If a Succeeding Business has succeeded to the state of a Specified Small and Medium-sized Enterprise, based on a Specified Permission, etc., pursuant to the provisions of paragraph (1), and if the competent minister has received a report pursuant to the provisions of the preceding paragraph, the minister is to give notice concerning the particulars thus reported to the administrative agency pertaining to the Specified Permission, etc., as prescribed by order of the competent ministry.

4 この法律に定めるもののほか、特定許認可等に基づく地位の承継に関し必要な事項は、政令で定める。

(4) Beyond what is provided for by this Act, necessary particulars concerning the succession of a state based on a Specified Permission, etc. are to be specified by Cabinet Order.

(中小企業信用保険法の特例)

(Special Provisions of the Small and Medium-sized Enterprise Credit Insurance Act)

第二百二十四条 普通保険、無担保保険又は特別小口保険の保険関係であつて、中小企業承継事業再生関連保証（中小企業信用保険法第三条第一項、第三条の二第一項又は第三条の三第一項に規定する債務の保証であつて、認定中小企業承継事業再生計画に従って行われる中小企業承継事業再生に必要な資金に係るものをいう。）を受けた中小企業者（承継事業者（認定中小企業承継事業再生計画に従って設立される法人を除く。）に限る。）に係るものについての次の表の上欄に掲げる同法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 124 With respect to the application of the provisions of the Small and Medium-sized Enterprise Credit Insurance Act set forth in the left-hand column of the following table pertaining to the insurance relationships of

Ordinary Insurance, Unsecured Insurance, or Special Petty Insurance that pertain to Small and Medium-sized Enterprises (limited to Succeeding Businesses (excluding corporations established in accordance with an Approved Plan for SME Rehabilitation through Succession)) who have received a SME Rehabilitation through a Succession-related Guarantee (meaning a guarantee of obligations as prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1) or Article 3-3, paragraph (1) of the same Act that pertain to funds necessary for SME Rehabilitation through Succession to be conducted in accordance with an Approved Plan for SME Rehabilitation through Succession), the phrases set forth in the middle column of the same table that are used in those provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第三条第一項 Article 3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第五十五条第一項に規定する事業再生計画実施関連保証（以下「事業再生計画実施関連保証」という。）に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Plan Implementation-related Guarantee prescribed in Article 55, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (hereinafter referred to as a "Corporate Rehabilitation Plan Implementation-related Guarantee") and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise, respectively,</p>
--	--	---

<p>第三条の二第一項及び第三条の三第一項 Article 3-2, paragraph (1) and Article 3-3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium- sized Enterprise</p>	<p>事業再生計画実施関連保証に係る保 険関係の保険価額の合計額とその他 の保険関係の保険価額の合計額とが それぞれ the total insurance value of the insurance relationships pertaining to a Corporate Rehabilitation Plan Implementation-related Guarantee and the total insurance value for other insurance relationships per each Small and Medium-sized Enterprise Operator, respectively,</p>
<p>第三条の二第三項 Article 3-2, paragraph (3)</p>	<p>当該借入金の額のうち out of the amount of the borrowings</p>	<p>事業再生計画実施関連保証及びその 他の保証ごとに、それぞれ当該借入 金の額のうち out of the amount of the borrowings for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively</p>
	<p>当該債務者 the obligee</p>	<p>事業再生計画実施関連保証及びその 他の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively,</p>
<p>第三条の三第二項 Article 3-3, paragraph (2)</p>	<p>当該保証をした the borrowings guaranteed</p>	<p>事業再生計画実施関連保証及びその 他の保証ごとに、それぞれ当該借入 金の額のうち out of the borrowings for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively</p>
	<p>当該債務者 the obligee</p>	<p>事業再生計画実施関連保証及びその 他の保証ごとに、当該債務者 the obligees for the Corporate Rehabilitation Plan Implementation-related Guarantee and other guarantees, respectively,</p>

(中小企業投資育成株式会社法の特例)

(Special Provisions of the Small and Medium Business Investment & Consultation Corporation Act)

第二百五条 中小企業投資育成株式会社は、中小企業投資育成株式会社法（昭和三十八年法律第百一号）第五条第一項各号に掲げる事業のほか、次に掲げる事業を行うことができる。

Article 125 (1) Small and Medium Business Investment & Consultation

Corporations may undertake the following business, beyond the business set forth in the items of Article 5, paragraph (1) of the Small and Medium Business Investment & Consultation Corporation Act:

一 中小企業者が認定中小企業承継事業再生計画に従って中小企業承継事業再生を実施するために資本金の額が三億円を超える株式会社を設立する際に発行する株式の引受け及び当該引受けに係る株式の保有

(i) subscription for shares issued by a Small and Medium-sized Enterprise at the time of the establishment of a stock company with an amount of stated capital exceeding 300,000,000 yen for the purpose of conducting SME Rehabilitation through Succession in accordance with an Approved Plan for SME Rehabilitation through Succession, and the holding of shares pertaining to the subscription; and

二 中小企業者のうち資本金の額が三億円を超える株式会社（承継事業者に限る。）が認定中小企業承継事業再生計画に従って中小企業承継事業再生を実施するために必要とする資金の調達を図るために発行する株式、新株予約権（新株予約権付社債に付されたものを除く。）又は新株予約権付社債等の引受け及び当該引受けに係る株式、新株予約権（その行使により発行され、又は移転された株式を含む。）又は新株予約権付社債等（新株予約権付社債等に付された新株予約権の行使により発行され、又は移転された株式を含む。）の保有

(ii) subscription for shares, share options (excluding those attached to bonds with share options) or bonds with share options, etc. issued by a stock company (limited to a Succeeding Business) with an amount of stated capital exceeding 300,000,000 yen from among Small and Medium-sized Enterprises for the purpose of procuring funds necessary for conducting SME Rehabilitation through Succession in accordance with an Approved Plan for SME Rehabilitation through Succession, and the holding of shares, share options (including shares issued or transferred through their exercise), or bonds with share options, etc. (including shares issued or transferred through the exercise of share options attached to bonds with share options, etc.) pertaining to the subscription.

2 前項第一号の規定による株式の引受け及び当該引受けに係る株式の保有並びに同項第二号の規定による株式、新株予約権（新株予約権付社債に付されたものを除く。）又は新株予約権付社債等の引受け及び当該引受けに係る株式、新株予約権（その行使により発行され、又は移転された株式を含む。）又は新株予約権付社債等（新株予約権付社債等に付された新株予約権の行使により発行され、又は移転された株式を含

む。)の保有は、中小企業投資育成株式会社法の適用については、それぞれ同法第五条第一項第一号及び第二号の事業とみなす。

- (2) The subscription for shares and holding of shares pertaining to the subscription, pursuant to the provisions of item (i) of the preceding paragraph, and the subscription for shares, share options (excluding those attached to bonds with share options), or bonds with share options, etc. and the holding of shares, share options (including shares issued or transferred through their exercise) and bonds with share options, etc. (including shares issued or transferred through the exercise of share options attached to bonds with share options, etc.) pertaining to the subscription, pursuant to the provisions of item (ii) of the same paragraph, are deemed to be the businesses set forth in Article 5, paragraph (1), item (i) and item (ii) of the Small and Medium Business Investment & Consultation Corporation Act, respectively, with respect to the application of the provisions of the same Act.

### 第三節 中小企業再生支援体制の整備

#### Section 3 Development of a Support System for Small and Medium-Sized Enterprise Revitalization

(中小企業の事業の再生の支援に関する指針)

(Guidelines Concerning Support for Rehabilitation of Small and Medium-sized Enterprises)

第二百二十六条 経済産業大臣は、中小企業承継事業再生その他の取組による中小企業の事業の再生を適切に支援し、その活力の再生に資するため、国、地方公共団体、独立行政法人中小企業基盤整備機構及び認定支援機関が講ずべき支援措置に関する基本的な指針（以下この条及び次条第一項において「支援指針」という。）を定めるものとする。

Article 126 (1) For the purpose of properly supporting the rehabilitation of small and medium-sized enterprise businesses through SME Rehabilitation through Succession or other efforts, and thereby contributing to their revitalization, the Minister of Economy, Trade and Industry is to establish basic guidelines concerning support measures to be taken by the State, local governments, the Organization for Small & Medium Enterprises and Regional Innovation and Approved Support Institutions (hereinafter referred to as the "Support Guidelines" in this Article and paragraph (1) of the following Article).

2 支援指針においては、次に掲げる事項について定めるものとする。

(2) The Support Guidelines are to specify the following:

一 中小企業の活力の再生の支援に関する基本的事項

(i) basic particulars concerning support for the revitalization of small and medium-sized enterprises;

二 中小企業の活力の再生の支援内容に関する事項

(ii) particulars concerning the details of support for the revitalization of small and medium-sized enterprises;

三 中小企業の活力の再生の支援体制に関する事項

(iii) particulars concerning the support system for the revitalization of small and medium-sized enterprises; and

四 その他中小企業の活力の再生の支援に関し配慮すべき事項

(iv) other particulars to be taken into consideration concerning support for the revitalization of small and medium-sized enterprises.

3 経済産業大臣は、経済事情の変動により必要が生じたときは、支援指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry is to make changes to the Support Guidelines when any need arises due to fluctuations in the state of the economy.

4 経済産業大臣は、支援指針を定め、又はこれを変更しようとするときは、あらかじめ、中小企業者の事業を所管する大臣に協議するとともに、中小企業政策審議会の意見を聴くものとする。

(4) When the Minister of Economy, Trade and Industry intends to establish Support Guidelines or make changes thereto, the minister is to consult with the ministers who have jurisdiction over the businesses of Small and Medium-sized Enterprises, and hear the opinion of the Small and Medium-Sized Enterprise Policy Making Council, in advance.

5 経済産業大臣は、支援指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) When the Minister of Economy, Trade and Industry has established the Support Guidelines or has made changes thereto, the minister is to without delay publicize the established or changed Support Guidelines.

(認定支援機関)

(Approved Support Institutions)

第二百七条 経済産業大臣は、支援指針に基づき、経済産業省令で定めるところにより、商工会、都道府県商工会連合会、商工会議所又は中小企業支援法（昭和三十八年法律第百四十七号）第七条第一項に規定する指定法人であつて、都道府県の区域の全部又は一部の地域において次項に規定する業務（以下「中小企業再生支援業務」という。）を適正かつ確実に行うことができると認められるものを、その申請により、中小企業再生支援業務を行う者として認定することができる。

Article 127 (1) Based on the Support Guidelines and as prescribed by Order of the Ministry of Economy, Trade and Industry, the Minister of Economy, Trade and Industry may approve a society of commerce and industry, a prefectural federation of societies of commerce, a chamber of commerce, or a designated corporation prescribed in Article 7, paragraph (1) of the Small and Medium-Sized Enterprise Support Act (Act No. 147 of 1963) that is considered to be able

to undertake the business prescribed in the following paragraph (hereinafter referred to as "Business to Support Small and Medium-sized Enterprise Revitalization") in all or part of the area of a prefecture, properly and reliably, as a person undertaking Business to Support Small and Medium-sized Enterprise Revitalization, upon application from them.

2 前項の認定を受けた者（以下「認定支援機関」という。）は、他の法令に定めるもののほか、当該認定に係る第四項第四号ハの地域において、次の業務を行うものとする。

(2) A person who has obtained the approval as set forth in the preceding paragraph (hereinafter referred to as an "Approved Support Institution") is to undertake the following business operations in the area set forth in paragraph (4), item (iv), (c) pertaining to the approval, beyond what is provided for by other laws and orders:

一 次に掲げるもののいずれかを行い、又は行おうとする中小企業者（イに掲げるものを行い、又は行おうとする場合にあっては、事業を営んでいない個人を含む。）の求めに応じ、必要な指導又は助言を行うこと。

(i) the provision of necessary guidance or advice upon request from a Small and Medium-sized Enterprise undertaking or intending to undertake either of the following (when undertaking or intending to undertake what is set forth in (a), including an individual not currently engaged in business):

イ 現に有する経営資源及び合併、事業の譲受けその他これらに準ずるものにより他の中小企業者から承継する事業に係る新たな経営資源を有効に組み合わせて一体的に活用することによる商品の生産若しくは販売又は役務の提供の効率化

(a) streamlining of the production or the sale of goods or the provision of services, by effectively combining and integrally utilizing existing management resources and new management resources pertaining to the businesses to be succeeded to from other Small and Medium-sized Enterprise(s) through a merger, acceptance of business, or the equivalent thereto; or

ロ 中小企業承継事業再生その他の取組による事業の再生

(b) rehabilitation of a business through a SME Rehabilitation through Succession or other efforts;

二 前号イに掲げるものに係る合併、事業の譲渡又は譲受けその他これらに準ずるものに関し仲介を行うこと。

(ii) mediation concerning a merger, the transfer or acceptance of business, or the equivalent thereto pertaining to what is set forth in (a) of the preceding item;

三 中小企業者及びその経営の改善を支援する事業を行う者並びにこれらの者の従業員に対し、第一号イ又はロに掲げるものに関する研修を行うこと。

(iii) the provision of training concerning what is set forth in (a) or (b) of item (i) to Small and Medium-sized Enterprises and persons undertaking business



supporting improvements to their management, together with their employees;

四 前三号に掲げる業務に関連して必要な情報の収集、調査及び研究を行い、並びにその成果を普及すること。

(iv) the collection, investigation and research of necessary information related to the business set forth in the preceding three items, together with the dissemination of the results thereof; and

五 独立行政法人中小企業基盤整備機構からの委託に基づき、第百三十三条第一号に掲げる業務の実施に必要な調査を行うこと。

(v) the implementation of investigations necessary for undertaking the business set forth in Article 133, item (i), based on an entrustment from the Organization for Small & Medium Enterprises and Regional Innovation.

3 認定支援機関は、他の法令に定める業務及び前項各号に掲げる業務のほか、裁判外紛争解決手続の利用の促進に関する法律第五条の認証を受け、かつ、第五十一条第一項の認定を受けて、事業再生に係る紛争について民間紛争解決手続（同法第二条第一号に規定する手続をいう。）を実施することができる。

(3) An Approved Support Institution may undertake Private Dispute Resolution Procedures (meaning the procedures prescribed in Article 2, item (i) of the Act on Promotion of Use of Alternative Dispute Resolution) regarding disputes pertaining to Corporate Rehabilitation, by obtaining the certification set forth in Article 5 of the same Act and the approval set forth in Article 51, paragraph (1), beyond the business specified by other laws and orders and the business set forth in the items of the preceding paragraph.

4 第一項の認定を受けようとする者は、経済産業省令で定めるところにより、次に掲げる事項を記載した認定申請書を経済産業大臣に提出しなければならない。

(4) A person intending to obtain the approval set forth in paragraph (1) must submit a written application for approval containing the following particulars to the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 名称及び住所

(i) name and address;

二 事務所の所在地

(ii) location of the office;

三 次条第一項に規定する中小企業再生支援協議会の委員として任命しようとする委員の候補者

(iii) candidates for council members to be appointed as members of the Small and Medium-sized Enterprise Revitalization Support Council as prescribed in paragraph (1) of the following Article; and

四 中小企業再生支援業務に関する次に掲げる事項

(iv) the following particulars concerning Business to Support Small and Medium-sized Enterprise Revitalization:

- イ 中小企業再生支援業務の内容
    - (a) details of Business to Support Small and Medium-sized Enterprise Revitalization;
  - ロ 中小企業再生支援業務の実施体制
    - (b) an implementation framework for Business to Support Small and Medium-sized Enterprise Revitalization;
  - ハ 中小企業再生支援業務を行う地域
    - (c) areas in which to undertake Business to Support Small and Medium-sized Enterprise Revitalization; and
  - ニ その他経済産業省令で定める事項
    - (d) other particulars specified by Order of the Ministry of Economy, Trade and Industry.
- 5 認定支援機関は、前項第一号及び第二号に掲げる事項に変更があったときは遅滞なく、同項第四号に掲げる事項の変更（経済産業省令で定める軽微な変更を除く。）をしようとするときはあらかじめ、その旨を経済産業大臣に届け出なければならない。
- (5) When there have been any changes to the particulars set forth in item (i) and item (ii) of the preceding paragraph, an Approved Support Institution must without delay notify the Minister of Economy, Trade and Industry of that fact, and when it intends to make changes (excluding minor changes specified by Order of the Ministry of Economy, Trade and Industry) to the particulars set forth in item (iv) of the same paragraph, it must notify the Minister of Economy, Trade and Industry of that fact in advance.

（中小企業再生支援協議会）

(Small and Medium-sized Enterprise Revitalization Support Councils)

第二百二十八条 認定支援機関に、中小企業再生支援協議会を置く。

Article 128 (1) A Small and Medium-sized Enterprise Revitalization Support Council must be established in an Approved Support Institution.

2 中小企業再生支援協議会は、認定支援機関の長及びその任命する委員をもって組織する。

(2) A Small and Medium-sized Enterprise Revitalization Support Council must be composed of the head of the Approved Support Institution and the council members the head appoints.

3 中小企業再生支援協議会の委員は、中小企業再生支援業務に係る実務経験又は学識経験を有する者のうちから任命しなければならない。

(3) Members of a Small and Medium-sized Enterprise Revitalization Support Council must be appointed from among persons who have practical experience or relevant knowledge and experience pertaining to Business to Support Small and Medium-sized Enterprise Revitalization.

4 認定支援機関の長は、中小企業再生支援協議会の委員を任命したときは、経済産業省令で定めるところにより、経済産業大臣にその旨を届け出なければならない。中小

企業再生支援協議会の委員に変更があったときも、同様とする。

(4) When the head of an Approved Support Institution has appointed members of a Small and Medium-sized Enterprise Revitalization Support Council, the head must notify the Minister of Economy, Trade and Industry of that fact, as prescribed by Order of the Ministry of Economy, Trade and Industry. This also applies when changes have arisen in the membership of the Small and Medium-sized Enterprise Revitalization Support Council.

5 中小企業再生支援協議会は、認定支援機関が行う中小企業再生支援業務の具体的内容、実施体制の確保その他の中小企業再生支援業務の遂行に関する重要な事項を審議し、決定するほか、認定支援機関に対する専門的な助言を行う。

(5) A Small and Medium-sized Enterprise Revitalization Support Council must deliberate and decide on the concrete details, necessary particulars concerning the securing of the implementation framework, and other particulars regarding the execution of Business to Support Small and Medium-sized Enterprise Revitalization undertaken by the Approved Support Institution, and must provide specialist advice to the Approved Support Institution.

6 前各項に規定するもののほか、中小企業再生支援協議会の組織及び運営に関し必要な事項は、政令で定める。

(6) Beyond what is prescribed in the preceding items, necessary particulars concerning the organization and operation of Small and Medium-sized Enterprise Revitalization Support Councils are to be specified by Cabinet Order.

(秘密保持義務)

(Obligation of Confidentiality)

第二百二十九条 認定支援機関の役員若しくは職員若しくは中小企業再生支援協議会の委員又はこれらの職にあった者は、中小企業再生支援業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 129 (1) Officers or employees of Approved Support Institutions or members of Small and Medium-sized Enterprise Revitalization Support Councils, or persons who were employed as such, must not divulge or misappropriate any confidential information that has come to their knowledge regarding Business to Support Small and Medium-sized Enterprise Revitalization.

2 前項の規定は、次に掲げる情報に関しては、適用しない。

(2) The provisions of the preceding paragraph do not apply to the following information:

一 独立行政法人中小企業基盤整備機構が第三百三十三条第四号に掲げる業務を円滑に行うために認定支援機関から情報の提供を受けることが必要な場合において、当該認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、独立行政法人中小企業基盤整備機構に提供する当該業務に関する情報

(i) when the Organization for Small & Medium Enterprises and Regional Innovation needs to receive information from an Approved Support Institution for the purpose of smoothly undertaking the business operations set forth in Article 133, item (iv), information concerning the business operations that is provided by officers or employees of the Approved Support Institution or members of the Small and Medium-sized Enterprise Revitalization Support Council to the Organization for Small & Medium Enterprises and Regional Innovation;

二 認定支援機関が第二百二十七条第二項第一号に掲げる業務（同号ロに掲げるものに係るものに限る。）及び同項第二号に掲げる業務を円滑に行うために独立行政法人中小企業基盤整備機構の助言又は専門家の派遣を受けることが必要な場合において、認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、独立行政法人中小企業基盤整備機構に提供する当該業務に関する情報

(ii) when an Approved Support Institution needs to receive advice from the Organization for Small & Medium Enterprises and Regional Innovation or dispatch of experts for the purpose of smoothly undertaking the business operations set forth in Article 127, paragraph (2), item (i) (limited to those pertaining to what is set forth in (b) of the same item) and the business operations set forth in item (ii) of the same paragraph, information concerning the business operations that is provided by officers or employees of the Approved Support Institution or members of the Small and Medium-sized Enterprise Revitalization Support Council to the Organization for Small & Medium Enterprises and Regional Innovation; and

三 認定支援機関が第二百二十七条第二項第二号に掲げる業務を円滑に行うために他の認定支援機関から情報の提供を受けることが必要な場合において、当該認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、当該他の認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員に提供する当該業務に関する情報

(iii) when an Approved Support Institution needs to receive information from another Approved Support Institution for the purpose of smoothly undertaking the business operations set forth in Article 127, paragraph (2), item (ii), information concerning the business operations that is provided by officers or employees of the Approved Support Institution or members of the Small and Medium-sized Enterprise Revitalization Support Council to officers or employees of the relevant other Approved Support Institution or members of the Small and Medium-sized Enterprise Revitalization Support Council.

(改善命令)

(Orders for Improvement)

第百三十条 経済産業大臣は、認定支援機関の中小企業再生支援業務の運営に関し改善

が必要であると認めるときは、その認定支援機関に対し、その改善に必要な措置を講ずべきことを命ずることができる。

**Article 130** When the Minister of Economy, Trade and Industry determines that improvements are necessary with respect to Business to Support Small and Medium-sized Enterprise Revitalization being undertaken by an Approved Support Institution, the minister may order the Approved Support Institution to take measures necessary for those improvements.

(認定の取消し)

(Rescission of Approval)

第百三十一条 経済産業大臣は、認定支援機関が前条の規定による命令に違反したときは、その認定を取り消すことができる。

**Article 131** When an Approved Support Institution has violated an order pursuant to the provisions of the preceding Article, the Minister of Economy, Trade and Industry may rescind its approval.

(中小企業信用保険法の特例)

(Special Provisions of the Small and Medium-Sized Enterprise Credit Insurance Act)

第百三十二条 認定支援機関であつて、特定中小企業再生支援事業（中小企業再生支援業務に係る事業であつて、中小企業再生支援協議会の決定を経たものをいう。）の実施に必要な資金に係る中小企業信用保険法第三条第一項又は第三条の二第一項に規定する債務の保証を受けたものについては、当該認定支援機関を同法第二条第一項の中小企業者とみなして、同法第三条、第三条の二及び第四条から第八条までの規定を適用する。この場合において、同法第三条第一項及び第三条の二第一項の規定の適用については、これらの規定中「借入れ」とあるのは、「産業競争力強化法（平成二十五年法律第九十八号）第百三十二条に規定する特定中小企業再生支援事業の実施に必要な資金の借入れ」とする。

**Article 132** With respect to Approved Support Institutions that have received a guarantee of obligations as prescribed in Article 3, paragraph (1) or Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act pertaining to funds necessary for undertaking a Specified Small and Medium-sized Enterprise Revitalization Support Business (meaning a business pertaining to Business to Support Small and Medium-sized Enterprise Revitalization that have been decided on by a Small and Medium-sized Enterprise Revitalization Support Council), the Approved Support Institutions are deemed to be the Small and Medium-sized Enterprises set forth in Article 2, paragraph (1) of the same Act, and the provisions of Article 3, Article 3-2, and Article 4 to Article 8 of the same Act apply to them. In this case, with respect to the application of the provisions of Article 3, paragraph (1) and Article 3-2, paragraph (1) of the same Act, the phrase "borrowing" in those provisions is

deemed to be replaced with "borrowing of funds necessary for undertaking a Specified Small and Medium-sized Enterprise Revitalization Support Business as prescribed in Article 132 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(独立行政法人中小企業基盤整備機構の行う再生支援業務)

(Business to Support Revitalization Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第百三十三条 独立行政法人中小企業基盤整備機構は、中小企業の活力の再生を支援するため、次に掲げる業務を行う。

Article 133 The Organization for Small & Medium Enterprises and Regional Innovation is to undertake the following business operations for the purpose of supporting the revitalization of small and medium-sized enterprises:

一 投資事業有限責任組合（事業再編又は中小企業承継事業再生を実施する事業者に対する資金供給を行うものとして政令で定めるものに限る。次条第二項において「特定投資事業有限責任組合」という。）であって中小企業に対する投資事業を実施するものに対する当該投資事業の実施に必要な資金の出資を行うこと。

(i) providing investment limited partnership (limited to those specified by Cabinet Order as those providing capital to businesses that conduct Corporate Restructuring or SME Rehabilitation through Succession; such partnerships are referred to as a "Specified Investment Limited Partnership" in paragraph (2) of the following Article) that undertake investments in small and medium-sized enterprises with the necessary funds for the investments;

二 第百二十七条第二項第一号から第四号までに掲げる業務を行うこと。

(ii) undertaking the business activities set forth in Article 127, paragraph (2), item (i) to item (iv);

三 認定支援機関の依頼に応じて、専門家の派遣その他中小企業再生支援業務の実施に関し必要な協力を行うこと。

(iii) dispatching experts and offering other necessary cooperation for the implementation of Business to Support Small and Medium-sized Enterprise Revitalization in response to requests from Approved Support Institutions; and

四 中小企業再生支援業務の実施状況を評価し、及びその結果を経済産業大臣に報告すること。

(iv) evaluating the state of implementation of Business to Support Small and Medium-sized Enterprise Revitalization and reporting the results thereof to the Minister of Economy, Trade and Industry.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(資金の確保)

(Securing of Funds)

第百三十四条 国は、認定事業再編事業者等若しくは認定特定事業再編事業者等が認定事業再編計画若しくは認定特定事業再編計画に従って事業再編若しくは特定事業再編のための措置を行い、又は認定新事業活動実施者、認定特定新事業開拓投資事業組合、認定特定研究成果活用支援事業者、認定市町村若しくは認定連携創業支援事業者若しくは認定中小企業承継事業再生事業者が認定新事業活動計画、認定特定新事業開拓投資事業計画、認定特定研究成果活用支援事業計画、認定創業支援事業計画若しくは認定中小企業承継事業再生計画に従って新事業活動、特定新事業開拓投資事業、特定研究成果活用支援事業、創業支援事業若しくは中小企業承継事業再生を実施するのに必要な資金の確保に努めるものとする。

Article 134 (1) The State is to endeavor to secure funds necessary for an Approved Business Conducting Corporate Restructuring or an Approved Business Conducting Specified Corporate Restructuring to take measures for the purpose of Business Reconstruction or Specified Corporate Restructuring in accordance with an Approved Corporate Restructuring Plan or an Approved Specified Corporate Restructuring Plan, or funds necessary for an Approved Implementer of New Business Activities, an Approved Partnership Conducting Specified Investment for Developing New Business, an Approved Business Supporting the Utilization of Specified Research Results, an Approved Municipality, or an Approved Collaborative Start-up Support Business or an Approved Business Conducting SME Rehabilitation through Succession to conduct New Business Activities, Specified Investment for Developing New Business, Supporting the Utilization of Specified Research Results, a Start-up Support, or SME Rehabilitation through Succession, in accordance with an Approved Plan for New Business Activities, an Approved Plan for Specified Investment for Developing New Business, an Approved Plan for Supporting the Utilization of Specified Research Results, an Approved Start-up Support Plan, or an Approved Plan for SME Rehabilitation through Succession.

2 国は、特定投資事業有限責任組合が事業再編又は中小企業承継事業再生を実施する事業者の自己資本の充実を行うのに必要な資金の確保に努めるものとする。

(2) The State is to endeavor to secure funds necessary for Specified Investment Limited Partnership to enhance the equity capital of a business conducting Corporate Restructuring or SME Rehabilitation through Succession.

(雇用の安定等)

(Stability of Employment)

第百三十五条 認定事業再編事業者、認定特定事業再編事業者又は認定中小企業承継事業再生事業者（以下この条及び第百三十九条において「認定事業者」という。）は、認定事業再編計画、認定特定事業再編計画又は認定中小企業承継事業再生計画に従っ

て事業再編、特定事業再編又は中小企業承継事業再生を実施するに当たっては、その雇用する労働者の理解と協力を得るとともに、当該労働者について、失業の予防その他雇用の安定を図るため必要な措置を講ずるよう努めなければならない。

Article 135 (1) When Approved Businesses Conducting Corporate Restructuring, Approved Businesses Conducting Specified Corporate Restructuring, or Approved Businesses Conducting SME Rehabilitation through Succession (hereinafter referred to as "Approved Businesses" in this Article and Article 139) conduct Corporate Restructuring, Specified Corporate Restructuring, or SME Rehabilitation through Succession in accordance with an Approved Corporate Restructuring Plan, an Approved Specified Corporate Restructuring Plan, or an Approved Plan for SME Rehabilitation through Succession, they must gain the understanding and cooperation of the workers in their employment, and must endeavor to take necessary measures for preventing unemployment and otherwise promoting the stability of employment, with respect to the workers.

2 国は、認定事業者の雇用する労働者について、失業の予防その他雇用の安定を図るため必要な措置を講ずるよう努めるものとする。

(2) The State is to endeavor to take necessary measures for preventing unemployment and otherwise promoting the stability of employment, with respect to workers who are employed by Approved Businesses.

3 国は、認定事業者に雇用されていた労働者について、就職のあっせんその他その職業及び生活の安定に資するため必要な措置を講ずるよう努めるものとする。

(3) The State is to endeavor to take necessary measures for providing job placement and otherwise contributing to the stability of work and lifestyle, with respect to workers who were employed by Approved Businesses.

4 国及び都道府県は、認定事業者の雇用する労働者及び認定事業者に雇用されていた労働者について、職業訓練の実施その他の能力の開発及び向上を図るために必要な措置を講ずるよう努めるものとする。

(4) The State and prefectures are to endeavor to take necessary measures for providing vocational training and otherwise promoting the development and improvement of skills, with respect to workers who are employed by Approved Business and workers who were employed by Approved Business.

5 国及び都道府県は、認定事業者の関連中小企業者について、その新たな経済的環境への適応の円滑化に資するため必要な措置を講ずるよう努めるものとする。

(5) The State and prefectures are to endeavor to take necessary measures for contributing to the facilitation of responses towards the new economic environment, with respect to the related Small and Medium-sized Enterprises of Approved Business.

(中小企業者への配慮)

(Consideration towards Small and Medium-sized Enterprises)



第百三十六条 国、地方公共団体、独立行政法人中小企業基盤整備機構、商工会及び商工会議所は、他の事業者の事業再編又は中小企業承継事業再生の実施によりその経営に著しい影響を受ける中小企業者の経営基盤の強化を図るため、当該中小企業者の行う事業に関する経営方法又は技術に関する助言、研修又は情報提供その他必要な施策を総合的に推進するよう努めるものとする。

Article 136 For the purpose of strengthening the business foundations of Small and Medium-sized Enterprises who are significantly affected by Corporate Restructuring or SME Rehabilitation through Succession implemented by another business, the State, local governments, the Organization for Small & Medium Enterprises and Regional Innovation, chambers of commerce, and chambers of commerce and industry are to endeavor to provide advice, training, or information concerning methods of management or technologies regarding the businesses conducted by the Small and Medium-sized Enterprises, and comprehensively promote other necessary measures.

(報告の徴収)

(Collection of Reports)

第百三十七条 主務大臣は、認定新事業活動実施者、認定特定研究成果活用支援事業者（当該認定特定研究成果活用支援事業者が投資事業有限責任組合である場合にあつては、当該投資事業有限責任組合の無限責任組合員）、認定事業再編事業者、認定特定事業再編事業者又は認定中小企業承継事業再生事業者に対し、認定新事業活動計画、認定特定研究成果活用支援事業計画、認定事業再編計画、認定特定事業再編計画又は認定中小企業承継事業再生計画の実施状況について報告を求めることができる。

Article 137 (1) The competent minister may request reports from an Approved Implementer of New Business Activities, an Approved Business Supporting the Utilization of Specified Research Results (when the Approved Business Supporting the Utilization of Specified Research Results is an investment limited partnership, an unlimited liability partner of the investment limited partnership) an Approved Business Conducting Corporate Restructuring, an Approved Business Conducting Specified Corporate Restructuring, or an Approved Business Conducting SME Rehabilitation through Succession, with respect to the implementation state of an Approved Plan for New Business Activities, Approved Plan for Supporting the Utilization of Specified Research Results, Approved Corporate Restructuring Plan, Approved Specified Corporate Restructuring Plan, or Approved Plan for SME Rehabilitation through Succession.

2 第八条第三項の関係行政機関の長は、認定新事業活動実施者に対し、当該規制の特例措置の適用の状況について報告を求めることができる。

(2) The head of the relevant administrative organ set forth in Article 8, paragraph (3) may request reports from an Approved Implementer of New Business Activities, with respect to the application of the relevant Special

Measures on Regulations.

- 3 主務大臣は、認定市町村に対し、認定創業支援事業計画の実施状況について報告を求めることができる。
- (3) The competent minister may request reports from an Approved Municipality, with respect to the implementation state of an Approved Start-up Support Plan.
- 4 経済産業大臣は、認定特定新事業開拓投資事業組合の無限責任組合員に対し、認定特定新事業開拓投資事業計画の実施状況について報告を求めることができる。
- (4) The Minister of Economy, Trade and Industry may request reports from an unlimited liability partner of an Approved Partnership Conducting Specified Investment for Developing New Business, with respect to the implementation state of an Approved Plan for Specified Investment for Developing New Business.
- 5 経済産業大臣は、認定支援機関に対し、中小企業再生支援業務の実施状況について報告を求めることができる。
- (5) The Minister of Economy, Trade and Industry may request reports from an Approved Support Institution, with respect to the implementation state of Business to Support Small and Medium-sized Enterprise Revitalization.
- 6 経済産業大臣は、この法律の施行に必要な限度において、特定認証紛争解決事業者に対し、特定認証紛争解決手続の業務、第五十六条第一項に規定する償還すべき社債の金額の減額に係る確認の業務又は第五十八条第一項に規定する資金の借入に係る確認の業務の実施状況について報告を求めることができる。
- (6) The Minister of Economy, Trade and Industry may, to the extent necessary for the purpose of the enforcement of this Act, request reports from a Specified Certified Dispute Resolution Business, with respect to the implementation state of business operations for Specified Certified Dispute Resolution Procedures, business operations for confirmation pertaining to the reduction of the amount of bonds to be redeemed prescribed in Article 56, paragraph (1), or business operations for confirmation pertaining to the borrowing of funds prescribed in Article 58, paragraph (1).

(指定金融機関等に対する報告の徴収等)

(Collection of Reports from Designated Financial Institutions)

第百三十八条 主務大臣は、この法律を施行するため必要があると認めるときは、指定金融機関から事業再編促進業務に関し報告をさせ、又はその職員に、指定金融機関の営業所若しくは事務所に立ち入り、帳簿、書類その他の物件を検査させることができる。

Article 138 (1) When the competent minister finds it necessary for the enforcement of this Act, the minister may have a Designated Financial Institution report on Business Operations to Promote Corporate Restructuring, or direct the officials of the ministry to enter the business office or office of the Designated Financial Institution, and perform inspections of its account books,

documentation and other items.

- 2 経済産業大臣は、この法律を施行するため必要があると認めるときは、設備導入促進法人から設備導入促進業務に関し報告をさせ、又はその職員に、設備導入促進法人の事務所に立ち入り、帳簿、書類その他の物件を検査させることができる。
- (2) When the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may have a corporation promoting equipment installation report on Business Operations to Promote Equipment Installation, or direct the officials of the ministry to enter the office of the corporation promoting equipment installation, and perform inspections of its account books, documentation and other items.
- 3 経済産業大臣は、この法律を施行するため必要があると認めるときは、機構からその業務に関し報告をさせ、又はその職員に、機構の営業所、事務所その他の事業場に立ち入り、帳簿、書類その他の物件を検査させることができる。
- (3) When the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may have the INCJ report on its business operations, or direct the officials of the ministry to enter the business office, office, or other workplaces of the INCJ, and perform inspections of its account books, documentation and other items.
- 4 前三項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人にこれを提示しなければならない。
- (4) Officials conducting on-site inspections pursuant to the provisions of the preceding three paragraphs must carry a certificate of identification and display it to the persons concerned.
- 5 第一項から第三項までの規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。
- (5) The authority to conduct on-site inspections pursuant to the provisions of paragraph (1) to paragraph (3) must not be construed as being approved for the purpose of a criminal investigation.

(連絡及び協力)

(Liaison and Cooperation)

第百三十九条 主務大臣及び厚生労働大臣は、この法律の施行に当たっては、認定事業者に係る労働者の雇用に関する事項について、相互に緊密に連絡し、及び協力するものとする。

Article 139 When enforcing this Act, the competent ministers and the Minister of Health, Labour and Welfare are to maintain a close liaison and cooperate with each other with respect to particulars concerning the employment of workers pertaining to Approved Businesses.

(主務大臣等)

(Competent Ministers)

第百四十条 この法律における主務大臣は、次の各号に掲げる事項の区分に応じ、それぞれ当該各号に定める大臣とする。

Article 140 (1) The competent ministers under this Act are to be the ministers specified in the following items for each category of the particulars set forth respectively therein:

一 新事業活動に関する事項 新事業活動に係る事業を所管する大臣

(i) particulars concerning New Business Activities: the minister with jurisdiction over the business pertaining to New Business Activities;

二 特定研究成果活用支援事業計画に関する事項 経済産業大臣及び文部科学大臣

(ii) particulars concerning Plans for Supporting the Utilization of Specified Research Results: the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology;

三 事業再編計画に関する事項 事業再編計画に係る事業を所管する大臣

(iii) particulars concerning Corporate Restructuring Plans: the minister with jurisdiction over the business pertaining to Corporate Restructuring Plans;

四 特定事業再編計画に関する事項 特定事業再編計画に係る事業を所管する大臣

(iv) particulars concerning Specified Corporate Restructuring Plans: the minister with jurisdiction over the business pertaining to Specified Corporate Restructuring Plans;

五 事業再編促進円滑化業務及び事業再編促進業務に関する事項 経済産業大臣及び財務大臣

(v) particulars concerning Business Activities to Facilitate Corporate Restructuring Promotion and Business Activities to Promote Corporate Restructuring: the Minister of Economy, Trade and Industry and the Minister of Finance;

六 創業支援事業計画に関する事項 経済産業大臣、総務大臣及び創業支援事業計画に係る創業支援事業を所管する大臣

(vi) particulars concerning Start-up Support Plans: the Minister of Economy, Trade and Industry, the Minister of Internal Affairs and Communications, and the minister with jurisdiction over Start-up Support under Start-up Support Plans; and

七 中小企業承継事業再生計画に関する事項 経済産業大臣及び中小企業承継事業再生計画に係る事業を所管する大臣

(vii) particulars concerning Plans for SME Rehabilitation through Succession: the Minister of Economy, Trade and Industry and the minister with jurisdiction over the business pertaining to Plans for SME Rehabilitation through Succession.

2 この法律における主務省令は、主務大臣の発する命令とする。

(2) Orders of the competent ministry under this Act are to be orders issued by the competent ministers.

3 前項の規定にかかわらず、第二条第二項、第八条第二項及び第三項、第十条第三項

及び第五項並びに第十二条における主務省令は、規制について規定する法律及び法律に基づく命令（人事院規則、公正取引委員会規則、国家公安委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則及び原子力規制委員会規則を除く。）を所管する内閣官房、内閣府又は各省の内閣官房令（告示を含む。）、内閣府令（告示を含む。）又は省令（告示を含む。）とする。ただし、人事院、公正取引委員会、国家公安委員会、公害等調整委員会、公安審査委員会、中央労働委員会、運輸安全委員会又は原子力規制委員会の所管に係る規制については、それぞれ人事院規則、公正取引委員会規則、国家公安委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則又は原子力規制委員会規則とする。

(3) Notwithstanding the provisions of the preceding paragraph, orders of the competent ministry in Article 2, paragraph (2), Article 8, paragraph (2) and paragraph (3), Article 10, paragraph (3) and paragraph (5), and Article 12 are to be Cabinet Secretariat Orders (including public notices), Cabinet Office Orders (including public notices), or Ministerial Orders (including public notices) of the Cabinet Secretariat, Cabinet Office or respective ministries who have jurisdiction over Acts that provide for regulations and orders based on Acts (excluding the Rules of the National Personnel Authority, Rules of the Fair Trade Commission, Rules of the National Public Safety Commission, Rules of the Environmental Disputes Coordination Commission, Rules of the Public Security Examination Commission, Rules of the Central Labor Relations Commission, Rules of the Japan Transport Safety Board, and Rules of the Nuclear Regulation Authority); provided, however, that with respect to regulations under the jurisdiction of the National Personnel Authority, the Fair Trade Commission, the National Public Safety Commission, the Environmental Disputes Coordination Commission, the Public Security Examination Commission, the Central Labor Relations Commission, the Japan Transport Safety Board, or the Nuclear Regulation Authority, orders of the competent ministry are to be the Rules of the National Personnel Authority, Rules of the Fair Trade Commission, Rules of the National Public Safety Commission, Rules of the Environmental Disputes Coordination Commission, Rules of the Public Security Examination Commission, Rules of the Central Labor Relations Commission, Rules of the Japan Transport Safety Board, and Rules of the Nuclear Regulation Authority, respectively.

（権限の委任）

(Delegation of Authority)

第百四十一条 この法律による主務大臣の権限は、主務省令で定めるところにより、地方支分部局の長に委任することができる。

Article 141 The authority of the competent minister pursuant to this Act may be delegated to the head of a local branch or department, as prescribed by order of

the competent ministry.

(機構と事業活動の計画の認定等との関係)

**(Relationship between the INCJ and the Approval of Plans for Business Activities)**

第百四十二条 機構は、特定事業活動支援をするに当たっては、必要に応じ、対象事業者に対し、第十条第一項の新事業活動計画の認定、第十七条第一項の特定新事業開拓投資事業計画の認定、第二十四条第一項の事業再編計画の認定又は第二十六条第一項の特定事業再編計画の認定の申請を促すことその他の措置を講ずることにより、これらの施策と相まって、効果的にこれを行うよう努めなければならない。

Article 142 When the INCJ provides Support for Specified Business Activities, it must, as necessary, take measures such as encouraging Subject Business to file applications for the approval of Plans for New Business Activities set forth in Article 10, paragraph (1), the approval of Plans for Specified Investment for Developing New Business set forth in Article 17, paragraph (1), the approval of Corporate Restructuring Plans set forth in Article 24, paragraph (1), or the approval of Specified Corporate Restructuring Plans set forth in Article 26, paragraph (1), and thereby endeavor to effectively provide such support in conjunction with those measures.

(経過措置)

**(Transitional Measures)**

第百四十三条 この法律に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 143 When enacting, revising or abolishing an order pursuant to this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by that order to the extent considered reasonably necessary for the enactment, revision or abolition thereof.

**第八章 罰則**

**Chapter VIII Penal Provisions**

第百四十四条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員が、その職務に関して、賄賂を収受し、又はその要求若しくは約束をしたときは、三年以下の懲役に処する。これによって不正の行為をし、又は相当の行為をしなかったときは、五年以下の懲役に処する。

Article 144 (1) When a director, accounting advisor (when the accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), company auditor or employee of the INCJ has accepted, or solicited or promised to accept a bribe in connection with duties, such person is to be

punished by imprisonment with required labor for not more than three years. If such person has conducted unlawful acts, or has failed to act appropriately, the person is to be punished by imprisonment with required labor for not more than five years.

2 前項の場合において、犯人が収受した賄賂は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

(2) In the cases set forth in the preceding paragraph, bribes accepted by the offender are to be confiscated. When all or part of such bribes could not be confiscated, a corresponding amount of money is to be confiscated.

第百四十五条 前条第一項の賄賂を供与し、又はその申込み若しくは約束をした者は、三年以下の懲役又は百万円以下の罰金に処する。

Article 145 (1) A person who has given, or offered or promised to give a bribe as set forth in paragraph (1) of the preceding Article is to be punished by imprisonment with required labor for not more than three years or by a fine of not more than 1,000,000 yen.

2 前項の罪を犯した者が自首したときは、その刑を減輕し、又は免除することができる。

(2) If a person who has committed the crime set forth in the preceding paragraph surrenders to the authorities, the punishment may be reduced, or the person may be exempted from punishment.

第百四十六条 第百四十四条第一項の罪は、日本国外において同項の罪を犯した者にも適用する。

Article 146 (1) The crime set forth in Article 144, paragraph (1) also applies to persons who have committed the crime set forth in the same paragraph outside of Japan.

2 前条第一項の罪は、刑法（明治四十年法律第四十五号）第二条の例に従う。

(2) The crime set forth in paragraph (1) of the preceding Article is to be dealt with in accordance with the provisions of the Penal Code (Act No. 45 of 1907).

第百四十七条 第七十二条第二項の規定による設備導入促進業務の停止の命令に違反したときは、その違反行為をした設備導入促進法人の役員又は職員は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 147 In the event of the violation of an order of suspension of Business Operations to Promote Equipment Installation issued pursuant to the provisions of Article 72, paragraph (2), the officer or employee of the corporation promoting equipment installation who has committed the violation is to be punished by imprisonment with required labor for not more than one year or a fine of not more than 500,000 yen.

第百四十八条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役若しくは職員又はこれらの職にあった者が、第八十九条の規定に違反してその職務上知ることのできた秘密を漏らし、又は盗用したときは、一年以下の懲役又は五十万円以下の罰金に処する。

Article 148 When a director, accounting advisor (when the accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), company auditor or employee of the INCJ, or a person who was employed as such has divulged or misappropriated confidential information that has come to their knowledge in the performance of duties, in violation of the provisions of Article 89, such person is to be punished by imprisonment with required labor for not more than one year, or a fine of not more than 500,000 yen.

第百四十九条 第百三十八条第三項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員は、五十万円以下の罰金に処する。

Article 149 If a report has not been made pursuant to the provisions of Article 138, paragraph (3), or a false report has been made, or an inspection pursuant to the provisions of the same paragraph has been refused, obstructed or evaded, the director, accounting advisor (when the accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), company auditor or employee of the INCJ who has committed the violation is to be punished by a fine of not more than 500,000 yen.

第百五十条 次の各号のいずれかに該当するときは、その違反行為をした者は、三十万円以下の罰金に処する。

Article 150 When falling under any of the following items, the person who has committed the violation is to be punished by a fine of not more than 300,000 yen:

一 第四十五条の規定に違反して、帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかったとき。

(i) when a person has failed to keep books or record particulars in books, in violation of the provisions of Article 45, or has recorded false statements in books, or has failed to keep books;

二 第四十七条第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(ii) when a person has failed to make a notification pursuant to the provisions of Article 47, paragraph (1), or has made a false notification;

三 第二百三十二条第二項又は第百三十七条第一項、第二項若しくは第四項から第六項までの規定による報告をせず、又は虚偽の報告をしたとき。

(iii) when a person has failed to make a report pursuant to the provisions of



Article 123, paragraph (2), or Article 137, paragraph (1), paragraph (2) or paragraph (4) to paragraph (6), or has made a false report; or

四 第三百三十八条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iv) when a person has failed to make a report pursuant to the provisions of Article 138, paragraph (1), or has made a false report, or has refused, obstructed or evaded an inspection to be conducted pursuant to the provisions of the same paragraph.

第百五十一条 次の各号のいずれかに該当するときは、その違反行為をした設備導入促進法人の役員又は職員は、三十万円以下の罰金に処する。

Article 151 When falling under any of the following items, the officer or employee of the corporation promoting equipment installation who has committed the violation is to be punished by a fine of not more than 300,000 yen:

一 第六十八条の規定に違反して、帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかったとき。

(i) when a person has failed to keep books or record particulars in books, in violation of the provisions of Article 68, or has recorded false statements in books, or has failed to keep books;

二 第七十一条第一項の規定による許可を受けないで、設備導入促進業務の全部を廃止したとき。

(ii) when a person has discontinued all of the Business Operations to Promote Equipment Installation without obtaining permission pursuant to the provisions of Article 71, paragraph (1); or

三 第三百三十八条第二項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) when a person has failed to make a report pursuant to the provisions of Article 138, paragraph (2), or has made a false report, or has refused, obstructed or evaded an inspection to be conducted pursuant to the provisions of the same paragraph.

第百五十二条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前二条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の刑を科する。

Article 152 When the representative of a corporation or an agent, employee or any other worker of a corporation or an individual has committed a violation as set forth in the preceding two paragraphs in relation to the business of the corporation or individual, in addition to the offender, the corporation or individual is also sentenced to the punishment set forth in those paragraphs.

第百五十三条 第三十四条第三項において読み替えて準用する会社法第七百九十七条第三項又は第四項の規定に違反して公告若しくは通知をすることを怠り、又は不正の公告若しくは通知をしたときは、その違反行為をした株式会社の取締役、執行役、清算人、清算人代理、民事保全法（平成元年法律第九十一号）第五十六条に規定する仮処分命令により選任された取締役、執行役若しくは清算人の職務を代行する者、会社法第九百六十条第一項第五号に規定する一時取締役、代表取締役、執行役若しくは代表執行役の職務を行うべき者、同条第二項第三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又は支配人は、百万円以下の過料に処する。

Article 153 When a stock company has failed to make a public notice or notification or has made a false public notice or notification, in violation of the provisions of Article 797, paragraph (3) or paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 34, paragraph (3) following the deemed replacement of terms, the director, executive officer, liquidator, or liquidator's agent; the director, executive officer, or person to perform duties on behalf of a liquidator appointed based on a provisional disposition order prescribed in Article 56 of the Civil Provisional Remedies Act (Act No. 91 of 1989); the person who is temporarily to perform the duties of a director, representative director, executive officer, or representative executive officer prescribed in Article 960, paragraph (1), item (v) of the Companies Act; the person who is temporarily to perform the duties of a liquidator or representative liquidator prescribed in paragraph (2), item (iii) of the same Article; or the manager of the stock company that has committed the violation is to be punished by a non-criminal fine of not more than 1,000,000 yen.

第百五十四条 第四十条第二項又は第四十四条第二項の規定に違反して、主務大臣の認可を受けなかった場合には、その違反行為をした公庫の取締役又は執行役は、百万円以下の過料に処する。

Article 154 If the JFC has failed to obtain the approval of the competent minister, in violation of the provisions of Article 40, paragraph (2) or Article 44, paragraph (2), the director or executive officer of the JFC who has committed the violation is to be punished by a non-criminal fine of not more than 1,000,000 yen.

第百五十五条 次の各号のいずれかに該当する場合には、その違反行為をした機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は監査役は、百万円以下の過料に処する。

Article 155 When falling under any of the following items, the director, accounting advisor (when the accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), or company auditor of the INCJ who has committed the violation is to be punished by a non-criminal fine of not more than 1,000,000 yen:

一 第七十九条第一項の規定に違反して、募集株式、募集新株予約権若しくは募集社債を引き受ける者の募集をし、株式交換に際して株式、社債若しくは新株予約権を発行し、又は資金を借り入れたとき。

(i) if a person has solicited subscribers to Shares for Subscription, Share Options for Subscription, or Bonds for Subscription; or has issued shares, bonds or share options at a share exchange; or has borrowed funds, in violation of the provisions of Article 79, paragraph (1);

二 第七十九条第二項の規定に違反して、株式を発行した旨の届出を行わなかったとき。

(ii) if a person has failed to make a notification of the issuance of shares, in violation of the provisions of Article 79, paragraph (2);

三 第九十五条第一項又は第四項の規定に違反して、登記することを怠ったとき。

(iii) if a person has neglected to make a registration, in violation of the provisions of Article 95, paragraph (1) or paragraph (4);

四 第九十七条第二項の規定に違反して、業務を行ったとき。

(iv) if a person has undertaken business, in violation of the provisions of Article 97, paragraph (2);

五 第九十九条第二項又は第百一条第一項の規定に違反して、経済産業大臣に通知をしなかったとき。

(v) if a person has failed to make a notification to the Minister of Economy, Trade and Industry, in violation of the provisions of Article 99, paragraph (2) or Article 101, paragraph (1);

六 第百三条第一項の規定に違反して、予算の認可を受けなかったとき。

(vi) if a person has failed to obtain the budget authorization, in violation of the provisions of Article 103, paragraph (1);

七 第百五条の規定に違反して、貸借対照表、損益計算書若しくは事業報告書を提出せず、又は虚偽の記載若しくは記録をしたこれらのものを提出したとき。

(vii) if a person has failed to submit a balance sheet, profit and loss statement, or business report, or has submitted such document containing false statements or records, in violation of the provisions of Article 105; or

八 第百七条第二項の規定による命令に違反したとき。

(viii) if a person has violated an order issued pursuant to the provisions of Article 107 paragraph (2).

第百五十六条 第八十一条第二項の規定に違反して、その名称中に産業革新機構という文字を用いた者は、十万円以下の過料に処する。

Article 156 When a person has used the term "innovation network corporation" in its name, in violation of the provisions of Article 81, paragraph (2), such person is to be punished by a non-criminal fine of not more than 100,000 yen.

## 附 則

## Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date specified therein:

一 附則第二十八条及び第三十九条の規定 公布の日

(i) provisions of Article 28 and Article 39 of the Supplementary Provisions: the date of promulgation;

二 第十六条（特定研究成果活用支援事業に係る部分に限る。）、第二十条から第二十二号まで、第七十五条、第一百三十四条（特定研究成果活用支援事業に係る部分に限る。）、第一百三十七条第一項（特定研究成果活用支援事業に係る部分に限る。）、第一百五十三条第三号（同項（特定研究成果活用支援事業に係る部分に限る。）に係る部分に限る。）、第一百五十二条（同号に係る部分（同項（特定研究成果活用支援事業に係る部分に限る。）に係る部分に限る。）に限る。）並びに附則第二十六条及び第三十六条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(ii) provisions of Article 16 (limited to the portion pertaining to Supporting the Utilization of Specified Research Results), Article 20 to Article 22, Article 75, Article 134 (limited to the portion pertaining to Supporting the Utilization of Specified Research Results), Article 137, paragraph (1) (limited to the portion pertaining to Supporting the Utilization of Specified Research Results), Article 150, item (iii) (limited to the portion pertaining to the same paragraph (limited to the portion pertaining to Supporting the Utilization of Specified Research Results)), and Article 152 (limited to the portion pertaining to the same item (limited to the portion pertaining to Supporting the Utilization of Specified Research Results)), as well as Article 26 and Article 36 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(見直し)

(Review)

第二条 政府は、この法律の施行後平成三十年三月三十一日までの間に、経済社会情勢の変化を勘案しつつ、第五章の規定の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 (1) The government is to examine the state of enforcement of the provisions of Chapter 5, within a period from the enforcement of this Act to March 31, 2018, taking into consideration changes in the economy and social circumstances, and take necessary measures based on the results thereof.

2 政府は、この法律の施行後平成三十年三月三十一日までの間に、経済社会情勢の変化を勘案しつつ、この法律（第五章の規定を除く。）の施行の状況について検討を加え、その結果に基づいて廃止を含めて見直しを行うものとする。

(2) The government is to examine the state of enforcement of this Act (excluding the provisions of Chapter 5), within a period from the enforcement of this Act to March 31, 2018, taking into consideration changes in the economy and social circumstances, and review it based on the results thereof, without excluding the possibility of abolition.

（訓令又は通達に関する措置）

(Measures Concerning Orders or Notices)

第三条 関係行政機関の長が発する訓令又は通達のうち新事業活動に関するものについては、産業競争力を強化することの必要性に鑑み、この法律の規定に準じて、必要な措置を講ずるものとする。

Article 3 With respect to orders or notices issued by the heads of relevant administrative organs that relate to New Business Activities, necessary measures are to be taken in accordance with the provisions of this Act, in consideration of the necessity of strengthening industrial competitiveness.

（産業活力の再生及び産業活動の革新に関する特別措置法の廃止）

(Abolition of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities)

第四条 産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）は、廃止する。

Article 4 The Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) is abolished.

（事業再構築計画に関する経過措置）

(Transitional Measures Concerning Business Reconstruction Plans)

第五条 この法律の施行前にされた前条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（以下「旧産活法」という。）第五条第一項の認定の申請であって、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 5 (1) With respect to the granting of approval for an application for the approval set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities prior to the abolition pursuant to the provisions of the preceding Article

(hereinafter referred to as the "Former Industrial Revitalization Act") that was filed prior to the enforcement of this Act and for which approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

- 2 旧産活法第六条第一項の認定事業再構築事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、投資事業有限責任組合契約に関する法律の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved business reconstruction businesses set forth in Article 6, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern: approval of changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind pertaining to the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a Tender Offer in exchange for shares; the special provisions concerning the issuance and acquisition of Shares Subject to Class-Wide Call; demands for objections by obligees in cases of transfer of business; the special provisions of the Limited Partnership Act for Investment; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

（経営資源再活用計画に関する経過措置）

(Transitional Measures Concerning Management Resource Reutilization Plans)

第六条 この法律の施行前にされた旧産活法第七条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 6 (1) With respect to the granting of approval for an application for the approval set forth in Article 7, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

- 2 旧産活法第八条第一項の認定経営資源再活用事業者（この法律の施行後に前項の規

定に基づきなお従前の例により認定を受けた者を含む。)に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved management resource reutilization businesses set forth in Article 8, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern: the approval of changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind pertaining to the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a Tender Offer in exchange for shares; the special provisions concerning the issuance and acquisition of Shares Subject to Class-Wide Call; demands for objections by obligees in cases of transfer of business; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

(経営資源融合計画に関する経過措置)

(Transitional Measures Concerning Management Resource Integration Plans)

第七条 この法律の施行前にされた旧産活法第九条第一項の認定の申請であって、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 7 (1) With respect to the granting of approval for an application for the approval set forth in Article 9, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第十条第一項の認定経営資源融合事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合

の債権者の異議の催告等、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved management resource integration businesses set forth in Article 10, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to following, prior provisions continue to govern: the approval of changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind pertaining to the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a Tender Offer in exchange for shares; the special provisions concerning the issuance and acquisition of Shares Subject to Class-Wide Call; demands for objections by obligees in cases of transfer of business; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

(資源生産性革新計画に関する経過措置)

(Transitional Measures Concerning Resource Productivity Innovation Plans)

第八条 この法律の施行前にされた旧産活法第十一条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 8 (1) With respect to the granting of approval for an application for the approval set forth in Article 11, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第十二条第一項の認定資源生産性革新事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、貨物利用運送事業法（平成元年法律第八十二号）の特例、貨物自動車運送事業法（平成元年法律第八十三号）の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved resource productivity innovation businesses set forth in Article 12, paragraph (1) of the Former Industrial Revitalization Act (including



those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern : the approval of changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind pertaining to the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a Tender Offer in exchange for shares; the special provisions concerning the issuance and acquisition of Shares Subject to Class-Wide Call; demands for objections by obligees in cases of transfer of business; the special provisions of the Consigned Freight Forwarding Business Act (Act No. 82 of 1989); the special provisions of the Motor Truck Transportation Business Act (Act No. 83 of 1989); the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

(事業革新新商品生産設備導入計画に関する経過措置)

(Transitional Measures Concerning Installation Plans of New Goods Production Equipment for Business Innovation)

第九条 この法律の施行前にされた旧産活法第十四条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 9 (1) With respect to the granting of approval for an application for the approval set forth in Article 14, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第十五条第一項の認定事業革新新商品生産設備導入事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved businesses for new goods production equipment installation for business innovation set forth in Article 15, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern: the approval of changes to plans, direction of changes, and rescission of approval; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of

reports.

(資源制約対応製品生産設備導入計画に関する経過措置)

(Transitional Measures Concerning Production Equipment Installation Plans for Goods in Response to Resource Constraints)

第十条 この法律の施行前にされた旧産活法第十六条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 10 (1) With respect to the granting of approval for an application for the approval set forth in Article 16, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第十七条第一項の認定資源制約対応製品生産設備導入事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved businesses installing production equipment for goods in response to resource constraints set forth in Article 17, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, the prior provisions continue to govern: the approval of changes to plans, direction of changes, and rescission of approval; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

(独立行政法人中小企業基盤整備機構の行う事業再構築円滑化等業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Facilitate Business Reconstruction Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第十一条 この法律の施行の際現に行われている旧産活法第二十四条の債務の保証に係る独立行政法人中小企業基盤整備機構の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 11 With respect to the business of the Organization for Small & Medium Enterprises and Regional Innovation pertaining to the guarantee of obligations set forth in Article 24 of the Former Industrial Revitalization Act that have already been undertaken at the time of the enforcement of this Act, the provisions of the same Article remain in force even after the enforcement of this Act.

(公庫の行う損失補填業務に関する経過措置)

**(Transitional Measures Concerning Business Operations to Compensate Losses Undertaken by the JFC)**

第十二条 この法律の施行の際現に行われている旧産活法第二十四条の二第一項の損失の補填に係る公庫の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 12 With respect to business operations of the JFC pertaining to the compensation of losses set forth in Article 24-2, paragraph (1) of the Former Industrial Revitalization Act that have already been undertaken at the time of the enforcement of this Act, the provisions of the same Article remain in force even after the enforcement of this Act.

(公庫の行う事業再構築等促進円滑化業務に関する経過措置)

**(Transitional Measures Concerning Business Operations to Facilitate Business Reconstruction Promotion Undertaken by the JFC)**

第十三条 この法律の施行の際現に行われている旧産活法第二十四条の三第一項に規定する公庫の事業再構築等促進円滑化業務については、同条並びに旧産活法第二十四条の四及び第二十四条の八の規定は、この法律の施行後も、なおその効力を有する。この場合において、旧産活法第二十四条の三第二項の表第五十八条第一項の項中「産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「特別措置法」という。）」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十三条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「旧特別措置法」という。）」と、同表第五十八条第二項及び第五十九条第一項の項、第七十一条の項、第七十三条第一号の項、第七十三条第三号の項、第七十三条第七号の項及び附則第四十七条第一項の項中「特別措置法」とあるのは「旧特別措置法」とする。

Article 13 With respect to the JFC's Business Operations to Facilitate Business Reconstruction Promotion prescribed in Article 24-3, paragraph (1) of the Former Industrial Revitalization Act that have already been undertaken at the time of the enforcement of this Act, the provisions of the same Article as well as Article 24-4 and Article 24-8 of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act. In this case, the phrase "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Act on Special Measures")" in the row of Article 58, paragraph (1) of the table of Article 24-3, paragraph (2) of the Former Industrial Revitalization Act is deemed to be replaced with "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Former Act on Special Measures")" prior

to the abolition pursuant to the provisions of Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), for which prior provisions remain in force pursuant to the provisions of Article 13 of the Supplementary Provisions of the same Act"; and the phrase "Act on Special Measures" in the row of Article 58, paragraph (2) and Article 59, paragraph (1), the row of Article 71, the row of Article 73, item (i), the row of Article 73, item (iii), the row of Article 73, item (vii), and the row of Article 47, paragraph (1) of the Supplementary Provisions in the same table is deemed to be replaced with "Former Act on Special Measures".

(旧産活法第二十四条の五第一項に規定する指定金融機関の行う事業再構築等促進業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Promote Business Reconstruction Undertaken by Designated Financial Institutions Prescribed in Article 24-5, Paragraph (1) of the Former Industrial Revitalization Act)

第十四条 この法律の施行の際現に行われている旧産活法第二十四条の五第一項に規定する指定金融機関の行う同項に規定する事業再構築等促進業務については、同条から旧産活法第二十四条の十三まで及び旧産活法第七十三条の二の規定は、この法律の施行後も、なおその効力を有する。

Article 14 With respect to the Business Operations to Promote Business Reconstruction, etc. prescribed in Article 24-5, paragraph (1) of the Former Industrial Revitalization Act to be undertaken by Designated Financial Institutions prescribed in the same paragraph that have already been undertaken at the time of the enforcement of this Act, the provisions of the same Article to Article 24-13 of the Former Industrial Revitalization Act and Article 73-2 of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act.

(株式会社産業革新機構に関する経過措置)

(Transitional Measures Concerning the Innovation Network Corporation of Japan)

第十五条 この法律の施行の際現に存する株式会社産業革新機構は、この法律及び会社法の規定に基づく株式会社産業革新機構として同一性をもって存続するものとする。

Article 15 (1) The Innovation Network Corporation of Japan in existence at the time of the enforcement of this Act is to keep its identity as the Innovation Network Corporation of Japan based on the provisions of this Act and the Companies Act.

2 この法律の施行の際現に従前の産業革新委員会の委員長又は委員である者は、それぞれこの法律の施行の日に、第九十二条の規定により、この法律の規定に基づく産業革新委員会の委員長又は委員として選定されたものとみなす。

(2) Persons who are the chairperson or members of the former Innovation

Network Committee as of the time of the enforcement of this Act are deemed to have been appointed as the chairperson or members of the new Innovation Network Committee based on the provisions of this Act, pursuant to the provisions of Article 92, on the date of enforcement of this Act.

3 株式会社産業革新機構は、この法律の施行の日までに、第八十二条の例により、この法律の施行に伴い必要となる定款の変更をし、経済産業大臣の認可を受けなければならない。

(3) The Innovation Network Corporation of Japan must make necessary changes to the articles of incorporation associated with the enforcement of this Act and obtain the authorization of the Minister of Economy, Trade and Industry as prescribed in Article 82 by the date of enforcement of this Act.

4 この法律の施行前に旧産活法又はこれに基づく命令の規定により経済産業大臣が株式会社産業革新機構に関して行った認可その他の処分又は株式会社産業革新機構が行った申請その他の手続でこの法律又はこれに基づく命令に相当の規定があるものは、この附則に別段の定めがあるものを除き、この法律又はこれに基づく命令の相当の規定によってした認可その他の処分又は申請その他の手続とみなす。

(4) Authorization or other dispositions given by the Minister of Economy, Trade and Industry to the Innovation Network Corporation of Japan or applications or other procedures filed by the Innovation Network Corporation of Japan, pursuant to the provisions of the Former Industrial Revitalization Act or orders based thereon, prior to the enforcement of this Act, for which the corresponding provisions exist in this Act or orders based thereon, are deemed to be authorization or other dispositions given or applications or other procedures filed pursuant to the corresponding provisions of this Act or orders based thereon, except as otherwise provided in these Supplementary Provisions.

(取締役等の秘密保持義務に関する経過措置)

(Transitional Measures Concerning the Obligation of Confidentiality by Directors)

第十六条 株式会社産業革新機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員であった者に係るその職務上知ることのできた秘密を漏らし、又は盗用してはならない義務については、この法律の施行後も、なお従前の例による。

Article 16 With respect to obligations of persons who were employed as the directors, accounting advisors (when an accounting advisor is a corporation, the member who is to perform the duties of the accounting advisor), company auditors, or employees of the Innovation Network Corporation of Japan, which require them to not divulge or misappropriate any confidential information that has come to their knowledge in the course of duties, prior provisions are to continue to apply even after the enforcement of this Act.

(中小企業経営資源活用計画に関する経過措置)

(Transitional Measures Concerning Small and Medium-Sized Enterprise Management Resource Utilization Plans)

第十七条 この法律の施行前にされた旧産活法第三十二条第一項の認定の申請であって、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 17 (1) With respect to the granting of approval for an application for the approval set forth in Article 32, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第三十二条第一項の認定中小企業経営資源活用事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定及び認定の取消し、中小企業信用保険法の特例、小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律（平成二十五年法律第五十七号）第九条の規定による廃止前の小規模企業者等設備導入資金助成法（昭和三十一年法律第百十五号）の特例、中小企業投資育成株式会社法の特例、認定中小企業経営資源活用計画に従って中小企業経営資源活用を実施する中小企業者とみなす場合における特例並びに報告の徴収については、なお従前の例による。

(2) Regarding approved small and medium-sized enterprise management resource utilization businesses set forth in Article 32, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern: the approval of changes to plans and rescission of approval; the special provisions of the Small and Medium-Sized Enterprise Credit Insurance Act; the special provisions of the Act on Equipment Installation Support for Small Enterprises (Act No. 115 of 1956) prior to the abolition pursuant to the provisions of Article 9 of the Act for Partial Revision, etc. of the Small and Medium-sized Enterprise Basic Act for the Purpose of Revitalizing Business Activities of Small Enterprises (Act No. 57 of 2013); the special provisions of the Small and Medium-sized Enterprise Investment Business Corporation Act; the special provisions when a person is deemed to be a Small and Medium-sized Enterprise implementing small and medium-sized enterprise management resource utilization in accordance with an approved small and medium-sized enterprise management resource utilization plan; and the collection of reports.

(創業関連保証に関する経過措置)

(Transitional Measures Concerning Start-up-related Guarantees)

第十八条 この法律の施行前にされた旧産活法第三十三条第一項に規定する創業関連保

証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

**Article 18** With respect to the special provisions of the Small and Medium-Sized Enterprise Credit Insurance Act prescribed in Article 33 of the Former Industrial Revitalization Act for Start-up-related Guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act, prior provisions continue to govern.

(特定信用状関連保証に関する経過措置)

**(Transitional Measures Concerning Specified Letter of Credit-related Guarantees)**

第十九条 この法律の施行前にされた旧産活法第三十四条第一項に規定する特定信用状関連保証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

**Article 19** With respect to the special provisions of the Small and Medium-Sized Enterprise Credit Insurance Act prescribed in Article 34 of the Former Industrial Revitalization Act for Specified Letter of Credit-related Guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act, prior provisions continue to govern.

(中小企業承継事業再生計画に関する経過措置)

**(Transitional Measures Concerning Plans for SME Rehabilitation through Succession)**

第二十条 この法律の施行前にされた旧産活法第三十九条の二第一項の認定の申請であって、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

**Article 20** (1) With respect to the granting of approval for an application for the approval set forth in Article 39-2, paragraph (1) of the Former Industrial Revitalization Act that was filed prior to the enforcement of this Act and for which whether or not to grant approval has yet to be determined as of the time of the enforcement of this Act, prior provisions continue to govern.

2 旧産活法第三十九条の三第一項の認定中小企業承継事業再生事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、特定許認可等に基づく地位の承継等、中小企業信用保険法の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

**(2) Regarding Approved Businesses Conducting SME Rehabilitation through Succession** set forth in Article 39-3, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior provisions based on the provisions of the preceding paragraph after the enforcement of this Act), with respect to the following, prior provisions continue to govern: the approval

of changes to plans, direction of changes, rescission of approval; succession, etc. of state based on a Specified Permission, etc.; the special provisions of the Small and Medium-Sized Enterprise Credit Insurance Act; the special provisions of the Small and Medium Business Investment & Consultation Corporation Act; and the collection of reports.

(認定支援機関に関する経過措置)

(Transitional Measures Concerning Approved Support Institutions)

第二十一条 この法律の施行の際現に旧産活法第四十一条第一項の認定を受けている者は、この法律の施行の日に第二百二十七条第一項の認定を受けたものとみなす。

Article 21 (1) Those who have already obtained the approval set forth in Article 41, paragraph (1) of the Former Industrial Revitalization Act at the time of the enforcement of this Act are deemed to have obtained the approval set forth in Article 127, paragraph (1) on the date of enforcement of this Act.

2 前項の規定により第二百二十七条第一項の認定を受けたものとみなされた者のこの法律の施行に伴い必要となる同条第四項第四号に掲げる事項の変更についての同条第五項の規定の適用については、同項中「あらかじめ」とあるのは、「この法律の施行の日から三十日以内に」とする。

(2) Regarding those that are deemed to have obtained the approval set forth in Article 127, paragraph (1) pursuant to the provisions of the preceding paragraph, with respect to the application of the provisions of paragraph (5) of the same Article to necessary changes to the particulars set forth in paragraph (4), item (iv) of the same Article associated with the enforcement of this Act, the phrase "in advance" in paragraph (5) of the same Article is deemed to be replaced with "within 30 days from the date of enforcement of this Act".

(役員等の秘密保持義務に関する経過措置)

(Transitional Measures Concerning the Obligation of Confidentiality by Officers)

第二十二条 旧産活法第四十一条第二項に規定する認定支援機関の役員若しくは職員であった者又は旧産活法第四十二条第一項の中小企業再生支援協議会の委員であった者に係る旧産活法第四十一条第一項に規定する中小企業再生支援業務に関して知り得た秘密を漏らしてはならない義務については、この法律の施行後も、なお従前の例による。

Article 22 With respect to the obligation of persons who were employed as officers or employees of Approved Support Institutions prescribed in Article 41, paragraph (2) of the Former Industrial Revitalization Act or as members of Small and Medium-sized Enterprise Revitalization Support Councils set forth in Article 42, paragraph (1) of the Former Industrial Revitalization Act, which requires them to not divulge any confidential information that has come to their knowledge in relation to Business to Support Small and Medium-sized



Enterprise Revitalization prescribed in Article 41, paragraph (1) of the Former Industrial Revitalization Act, prior provisions are to remain applicable even after the enforcement of this Act.

(認証紛争解決事業者の認定に関する経過措置)

(Transitional Measures Concerning Specified Certified Dispute Resolution Businesses)

第二十三条 この法律の施行の際現に旧産活法第四十八条第一項の認定を受けている者は、第五十一条第一項の認定を受けているものとみなす。

Article 23 Those who have already obtained the approval set forth in Article 48, paragraph (1) of the Former Industrial Revitalization Act at the time of the enforcement of this Act are deemed to have obtained the approval set forth in Article 51, paragraph (1).

(独立行政法人中小企業基盤整備機構の行う事業再生円滑化業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Facilitate Corporate Rehabilitation Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第二十四条 この法律の施行の際現に行われている旧産活法第五十条の債務の保証に係る独立行政法人中小企業基盤整備機構の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 24 With respect to the business operations of the Organization for Small & Medium Enterprises and Regional Innovation pertaining to guarantee of obligations set forth in Article 50 of the Former Industrial Revitalization Act that have already been undertaken at the time of the enforcement of this Act, the provisions of the same Article remain in force even after the enforcement of this Act.

(事業再生円滑化関連保証に関する経過措置)

(Transitional Measures Concerning Corporate Rehabilitation Facilitation-related Guarantees)

第二十五条 この法律の施行前にされた旧産活法第五十一条第一項に規定する事業再生円滑化関連保証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

Article 25 With respect to the special provisions of the Small and Medium-Sized Enterprise Credit Insurance Act prescribed in Article 51 of the Former Industrial Revitalization Act for Corporate Rehabilitation Facilitation-related Guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act, prior provisions continue to govern.

(特許料等の特例に係る経過措置)

(Transitional Measures Concerning Special Provisions Concerning Patent Fees)

第二十六条 第七十五条第一項の規定は、附則第一条第二号に掲げる規定の施行後に出願審査の請求をする特許出願に係る特許料について適用し、同号に掲げる規定の施行前に出願審査の請求をした特許出願に係る特許料については、なお従前の例による。

Article 26 (1) The provisions of Article 75, paragraph (1) apply to patent fees for patent applications, for which a request for examination of the application is filed after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, and with respect to patent fees for patent applications, for which a request for examination of the application has been filed prior to the enforcement of the provisions set forth in the same item, prior provisions continue to govern.

2 第七十五条第三項の規定は、附則第一条第二号に掲げる規定の施行後にする国際出願に係る手数料について適用し、同号に掲げる規定の施行前にした国際出願に係る手数料については、なお従前の例による。

(2) The provisions of Article 75, paragraph (3) apply to fees for International Applications to be filed after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, and with respect to fees for International Applications that have been filed prior to the enforcement of the provisions set forth in the same item, prior provisions continue to govern.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二十七条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 27 With respect to the application of penal provisions for acts committed prior to the enforcement of this Act, and acts committed after the enforcement of this Act when prior provisions are to continue to govern and are to remain in force pursuant to the provisions of these Supplementary Provisions, prior provisions continue to govern.

(その他の経過措置の政令への委任)

(Delegation to Cabinet Order of Other Transitional Measures)

第二十八条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 28 Beyond what is prescribed in these Supplementary Provisions, necessary transitional measures associated with the enforcement of this Act are to be specified by Cabinet Order.

(租税特別措置法の一部改正)

(Partial Revision of the Act on Special Measures Concerning Taxation)

第二十九条 租税特別措置法（昭和三十二年法律第二十六号）の一部を次のように改正する。

Article 29 The Act on Special Measures Concerning Taxation (Act No. 26 of 1957) is partially revised as follows.

第八十条の見出し中「認定事業再構築計画等」を「認定事業再編計画等」に改め、同条第一項各号列記以外の部分を次のように改める。

In the title of Article 80, the phrase "Approved Business Reconstruction Plans" is to be replaced with "Approved Corporate Restructuring Plans"; and the part other than those set forth in the items of paragraph (1) of the same Article is to be revised as follows.

次に掲げる事項について登記を受ける場合において、当該事項が、産業競争力強化法（平成二十五年法律第九十八号）第二十五条第二項に規定する認定事業再編計画（同法第二条第十一項に規定する事業再編のうち政令で定めるものについて記載があるものに限る。）に係る同法第二十四条第一項若しくは第二十五条第一項の認定、同法第二十七条第二項に規定する認定特定事業再編計画に係る同法第二十六条第一項若しくは第二十七条第一項の認定又は同法第二百二十二条第三項に規定する認定中小企業承継事業再生計画に係る同法第二百二十一条第一項若しくは第二百二十二条第一項の認定に係るものであつて同法の施行の日から平成二十八年三月三十一日までの間にされたこれらの認定に係るものであるときは、当該登記に係る登録免許税の税率は、財務省令で定めるところによりこれらの認定の日から一年以内に登記を受けるものに限り、登録免許税法第九条の規定にかかわらず、次の各号に掲げる事項の区分に応じ、当該各号に定める割合とする。

In the case of accepting registration for the following particulars, when the particulars pertain to the approval set forth in Article 24, paragraph (1) or Article 25, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) pertaining to an Approved Corporate Restructuring Plan prescribed in Article 25, paragraph (2) of the same Act (limited to a plan that contains the statement on Corporate Restructuring prescribed in Article 2, paragraph (11) of the same Act that is specified by Cabinet Order), the approval set forth in Article 26, paragraph (1) or Article 27, paragraph (1) of the same Act pertaining to an Approved Specified Corporate Restructuring Plan prescribed in Article 27, paragraph (2) of the same Act, or the approval set forth in Article 121, paragraph (1) or Article 122, paragraph (1) of the same Act pertaining to an Approved Plan for SME Rehabilitation through Succession prescribed in Article 122, paragraph (3) of the same Act, which has been granted within a period from the enforcement of this Act to March 31, 2016, tax rates for registration and license tax pertaining to the registration, only for such registration to be accepted within one year from the date of these approvals as prescribed by Ministry of Finance Order, are to be the rates specified in the following items for each category of the particulars set forth respectively therein, notwithstanding

the provisions of Article 9 of the Registration and License Tax Act:  
第八十条第一項に次の一号を加える。

The following one item is to be added in Article 80, paragraph (1).

六 分割による法人の設立又は資本金若しくは出資金の額の増加の場合における不動産又は船舶の所有権の取得 イ又はロに掲げる事項の区分に応じイ又はロに定める割合

(vi) Acquisition of ownership of real estate or a vessel in cases of the establishment of a corporation as a result of company split or an increase in the amount of stated capital or capital contributions: the ratio specified in (a) or (b) for each category of the particulars set forth respectively therein:

イ 不動産の所有権の取得 千分の四

(a) Acquisition of ownership of real estate: 4/1000;

ロ 船舶の所有権の取得 千分の二十三

(b) Acquisition of ownership of a vessel: 23/1000.

第八十条第二項を同条第三項とし、同条第一項の次に次の一項を加える。

Article 80, paragraph (2) is to be Article 80, paragraph (3) and the following one paragraph is to be added after paragraph (1) of the same Article.

2 個人が、産業競争力強化法第百十四条第二項に規定する認定創業支援事業計画に係る同法第百十三条第一項又は第百十四条第一項の認定を受けた市町村（特別区を含む。）の区域内において、当該認定創業支援事業計画に記載された同法第二条第二十五項に規定する特定創業支援事業による支援を受けて株式会社の設立をした場合には、当該株式会社の設立の登記に係る登録免許税の額は、財務省令で定めるところにより同法の施行の日から平成二十八年三月三十一日までの間に登記を受けるものに限り、登録免許税法第九条の規定にかかわらず、当該株式会社の資本金の額に千分の三・五を乗じて計算した金額（当該金額が七万五千円に満たない場合には、七万五千円）とする。

(2) If an individual has established a stock company by receiving support under a Specified Start-up Support prescribed in Article 2, paragraph (25) of the Act on Strengthening Industrial Competitiveness, which has been recorded in the Approved Start-up Support Plan prescribed in Article 114, paragraph (2) of the same Act, within the area of a municipality (including a special ward) that has obtained the approval set forth in Article 113, paragraph (1) or Article 114, paragraph (1) of the same Act pertaining to the Approved Start-up Support Plan, the amount of registration and license tax for the registration of the establishment of the stock company, only for such registration to be accepted within a period from the enforcement of this Act to March 31, 2016, as prescribed by Ministry of Finance Order, is to be the amount obtained by multiplying the amount of stated capital of the stock company by 3.5/1000 (or 75,000 yen when the amount is less than 75,000 yen), notwithstanding the provisions of Article 9 of the Registration and

License Tax Act.

第八十一条第五項中「第八十条第一項（第一号から第四号までを除く。）又は」を削り、「第八十条第一項第五号中「合併」とあるのは「分割」と、同号イ中「千分の二」とあるのは「千分の四」と、同号ロ中「千分の三」とあるのは「千分の二十三」と、前条第一項第四号」を「同条第一項第四号」に改める。

In Article 81, paragraph (5), the phrase "Article 80, paragraph (1), (excluding item (i) to item (iv)), or" is to be deleted; and the phrase "the phrase "merger" in Article 80, paragraph (1), item (v) is deemed to be replaced with "company split," the phrase "2/1000" in (a) in the same item is deemed to be replaced with "4/1000," the phrase "3/1000" in (b) of the same item is deemed to be replaced with "23/1000," .... paragraph (1), item (iv) of the preceding Article" is to be revised to "... paragraph (1), item (iv) of the preceding Article".

第八十四条の六第四項中「産業活力の再生及び産業活動の革新に関する特別措置法第三十条の二十一第一項（登記）」を「産業競争力強化法第九十五条第一項（委員の登記）」に改める。

In Article 84-6, paragraph (4), the phrase "Article 30-21, paragraph (1) (Registration) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be revised to "Article 95, paragraph (1) (Registration of Committee Members) of the Act on Strengthening Industrial Competitiveness".

（租税特別措置法の一部改正に伴う経過措置）

(Transitional Measures Associated with the Partial Revision of the Act on Special Measures Concerning Taxation)

第三十条 前条の規定による改正前の租税特別措置法第八十条第一項に規定する認定（附則第五条から第八条まで又は第二十条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当該認定を含む。）に係る同項各号に掲げる事項についての登記に係る登録免許税については、なお従前の例による。

Article 30 With respect to registration and license tax for the registration of the particulars set forth in the items of Article 80, paragraph (1) of the Act on Special Measures Concerning Taxation prior to the revision pursuant to the provisions of the preceding Article that pertains to the approval prescribed in the same paragraph (including the approval when prior provisions are to continue to govern pursuant to the provisions of Article 5 to Article 8 or Article 20 of the Supplementary Provisions), prior provisions continue to govern.

（租税特別措置法の一部改正に伴う調整規定）

(Adjustment Provisions Associated with the Partial Revision of the Act on Special Measures Concerning Taxation)

第三十一条 この法律の施行の日が金融商品取引法等の一部を改正する法律（平成二十五年法律第四十五号）附則第一条第二号に掲げる規定の施行の日前である場合には、

同法附則第十九条のうち租税特別措置法第八十条第二項の改正規定中「第八十条第二項」とあるのは、「第八十条第三項」とする。

**Article 31** If the date of enforcement of this Act is prior to the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act for Partial Revision of the Financial Instruments and Exchange Act (Act No. 45 of 2013), the phrase "Article 80, paragraph (2)" in the provisions revising Article 80, paragraph (2) of the Act on Special Measures Concerning Taxation in Article 19 of the Supplementary Provisions of the Act for the Partial Revision of the Financial Instruments and Exchange Act is deemed to be replaced with "Article 80, paragraph (3)".

(中小企業基本法の一部改正)

(Partial Revision of the Small and Medium-sized Enterprise Basic Act)

第三十二条 中小企業基本法（昭和三十八年法律第百五十四号）の一部を次のように改正する。

**Article 32** The Small and Medium-sized Enterprise Basic Act (Act No. 154 of 1963) is partially revised as follows.

第二十九条第三項中「、産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）」を削り、「及び商店街の活性化のための地域住民の需要に応じた事業活動の促進に関する法律」を「、商店街の活性化のための地域住民の需要に応じた事業活動の促進に関する法律」に改め、「（平成二十一年法律第八十号）」の下に「及び産業競争力強化法（平成二十五年法律第九十八号）」を加える。

In Article 29, paragraph (3), the phrase ", the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)" is to be deleted; the phrase "and the Act on Promotion of Business Activities in Response to Demand of Local Residents for the Revitalization of Shopping Districts" is to be revised to ", the Act on Promotion of Business Activities in Response to Demand of Local Residents for the Revitalization of Shopping Districts"; and after the phrase "(Act No. 80 of 2009)", the phrase "and the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)" is to be added.

(登録免許税法の一部改正)

(Partial Revision of the Registration and License Tax Act)

第三十三条 登録免許税法（昭和四十二年法律第三十五号）の一部を次のように改正する。

**Article 33** The Registration and License Tax Act (Act No. 35 of 1967) is partially revised as follows.

別表第一第百二十五号中「、産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十二條の四第一項若しくは第二項（貨物自動車運送事業法の特例）」及び「、産業活力の再生及び産業活動の革新に関する特別措

置法第十一条第一項（資源生産性革新計画の認定）の規定による資源生産性革新計画の認定若しくは同法第十二条第一項（資源生産性革新計画の変更等）の規定による資源生産性革新計画の変更の認定」を削り、同表第百三十九号中「、産業活力の再生及び産業活動の革新に関する特別措置法第二十二条の二第一項若しくは第二項（貨物利用運送事業法の特例）」、「、産業活力の再生及び産業活動の革新に関する特別措置法第十一条第一項（資源生産性革新計画の認定）の規定による資源生産性革新計画の認定若しくは同法第十二条第一項（資源生産性革新計画の変更等）の規定による資源生産性革新計画の変更の認定」、「、産業活力の再生及び産業活動の革新に関する特別措置法第二十二条の三第一項若しくは第二項（貨物利用運送事業法の特例）」及び「、産業活力の再生及び産業活動の革新に関する特別措置法第十一条第一項の規定による資源生産性革新計画の認定若しくは同法第十二条第一項の規定による資源生産性革新計画の変更の認定」を削る。

In item (cxxv) of Appended Table 1, the phrases ", Article 22-4, paragraph (1) or paragraph (2) (Special Provisions of the Act on Service of Cargo Transportation by Automobiles) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)" and "approval of resource productivity innovation plans pursuant to the provisions of Article 11, paragraph (1) (Approval of Resource Productivity Innovation Plans) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval of changes to resources productivity innovation plans pursuant to the provisions of Article 12, paragraph (1) (Changes to Resource Productivity Innovation Plans) of the same Act" are to be deleted; in item (cxxxix) of the same table, the phrases ", Article 22-2, paragraph (1) or paragraph (2) (Special Provisions of the Cargo Forwarder Service Act) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities", "approval of resource productivity innovation plans pursuant to the provisions of Article 11, paragraph (1) (Approval of Resource Productivity Innovation Plans) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval of changes to resources productivity innovation plans pursuant to the provisions of Article 12, paragraph (1) (Changes to Resource Productivity Innovation Plans) of the same Act", ", Article 22-3, paragraph (1) or paragraph (2) (Special Provisions of the Cargo Forwarder Service Act) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities", and "approval of resource productivity innovation plans pursuant to the provisions of Article 11, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval of changes to resources productivity innovation plans pursuant to the provisions of Article 12, paragraph (1) of the same Act" are to be deleted.

(大学等における技術に関する研究成果の民間事業者への移転の促進に関する法律の一部改正)

**(Partial Revision of the Act on the Promotion of Technology Transfer from Universities to Private Businesses)**

第三十四条 大学等における技術に関する研究成果の民間事業者への移転の促進に関する法律（平成十年法律第五十二号）の一部を次のように改正する。

**Article 34 (1) The Act on the Promotion of Technology Transfer from Universities to Private Businesses (Act No. 52 of 1998) is partially revised as follows.**

第七条を削り、第八条を第七条とし、同条の次に次の一条を加える。

Article 7 is to be deleted, Article 8 is to be revised to Article 7, and the following Article is to be added after Article 7.

(特許料等の特例)

**(Special Provisions Concerning Patent Fees)**

第八条 特許庁長官は、承認事業者が特定大学技術移転事業を実施するときは、政令で定めるところにより、特許法（昭和三十四年法律第二百一十一号）第七十条第一項の規定による第一年から第十年までの各年分の特許料を軽減し若しくは免除し、又はその納付を猶予することができる。

**Article 8 When an accredited Technology Licensing Organization (TLO) undertakes specified university technology transfer, the Commissioner of the Japan Patent Office may grant a reduction of, exemption from or deferment of the payment of patent fees for each year from the first to the tenth year pursuant to the provisions of Article 107, paragraph (1) of the Patent Act (Act No. 121 of 1959), as prescribed by Cabinet Order.**

2 特許庁長官は、承認事業者が特定大学技術移転事業を実施するときは、政令で定めるところにより、自己の特許出願について特許法第九十五条第二項の規定により納付すべき出願審査の請求の手数料を軽減し、又は免除することができる。

**(2) When an accredited TLO undertakes specified university technology transfer, the Commissioner of the Japan Patent Office may reduce or exempt payment of the fees for requests for examination of the application that are to be paid pursuant to the provisions of Article 195, paragraph (2) of the Patent Act, with respect to the patent application of the accredited TLO, as prescribed by Cabinet Order.**

第十二条第四項及び第九項中「（昭和三十四年法律第二百一十一号）」を削る。

In Article 12, paragraph (4) and paragraph (9), the phrase "(Act No. 121 of 1959)" is to be deleted.

(独立行政法人中小企業基盤整備機構法の一部改正)

**(Partial Revision of the Act on the Organization for Small & Medium Enterprises and Regional Innovation, Japan, Independent Administrative**



Agency)

第三十五条 独立行政法人中小企業基盤整備機構法（平成十四年法律第百四十七号）の一部を次のように改正する。

Article 35 The Act on the Organization for Small & Medium Enterprises and Regional Innovation, Japan, Independent Administrative Agency (Act No. 147 of 2002) is partially revised as follows.

第十五条第一項第五号中「から第十号まで」を「、第九号及び第十四号」に改め、同項中第十号を削り、第十一号を第十号とし、第十二号から第十四号までを一号ずつ繰り上げ、第十五号の前に次の一号を加える。

In Article 15, paragraph (1), item (v), the phrase "from item (viii) to item (x)" is to be revised to "item (viii), item (ix), and item (xiv)"; item (x) of the same paragraph is to be deleted; item (xi) is to be revised to item (x); item (xii) to item (xiv) are to be revised to item (xi) to item (xiii), respectively; and the following item is to be added before item (xv).

十四 産業競争力強化法（平成二十五年法律第九十八号）第十三条、第十九条、第三十八条及び第五十三条の規定による債務の保証、同法第百十七条第一項の規定による協力並びに同法第百三十三条の規定による出資その他の業務を行うこと。

(xiv) undertaking business operations to provide guarantee of obligations pursuant to the provisions of Article 13, Article 19, Article 38, and Article 53 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), provide cooperation pursuant to the provisions of Article 117, paragraph (1) of the same Act, or make contributions pursuant to the provisions of Article 133 of the same Act, or other business operations;

第十五条第五項中「第一項第十一号及び第十三号」を「第一項第十号及び第十二号」に改める。

In Article 15, paragraph (5), the phrase "paragraph (1), item (xi) and item (xiii)" is to be revised to "paragraph (1), item (x) and item (xii)".

第十七条第一項第二号中「及び同項第八号から第十号まで」を「並びに同項第八号、第九号及び第十四号」に改め、同項第三号中「から第十号まで」を「から第九号まで及び第十四号」に改める。

In Article 17, paragraph (1), item (ii), the phrase "and from item (viii) to item (x) of the same paragraph" is to be revised to "and item (viii), item (ix), and item (xiv) of the same paragraph"; and in item (iii) of the same paragraph, the phrase "from item (vii) to item (x)" is to be revised to "from item (vii) to item (ix), and item (xiv)".

第十八条第一項第一号中「に掲げる業務（産業活力の再生及び産業活動の革新に関する特別措置法第四十七条に規定する出資の業務に限る。）」、同項第十一号から第十四号までに掲げる業務を「から第十三号までに掲げる業務、同項第十四号に掲げる業務（産業競争力強化法第百十七条第一項に規定する協力及び同法第百三十三条に規定する出資その他の業務に限る。）」に改め、同項第二号中「同項第十号」を「同項第十四号」に改める。

In Article 18, paragraph (1), item (i), the phrase "business operations set forth in item (x) of the same paragraph (limited to business operations to make contributions prescribed in Article 47 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities), business operations set forth in item (xi) to item (xiv) of the same paragraph" is to be revised to "business operations set forth in item (x) to item (xiii) of the same paragraph, business operations set forth in item (xiv) of the same paragraph (limited to business operations to provide cooperation prescribed in Article 117, paragraph (1) of the Act on Strengthening Industrial Competitiveness, and make contributions prescribed in Article 133 of the same Act, or other business operations)"; and in item (ii) of the same paragraph, the phrase "item (x) of the same paragraph" is to be revised to "item (xiv) of the same paragraph".

第二十一条第一項中「第十号」を「第十四号」に改める。

In Article 21, paragraph (1), the phrase "item (x)" is to be revised to "item (xiv)".

第二十二条第一項中「第十五条第一項第十号」を「第十五条第一項第十四号」に改める。

In Article 22, paragraph (1), the phrase "Article 15, paragraph (1), item (xi)" is to be revised to "Article 15, paragraph (1), item (x)".

附則第八条の五第四号中「前三号」を「前各号」に改め、同号を同条第六号とし、同条第三号の次に次の二号を加える。

In Article 8-5, item (iv) of the Supplementary Provisions, the phrase "the preceding three items" is to be revised to "the preceding items"; the same item is to be revised to item (vi) of the same Article; and the following two items are to be added after item (iii) of the same Article.

四 産業競争力強化法の施行前に機構が締結した債務保証契約に係る同法附則第十一条及び第二十四条の規定によりなおその効力を有するものとされる同法附則第四条による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「廃止前産業活力の再生及び産業活動の革新に関する特別措置法」という。）第二十四条及び第五十条の業務

(iv) business operations set forth in Article 24 and Article 50 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities Prior to Abolition") prior to the abolition pursuant to the provisions of Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness, for which prior provisions are to remain in force pursuant to the provisions of Article 11 and Article 24 of the Supplementary Provisions of the same Act pertaining to loan guarantee contracts that the INCJ had concluded prior to the

enforcement of the same Act;

五 廃止前産業活力の再生及び産業活動の革新に関する特別措置法第四十七条の規定によりされた出資に係る株式の管理及び処分

(v) management and disposition of shares pertaining to the contributions made pursuant to the provisions of Article 47 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities Prior to Abolition;

附則第十四条の表第十八条第一項第一号の項中「第十四号までに」を「同項第十七号に」に改める。

In the row of Article 18, paragraph (1), item (i) of the table of Article 14 of the Supplementary Provisions, the phrase "in up to item (xiv)" is to be replaced with "in item (xvii) of the same paragraph".

(国立大学法人法の一部改正)

(Partial Revision of the National University Corporation Act)

第三十六条 国立大学法人法の一部を次のように改正する。

Article 36 The National University Corporation Act is partially revised as follows.

第二十二条第一項第六号中「出資する」を「対し、出資（次号に該当するものを除く。）を行う」に改め、同項第七号を同項第八号とし、同項第六号の次に次の一号を加える。

In Article 22, paragraph (1), item (vi), the phrase "making contributions" is to be revised to "making contributions (excluding those falling under the following item)"; item (vii) of the same paragraph is to be revised to item (viii) of the same paragraph; and the following item is to be added after item (vi) of the same paragraph.

七 産業競争力強化法（平成二十五年法律第九十八号）第二十二条の規定による出資並びに人的及び技術的援助を行うこと。

(vii) making contributions and providing the personnel and technical assistance pursuant to the provisions of Article 22 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013);

第二十二条第二項中「業務」の下に「及び同項第七号に掲げる業務のうち出資に関するもの」を加える。

In Article 22, paragraph (2), the phrase "and business operations set forth in item (vii) of the same paragraph that relate to contributions" is to be added after the phrase "business operations set forth in item (vi) of the preceding paragraph".

第二十九条第一項第五号中「出資する」を「対し、出資（次号に該当するものを除く。）を行う」に改め、同項第六号を同項第七号とし、同項第五号の次に次の一号を加える。

In Article 29, paragraph (1), item (v), the phrase "making contributions" is to

be revised to "making contributions (excluding those falling under the following item)"; item (vi) of the same paragraph is to be revised to item (vii) of the same paragraph; and the following item is to be added after item (v) of the same paragraph.

六 産業競争力強化法第二十二條の規定による出資並びに人的及び技術的援助を行うこと。

(vi) making contributions and providing the personnel and technical assistance pursuant to the provisions of Article 22 of the Act on Strengthening Industrial Competitiveness;

第二十九條第二項中「業務」の下に「及び同項第六号に掲げる業務のうち出資に関するもの」を加える。

In Article 29, paragraph (2), the phrase "and business operations set forth in item (vi) of the same paragraph that relate to contributions" is to be added after the phrase "business operations set forth in item (v) of the preceding paragraph".

(株式会社地域経済活性化支援機構法の一部改正)

(Partial Revision of the Act on the Regional Economy Revitalization Corporation of Japan)

第三十七條 株式会社地域経済活性化支援機構法（平成二十一年法律第六十三号）の一部を次のように改正する。

Article 37 The Act on the Regional Economy Revitalization Corporation of Japan (Act No. 63 of 2009) is partially revised as follows.

第二十四條第二項中「（次項において「事業所管大臣」という。）」を削り、同条中第三項を削り、第四項を第三項とする。

In Article 24, paragraph (2), the phrase "(referred to as the "minister with jurisdiction" in the following paragraph)" is to be deleted; paragraph (3) of the same Article is to be deleted; and paragraph (4) is to be revised to paragraph (3).

第二十五條第三項中「認定支援機関（産業活力の再生及び産業活動の革新に関する特別措置法第四十一條第二項）」を「独立行政法人中小企業基盤整備機構又は認定支援機関（産業競争力強化法（平成二十五年法律第九十八号）第二百二十七條第二項）」に改め、同条第四項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 25, paragraph (3), the phrase "Approved Support Institutions (meaning the Approved Support Institutions prescribed in Article 41, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities)" is to be revised to "the Organization for Small & Medium Enterprises and Regional Innovation or Approved Support Institutions (meaning the Approved Support Institutions prescribed in Article 127, paragraph (2) of the Act on Strengthening Industrial

Competitiveness (Act No. 98 of 2013)"; and in paragraph (4) of the same Article, the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "Approved Support Institutions that have issued".

第三十二条第二項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 32, paragraph (2), the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "Approved Support Institutions that have issued".

第六十一条の見出しを「（産業競争力強化法との関係）」に改め、同条第一項中「産業活力の再生及び産業活動の革新に関する特別措置法第五条第一項の事業再構築計画」を「産業競争力強化法第二十四条第一項の事業再編計画」に、「第七条第一項の経営資源再活用計画の認定、同法第九条第一項の経営資源融合計画の認定、同法第十一条第一項の資源生産性革新計画」を「第二十六条第一項の特定事業再編計画」に、「第三十九条の二第一項」を「第二百一十一条第一項」に改め、同条第二項中「認定支援機関は、産業活力の再生及び産業活動の革新に関する特別措置法第四十一条第二項第一号の規定により」を「独立行政法人中小企業基盤整備機構は産業競争力強化法第一百三十三条第二号（同法第二百二十七条第二項第一号に係る部分に限る。）の規定により、認定支援機関は同項第一号の規定により、」に改める。

The title of Article 61 is to be revised to "(Relationship with the Act on Strengthening Industrial Competitiveness)"; in paragraph (1) of the same Article, the phrase "Business Reconstruction Plans set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be revised to "Business Reconstruction Plan set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "approval of Management Resource Reutilization Plans set forth in Article 7, paragraph (1) of the same Act, approval of Management Resource Integration Plans set forth in Article 9, paragraph (1) of the same Act, approval of Resource Productivity Innovation Plans set forth in Article 11, paragraph (1)" is to be revised to "approval of Specified Corporate Restructuring Plans set forth in Article 26, paragraph (1)"; and the phrase "Article 39-2, paragraph (1)" is to be revised to "Article 121, paragraph (1)"; in paragraph (2) of the same Article, the phrase "Approved Support Institutions, pursuant to the provisions of Article 41, paragraph (2), item (i) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities," is to be revised to "the Organization for Small & Medium Enterprises and Regional Innovation, pursuant to the provisions of Article 133, item (ii) of the Act on Strengthening Industrial Competitiveness (limited to the portion pertaining to Article 127, paragraph (2), item (i) of the same Act), and Approved Support Institutions, pursuant to the provisions of item (i) of the same paragraph,".

第六十三条中「産業活力の再生及び産業活動の革新に関する特別措置法第二条第二十四項」を「産業競争力強化法第二条第十五項」に、「及び認定支援機関」を「、独立行政法人中小企業基盤整備機構及び認定支援機関」に改める。

In Article 63, the phrase "Article 2, paragraph (24) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be revised to "Article 2, paragraph (15) of the Act on Strengthening Industrial Competitiveness"; and the phrase "and Approved Support Institutions" is to be revised to ", the Organization for Small & Medium Enterprises and Regional Innovation, and Approved Support Institutions".

(株式会社東日本大震災事業者再生支援機構法の一部改正)

(Partial Revision of the Act on the Organization for Supporting the Turnaround of Businesses Damaged by the Great East Japan Earthquake)

第三十八条 株式会社東日本大震災事業者再生支援機構法（平成二十三年法律第百十三号）の一部を次のように改正する。

Article 38 The Act on the Organization for Supporting the Turnaround of Businesses Damaged by the Great East Japan Earthquake (Act No. 113 of 2011) is partially revised as follows.

第十九条第三項中「認定支援機関（産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第四十一条第二項）を「独立行政法人中小企業基盤整備機構又は認定支援機関（産業競争力強化法（平成二十五年法律第九十八号）第二百二十七条第二項）」に改め、同条第四項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 19, paragraph (3), the phrase "Approved Support Institutions (meaning the Approved Support Institutions prescribed in Article 41, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999))" is to be revised to "the Organization for Small & Medium Enterprises and Regional Innovation or Approved Support Institutions (meaning the Approved Support Institutions prescribed in Article 127, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013))"; and in paragraph (4) of the same Article, the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "Approved Support Institutions that have issued".

第二十六条第二項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 26, paragraph (2), the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "Approved Support Institutions that have issued".

第五十九条の見出しを「（産業競争力強化法との関係）」に改め、同条第一項中

「産業活力の再生及び産業活動の革新に関する特別措置法第五条第一項の事業再構築計画」を「産業競争力強化法第二十四条第一項の事業再編計画」に、「第七条第一項の経営資源再活用計画の認定、同法第九条第一項の経営資源融合計画の認定、同法第十一条第一項の資源生産性革新計画」を「第二十六条第一項の特定事業再編計画」に、「第三十九条の二第一項」を「第二百二十一条第一項」に、「第四十七条」を「第一百三十三条第一号」に改め、同条第二項中「認定支援機関は、産業活力の再生及び産業活動の革新に関する特別措置法第四十一条第二項第一号の規定により」を「独立行政法人中小企業基盤整備機構は産業競争力強化法第一百三十三条第二号（同法第二百二十七条第二項第一号に係る部分に限る。）の規定により、認定支援機関は同項第一号の規定により、」に改める。

The title of Article 59 is to be revised to "(Relationship with the Act on Strengthening Industrial Competitiveness)"; in paragraph (1) of the same Article, the phrase "Business Reconstruction Plans set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be revised to "Business Reconstruction Plan set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "approval of Management Resource Reutilization Plans set forth in Article 7, paragraph (1) of the same Act, approval of Management Resource Integration Plans set forth in Article 9, paragraph (1) of the same Act, approval of Resource Productivity Innovation Plans set forth in Article 11, paragraph (1)" is to be revised to "approval of Specified Corporate Restructuring Plans set forth in Article 26, paragraph (1)"; the phrase "Article 39-2, paragraph (1)" is to be revised to "Article 121, paragraph (1)"; and the phrase "Article 47" is to be revised to "Article 133, item (i)"; in paragraph (2) of the same Article, the phrase "Approved Support Institutions, pursuant to the provisions of Article 41, paragraph (2), item (i) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities," is to be revised to "the Organization for Small & Medium Enterprises and Regional Innovation, pursuant to the provisions of Article 133, item (ii) of the Act on Strengthening Industrial Competitiveness (limited to the portion pertaining to Article 127, paragraph (2), item (i) of the same Act), and Approved Support Institutions, pursuant to the provisions of item (i) of the same paragraph,".

第六十一条中「産業活力の再生及び産業活動の革新に関する特別措置法第二条第二十四項」を「産業競争力強化法第二条第十五項」に、「及び認定支援機関」を「、独立行政法人中小企業基盤整備機構及び認定支援機関」に改める。

In Article 61, the phrase "Article 2, paragraph (24) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be revised to "Article 2, paragraph (15) of the Act on Strengthening Industrial Competitiveness"; and the phrase "and Approved Support Institutions" is to be revised to ", the Organization for Small &

Medium Enterprises and Regional Innovation, and Approved Support Institutions".

(小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律の一部改正)

(Partial Revision of the Act for Partial Revision, etc. of the Small and Medium-sized Enterprise Basic Act for the Purpose of Revitalizing Business Activities of Small Enterprises)

第三十九条 小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律の一部を次のように改正する。

Article 39 The Act for Partial Revision, etc. of the Small and Medium-sized Enterprise Basic Act for the Purpose of Revitalizing Business Activities of Small Enterprises is partially revised as follows.

附則第一条第二号中「、第十四条（産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第三十六条及び第三十八条の改正規定に限る。）」、第十五条」を削り、「第二十四条」を「第二十五条」に改める。

In Article 1, item (ii) of the Supplementary Provisions, the phrase ", Article 14 (limited to the provisions revising Article 36 and Article 38 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)), Article 15" is to be deleted; and the phrase "Article 24" is to be revised to "Article 25".

附則第十四条中産業活力の再生及び産業活動の革新に関する特別措置法第三十六条及び第三十八条の改正規定を削る。

In Article 14 of the Supplementary Provisions, the provisions revising Article 36 and Article 38 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities are to be deleted.

附則第十五条を次のように改める。

Article 15 of the Supplementary Provisions is to be revised as follows.

第十五条 削除

Article 15 Deleted

附則第十八条中「小規模企業者等」を「旧助成法第二条第一項の小規模企業者等（以下単に「小規模企業者等」という。）」に改める。

In Article 18 of the Supplementary Provisions, the phrase "small enterprises" is to be revised to "small enterprises set forth in Article 2, paragraph (1) of the Former Support Act (hereinafter simply referred to as "small enterprises")".

附則に次の一条を加える。

The following Article is to be added to the Supplementary Provisions.

(産業競争力強化法の一部改正)

(Partial Revision of the Act on Strengthening Industrial Competitiveness)



第二十五条 産業競争力強化法（平成二十五年法律第九十八号）の一部を次のように改正する。

**Article 25** The Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) is partially revised as follows.

附則第十七条第二項中「小規模企業者等設備導入資金助成法」を「小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律（平成二十五年法律第五十七号）第九条の規定による廃止前の小規模企業者等設備導入資金助成法」に改める。

In Article 17, paragraph (2) of the Supplementary Provisions, the phrase "the Act on Equipment Installation Support for Small Enterprises" is to be revised to "the Act on Equipment Installation Support for Small Enterprises prior to the abolition pursuant to the provisions of Article 9 of the Act for Partial Revision, etc. of the Small and Medium-sized Enterprise Basic Act for the Purpose of Revitalizing Business Activities of Small Enterprises (Act No. 57 of 2013)".

附則第三十九条中「（平成二十五年法律第五十七号）」を削る。

In Article 39 of the Supplementary Provisions, the phrase "(Act No. 57 of 2013)" is to be deleted.

（地方税法の一部改正）

**(Partial Revision of the Local Tax Act)**

第四十条 地方税法（昭和二十五年法律第二百二十六号）の一部を次のように改正する。

**Article 40** The Local Tax Act (Act No. 226 of 1950) is partially revised as follows.

附則第五十一条の二第一項及び第五十六条の二第一項中「第十五条第一項第十三号」を「第十五条第一項第十二号」に改める。

In Article 51-2, paragraph (1) and Article 56-2, paragraph (1) of the Supplementary Provisions, the phrase "Article 15, paragraph (1), item (xiii)" is to be revised to "Article 15, paragraph (1), item (xii)".

（印紙税法の一部改正）

**(Partial Revision of the Stamp Tax Act)**

第四十一条 印紙税法（昭和四十二年法律第二十三号）の一部を次のように改正する。

**Article 41** The Stamp Tax Act (Act No. 23 of 1967) is partially revised as follows.

別表第三の文書名の欄中「第十二号並びに第十四号から第十六号まで」を「第十一号、第十三号、第十五号並びに第十六号」に改める。

In the column of document titles of Appended Table 3, the phrase "item (xii), and item (xiv) to item (xvi)" is to be revised to "item (xi), item (xiii), item (xv) and item (xvi)".

（東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律の一部改正）

**(Partial Revision of the Act on Temporary Special Provisions of Acts Related to**

National Tax, in Relation to Victims, etc. of the Great East Japan Earthquake)

第四十二条 東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律（平成二十三年法律第二十九号）の一部を次のように改正する。

Article 42 The Act on Temporary Special Provisions of Acts Related to National Tax, in Relation to Victims, etc. of the Great East Japan Earthquake (Act No. 29 of 2011) is partially revised as follows.

第四十条の四及び第五十二条第一項中「第十五条第一項第十三号」を「第十五条第一項第十二号」に改める。

In Article 40-4 and Article 52, paragraph (1), the phrase "Article 15, paragraph (1), item (xiii)" is to be revised to "Article 15, paragraph (1), item (xii)".

（所得税法等の一部を改正する法律の一部改正）

(Partial Revision of the Act for Partial Revision of the Income Tax Act, etc.)

第四十三条 所得税法等の一部を改正する法律（平成二十五年法律第五号）の一部を次のように改正する。

Article 43 The Act for Partial Revision of the Income Tax Act, etc. (Act No. 5 of 2013) is partially revised as follows.

第八条のうち租税特別措置法第八十条第二項の改正規定及び附則第一条第六号ハ中「第八十条第二項」を「第八十条第三項」に改める。

In the provisions revising Article 80, paragraph (2) of the Act on Special Measures Concerning Taxation in Article 8, and in Article 1, item (vi), (c) of the Supplementary Provisions, the phrase "Article 80, paragraph (2)" is to be revised to "Article 80, paragraph (3)".

（復興庁設置法の一部改正）

(Partial Revision of the Act for Establishment of the Reconstruction Agency)

第四十四条 復興庁設置法（平成二十三年法律第百二十五号）の一部を次のように改正する。

Article 44 The Act for Establishment of the Reconstruction Agency (Act No. 125 of 2011) is partially revised as follows.

附則第三条第一項の表国際的な子の奪取の民事上の側面に関する条約の実施に関する法律（平成二十五年法律第四十八号）の項の次に次のように加える。

The following is to be added after the row of the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (Act No. 48 of 2013) in the table of Article 3, paragraph (1) of the Supplementary Provisions.

<p>産業競争力強化法 （平成二十五年法律第九十八号） Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)</p>	<p>第一百四十条第三項 Article 140, paragraph (3)</p>	<p>又は各省の内閣府 令 or Cabinet Office Orders of respective ministries</p>	<p>、復興庁又は各省 の内閣府令（告示 を含む。）、復興 庁令 、Cabinet Office Orders (including public notices) of the Reconstruction Agency or respective ministries, Ordinances of the Reconstruction Agency</p>
--	---	---	---