

# 独立行政法人通則法

## Act on General Rules for Incorporated Administrative Agencies

(平成十一年七月十六日法律第百三号)  
(Act No. 103 of July 16, 1999)

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第一章 総則

Chapter I General Provisions

第一節 通則

Section 1 General Rules

（目的等）

(Purpose)

第一条 この法律は、独立行政法人の運営の基本その他の制度の基本となる共通の事項を定め、各独立行政法人の名称、目的、業務の範囲等に関する事項を定める法律（以下「個別法」という。）と相まって、独立行政法人制度の確立並びに独立行政法人が公共上の見地から行う事務及び事業の確実な実施を図り、もって国民生活の安定及び社会経済の健全な発展に資することを目的とする。

Article 1 (1) The purpose of this Act is to establish the fundamental commonalities that manage the basis for the system of incorporated administrative agencies, including the basis for the administration of these agencies, and to achieve the establishment of the incorporated administrative agencies system and the secure implementation of the affairs and businesses conducted by incorporated administrative agencies from a public perspective, interdependently with laws that provide for matters concerning the name, purpose, and scope of operations, etc. of the respective incorporated administrative agencies (hereinafter referred to as the "Individual Acts"), thereby contributing to the stability of the lives of the people and to the sound development of society and the economy.

2 各独立行政法人の組織、運営及び管理については、個別法に定めるもののほか、この法律の定めるところによる。

(2) The organization, administration and management of the respective incorporated administrative agencies are governed by the provisions of this Act, beyond the provisions of the relevant Individual Acts.

（定義）

(Definitions)

第二条 この法律において「独立行政法人」とは、国民生活及び社会経済の安定等の公

共上の見地から確実に実施されることが必要な事務及び事業であって、国が自ら主体となって直接に実施する必要のないもののうち、民間の主体に委ねた場合には必ずしも実施されないおそれがあるもの又は一の主体に独占して行わせることが必要であるもの（以下この条において「公共上の事務等」という。）を効果的かつ効率的に行わせるため、中期目標管理法人、国立研究開発法人又は行政執行法人として、この法律及び個別法の定めるところにより設立される法人をいう。

**Article 2 (1) The term "Incorporated Administrative Agency" as used in this Act means a corporation, incorporated pursuant to the provisions of this Act and the relevant Individual Act as an agency managed under the medium-term objectives, a national research and development agency or an agency engaged in administrative execution, for the purpose of effectively and efficiently conducting, from among the processes and services that need to be implemented securely from a public perspective, such as the stability of the lives of the people, society and the economy, and that do not need to be implemented directly by the State itself, those affairs that may not necessarily be implemented properly if entrusted to private entities or that need to be conducted monopolistically by a single entity (hereinafter referred to as "Public-Sector Processes, etc." in this Article).**

2 この法律において「中期目標管理法人」とは、公共上の事務等のうち、その特性に照らし、一定の自主性及び自律性を発揮しつつ、中期的な視点に立って執行することが求められるもの（国立研究開発法人が行うものを除く。）を国が中期的な期間について定める業務運営に関する目標を達成するための計画に基づき行うことにより、国民の需要に的確に対応した多様で良質なサービスの提供を通じた公共の利益の増進を推進することを目的とする独立行政法人として、個別法で定めるものをいう。

**(2) The term "Agency Managed under the Medium-term Objectives" as used in this Act means a corporation provided for by the relevant Individual Act as an Incorporated Administrative Agency whose purpose is to conduct, from among the Public-Sector Processes, etc., those processes that are required to be executed by the agency from a medium-term perspective in light of the characteristics of such affairs while displaying its independency and autonomy to a certain extent ( other than those to be conducted by a national research and development agency), in accordance with a plan for achieving the objectives concerning the running of its operations that are set by the State for a medium term, and thereby promoting the public interest through the provision of diverse and quality services that precisely meet the demands of citizens.**

3 この法律において「国立研究開発法人」とは、公共上の事務等のうち、その特性に照らし、一定の自主性及び自律性を発揮しつつ、中長期的な視点に立って執行することが求められる科学技術に関する試験、研究又は開発（以下「研究開発」という。）に係るものを主要な業務として国が中長期的な期間について定める業務運営に関する目標を達成するための計画に基づき行うことにより、我が国における科学技術の水準

の向上を通じた国民経済の健全な発展その他の公益に資するため研究開発の最大限の成果を確保することを目的とする独立行政法人として、個別法で定めるものをいう。

(3) The term "National Research and Development Agency" as used in this Act means a corporation provided for by the relevant Individual Act as an Incorporated Administrative Agency whose purpose is to conduct, as its major operations, from among the Public-Sector Processes, etc., those processes that are related to experiment, research or development in science and technology (hereinafter referred to as "Research and Development") and that are required to be executed by the agency from a medium and long term perspective in light of the characteristics of such processes while displaying its independency and autonomy to a certain extent, in accordance with a plan for achieving the objectives concerning the running of its operations that are set by the State for a medium and long term, and thereby ensuring the maximum results of the research and development in order to contribute to the sound development of the national economy and other public interests through the improvement in the level of science and technology in Japan.

4 この法律において「行政執行法人」とは、公共上の事務等のうち、その特性に照らし、国の行政事務と密接に関連して行われる国の指示その他の国の相当な関与の下に確実に執行することが求められるものを国が事業年度ごとに定める業務運営に関する目標を達成するための計画に基づき行うことにより、その公共上の事務等を正確かつ確実に執行することを目的とする独立行政法人として、個別法で定めるものをいう。

(4) The term "Agency Engaged in Administrative Execution" as used in this Act means a corporation provided for by the relevant Individual Act as an Incorporated Administrative Agency whose purpose is to conduct, from among the Public-Sector Processes, etc., those processes that are required to be securely executed under the instructions of the State or other considerable involvement of the State given closely in relation to the administrative processes of the State, in accordance with a plan for achieving the objectives concerning the running of its operations that are set by the State for each business year, and thereby accurately and securely executing such Public-Sector Processes, etc.

(業務の公共性、透明性及び自主性等)

(Public Nature, Transparency and Independency of Operations)

第三条 独立行政法人は、その行う事務及び事業が国民生活及び社会経済の安定等の公共上の見地から確実に実施されることが必要なものであることに鑑み、適正かつ効率的にその業務を運営するよう努めなければならない。

Article 3 (1) As the affairs and businesses that Incorporated Administrative Agencies conduct needs to be securely implemented from a public viewpoint, such as ensuring the stability of the lives of the people, society and the economy, these agencies must strive to administer their operations properly

and efficiently.

2 独立行政法人は、この法律の定めるところによりその業務の内容を公表すること等を通じて、その組織及び運営の状況を国民に明らかにするよう努めなければならない。

(2) Incorporated Administrative Agencies must strive to make the status of their organization and administration transparent to citizens through means such as making public, the contents of their operations pursuant to the provisions of this Act.

3 この法律及び個別法の運用に当たっては、独立行政法人の事務及び事業が内外の社会経済情勢を踏まえつつ適切に行われるよう、独立行政法人の事務及び事業の特性並びに独立行政法人の業務運営における自主性は、十分配慮されなければならない。

(3) When implementing this Act and the Individual Acts, sufficient consideration must be given to the specifics of the processes and services of Incorporated Administrative Agencies, as well as the independency of Incorporated Administrative Agencies in the running of their operations, so that the processes and services of the Incorporated Administrative Agencies are conducted appropriately in light of the social and economic situations at home and abroad.

(名称)

(Name)

第四条 各独立行政法人の名称は、個別法で定める。

Article 4 (1) The name of an Incorporated Administrative Agency is provided by the relevant Individual Act.

2 国立研究開発法人については、その名称中に、国立研究開発法人という文字を使用するものとする。

(2) A National Research and Development Agency is to use the characters "国立研究開発法人" (pronounced "kokuritsu kenkyu kaihatsu houjin" (meaning "National Research and Development Agency")) as part of its name.

(目的)

(Purpose)

第五条 各独立行政法人の目的は、第二条第二項、第三項又は第四項の目的の範囲内で、個別法で定める。

Article 5 The purpose of an Incorporated Administrative Agency is determined by the relevant Individual Act within the scope of the respective purposes referred to in Article 2, paragraph (2), paragraph (3) or paragraph (4).

(法人格)

(Legal Personality)

第六条 独立行政法人は、法人とする。

Article 6 An Incorporated Administrative Agency is a corporation.

(事務所)

(Office)

第七条 各独立行政法人は、主たる事務所を個別法で定める地に置く。

Article 7 (1) An Incorporated Administrative Agency establishes its principal office at the location provided by the relevant Individual Act.

2 独立行政法人は、必要な地に従たる事務所を置くことができる。

(2) An Incorporated Administrative Agency can establish secondary offices at necessary locations.

(財産的基礎等)

(Financial Basis)

第八条 独立行政法人は、その業務を確実に実施するために必要な資本金その他の財産的基礎を有しなければならない。

Article 8 (1) An Incorporated Administrative Agency must possess the stated capital and any other financial basis that are necessary for securely conducting its operations.

2 政府は、その業務を確実に実施させるために必要があると認めるときは、個別法で定めるところにより、各独立行政法人に出資することができる。

(2) The government may make capital contributions to an Incorporated Administrative Agency pursuant to the provisions of the relevant Individual Act if it finds this to be necessary in order to ensure that the Incorporated Administrative Agency can conduct its operations reliably..

3 独立行政法人は、業務の見直し、社会経済情勢の変化その他の事由により、その保有する重要な財産であって主務省令（当該独立行政法人を所管する内閣府又は各省の内閣府令又は省令をいう。ただし、原子力規制委員会が所管する独立行政法人については、原子力規制委員会規則とする。以下同じ。）で定めるものが将来にわたり業務を確実に実施する上で必要がなくなったと認められる場合には、第四十六条の二又は第四十六条の三の規定により、当該財産（以下「不要財産」という。）を処分しなければならない。

(3) If any of the important property of an Incorporated Administrative Agency which is specified by order of the competent ministry (meaning an Order of the Cabinet Office or the relevant ministry that has jurisdiction over the Incorporated Administrative Agency concerned; provided, however, that with regard to an Incorporated Administrative Agency under the jurisdiction of the Nuclear Regulation Authority, an Regulation of the Nuclear Regulation Authority is Order of the Competent Ministry; the same applies hereinafter) is found to be no longer necessary for securely implementing its operations for the future due to a review of its operations, changes in the social and economic situations or any other grounds, the Incorporated Administrative Agency must dispose of the property (hereinafter referred to as "Unnecessary Property")

pursuant to the provisions of Article 46-2 or Article 46-3.

(登記)

(Registration)

第九条 独立行政法人は、政令で定めるところにより、登記しなければならない。

Article 9 (1) An Incorporated Administrative Agency must complete its registration pursuant to the provisions of Cabinet Order.

2 前項の規定により登記しなければならない事項は、登記の後でなければ、これをもって第三者に対抗することができない。

(2) The particulars that must be registered pursuant to the provisions of the preceding paragraph cannot be asserted against a third party until after they are registered.

(名称の使用制限)

(Restriction on the Use of Name)

第十条 独立行政法人又は国立研究開発法人でない者は、その名称中に、独立行政法人又は国立研究開発法人という文字を用いてはならない。

Article 10 No person other than an Incorporated Administrative Agency or National Research and Development Agency may use the characters "独立行政法人" (pronounced "dokuritsu gyousei houjin" (referring to "Incorporated Administrative Agency")) or "国立研究開発法人" (pronounced "kokuritsu kenkyu kaiatsu houjin" (meaning "National Research and Development Agency")) as part of its name.

(一般社団法人及び一般財団法人に関する法律の準用)

(Application Mutatis Mutandis of the Act on General Incorporated Associations and General Incorporated Foundations)

第十一条 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）第四条及び第七十八条の規定は、独立行政法人について準用する。

Article 11 The provisions of Article 4 and 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to Incorporated Administrative Agencies.

## 第二節 独立行政法人評価制度委員会

### Section 2 Committee on the System of Evaluating Incorporated Administrative Agencies

(設置)

(Establishment)

第十二条 総務省に、独立行政法人評価制度委員会（以下「委員会」という。）を置く。

Article 12 An Committee on the System of Evaluating Incorporated

Administrative Agencies (hereinafter referred to as the "Committee") is set up within the Ministry of Internal Affairs and Communications.

(所掌事務等)

(Processes under Jurisdiction)

第十二条の二 委員会は、次に掲げる事務をつかさどる。

Article 12-2 (1) The Committee is responsible for conducting the following processes:

一 第二十八条の二第二項の規定により、総務大臣に意見を述べること。

(i) to state its opinions to the Minister of Internal Affairs and Communications pursuant to the provisions of Article 28-2, paragraph (2);

二 第二十九条第三項、第三十二条第五項、第三十五条第三項、第三十五条の四第三項、第三十五条の六第八項、第三十五条の七第四項又は第三十五条の十一第七項の規定により、主務大臣に意見を述べること。

(ii) to state its opinions to the competent minister pursuant to the provisions of Article 29, paragraph (3), Article 32, paragraph (5), Article 35, paragraph (3), Article 35-4, paragraph (3), Article 35-6, paragraph (8), Article 35-7, paragraph (4) or Article 35-11, paragraph (7);

三 第三十五条第四項又は第三十五条の七第五項の規定により、主務大臣に勧告をすること。

(iii) to make recommendations to the competent minister pursuant to the provisions of Article 35, paragraph (4) or Article 35-7, paragraph (5);

四 第三十五条の二（第三十五条の八において読み替えて準用する場合を含む。）の規定により、内閣総理大臣に対し、意見を具申すること。

(iv) to offer its opinions to the Prime Minister pursuant to the provisions Article 35-2 (including cases where applied mutatis mutandis pursuant to Article 35-8 after a replacement has deemed to have been made);

五 独立行政法人の業務運営に係る評価（次号において「評価」という。）の制度に関する重要事項を調査審議し、必要があると認めるときは、総務大臣に意見を述べること。

(v) to investigate and deliberate on important matters concerning the system of evaluation of the running of operations of Incorporated Administrative Agencies (referred to as the "Evaluation" in the following item), and to state its opinions to the Minister of Internal Affairs and Communications if it finds it necessary;

六 評価の実施に関する重要事項を調査審議し、評価の実施が著しく適正を欠くと認めるときは、主務大臣に意見を述べること。

(vi) to investigate and deliberate on important matters concerning the implementation of the Evaluation, and to state its opinions to the competent minister when it finds that the Evaluation has been implemented in an extremely improper manner; and



七 その他法律によりその権限に属させられた事項を処理すること。

(vii) to manage other matters that are placed under its authority by law.

2 委員会は、前項第一号若しくは第二号に規定する規定又は同項第五号若しくは第六号の規定により意見を述べたときは、その内容を公表しなければならない。

(2) When the Committee states its opinions pursuant to the provisions referred to in item (i) or item (ii) of the preceding paragraph or pursuant to the provisions of item (v) or item (vi) of the paragraph, it must publish the contents of such opinions.

(組織)

(Organization)

第十二条の三 委員会は、委員十人以内で組織する。

Article 12-3 (1) The Committee is composed of not more than ten committee members.

2 委員会に、特別の事項を調査審議させるため必要があるときは、臨時委員を置くことができる。

(2) If it is necessary to investigate and deliberate on any special matters, temporary committee members may be appointed.

3 委員会に、専門の事項を調査させるため必要があるときは、専門委員を置くことができる。

(3) If it is necessary to investigate any matters requiring expertise, expert committee members may be appointed.

(委員等の任命)

(Appointment of Committee Members)

第十二条の四 委員及び臨時委員は、学識経験のある者のうちから、内閣総理大臣が任命する。

Article 12-4 (1) Committee members and temporary members are appointed by the Prime Minister from among persons with relevant knowledge and experience.

2 専門委員は、当該専門の事項に関し学識経験のある者のうちから、内閣総理大臣が任命する。

(2) Expert members are appointed by the Prime Minister from among persons with the knowledge and experience on the matters requiring the relevant expertise.

(委員の任期等)

(Term of Office of Committee Members)

第十二条の五 委員の任期は、二年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

Article 12-5 (1) The term of office of a committee member is two years; provided,

however, that the term of office of a committee member appointed to fill a vacancy is the period of the successors remaining term.

2 委員は、再任されることができる。

(2) Committee members may be reappointed.

3 臨時委員は、その者の任命に係る当該特別の事項に関する調査審議が終了したときは、解任されるものとする。

(3) Upon the conclusion of the investigation and deliberation on the special matters for which the members have been appointed, temporary members are to be dismissed.

4 専門委員は、その者の任命に係る当該専門の事項に関する調査が終了したときは、解任されるものとする。

(4) Upon the conclusion of the investigation on the matters requiring the expertise for which the members have been appointed, expert members are to be dismissed

5 委員、臨時委員及び専門委員は、非常勤とする。

(5) Committee members, temporary members and expert members serve on a part-time basis.

(委員長)

(Chairperson)

第十二条の六 委員会に、委員長を置き、委員の互選により選任する。

Article 12-6 (1) The Committee has a chairperson who is elected from among the committee members.

2 委員長は、会務を総理し、委員会を代表する。

(2) The chairperson presides over the operations of the Committee and represents the Committee.

3 委員長に事故があるときは、あらかじめその指名する委員が、その職務を代理する。

(3) If the chairperson is unable to attend to their duties, a committee member who has been designated by the chairperson in advance performs the duties of the chairperson on their behalf.

(資料の提出等の要求)

(Request for Submission of Materials)

第十二条の七 委員会は、その所掌事務を遂行するため必要があると認めるときは、関係行政機関の長に対し、資料の提出、意見の表明、説明その他必要な協力を求めることができる。

Article 12-7 The Committee may request the head of the relevant administrative organ to submit materials, express opinions, provide explanation and offer any other necessary cooperation if it finds this to be necessary in order to carry out the processes under its jurisdiction.

(政令への委任)

**(Delegation to Cabinet Order)**

第十二条の八 この節に定めるもののほか、委員会の組織及び委員その他の職員その他委員会に関し必要な事項は、政令で定める。

Article 12-8 Beyond what is provided for in this Section, the organization as well as the members and other officials of the Committee and any other necessary matters concerning the Committee are specified by Cabinet Order.

**第三節 設立**

**Section 3 Incorporation**

(設立の手續)

**(Procedure for Incorporation)**

第十三条 各独立行政法人の設立に関する手續については、個別法に特別の定めがある場合を除くほか、この節の定めるところによる。

Article 13 The procedure concerning the incorporation of an Incorporated Administrative Agency is as provided for in this Section, except as otherwise provided for by the relevant Individual Act.

(法人の長及び監事となるべき者)

**(The Person Who Is to Become the President or an Auditor of an Agency)**

第十四条 主務大臣は、独立行政法人の長（以下「法人の長」という。）となるべき者及び監事となるべき者を指名する。

Article 14 (1) The competent minister nominates a person who is to be the president of an Incorporated Administrative Agency (hereinafter referred to as the "Agency President") and a person(s) who is to be an auditor(s) thereof.

2 前項の規定により指名された法人の長又は監事となるべき者は、独立行政法人の成立の時に於いて、この法律の規定により、それぞれ法人の長又は監事に任命されたものとする。

(2) A person who is nominated to be the Agency President or an auditor pursuant to the provisions of the preceding paragraph is deemed to be appointed respectively as the Agency President or auditor at the time of the formation of the Incorporated Administrative Agency as determined for in this Act.

3 第二十条第一項の規定は、第一項の法人の長となるべき者の指名について準用する。

(3) The provisions of Article 20, paragraph (1) apply mutatis mutandis to the nomination of a person who is to be the Agency President as referred to in paragraph (1).

(設立委員)

**(Organizing Committee Members)**

第十五条 主務大臣は、設立委員を命じて、独立行政法人の設立に関する事務を処理さ

せる。

Article 15 (1) The competent minister appoints organizing committee members for the purpose of processing the affairs concerning the incorporation of an Incorporated Administrative Agency.

2 設立委員は、独立行政法人の設立の準備を完了したときは、遅滞なく、その旨を主務大臣に届け出るとともに、その事務を前条第一項の規定により指名された法人の長となるべき者に引き継がなければならない。

(2) When organizing committee members complete the preparation for incorporating an Incorporated Administrative Agency, they must notify the competent minister thereof and hand over the affairs concerning the incorporation to the person who is nominated to be the Agency President pursuant to the provisions of paragraph (1) of the preceding Article, without delay.

(設立の登記)

(Registration of Incorporation)

第十六条 第十四条第一項の規定により指名された法人の長となるべき者は、前条第二項の規定による事務の引継ぎを受けたときは、遅滞なく、政令で定めるところにより、設立の登記をしなければならない。

Article 16 When the person who is nominated to be the Agency President pursuant to the provisions of Article 14, paragraph (1) takes over the affairs pursuant to the provisions of paragraph (2) of the preceding Article, the person must complete the registration of the incorporation without delay pursuant to the provisions of Cabinet Order.

第十七条 独立行政法人は、設立の登記をすることによって成立する。

Article 17 An Incorporated Administrative Agency is formed upon the registration of its incorporation.

## 第二章 役員及び職員

### Chapter II Officers and Employees

(役員)

(Officers)

第十八条 各独立行政法人に、個別法で定めるところにより、役員として、法人の長一人及び監事を置く。

Article 18 (1) An Incorporated Administrative Agency has an Agency President and an auditor(s) in place as its officers, pursuant to the provisions of the relevant Individual Act.

2 各独立行政法人には、前項に規定する役員のほか、個別法で定めるところにより、他の役員を置くことができる。

(2) An Incorporated Administrative Agency may have other officers in place beyond the officers provided for in the preceding paragraph, pursuant to the provisions of the relevant Individual Act.

3 各独立行政法人の法人の長の名称、前項に規定する役員の名称及び定数並びに監事の定数は、個別法で定める。

(3) The title of the Agency President of an Incorporated Administrative Agency, the fixed number, and titles of its officers provided for in the preceding paragraph, and the fixed number of its auditors are specified by the relevant Individual Act.

(役員職務及び権限)

(Duties and Authority of Officers)

第十九条 法人の長は、独立行政法人を代表し、その業務を総理する。

Article 19 (1) The Agency President represents the Incorporated Administrative Agency and presides over its operations.

2 個別法で定める役員（法人の長を除く。）は、法人の長の定めるところにより、法人の長に事故があるときはその職務を代理し、法人の長が欠員のときはその職務を行う。

(2) The officers provided for by the relevant Individual Act (other than the Agency President) perform the duties of the Agency President on their behalf when the Agency President is unable to attend to their duties, and perform the duties of the Agency President when the post is vacant, as determined by the Agency President.

3 前条第二項の規定により置かれる役員の職務及び権限は、個別法で定める。

(3) The duties and authority of the officers put in place pursuant to the provisions of paragraph (2) of the preceding Article are specified by the relevant Individual Act.

4 監事は、独立行政法人の業務を監査する。この場合において、監事は、主務省令で定めるところにより、監査報告を作成しなければならない。

(4) An auditor audits the operations of an Incorporated Administrative Agency. In this case, the auditor must prepare an audit report, pursuant to the provisions of order of the competent ministry.

5 監事は、いつでも、役員（監事を除く。）及び職員に対して事務及び事業の報告を求め、又は独立行政法人の業務及び財産の状況の調査をすることができる。

(5) Auditors may request reports on processes and services from officers (other than another auditor(s)) and employees, or investigate the status of the operations and property of the Incorporated Administrative Agency at any time.

6 監事は、独立行政法人が次に掲げる書類を主務大臣に提出しようとするときは、当該書類を調査しなければならない。

(6) When an Incorporated Administrative Agency intends to submit the following documents to the competent minister, its auditor must examine the documents:

一 この法律の規定による認可、承認、認定及び届出に係る書類並びに報告書その他の総務省令で定める書類

(i) documents concerning the authorization, approval, certification and notification under the provisions of this Act, as well as reports and other documents specified by Order of the Ministry of Internal Affairs and Communications; and

二 その他主務省令で定める書類

(ii) other documents specified by order of the competent ministry.

7 監事は、その職務を行うため必要があるときは、独立行政法人の子法人（独立行政法人がその経営を支配している法人として総務省令で定めるものをいう。以下同じ。）に対して事業の報告を求め、又はその子法人の業務及び財産の状況の調査をすることができる。

(7) An auditor may request reports on the operations from a subsidiary of the Incorporated Administrative Agency (meaning a corporation specified by Order of the Ministry of Internal Affairs and Communications as a corporation whose management is controlled by an Incorporated Administrative Agency; the same applies hereinafter) or investigate the status of the operations and property of the subsidiary if this is necessary in order to perform the duties of the auditor.

8 前項の子法人は、正当な理由があるときは、同項の報告又は調査を拒むことができる。

(8) If reasonable grounds for a refusal exist, the subsidiary referred to in the preceding paragraph may refuse the report or investigation referred to in the paragraph

9 監事は、監査の結果に基づき、必要があると認めるときは、法人の長又は主務大臣に意見を提出することができる。

(9) An auditor may submit their opinions based on the results of an audit to the Agency President or the competent minister, if the auditor finds it necessary.

(法人の長等への報告義務)

(Duty to Report to the Agency President)

第十九条の二 監事は、役員（監事を除く。）が不正の行為をし、若しくは当該行為をするおそれがあると認めるとき、又はこの法律、個別法若しくは他の法令に違反する事実若しくは著しく不当な事実があると認めるときは、遅滞なく、その旨を法人の長に報告するとともに、主務大臣に報告しなければならない。

Article 19-2 If an auditor finds that an officer (other than an auditor) engages in or is likely to engage in misconduct or finds any fact which would constitute violation of this Act, the relevant Individual Act or any other laws and orders or any fact, the auditor must notify the Agency President thereof and report the information to the competent minister without delay.

(役員の内命)

(Appointment of Officers)

第二十条 法人の長は、次に掲げる者のうちから、主務大臣が任命する。

Article 20 (1) The Agency President is appointed by the competent minister from among the following persons:

一 当該独立行政法人が行う事務及び事業に関して高度な知識及び経験を有する者

(i) persons who have advanced knowledge and experience concerning the processes and services conducted by the Incorporated Administrative Agency; and

二 前号に掲げる者のほか、当該独立行政法人が行う事務及び事業を適正かつ効率的に運営することができる者

(ii) beyond what is set forth in the preceding item, persons who are competent to properly and efficiently administer the processes and services conducted by the Incorporated Administrative Agency.

2 監事は、主務大臣が任命する。

(2) An auditor is appointed by the competent minister.

3 主務大臣は、前二項の規定により法人の長又は監事を任命しようとするときは、必要に応じ、公募（当該法人の長又は監事の職務の内容、勤務条件その他必要な事項を公示して行う候補者の募集をいう。以下この項において同じ。）の活用に努めなければならない。公募によらない場合であっても、透明性を確保しつつ、候補者の推薦の求めその他の適任と認める者を任命するために必要な措置を講ずるよう努めなければならない。

(3) When the competent minister intends to appoint the Agency President or an auditor pursuant to the provisions of the preceding two paragraphs, the minister must strive to make use of Open Recruitment (meaning the recruitment of candidates by announcing through a public notice, the details of the duties, working terms and conditions, and other necessary matters concerning the office of the Agency President or auditor; hereinafter the same applies in this paragraph). In a case where Open Recruitment is not used, the competent minister must strive to take the necessary measures to appoint a person who is considered to be suitable for the office, by seeking recommendation of candidates from another person, while securing transparency.

4 第十八条第二項の規定により置かれる役員は、第一項各号に掲げる者のうちから、法人の長が任命する。

(4) Officers put in place pursuant to the provisions of Article 18, paragraph (2) are appointed by the Agency President from among the persons set forth in the items of paragraph (1).

5 法人の長は、前項の規定により役員を任命したときは、遅滞なく、主務大臣に届け出るとともに、これを公表しなければならない。

(5) When the Agency President appoints an officer pursuant to the provisions of the preceding paragraph, the president must notify the competent minister of

such appointment and make it public without delay.

(中期目標管理法人の役員任期)

(Terms of Office of Officers of an Agency Managed under the Medium-term Objectives)

第二十一条 中期目標管理法人の長の任期は、任命の日から、当該任命の日を含む当該中期目標管理法人の第二十九条第二項第一号に規定する中期目標の期間（次項において単に「中期目標の期間」という。）の末日までとする。

Article 21 (1) The term of office of the president of an Agency Managed under the Medium-term Objectives begins on the date of appointment and ends on the last day of the period for the medium-term objectives provided for in Article 29, paragraph (2), item (i), (simply referred to as the "Period for the Medium-term Objectives" in the following paragraph) which is specified for the Agency Managed under the Medium-term Objectives and which includes the date of appointment.

2 中期目標管理法人の監事の任期は、各中期目標の期間に対応して定めるものとし、任命の日から、当該対応する中期目標の期間の最後の事業年度についての財務諸表承認日（第三十八条第一項の規定による同項の財務諸表の承認の日をいう。以下同じ。）までとする。ただし、補欠の中期目標管理法人の監事の任期は、前任者の残任期間とする。

(2) The term of office of an auditor of an Agency Managed under the Medium-term Objectives is specified as corresponding to each Period for the Medium-term Objectives, and it begins on the date of appointment and ends on the Date of Approval of Financial Statements (meaning the date on which the financial statements referred to in Article 38, paragraph (1) are approved pursuant to the provisions of the paragraph; the same applies hereinafter) for the last business year within the corresponding Period for the Medium-term Objectives; provided, however, that the term of office of an auditor of an Agency Managed under the Medium-term Objectives appointed to fill a vacancy is the remaining period of their successor.

3 中期目標管理法人の役員（中期目標管理法人の長及び監事を除く。以下この項において同じ。）の任期は、個別法で定める。ただし、補欠の中期目標管理法人の役員任期は、前任者の残任期間とする。

(3) The term of office of an officer of an Agency Managed under the Medium-term Objectives (other than the president and an auditor of the Agency Managed under the Medium-term Objectives; hereinafter the same applies in this paragraph) is specified by the relevant Individual Act; provided, however, that the term of office of an officer of an Agency Managed under the Medium-term Objectives appointed to fill a vacancy is the remaining period of their successor.

4 中期目標管理法人の役員は、再任されることができる。

(4) Officers of an Agency Managed under the Medium-term Objectives may be



reappointed.

(国立研究開発法人の役員任期)

(The Term of Office of Officers of a National Research and Development Agency)

第二十一条の二 国立研究開発法人の長の任期は、任命の日から、当該任命の日を含む当該国立研究開発法人の第三十五条の四第二項第一号に規定する中長期目標の期間（以下この項及び次項において単に「中長期目標の期間」という。）の末日までとする。ただし、中長期目標の期間が六年又は七年の場合であって、より適切と認める者を任命するため主務大臣が特に必要があると認めるときは、中長期目標の期間の初日（以下この項及び次項において単に「初日」という。）以後最初に任命される国立研究開発法人の長の任期は、任命の日から、次の各号に掲げる区分に応じ当該各号に定める日までとすることができる。

Article 21-2 (1) The term of office of the president of a National Research and Development Agency begins on the date of appointment and ends on the last day of the period for the medium to long-term objectives provided for in Article 35-4, paragraph (2), item (i) (simply referred to as the "Period for the Medium to Long-term Objectives" in this paragraph and the following paragraph) which is specified for the National Research and Development Agency and which includes the date of appointment; provided, however, that if the Period for the Medium to Long-term Objectives is six years or seven years and the competent minister finds it to be particularly necessary in order to appoint a person who is considered to be more suitable for office, the term of office of the first president of a National Research and Development Agency to be appointed on or after the first day of the Period for the Medium to Long-term Objectives (hereinafter simply referred to as the "First Day" in this paragraph and the following paragraph) may be specified as a period that begins on the date of appointment and ends on the day specified in each of the following items according to the cases set forth respectively in these items:

一 中長期目標の期間が六年の場合 初日から三年を経過する日

(i) if the Period for the Medium to Long-term Objectives is six years: the day on which a period of three years elapses from the First Day; or

二 中長期目標の期間が七年の場合 初日から三年又は四年を経過する日

(ii) if the Period for the Medium to Long-term Objectives is seven years: the day on which a period of three or four years elapses from the First Day.

2 前項の規定にかかわらず、第十四条第一項の規定により国立研究開発法人の長となるべき者としてより適切と認める者を指名するため特に必要があると認める場合であって、中長期目標の期間が六年以上七年以下のときは、同条第二項の規定によりその成立の時に任命されたものとされる国立研究開発法人の長の任期は、任命の日から、次の各号に掲げる区分に応じ当該各号に定める日までとすることができる。

(2) Notwithstanding the provisions of the preceding paragraph, if the competent

minister finds it to be particularly necessary in order to appoint a person who is considered to be more suitable as a person to be the president of the National Research and Development Agency pursuant to the provisions of Article 14, paragraph (1) and the Period for the Medium to Long-term Objectives is not less than six years and not more than seven years, the term of office of the president of the National Research and Development Agency, who is deemed to be appointed at the time of its formation as provided for in paragraph (2) of the Article, may be specified as a period that begins on the date of appointment and ends on the day specified in each of the following items according to the cases set forth respectively in these items:

一 中長期目標の期間が六年の場合 初日から三年を経過する日

(i) if the Period for the Medium to Long-term Objectives is six years: the day on which a period of three years elapses from the First Day;

二 中長期目標の期間が六年を超え七年未満の場合 初日から四年を経過する日までの間に終了する最後の事業年度の末日

(ii) if the Period for the Medium to Long-term Objectives is more than six years and less than seven years: the last day of the last business year that ends by the day on which a period of four years elapses from the First Day; or

三 中長期目標の期間が七年の場合 初日から三年又は四年を経過する日

(iii) if the Period for the Medium to Long-term Objectives is seven years: the day on which a period of three or four years elapses from the First Day.

3 前二項の規定にかかわらず、補欠の国立研究開発法人の長の任期は、前任者の残任期間とする。

(3) Notwithstanding the provisions of the preceding two paragraphs, the term of office of the president of a National Research and Development Agency appointed to fill a vacancy is for the remaining term of their predecessor.

4 国立研究開発法人の監事の任期は、各国立研究開発法人の長の任期（補欠の国立研究開発法人の長の任期を含む。以下この項において同じ。）と対応するものとし、任命の日から、当該対応する国立研究開発法人の長の任期の末日を含む事業年度についての財務諸表承認日までとする。ただし、補欠の国立研究開発法人の監事の任期は、前任者の残任期間とする。

(4) The term of office of an auditor of a National Research and Development Agency is specified as corresponding to the term of office of the president of the National Research and Development Agency (including the term of office of the president of the National Research and Development Agency appointed to fill a vacancy; hereinafter the same applies in this paragraph), and it begins on the date of appointment and ends on the Date of Approval of Financial Statements for the business year in which the last day of the corresponding term of office of the president of the National Research and Development Agency falls; provided, however, that the term of office of an auditor of a National Research and Development Agency appointed to fill a vacancy is for the remaining term

of their predecessor.

5 国立研究開発法人の役員（国立研究開発法人の長及び監事を除く。以下この項において同じ。）の任期は、個別法で定める。ただし、補欠の国立研究開発法人の役員の任期は、前任者の残任期間とする。

(5) The term of office of an officer of a National Research and Development Agency (other than the president and an auditor of the National Research and Development Agency; hereinafter the same applies in this paragraph) is specified by the relevant Individual Act; provided, however, that the term of office of an officer of a National Research and Development Agency appointed to fill a vacancy is for the remaining term of their predecessor.

6 国立研究開発法人の役員は、再任されることができる。

(6) Officers of a National Research and Development Agency may be reappointed.

（行政執行法人の役員の任期）

(Term of Office of Officers of an Agency Engaged in Administrative Execution)

第二十一条の三 行政執行法人の長の任期は、任命の日から、当該任命の日から年を単位として個別法で定める期間を経過する日までの間に終了する最後の事業年度の末日までとする。ただし、補欠の行政執行法人の長の任期は、前任者の残任期間とする。

Article 21-3 (1) The term of office of the president of an Agency Engaged in Administrative Execution begins on the date of appointment and ends on the final day of the last full business year before the end of the period specified in units of year by the relevant Individual Act elapses from the date of appointment; provided, however, that the term of office of the president of an Agency Engaged in Administrative Execution appointed to fill a vacancy is for the remaining term of their predecessor.

2 行政執行法人の監事の任期は、各行政執行法人の長の任期（補欠の行政執行法人の長の任期を含む。以下この項において同じ。）と対応するものとし、任命の日から、当該対応する行政執行法人の長の任期の末日を含む事業年度についての財務諸表承認日までとする。ただし、補欠の行政執行法人の監事の任期は、前任者の残任期間とする。

(2) The term of office of an auditor of an Agency Engaged in Administrative Execution is specified as corresponding to the term of office of the president of the Agency Engaged in Administrative Execution (including the term of office of the president of the Agency Engaged in Administrative Execution appointed to fill a vacancy; hereinafter the same applies in this paragraph), and it begins on the date of appointment and ends on the Date of Approval of Financial Statements for the business year in which the final day of the corresponding term of office of the president of the Agency Engaged in Administrative Execution falls; provided, however, that the term of office of an auditor of an Agency Engaged in Administrative Execution appointed to fill a vacancy is for the remaining period of their predecessor.

3 行政執行法人の役員（行政執行法人の長及び監事を除く。以下この項において同じ。）の任期は、個別法で定める。ただし、補欠の行政執行法人の役員の任期は、前任者の残任期間とする。

(3) The term of office of an officer of an Agency Engaged in Administrative Execution (other than the president and an auditor of the Agency Engaged in Administrative Execution; hereinafter the same applies in this paragraph) is specified by the relevant Individual Act; provided, however, that the term of office of an officer of an Agency Engaged in Administrative Execution appointed to fill a vacancy is the remaining period of their successor.

4 行政執行法人の役員は、再任されることができる。

(4) Officers of an Agency Engaged in Administrative Execution may be reappointed.

（役員  
の忠実義務）

(Officers' Duty of Loyalty)

第二十一条の四 独立行政法人の役員は、その業務について、法令、法令に基づいてする主務大臣の処分及び当該独立行政法人が定める業務方法書その他の規則を遵守し、当該独立行政法人のため忠実にその職務を遂行しなければならない。

Article 21-4 Officers of an Incorporated Administrative Agency must, in connection with its operations, observe the laws and orders, the dispositions made by the competent minister under the laws and orders, the statement of operational procedures and other regulations established by the Incorporated Administrative Agency, and perform their duties with due loyalty to the Incorporated Administrative Agency.

（役員  
の報告義務）

(Officers' Duty to Report)

第二十一条の五 独立行政法人の役員（監事を除く。）は、当該独立行政法人に著しい損害を及ぼすおそれのある事実があることを発見したときは、直ちに、当該事実を監事に報告しなければならない。

Article 21-5 If an officer (other than an auditor) of an Incorporated Administrative Agency finds any fact that is likely to cause considerable damage to the Incorporated Administrative Agency, the officer must report such fact to the auditor immediately.

（役員  
の欠格条項）

(Disqualification of Officers)

第二十二条 政府又は地方公共団体の職員（非常勤の者を除く。）は、役員となること  
ができない。

Article 22 A government official or an official of a local public entity (other than a part-time official) is ineligible to be an officer of an Incorporated

## Administrative Agency.

(役員解任)

### (Dismissal of Officers)

第二十三条 主務大臣又は法人の長は、それぞれその任命に係る役員が前条の規定により役員となることができない者に該当するに至ったときは、その役員を解任しなければならない。

Article 23 (1) If an officer appointed respectively by the competent minister or the Agency President becomes a person who is ineligible to be an officer pursuant to the provisions of the preceding Article, the minister or the president must dismiss the officer.

2 主務大臣又は法人の長は、それぞれその任命に係る役員が次の各号の一に該当するとき、その他役員たるに適しないと認めるときは、その役員を解任することができる。

(2) If an officer appointed respectively by the competent minister or the Agency President falls under any of the following items or is otherwise found to be unfit to serve as an officer, the minister or the president may dismiss the officer:

一 心身の故障のため職務の遂行に堪えないと認められるとき。

(i) if the officer is found to be unable to perform their duties due to a mental or physical disorder; or

二 職務上の義務違反があるとき。

(ii) if the officer violates an obligation in the course of their duties.

3 前項に規定するもののほか、主務大臣又は法人の長は、それぞれその任命に係る役員（監事を除く。）の職務の執行が適当でないため当該独立行政法人の業務の実績が悪化した場合であって、その役員に引き続き当該職務を行わせることが適切でないことを認めるときは、その役員を解任することができる。

(3) Beyond what is provided for in the preceding paragraph, if the operational performance of the Incorporated Administrative Agency have deteriorated due to the unsatisfactory performance of the duties by an officer (other than an auditor) appointed respectively by the competent minister or the Agency President and the minister or the president finds it inappropriate to have the officer continue to perform those duties, the minister or the president may dismiss the officer.

4 法人の長は、前二項の規定によりその任命に係る役員を解任したときは、遅滞なく、主務大臣に届け出るとともに、これを公表しなければならない。

(4) If, pursuant to the provisions of the preceding two paragraphs, the Agency President dismisses an officer appointed thereby, the president must notify the competent minister of such dismissal and make it public without delay.

(代表権の制限)

### (Limitation on Right to Represent)

第二十四条 独立行政法人と法人の長その他の代表権を有する役員との利益が相反する事項については、これらの者は、代表権を有しない。この場合には、監事が当該独立行政法人を代表する。

**Article 24** The Agency President or any other officer with the authority to represent is not entitled to exercise the authority to represent with regard to matters for which there is a conflict of interest between the Incorporated Administrative Agency and the president or the officer. In this case, an auditor represents the Incorporated Administrative Agency.

(代理人の選任)

(Appointment of Agent)

第二十五条 法人の長その他の代表権を有する役員は、当該独立行政法人の代表権を有しない役員又は職員のうちから、当該独立行政法人の業務の一部に関し一切の裁判上又は裁判外の行為をする権限を有する代理人を選任することができる。

**Article 25** The Agency President or any other officer with the right to represent may appoint an agent who is authorized to conduct all judicial or extra-judicial acts concerning a part of the operations of the Incorporated Administrative Agency, from among the officers without the authority to represent or the employees of the Incorporated Administrative Agency.

(役員等の損害賠償責任)

(Officers' Liability to Compensate for Damage)

第二十五条の二 独立行政法人の役員又は会計監査人（第四項において「役員等」という。）は、その任務を怠ったときは、独立行政法人に対し、これによって生じた損害を賠償する責任を負う。

**Article 25-2** (1) If an officer or accounting auditor (referred to as "Officer, etc." in paragraph (4)) of an Incorporated Administrative Agency is negligent in performing the duties thereof, the officer or accounting auditor bears liability to compensate for any damage arising from such negligence to the Incorporated Administrative Agency.

2 前項の責任は、主務大臣の承認がなければ、免除することができない。

(2) The Officer, etc. bearing the liability referred to in the preceding paragraph may not be exempted from that liability without the approval of the competent minister.

3 主務大臣は、前項の承認をしようとするときは、総務大臣に協議しなければならない。

(3) The competent minister must consult with the Minister of Internal Affairs and Communications before granting the approval referred to in the preceding paragraph.

4 前二項の規定にかかわらず、独立行政法人は、第一項の責任について、役員等が職務を行うにつき善意でかつ重大な過失がない場合において、責任の原因となった事実

の内容、当該役員等の職務の執行の状況その他の事情を勘案して特に必要と認めるときは、当該役員等が賠償の責任を負う額から独立行政法人の事務及び事業の特性並びに役員等の職責その他の事情を考慮して総務大臣が定める額を控除して得た額を限度として主務大臣の承認を得て免除することができる旨を業務方法書で定めることができる。

(4) Notwithstanding the provisions of the preceding two paragraphs, an Incorporated Administrative Agency may provide in its statement of operational procedures that if the Officer, etc. bearing the liability referred to in paragraph (1) has performed the duties thereof in good faith and without gross negligence, and the Incorporated Administrative Agency finds it to be particularly necessary while taking into account the details of the facts that caused the liability, the status of performance of duties by the Officer, etc., and other circumstances, the Incorporated Administrative Agency may exempt the Officer, etc. from that liability, with the approval of the competent minister, up to the amount calculated by deducting the amount specified by the Minister of Internal Affairs and Communications in consideration of the characteristics of the affairs and businesses of the Incorporated Administrative Agency, the responsibility of the Officer, etc. and other circumstances, from the amount for which the Officer, etc. is liable to compensate for damage.

(職員の任命)

(Appointment of Employees)

第二十六条 独立行政法人の職員は、法人の長が任命する。

Article 26 Employees of an Incorporated Administrative Agency are appointed by the Agency President.

### 第三章 業務運営

#### Chapter III Running of Operations

##### 第一節 通則

##### Section 1 General Rules

(業務の範囲)

(Extent of Operations)

第二十七条 各独立行政法人の業務の範囲は、個別法で定める。

Article 27 The extent of operations of an Incorporated Administrative Agency is specified by the relevant Individual Act.

(業務方法書)

(Statement of Operational Procedures)

第二十八条 独立行政法人は、業務開始の際、業務方法書を作成し、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。

Article 28 (1) On commencing operations, an Incorporated Administrative Agency must prepare a statement of operational procedures and obtain the authorization thereof from the competent minister. The same applies when the agency intends to revise such statement.

2 前項の業務方法書には、役員（監事を除く。）の職務の執行がこの法律、個別法又は他の法令に適合することを確保するための体制その他独立行政法人の業務の適正を確保するための体制の整備に関する事項その他主務省令で定める事項を記載しなければならない。

(2) The statement of operational procedures referred to in the preceding paragraph must contain the matters concerning the development of a system for ensuring that the performance of duties by its officers (other than auditors) complies with this Act, the relevant Individual Act and any other laws and orders and any other system for ensuring the proper operations of the Incorporated Administrative Agency, and other matters specified by order of the competent ministry.

3 独立行政法人は、第一項の認可を受けたときは、遅滞なく、その業務方法書を公表しなければならない。

(3) When an Incorporated Administrative Agency obtains the authorization referred to in paragraph (1), the authorized statement of operational procedures must be made public without delay.

（評価等の指針の策定）

(Formulation of Guidelines for Evaluation)

第二十八条の二 総務大臣は、第二十九条第一項の中期目標、第三十五条の四第一項の中期目標及び第三十五条の九第一項の年度目標の策定並びに第三十二条第一項、第三十五条の六第一項及び第二項並びに第三十五条の十一第一項及び第二項の評価に関する指針を定め、これを主務大臣に通知するとともに、公表しなければならない。これを変更したときも、同様とする。

Article 28-2 (1) The Minister of Internal Affairs and Communications must formulate the guidelines for setting the medium-term objectives referred to in Article 29, paragraph (1), the medium to long-term objectives referred to in Article 35-4, paragraph (1), and the annual objectives referred to in Article 35-9, paragraph (1) and for conducting the evaluation referred to in Article 32, paragraph (1), Article 35-6, paragraphs (1) and (2), and Article 35-11, paragraphs (1) and (2), and must notify the competent minister of such guidelines and make them public. The same applies when the minister revises such guidelines.

2 総務大臣は、前項の指針を定め、又はこれを変更しようとするときは、総合科学技術・イノベーション会議が次条の規定により作成する研究開発の事務及び事業に関する事項に係る指針の案の内容を適切に反映するとともに、あらかじめ、委員会の意見を聴かなければならない。



(2) When the Minister of Internal Affairs and Communications intends to formulate or revise the guidelines referred to in the preceding paragraph, the minister must ensure that the contents of the guidelines related to the matters concerning the affairs and businesses in Research and Development, which are drafted by the Council for Science, Technology and Innovation pursuant to the provisions of the following Article, are reflected appropriately in the guidelines to be formulated or revised, and must hear the opinions of the Committee in advance.

3 主務大臣は、第一項の指針に基づき、第二十九条第一項の中期目標、第三十五条の四第一項の中長期目標及び第三十五条の九第一項の年度目標を定めるとともに、第三十二条第一項、第三十五条の六第一項及び第二項並びに第三十五条の十一第一項及び第二項の評価を行わなければならない。

(3) The competent minister must set the medium-term objectives referred to in Article 29, paragraph (1), the medium to long-term objectives referred to in Article 35-4, paragraph (1), and the annual objectives referred to in Article 35-9, paragraph (1), and conduct the evaluation referred to in Article 32, paragraph (1), Article 35-6, paragraphs (1) and (2), and Article 35-11, paragraphs (1) and (2), according to the guidelines referred to in paragraph (1).

(研究開発の事務及び事業に関する事項に係る指針の案の作成)

(Drafting of Guidelines Related to Matters Concerning Affairs and Businesses in Research and Development)

第二十八条の三 総合科学技術・イノベーション会議は、総務大臣の求めに応じ、研究開発の事務及び事業の特性を踏まえ、前条第一項の指針のうち、研究開発の事務及び事業に関する事項に係る指針の案を作成する。

Article 28-3 The Council for Science, Technology and Innovation drafts the guidelines referred to in paragraph (1) of the preceding Article which are related to the matters concerning the affairs and businesses in Research and Development, upon the request of the Minister of Internal Affairs and Communications and in light of the characteristics of the affairs and businesses in Research and Development.

(評価結果の取扱い等)

(Treatment of Evaluation Results)

第二十八条の四 独立行政法人は、第三十二条第一項、第三十五条の六第一項若しくは第二項又は第三十五条の十一第一項若しくは第二項の評価の結果を、第三十条第一項の中期計画及び第三十一条第一項の年度計画、第三十五条の五第一項の中長期計画及び第三十五条の八において読み替えて準用する第三十一条第一項の年度計画又は第三十五条の十第一項の事業計画並びに業務運営の改善に適切に反映させるとともに、毎年度、評価結果の反映状況を公表しなければならない。

Article 28-4 An Incorporated Administrative Agency must ensure that the

results of the evaluation referred to in Article 32, paragraph (1), Article 35-6, paragraph (1) or paragraph (2) or Article 35-11, paragraph (1) or paragraph (2) are reflected appropriately in the medium-term plan referred to in Article 30, paragraph (1) and the annual plan referred to in Article 31, paragraph (1), the medium to long-term plan referred to in Article 35-5, paragraph (1) and the annual plan referred to in Article 31, paragraph (1) as applied mutatis mutandis pursuant to Article 35-8 after deemed replacement, or the annual objective plan referred to in Article 35-10, paragraph (1), and in the improvement of the running of its operations, and must make public how the evaluation results are reflected in these items for each fiscal year.

## 第二節 中期目標管理法人

### Section 2 Agency Managed under the Medium-term Objectives

(中期目標)

(Medium-term Objectives)

第二十九条 主務大臣は、三年以上五年以下の期間において中期目標管理法人が達成すべき業務運営に関する目標（以下「中期目標」という。）を定め、これを当該中期目標管理法人に指示するとともに、公表しなければならない。これを変更したときも、同様とする。

Article 29 (1) The competent minister must set objectives concerning the running of the operations to be achieved by an Agency Managed under the Medium-term Objectives during a period of not less than three years and not more than five years (hereinafter referred to as "Medium-term Objectives"), and give instructions to the Agency Managed under the Medium-term Objectives with regard to these objectives and make them public. The same applies when the minister revises those objectives.

2 中期目標においては、次に掲げる事項について具体的に定めるものとする。

(2) The Medium-term Objectives are to specifically set forth the following matters:

一 中期目標の期間（前項の期間の範囲内で主務大臣が定める期間をいう。以下同じ。）

(i) the Period for the Medium-term Objectives (meaning the period specified by the competent minister to the extent of the period referred to in the preceding paragraph; the same applies hereinafter);

二 国民に対して提供するサービスその他の業務の質の向上に関する事項

(ii) matters concerning the improvement of the quality of the services provided to citizens and any other operations;

三 業務運営の効率化に関する事項

(iii) matters concerning the improvement of the efficiency of the running of the operations;

四 財務内容の改善に関する事項

(iv) matters concerning the improvement of the financial conditions; and

五 その他業務運営に関する重要事項

(v) other important matters concerning the running of the operations.

3 主務大臣は、中期目標を定め、又はこれを変更しようとするときは、あらかじめ、委員会の意見を聴かなければならない。

(3) When the competent minister intends to set or revise the Medium-term Objectives, the minister must hear the opinions of the Committee in advance.

(中期計画)

(Medium-term Plan)

第三十条 中期目標管理法人は、前条第一項の指示を受けたときは、中期目標に基づき、主務省令で定めるところにより、当該中期目標を達成するための計画（以下この節において「中期計画」という。）を作成し、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。

Article 30 (1) When an Agency Managed under the Medium-term Objectives is given the instructions referred to in paragraph (1) of the preceding Article, it must prepare a plan for achieving the Medium-term Objectives (hereinafter referred to as a "Medium-term Plan" in this Section) pursuant to the provisions of order of the competent ministry based on the Medium-term Objectives and obtain the authorization for such a plan from the competent minister. The same applies when the agency intends to revise such plan.

2 中期計画においては、次に掲げる事項を定めるものとする。

(2) The Medium-term Plan is to specify the following matters:

一 国民に対して提供するサービスその他の業務の質の向上に関する目標を達成するためとるべき措置

(i) the measures to be taken for achieving the objectives concerning the improvement of the quality of the services provided to citizens and any other operations;

二 業務運営の効率化に関する目標を達成するためとるべき措置

(ii) the measures to be taken for achieving the objectives concerning the improvement of the efficiency of the running of the operations;

三 予算（人件費の見積りを含む。）、収支計画及び資金計画

(iii) the budget (including an estimate of personnel expenses), an income and expenditure plan, and a funding plan;

四 短期借入金の限度額

(iv) the maximum amount of short-term borrowings;

五 不要財産又は不要財産となることが見込まれる財産がある場合には、当該財産の処分に関する計画

(v) if the agency has any Unnecessary Property or any property that is expected to be Unnecessary Property, a plan for disposal of such property;

六 前号に規定する財産以外の重要な財産を譲渡し、又は担保に供しようとするときは、その計画

(vi) if the agency intends to transfer or provide as collateral any important property other than the property provided for in the preceding item, a plan therefor;

七 剰余金の使途

(vii) use of a surplus; and

八 その他主務省令で定める業務運営に関する事項

(viii) other matters concerning the running of the operations specified by order of the competent ministry.

3 主務大臣は、第一項の認可をした中期計画が前条第二項第二号から第五号までに掲げる事項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、その中期計画を変更すべきことを命ずることができる。

(3) If the competent minister finds that the Medium-term Plan authorized thereby as referred to in paragraph (1) has become inappropriate for implementing the matters set forth in items (ii) through (v) of paragraph (2) of the preceding Article properly and securely, the minister may order such Medium-term Plan to be changed.

4 中期目標管理法人は、第一項の認可を受けたときは、遅滞なく、その中期計画を公表しなければならない。

(4) When an Agency Managed under the Medium-term Objectives obtains the authorization referred to in paragraph (1), it must make public the authorized Medium-term Plan without delay.

(年度計画)

(Annual Plan)

第三十一条 中期目標管理法人は、毎事業年度の開始前に、前条第一項の認可を受けた中期計画に基づき、主務省令で定めるところにより、その事業年度の業務運営に関する計画（次項において「年度計画」という。）を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

Article 31 (1) Prior to the start of each business year, an Agency Managed under the Medium-term Objectives must establish a plan for the running of the operations for the business year (referred to as an "Annual Plan" in the following paragraph) pursuant to the provisions of order of the competent ministry based on the Medium-term Plan as authorized under paragraph (1) of the preceding Article, and must notify the competent minister of such plan and make it public. The same applies when the agency changes such plan.

2 中期目標管理法人の最初の事業年度の年度計画については、前項中「毎事業年度の開始前に、前条第一項の認可を受けた」とあるのは、「その成立後最初の中期計画について前条第一項の認可を受けた後遅滞なく、その」とする。

(2) With regard to the Annual Plan of an Agency Managed under the Medium-

term Objectives for its first business year, the phrase "Prior to the start of each business year, ... the Medium-term Plan as authorized under paragraph (1) of the preceding Article" in the preceding paragraph is deemed to be replaced with "Without delay after obtaining the authorization referred to in paragraph (1) of the preceding Article for the first Medium-term Plan prepared since its formation, ... the Medium-term Plan."

(各事業年度に係る業務の実績等に関する評価等)

(Evaluation on Operational Performance in Each Business Year)

第三十二条 中期目標管理法人は、毎事業年度の終了後、当該事業年度が次の各号に掲げる事業年度のいずれに該当するかに応じ当該各号に定める事項について、主務大臣の評価を受けなければならない。

Article 32 (1) An Agency Managed under the Medium-term Objectives must undergo an evaluation conducted by the competent minister after the end of each business year with regard to the matters specified in each of the following items according to the business year among the years set forth respectively in these items to which the relevant business year corresponds:

一 次号及び第三号に掲げる事業年度以外の事業年度 当該事業年度における業務の実績

(i) a business year other than the business years set forth in the following item and item (iii): the operational performance during the relevant business year;

二 中期目標の期間の最後の事業年度の直前の事業年度 当該事業年度における業務の実績及び中期目標の期間の終了時に見込まれる中期目標の期間における業務の実績

(ii) the business year immediately preceding the last business year within the Period for the Medium-term Objectives: the operational performance during the relevant business year and the operational performance during the Period for the Medium-term Objectives that are expected to be achieved by the time of the end of the Period for the Medium-term Objectives; or

三 中期目標の期間の最後の事業年度 当該事業年度における業務の実績及び中期目標の期間における業務の実績

(iii) the last business year within the Period for the Medium-term Objectives: the operational performance during the relevant business year and the operational performance during the Period for the Medium-term Objectives.

2 中期目標管理法人は、前項の評価を受けようとするときは、主務省令で定めるところにより、各事業年度の終了後三月以内に、同項第一号、第二号又は第三号に定める事項及び当該事項について自ら評価を行った結果を明らかにした報告書を主務大臣に提出するとともに、公表しなければならない。

(2) When an Agency Managed under the Medium-term Objectives intends to undergo the evaluation referred to in the preceding paragraph, it must submit a report to the competent minister which clearly indicates the matters

specified in item (i), item (ii) or item (iii) of the paragraph and the results of the self-evaluation on these matters within three months from the end of each business year pursuant to the provisions of order of the competent minister, and must make such report public.

3 第一項の評価は、同項第一号、第二号又は第三号に定める事項について総合的な評定を付して、行わなければならない。この場合において、同項各号に規定する当該事業年度における業務の実績に関する評価は、当該事業年度における中期計画の実施状況の調査及び分析を行い、その結果を考慮して行わなければならない。

(3) The evaluation referred to in paragraph (1) must be conducted by comprehensively assessing the matters specified in item (i), item (ii) or item (iii) of the paragraph. In this case, the evaluation on the operational performance provided for in the items of the paragraph during the relevant business year must be conducted by investigating and analyzing the status of the implementation of the Medium-term Plan during the relevant business year and by taking into consideration the results of such investigation and analysis.

4 主務大臣は、第一項の評価を行ったときは、遅滞なく、当該中期目標管理法人に対して、その評価の結果を通知するとともに、公表しなければならない。この場合において、同項第二号に規定する中期目標の期間の終了時に見込まれる中期目標の期間における業務の実績に関する評価を行ったときは、委員会に対しても、遅滞なく、その評価の結果を通知しなければならない。

(4) When the competent minister conducts the evaluation referred to in paragraph (1), the minister must notify the Agency Managed under the Medium-term Objectives of the results of the evaluation and make such results public without delay. In this case, if the competent minister conducts the evaluation on the operational performance during the Period for the Medium-term Objectives that are expected to be achieved by the end of the Period for the Medium-term Objectives as provided for in item (ii) of the paragraph, the minister must also notify the Committee of the results of the evaluation without delay.

5 委員会は、前項の規定により通知された評価の結果について、必要があると認めるときは、主務大臣に意見を述べなければならない。

(5) The Committee must state its opinions to the competent minister with regard to the results of the evaluation that it has been notified of pursuant to the provisions of the preceding paragraph if it finds this to be necessary.

6 主務大臣は、第一項の評価の結果に基づき必要があると認めるときは、当該中期目標管理法人に対し、業務運営の改善その他の必要な措置を講ずることを命ずることができる。

(6) The competent minister may order the Agency Managed under the Medium-term Objectives to improve the running of its operations or take any other necessary measures if the minister finds this to be necessary based on the

results of the evaluation referred to in paragraph (1).

第三十三条 削除

Article 33 Deleted

第三十四条 削除

Article 34 Deleted

(中期目標の期間の終了時の検討)

(Review at the End of the Period for the Medium-Term Objectives)

第三十五条 主務大臣は、第三十二条第一項第二号に規定する中期目標の期間の終了時に見込まれる中期目標の期間における業務の実績に関する評価を行ったときは、中期目標の期間の終了時まで、当該中期目標管理法人の業務の継続又は組織の存続の必要性その他その業務及び組織の全般にわたる検討を行い、その結果に基づき、業務の廃止若しくは移管又は組織の廃止その他の所要の措置を講ずるものとする。

Article 35 (1) When the competent minister conducts the evaluation on the operational performance during the Period for the Medium-term Objectives that are expected to be achieved by the time of the end of the Period for the Medium-term Objectives as provided for in Article 32, paragraph (1), item (ii), the minister is to make a review, by the end of the Period for the Medium-term Objectives, with regard to the necessity for having the Agency Managed under the Medium-term Objectives continue its operations or maintain its organization and the overall aspects of its operations and organization, and must take measures for the discontinuation or transfer of its operations or the disestablishment of its organization or any other required measures based on the results of such review.

2 主務大臣は、前項の検討の結果及び同項の規定により講ずる措置の内容を委員会に通知するとともに、公表しなければならない。

(2) The competent minister must notify the Committee of the results of the review referred to in the preceding paragraph and the details of the measures to be taken pursuant to the provisions of the paragraph and make public of such results and details.

3 委員会は、前項の規定により通知された事項について、必要があると認めるときは、主務大臣に意見を述べなければならない。

(3) The Committee must state its opinions to the competent minister with regard to the matters which have been given notification pursuant to the provisions of the preceding paragraph if the Committee finds this to be necessary.

4 前項の場合において、委員会は、中期目標管理法人の主要な事務及び事業の改廃に関し、主務大臣に勧告をすることができる。

(4) In the case referred to in the preceding paragraph, the Committee may make recommendations to the competent minister with regard to the reform or

discontinuation of any major affairs and businesses of the Agency Managed under the Medium-term Objectives.

5 委員会は、前項の勧告をしたときは、当該勧告の内容を内閣総理大臣に報告するとともに、公表しなければならない。

(5) If the Committee makes recommendations as referred to in the preceding paragraph, it must report the details of the recommendations to the Prime Minister and make such contents public.

6 委員会は、第四項の勧告をしたときは、主務大臣に対し、その勧告に基づいて講じた措置及び講じようとする措置について報告を求めることができる。

(6) If the Committee makes recommendations as referred to in paragraph (4), it may request reports from the competent minister with regard to the measures that the minister has taken or intends to take based on its recommendations.

(内閣総理大臣への意見具申)

(Offering Opinions to the Prime Minister)

第三十五条の二 委員会は、前条第四項の規定により勧告をした場合において特に必要があると認めるときは、内閣総理大臣に対し、当該勧告をした事項について内閣法（昭和二十二年法律第五号）第六条の規定による措置がとられるよう意見を具申することができる。

Article 35-2 If the Committee makes recommendations pursuant to the provisions of paragraph (4) of the preceding Article and finds it to be particularly necessary, it may offer its opinions to the Prime Minister to propose that the measures under the provisions of Article 6 of the Cabinet Act (Act No. 5 of 1947) be taken with regard to the matters for which it has made the recommendations.

(違法行為等の是正等)

(Rectification of Illegal Acts)

第三十五条の三 主務大臣は、中期目標管理法人若しくはその役員若しくは職員が、不正の行為若しくはこの法律、個別法若しくは他の法令に違反する行為をし、若しくは当該行為をするおそれがあると認めるとき、又は中期目標管理法人の業務運営が著しく適正を欠き、かつ、それを放置することにより公益を害することが明白である場合において、特に必要があると認めるときは、当該中期目標管理法人に対し、当該行為の是正又は業務運営の改善のため必要な措置をとるべきことを命ずることができる。

Article 35-3 If the competent minister finds that an Agency Managed under the Medium-term Objectives, its officer or employees have engaged in misconduct or committed an act that violates this Act, the relevant Individual Act, any other laws and orders or is likely to engage in misconduct, commit such act, or if an Agency Managed under the Medium-term Objectives runs its operations in an extremely improper manner and it is obvious that the public interest would be harmed if such running of the operations were left unaddressed, and



the minister finds it to be particularly necessary, the minister may order the Agency Managed under the Medium-term Objectives to take the necessary measures for rectifying such misconduct or act or for improving the operation of business.

### 第三節 国立研究開発法人

#### Section 3 National Research and Development Agency

(中長期目標)

(Medium to Long-term Objectives)

第三十五条の四 主務大臣は、五年以上七年以下の期間において国立研究開発法人が達成すべき業務運営に関する目標（以下「中長期目標」という。）を定め、これを当該国立研究開発法人に指示するとともに、公表しなければならない。これを変更したときも、同様とする。

Article 35-4 (1) The competent minister must set objectives concerning the running of the operations to be achieved by a National Research and Development Agency during a period of not less than five years and not more than seven years (hereinafter referred to as "Medium to Long-term Objectives"), and give instructions to the National Research and Development Agency with regard to these objectives and make them public. The same applies when the minister revises those objectives.

2 中長期目標においては、次に掲げる事項について具体的に定めるものとする。

(2) The Medium to Long-term Objectives are to specifically set forth the following matters:

一 中長期目標の期間（前項の期間の範囲内で主務大臣が定める期間をいう。以下同じ。）

(i) the Period for the Medium to Long-term Objectives (meaning the period specified by the competent minister to the extent of the period referred to in the preceding paragraph; the same applies hereinafter);

二 研究開発の成果の最大化その他の業務の質の向上に関する事項

(ii) matters concerning the maximization of the results of Research and Development and the improvement of the quality of any other operations;

三 業務運営の効率化に関する事項

(iii) matters concerning the improvement of efficiency of the running of the operations;

四 財務内容の改善に関する事項

(iv) matters concerning the improvement of the financial conditions; and

五 その他業務運営に関する重要事項

(v) other important matters concerning the running of the operations.

3 主務大臣は、中長期目標を定め、又はこれを変更しようとするときは、あらかじめ、委員会の意見を聴かなければならない。

(3) When the competent minister intends to set or revise the Medium to Long-term Objectives, the minister must hear the opinions of the Committee in advance.

4 主務大臣は、前項の規定により中長期目標に係る意見を聴こうとするときは、研究開発の事務及び事業（軽微なものとして政令で定めるものを除く。第三十五条の六第六項及び第三十五条の七第二項において同じ。）に関する事項について、あらかじめ、審議会等（内閣府設置法（平成十一年法律第八十九号）第三十七条若しくは第五十四条又は国家行政組織法（昭和二十三年法律第二百十号）第八条に規定する機関をいう。）で政令で定めるもの（以下「研究開発に関する審議会」という。）の意見を聴かなければならない。

(4) When the competent minister intends to hear opinions concerning the Medium to Long-term Objectives pursuant to the provisions of the preceding paragraph, the minister must hear the opinions of a council, etc. (meaning the organ provided for in Article 37 or Article 54 of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) or Article 8 of the National Government Organization Act (Act No. 120 of 1948)) which is specified by Cabinet Order (hereinafter referred to as the "Council for Research and Development") with regard to the matters concerning the processes and services in Research and Development (other than those specified by Cabinet Order as minor processes or services; the same applies in Article 35-6, paragraph (6) and Article 35-7, paragraph (2)) in advance.

5 主務大臣は、研究開発に関して高い識見を有する外国人（日本の国籍を有しない者をいう。次項において同じ。）を研究開発に関する審議会の委員に任命することができる。

(5) The competent minister may appoint a Foreign National (meaning a person who does not have Japanese nationality; the same applies in the following paragraph) who has great insight in Research and Development as a member of the Council for Research and Development.

6 前項の場合において、外国人である研究開発に関する審議会の委員は、研究開発に関する審議会の会務を総理し、研究開発に関する審議会を代表する者とはできず、当該委員の数は、研究開発に関する審議会の委員の総数の五分之一を超えてはならない。

(6) In the case referred to in the preceding paragraph, a member of the Council for Research and Development who is a Foreign National may not preside over the processes of the Council for Research and Development or represent the Council for Research and Development, and the number of such members may not exceed one-fifth of the total number of members of the Council for Research and Development.

（中長期計画）

(Medium to Long-term Plan)

第三十五条の五 国立研究開発法人は、前条第一項の指示を受けたときは、中長期目標に基づき、主務省令で定めるところにより、当該中長期目標を達成するための計画（以下この節において「中長期計画」という。）を作成し、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。

Article 35-5 (1) When a National Research and Development Agency is given the instructions referred to in paragraph (1) of the preceding Article, it must prepare a plan for achieving the Medium to Long-term Objectives (hereinafter referred to as a "Medium to Long-term Plan" in this Section) pursuant to the provisions of Order of the competent ministry based on the Medium to Long-term Objectives and obtain the authorization for such a plan from the competent minister. The same applies when the agency intends to revise such plan.

2 中長期計画においては、次に掲げる事項を定めるものとする。

(2) The Medium to Long-term Plan is to specify the following matters:

一 研究開発の成果の最大化その他の業務の質の向上に関する目標を達成するためとすべき措置

(i) the measures to be taken for achieving the objectives concerning the maximization of the results of Research and Development and the improvement of the quality of any other operations;

二 業務運営の効率化に関する目標を達成するためとすべき措置

(ii) the measures to be taken for achieving the objectives concerning the improvement of the efficiency of the running of the operations;

三 予算（人件費の見積りを含む。）、収支計画及び資金計画

(iii) the budget (including an estimate of personnel expenses), an income and expenditure plan, and a funding plan;

四 短期借入金の限度額

(iv) the maximum amount of short-term borrowings;

五 不要財産又は不要財産となることが見込まれる財産がある場合には、当該財産の処分に関する計画

(v) if the agency has any Unnecessary Property or any property that is expected to be Unnecessary Property, a plan for disposal of such property;

六 前号に規定する財産以外の重要な財産を譲渡し、又は担保に供しようとするときは、その計画

(vi) if the agency intends to transfer or provide as collateral any important property other than the property provided for in the preceding item, a plan therefor;

七 剰余金の使途

(vii) use of a surplus; and

八 その他主務省令で定める業務運営に関する事項

(viii) other matters concerning the running of the operations specified by Order of the competent ministry.

3 主務大臣は、第一項の認可をした中長期計画が前条第二項第二号から第五号までに掲げる事項の適正かつ確実な実施上不適當となったと認めるときは、その中長期計画を変更すべきことを命ずることができる。

(3) If the competent minister finds that the Medium to Long-term Plan authorized thereby as referred to in paragraph (1) has become inappropriate for implementing the matters set forth in items (ii) through (v) of paragraph (2) of the preceding Article properly and securely, the minister may order such Medium to Long-term Plan to be revised.

4 国立研究開発法人は、第一項の認可を受けたときは、遅滞なく、その中長期計画を公表しなければならない。

(4) When a National Research and Development Agency obtains the authorization referred to in paragraph (1), it must make the authorized Medium to Long-term Plan public without delay.

(各事業年度に係る業務の実績等に関する評価等)

(Evaluation on Operational Performance in Each Business Year)

第三十五条の六 国立研究開発法人は、毎事業年度の終了後、当該事業年度が次の各号に掲げる事業年度のいずれに該当するかに応じ当該各号に定める事項について、主務大臣の評価を受けなければならない。

Article 35-6 (1) A National Research and Development Agency must undergo an evaluation conducted by the competent minister after the end of each business year with regard to the matters specified in each of the following items according to the business year among the years set forth respectively in these items to which the relevant business year corresponds:

一 次号及び第三号に掲げる事業年度以外の事業年度 当該事業年度における業務の実績

(i) a business year other than the business years set forth in the following item, and item (iii): the operational performance during the relevant business year;

二 中長期目標の期間の最後の事業年度の直前の事業年度 当該事業年度における業務の実績及び中長期目標の期間の終了時に見込まれる中長期目標の期間における業務の実績

(ii) the business year immediately preceding the last business year within the Period for the Medium to Long-term Objectives: the operational performance during the relevant business year and the results of the operations during the Period for the Medium to Long-term Objectives that are expected to be achieved by the completion of the Period for the Medium to Long-term Objectives; or

三 中長期目標の期間の最後の事業年度 当該事業年度における業務の実績及び中長期目標の期間における業務の実績

(iii) the last business year within the Period for the Medium to Long-term Objectives: the operational performance during the relevant business year

and the operational performance during the Period for the Medium to Long-term Objectives.

- 2 国立研究開発法人は、前項の規定による評価のほか、中長期目標の期間の初日以後最初に任命される国立研究開発法人の長の任期が第二十一条の二第一項ただし書の規定により定められた場合又は第十四条第二項の規定によりその成立の時に任命されたものとされる国立研究開発法人の長の任期が第二十一条の二第二項の規定により定められた場合には、それらの国立研究開発法人の長（以下この項において「最初の国立研究開発法人の長」という。）の任期（補欠の国立研究開発法人の長の任期を含む。）の末日を含む事業年度の終了後、当該最初の国立研究開発法人の長の任命の日を含む事業年度から当該末日を含む事業年度の事業年度末までの期間における業務の実績について、主務大臣の評価を受けなければならない。

(2) If the term of office of the first president of a National Research and Development Agency to be appointed on or after the first day of the Period for the Medium to Long-term Objectives is specified pursuant to the provisions of the proviso to Article 21-2, paragraph (1), or the term of office of the president of a National Research and Development Agency who is deemed to be appointed at the time of its formation pursuant to the provisions of Article 14, paragraph (2) is specified pursuant to the provisions of Article 21-2, paragraph (2), such National Research and Development Agency must undergo an evaluation conducted by the competent minister after the end of the business year in which the last day of the term of office of such president of the National Research and Development Agency (hereinafter referred to as the "First President of the National Research and Development Agency" in this paragraph) (including the term of office of the president of the National Research and Development Agency appointed to fill a vacancy) falls, with regard to the operational performance during the period between the business year in which the date of appointment of the First President of the National Research and Development Agency falls and the end of the business year in which the last day falls, beyond the evaluation under the provisions of the preceding paragraph.

- 3 国立研究開発法人は、第一項の評価を受けようとするときは、主務省令で定めるところにより、各事業年度の終了後三月以内に、同項第一号、第二号又は第三号に定める事項及び当該事項について自ら評価を行った結果を明らかにした報告書を主務大臣に提出するとともに、公表しなければならない。

(3) When a National Research and Development Agency intends to undergo the evaluation referred to in paragraph (1), it must submit to the competent minister a report which clearly indicates the matters specified in item (i), item (ii) or item (iii) of the paragraph and the results of its self-evaluation on these matters and make such reports public within three months from the end of each business year, pursuant to the provisions of order of the competent minister.

4 国立研究開発法人は、第二項の評価を受けようとするときは、主務省令で定めるところにより、同項に規定する末日を含む事業年度の終了後三月以内に、同項に規定する業務の実績及び当該業務の実績について自ら評価を行った結果を明らかにした報告書を主務大臣に提出するとともに、公表しなければならない。

(4) When a National Research and Development Agency intends to undergo the evaluation referred to in paragraph (2), it must submit to the competent minister a report which clearly indicates the operational performance provided for in the paragraph and the results of its self-evaluation on the operational performance and make such reports public within three months from the end of the business year in which the last day provided for in the paragraph falls, pursuant to the provisions of order of the competent minister

5 第一項又は第二項の評価は、第一項第一号、第二号若しくは第三号に定める事項又は第二項に規定する業務の実績について総合的な評定を付して、行わなければならない。この場合において、第一項各号に規定する当該事業年度における業務の実績に関する評価は、当該事業年度における中長期計画の実施状況の調査及び分析を行い、その結果を考慮して行わなければならない。

(5) The evaluation referred to in paragraph (1) or paragraph (2) must be conducted by comprehensively assessing the matters specified in paragraph (1) item (i), item (ii), item (iii) or the operational performance provided for in paragraph (2). In this case, the evaluation on the operational performance provided for in the items of paragraph (1) during the relevant business year must be conducted by investigating and analyzing the status of the implementation of the Medium to Long-term Plan during the relevant business year and by taking into consideration the results of such investigation and analysis.

6 主務大臣は、第一項又は第二項の評価を行おうとするときは、研究開発の事務及び事業に関する事項について、あらかじめ、研究開発に関する審議会の意見を聴かなければならない。

(6) When the competent minister intends to conduct the evaluation referred to in paragraph (1) or paragraph (2), the minister must hear the opinions of the Council for Research and Development with regard to the matters concerning the processes and services in Research and Development in advance.

7 主務大臣は、第一項又は第二項の評価を行ったときは、遅滞なく、当該国立研究開発法人に対して、その評価の結果を通知するとともに、公表しなければならない。この場合において、第一項第二号に規定する中長期目標の期間の終了時に見込まれる中長期目標の期間における業務の実績に関する評価を行ったときは、委員会に対しても、遅滞なく、その評価の結果を通知しなければならない。

(7) When the competent minister conducts the evaluation referred to in paragraph (1) or paragraph (2), the minister must notify the National Research and Development Agency of the results of the evaluation and make such results public without delay. In this case, if the competent minister conducts

the evaluation on the operational performance during the Period for the Medium to Long-term Objectives that are expected to be achieved by the time of the end of the Period for the Medium to Long-term Objectives as provided for in paragraph (1), item (ii), the minister must also notify the Committee of the results of the evaluation without delay.

8 委員会は、前項の規定により通知された評価の結果について、必要があると認めるときは、主務大臣に意見を述べなければならない。

(8) The Committee must state its opinions to the competent minister with regard to the results of the evaluation that it has been notified of pursuant to the provisions of the preceding paragraph if it finds this to be necessary.

9 主務大臣は、第一項又は第二項の評価の結果に基づき必要があると認めるときは、当該国立研究開発法人に対し、業務運営の改善その他の必要な措置を講ずることを命ずることができる。

(9) The competent minister may order the National Research and Development Agency to improve the running of its operations or take any other necessary measures if the minister finds this to be necessary based on the results of the evaluation referred to in paragraph (1) or paragraph (2).

(中長期目標の期間の終了時の検討)

(Medium to Long-Term Objectives Review at the End of the Period)

第三十五条の七 主務大臣は、前条第一項第二号に規定する中長期目標の期間の終了時に見込まれる中長期目標の期間における業務の実績に関する評価を行ったときは、中長期目標の期間の終了時まで、当該国立研究開発法人の業務の継続又は組織の存続の必要性その他その業務及び組織の全般にわたる検討を行い、その結果に基づき、業務の廃止若しくは移管又は組織の廃止その他の所要の措置を講ずるものとする。

Article 35-7 (1) When the competent minister conducts the evaluation on the operational performance during the Period for the Medium to Long-term Objectives that are expected to be achieved by the end of the Period for the Medium to Long-term Objectives as provided for in paragraph (1), item (ii) of the preceding Article, the minister is to make a review, by the end of the Period for the Medium to Long-term Objectives, with regard to the necessity for having the National Research and Development Agency continue its operations or maintain its organization and the overall aspects of its operations and organization, and must take measures for the discontinuation or transfer of its operations or the disestablishment of its organization or any other required measures based on the results of such review.

2 主務大臣は、前項の規定による検討を行うに当たっては、研究開発の事務及び事業に関する事項について、研究開発に関する審議会の意見を聴かなければならない。

(2) When making the review pursuant to the provisions of the preceding paragraph, the competent minister must hear the opinions of the Council for Research and Development with regard to the matters concerning the

processes and services in Research and Development.

3 主務大臣は、第一項の検討の結果及び同項の規定により講ずる措置の内容を委員会に通知するとともに、公表しなければならない。

(3) The competent minister must notify the Committee of the results of the review referred to in paragraph (1) and the details of the measures to be taken pursuant to the provisions of same paragraph and make such results and details public.

4 委員会は、前項の規定により通知された事項について、必要があると認めるときは、主務大臣に意見を述べなければならない。

(4) If the Committee finds it necessary, it must state its opinions to the competent minister with regard to the matters that it has been notified of, pursuant to the provisions of the preceding paragraph.

5 前項の場合において、委員会は、国立研究開発法人の主要な事務及び事業の改廃に関し、主務大臣に勧告をすることができる。

(5) In the case referred to in the preceding paragraph, the Committee may make recommendations to the competent minister with regard to the reform or abolishment of any major processes and services of the National Research and Development Agency.

6 委員会は、前項の勧告をしたときは、当該勧告の内容を内閣総理大臣に報告するとともに、公表しなければならない。

(6) If the Committee makes recommendations as referred to in the preceding paragraph, it must report the contents of the recommendations to the Prime Minister and make such contents public.

7 委員会は、第五項の勧告をしたときは、主務大臣に対し、その勧告に基づいて講じた措置及び講じようとする措置について報告を求めることができる。

(7) If the Committee makes recommendations as referred to in paragraph (5), it may request reports from the competent minister with regard to the measures that the minister has taken or intends to take based on its recommendations.

(業務運営に関する規定の準用)

(Application Mutatis Mutandis of Provisions Concerning Running of Operations)

第三十五条の八 第三十一条、第三十五条の二及び第三十五条の三の規定は、国立研究開発法人について準用する。この場合において、第三十一条第一項中「前条第一項」とあるのは「第三十五条の五第一項」と、「中期計画」とあるのは「同項の中長期計画」と、同条第二項中「、前条第一項の認可を受けた」とあるのは「、第三十五条の五第一項の認可を受けた同項の」と、「中期計画について前条第一項」とあるのは「中長期計画（第三十五条の五第一項の中長期計画をいう。以下この項において同じ。）について同条第一項」と、第三十五条の二中「前条第四項」とあるのは「第三十五条の七第五項」と読み替えるものとする。

Article 35-8 The provisions of Articles 31, 35-2, and 35-3 apply mutatis mutandis



to a National Research and Development Agency. In this case: in Article 31, paragraph (1), the phrase "paragraph (1) of the preceding Article" is deemed to be replaced with "Article 35-5, paragraph (1)" and the term "Medium-term Plan" is deemed to be replaced with "Medium to Long-term Plan referred to in same paragraph"; in Article 31, paragraph (2), the phrase "as authorized under paragraph (1) of the preceding Article" is deemed to be replaced with "referred to in Article 35-5, paragraph (1) as authorized under same paragraph" and the phrase "authorization referred to in paragraph (1) of the preceding Article for the first Medium-term Plan" is deemed to be replaced with "authorization referred to in Article 35-5, paragraph (1) for the first Medium to Long-term Plan (meaning the medium to long-term plan referred to in same paragraph; hereinafter the same applies in this paragraph)"; and in Article 35-2, the phrase "paragraph (4) of the preceding Article" is deemed to be replaced with "Article 35-7, paragraph (5)."

#### 第四節 行政執行法人

#### Section 4 Agency Engaged in Administrative Execution

(年度目標)

(Annual Objectives)

第三十五条の九 主務大臣は、行政執行法人が達成すべき業務運営に関する事業年度ごとの目標（以下「年度目標」という。）を定め、これを当該行政執行法人に指示するとともに、公表しなければならない。これを変更したときも、同様とする。

Article 35-9 (1) The competent minister must set objectives for each business year concerning the running of the operations to be achieved by an Agency Engaged in Administrative Execution (hereinafter referred to as "Annual Objectives"), and give instructions to the Agency Engaged in Administrative Execution with regard to these objectives and make them public. The same applies when the minister revises those objectives.

2 年度目標においては、次に掲げる事項について具体的に定めるものとする。

(2) The Annual Objectives are to specifically set forth the following matters:

一 国民に対して提供するサービスその他の業務の質の向上に関する事項

(i) matters concerning the improvement of the quality of the services provided to citizens and any other operations;

二 業務運営の効率化に関する事項

(ii) matters concerning the improvement of the efficiency of the running of the operations;

三 財務内容の改善に関する事項

(iii) matters concerning the improvement of the financial conditions; and

四 その他業務運営に関する重要事項

(iv) other important matters concerning the running of the operations.

3 前項の年度目標には、同項各号に掲げる事項に関し中期的な観点から参考となるべき事項についても記載するものとする。

(3) The Annual Objectives referred to in the preceding paragraph must contain the matters that should serve as a reference from a medium-term perspective with regard to the matters set forth in the items of same paragraph.

(事業計画)

(Annual Objective Plan)

第三十五条の十 行政執行法人は、各事業年度に係る前条第一項の指示を受けたときは、当該事業年度の開始前に、年度目標に基づき、主務省令で定めるところにより、当該年度目標を達成するための計画（以下この条において「事業計画」という。）を作成し、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。

Article 35-10 (1) When an Agency Engaged in Administrative Execution is given the instruction referred to in paragraph (1) of the preceding Article for each business year, prior to the start of the relevant business year, it must prepare a plan for achieving the Annual Objectives (hereinafter referred to as a "Annual Objective Plan" in this Article) pursuant to the provisions of order of the competent ministry based on the Annual Objectives and obtain the authorization for such a plan from the competent minister. The same applies when the agency intends to revise such plan.

2 行政執行法人の最初の事業年度の事業計画については、前項中「各事業年度」とあるのは「その成立後最初の事業年度」と、「当該事業年度の開始前に」とあるのは「遅滞なく」とする。

(2) With regard to the Annual Objective Plan of an Agency Engaged in Administrative Execution for its first business year, the term "each business year" in the preceding paragraph is deemed to be replaced with "the first business year since its formation" and the phrase "prior to the start of the relevant business year" in the paragraph is deemed to be replaced with "without delay."

3 事業計画においては、次に掲げる事項を定めるものとする。

(3) The Annual Objective Plan is to specify the following matters:

一 国民に対して提供するサービスその他の業務の質の向上に関する目標を達成するためとるべき措置

(i) the measures to be taken for achieving the objectives concerning the improvement of the quality of the services provided to citizens and any other operations;

二 業務運営の効率化に関する目標を達成するためとるべき措置

(ii) the measures to be taken for achieving the objectives concerning the improvement of the efficiency of the running of the operations;

三 予算（人件費の見積りを含む。）、収支計画及び資金計画

(iii) the budget (including an estimate of personnel expenses), an income and expenditure plan, and a funding plan;

四 短期借入金の限度額

(iv) the maximum amount of short-term borrowings;

五 不要財産又は不要財産となることが見込まれる財産がある場合には、当該財産の処分に関する計画

(v) if the agency has any Unnecessary Property or any property that is expected to be Unnecessary Property, a plan for disposal of such property;

六 前号に規定する財産以外の重要な財産を譲渡し、又は担保に供しようとするときは、その計画

(vi) if the agency intends to transfer or provide as collateral any important property other than the property provided for in the preceding item, a plan therefor;

七 その他主務省令で定める業務運営に関する事項

(vii) other matters concerning the running of the operations specified by order of the competent ministry.

4 主務大臣は、第一項の認可をした事業計画が前条第二項各号に掲げる事項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、その事業計画を変更すべきことを命ずることができる。

(4) If the competent minister finds that the Annual Objective Plan authorized thereby as referred to in paragraph (1) has become inappropriate for implementing the matters set forth in the items of paragraph (2) of the preceding Article properly and securely, the minister may order such Annual Objective Plan to be revised.

5 行政執行法人は、第一項の認可を受けたときは、遅滞なく、その事業計画を公表しなければならない。

(5) When an Agency Engaged in Administrative Execution obtains the authorization referred to in paragraph (1), it must make the authorized Annual Objective Plan public without delay.

(各事業年度に係る業務の実績等に関する評価)

(Evaluation on Operational performance in Each Business Year)

第三十五条の十一 行政執行法人は、毎事業年度の終了後、当該事業年度における業務の実績について、主務大臣の評価を受けなければならない。

Article 35-11 (1) An Agency Engaged in Administrative Execution must undergo an evaluation conducted by the competent minister after the end of each business year with regard to its operational performance s in the relevant business year.

2 行政執行法人は、前項の規定による評価のほか、三年以上五年以下の期間で主務省令で定める期間の最後の事業年度の終了後、当該期間における年度目標に定める業務運営の効率化に関する事項の実施状況について、主務大臣の評価を受けなければならない。

ない。

- (2) Beyond the evaluation under the provisions of the preceding paragraph, an Agency Engaged in Administrative Execution must undergo an evaluation conducted by the competent minister after the end of the last business year within a period specified by order of the competent ministry, which is not less than three years and not more than five years, with regard to the status of the implementation during the period of the matters concerning the improvement of the efficiency of the running of the operations specified in the Annual Objectives.
- 3 行政執行法人は、第一項の評価を受けようとするときは、主務省令で定めるところにより、各事業年度の終了後三月以内に、同項に規定する業務の実績及び当該業務の実績について自ら評価を行った結果を明らかにした報告書を主務大臣に提出するとともに、公表しなければならない。
- (3) When an Agency Engaged in Administrative Execution intends to undergo the evaluation referred to in paragraph (1), it must submit to the competent minister a report which clearly indicates the operational performance provided for in same paragraph and the results of its self-evaluation on the operational performance and make such reports public within three months from the end of each business year, pursuant to the provisions of order of the competent minister.
- 4 行政執行法人は、第二項の評価を受けようとするときは、主務省令で定めるところにより、同項に規定する事業年度の終了後三月以内に、同項に規定する事項の実施状況及び当該事項の実施状況について自ら評価を行った結果を明らかにした報告書を主務大臣に提出するとともに、公表しなければならない。
- (4) When an Agency Engaged in Administrative Execution intends to undergo the evaluation referred to in paragraph (2), it must submit to the competent minister a report which clearly indicates the status of the implementation of the matters provided for in same paragraph and the results of its self-evaluation on the status of the implementation of these matters and make such reports public within three months from the end of the business year provided for in the paragraph, pursuant to the provisions of order of the competent minister.
- 5 第一項又は第二項の評価は、第一項に規定する業務の実績又は第二項に規定する事項の実施状況について総合的な評定を付して、行わなければならない。
- (5) The evaluation referred to in paragraph (1) or paragraph (2) must be conducted by comprehensively assessing the operational performance provided for in paragraph (1) or the status of the implementation of the matters provided for in paragraph (2).
- 6 主務大臣は、第一項又は第二項の評価を行ったときは、遅滞なく、当該行政執行法人に対して、その評価の結果を通知するとともに、公表しなければならない。この場合において、同項の評価を行ったときは、委員会に対しても、遅滞なく、その評価の

結果を通知しなければならない。

(6) When the competent minister conducts the evaluation referred to in paragraph (1) or paragraph (2), the minister must notify the Agency Engaged in Administrative Execution of the results of the evaluation and make such results public without delay. In this case, if the competent minister conducts the evaluation referred to in paragraph (1) or paragraph (2), the minister must also notify the Committee of the results of the evaluation without delay.

7 委員会は、前項の規定により通知された評価の結果について、必要があると認めるときは、主務大臣に意見を述べなければならない。

(7) The Committee must state its opinions to the competent minister with regard to the results of the evaluation that it has been notified of pursuant to the provisions of the preceding paragraph if it finds this to be necessary.

(監督命令)

(Supervision Order)

第三十五条の十二 主務大臣は、年度目標を達成するためその他この法律又は個別法を施行するため特に必要があると認めるときは、行政執行法人に対し、その業務に関し監督上必要な命令をすることができる。

Article 35-12 The competent minister may issue an order to an Agency Engaged in Administrative Execution as necessary for the supervision of its operations if the minister finds this to be particularly necessary in order to ensure that the agency achieves the Annual Objectives or to enforce this Act or the relevant Individual Act.

#### 第四章 財務及び会計

#### Chapter IV Finance and Accounting

(事業年度)

(Business Year)

第三十六条 独立行政法人の事業年度は、毎年四月一日に始まり、翌年三月三十一日に終わる。

Article 36 (1) The business year of an Incorporated Administrative Agency begins on April 1 each year and ends on March 31 of the following year.

2 独立行政法人の最初の事業年度は、前項の規定にかかわらず、その成立の日に始まり、翌年の三月三十一日（一月一日から三月三十一日までの間に成立した独立行政法人にあっては、その年の三月三十一日）に終わるものとする。

(2) Notwithstanding the provisions of the preceding paragraph, the first business year of an Incorporated Administrative Agency begins on the date of its formation and ends on March 31 of the following year (March 31 of the same year in the case of an Incorporated Administrative Agency formed during the period from January 1 to March 31).

(企業会計原則)

(Corporate Accounting Principles)

第三十七条 独立行政法人の会計は、主務省令で定めるところにより、原則として企業会計原則によるものとする。

Article 37 As a general rule, the accounting of an Incorporated Administrative Agency is to be based on corporate accounting principles, pursuant to the provisions of order of the competent ministry.

(財務諸表等)

(Financial Statements)

第三十八条 独立行政法人は、毎事業年度、貸借対照表、損益計算書、利益の処分又は損失の処理に関する書類その他主務省令で定める書類及びこれらの附属明細書（以下「財務諸表」という。）を作成し、当該事業年度の終了後三月以内に主務大臣に提出し、その承認を受けなければならない。

Article 38 (1) For each business year, an Incorporated Administrative Agency must prepare a balance sheet, a profit and loss statement, documents concerning the appropriation of profits or the disposal of losses, other documents specified by order of the competent ministry, and any annexed detailed statements thereof (hereinafter referred to as "Financial Statements"), and must submit them to the competent minister within three months from the end of the relevant business year and obtain the competent minister's approval.

2 独立行政法人は、前項の規定により財務諸表を主務大臣に提出するときは、これに主務省令で定めるところにより作成した当該事業年度の事業報告書及び予算の区分に従い作成した決算報告書並びに財務諸表及び決算報告書に関する監査報告（次条第一項の規定により会計監査人の監査を受けなければならない独立行政法人にあつては、監査報告及び会計監査報告。以下同じ。）を添付しなければならない。

(2) When an Incorporated Administrative Agency submits Financial Statements to the competent minister pursuant to the provisions of the preceding paragraph, it must attach thereto a business report prepared for the relevant business year prepared pursuant to the provisions of order of the competent ministry and a statement of accounts prepared in accordance with the categories of the budget, and also attach an audit report concerning the Financial Statements and the statement of accounts (in the case of an Incorporated Administrative Agency that needs to be audited by an accounting auditor pursuant to the provisions of paragraph (1) of the following Article, an audit report and a financial audit report; the same applies hereinafter).

3 独立行政法人は、第一項の規定による主務大臣の承認を受けたときは、遅滞なく、財務諸表を官報に公告し、かつ、財務諸表並びに前項の事業報告書、決算報告書及び監査報告を、各事務所に備えて置き、主務省令で定める期間、一般の閲覧に供しなければならない。

(3) When an Incorporated Administrative Agency obtains the approval of the competent minister under the provisions of paragraph (1), it must give public notice of the Financial Statements in the Official Gazette without delay, and must keep the Financial Statements as well as the business report, the statement of accounts and the audit report referred to in the preceding paragraph in each office and make them available for public inspection for a period specified by order of the competent ministry.

4 独立行政法人は、第一項の附属明細書その他主務省令で定める書類については、前項の規定による公告に代えて、次に掲げる方法のいずれかにより公告することができる。

(4) An Incorporated Administrative Agency may give public notice of the annexed detailed statement referred to in paragraph (1) and any other documents specified by order of the competent ministry by any of the methods set forth below, in lieu of giving public notice under the provisions of the preceding paragraph:

一 時事に関する事項を掲載する日刊新聞紙に掲載する方法

(i) publication in a daily newspaper that publishes particulars of current events; or

二 電子公告（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であって総務省令で定めるものにより不特定多数の者が公告すべき内容である情報の提供を受けることができる状態に置く措置であって総務省令で定めるものとする公告の方法をいう。次項において同じ。）

(ii) Electronic Public Notice (meaning a method of public notice, whereby measures specified by Ordinance of the Ministry of Internal Affairs and Communications are implemented to make the information which should be given in public notice available to the general public, through a method using an electronic data processing system or using other information communications technology specified by Ordinance of the Ministry of Internal Affairs and Communications; hereinafter the same applies in the following paragraph).

5 独立行政法人が前項の規定により電子公告による公告をする場合には、第三項の主務省令で定める期間、継続して当該公告をしなければならない。

(5) If an Incorporated Administrative Agency gives public notice by way of Electronic Public Notice pursuant to the provisions of the preceding paragraph, it must maintain the public notice for the period specified by order of the competent ministry referred to in paragraph (3).

(会計監査人の監査)

(Audit by Accounting Auditors)

第三十九条 独立行政法人（その資本の額その他の経営の規模が政令で定める基準に達しない独立行政法人を除く。以下この条において同じ。）は、財務諸表、事業報告書

(会計に関する部分に限る。)及び決算報告書について、監事の監査のほか、会計監査人の監査を受けなければならない。この場合において、会計監査人は、主務省令で定めるところにより、会計監査報告を作成しなければならない。

Article 39 (1) An Incorporated Administrative Agency (other than an Incorporated Administrative Agency whose operational size, including its capital amount, fails to reach the standards provided by Cabinet Order; hereinafter the same applies in this Article) must be audited by an accounting auditor, beyond being audited by an auditor, with regard to the Financial Statements, the business report (limited to the portion related to accounting) and the statement of accounts. In this case, an accounting auditor must prepare an accounting audit report pursuant to the provisions of order of the competent ministry.

2 会計監査人は、いつでも、次に掲げるものの閲覧及び謄写をし、又は役員（監事を除く。）及び職員に対し、会計に関する報告を求めることができる。

(2) An accounting auditor may inspect and copy the following documents or request reports on accounting from officers (other than auditors) and employees at any time:

一 会計帳簿又はこれに関する資料が書面をもって作成されているときは、当該書面  
(i) if accounting books or related materials are prepared in the form of a document, that document; and

二 会計帳簿又はこれに関する資料が電磁的記録（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つて、電子計算機による情報処理の用に供されるものとして総務省令で定めるものをいう。以下この号において同じ。）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総務省令で定める方法により表示したもの

(ii) if accounting books or related materials are prepared in Electronic or Magnetic Records (meaning a record made in an electronic form, a magnetic form, or any other form not recognizable to human perception,, which is used in information processing by computers and specified by Order of the Ministry of Internal Affairs and Communications; hereinafter the same applies in this item), anything recorded in the Electronic or Magnetic Records and displayed by a method specified by Order of the Ministry of Internal Affairs and Communications.

3 会計監査人は、その職務を行うため必要があるときは、独立行政法人の子法人に対して会計に関する報告を求め、又は独立行政法人若しくはその子法人の業務及び財産の状況の調査をすることができる。

(3) The accounting auditor may request reports on accounting from a Subsidiary of an Incorporated Administrative Agency or investigate the status of the operations and property of an Incorporated Administrative Agency or its Subsidiary, if it is necessary for the accounting auditor to perform such duties.

4 前項の子法人は、正当な理由があるときは、同項の報告又は調査を拒むことができ



る。

(4) The Subsidiary referred to in the preceding paragraph may refuse the report or investigation referred to in same paragraph if reasonable grounds for such refusal exist.

5 会計監査人は、その職務を行うに当たっては、次の各号のいずれかに該当する者を使用してはならない。

(5) An accounting auditor may not use any of the persons as specified in the following items in the course of performing the duties thereof:

一 第四十一条第三項第一号又は第二号に掲げる者

(i) a person set forth in Article 41, paragraph (3), item (i) or item (ii);

二 第四十条の規定により自己が会計監査人に選任されている独立行政法人又はその子法人の役員又は職員

(ii) an officer or employee of an Incorporated Administrative Agency or its Subsidiary for which the accounting auditor is appointed as an accounting auditor pursuant to the provisions of Article 40; or

三 第四十条の規定により自己が会計監査人に選任されている独立行政法人又はその子法人から公認会計士（公認会計士法（昭和二十三年法律第百三号）第十六条の二第五項に規定する外国公認会計士を含む。第四十一条第一項及び第三項第二号において同じ。）又は監査法人の業務以外の業務により継続的な報酬を受けている者

(iii) a person who continuously receives remuneration for the services other than the services of a certified public accountant (including a foreign certified public accountant provided for in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies in Article 41, paragraph (1), and paragraph (3), item (ii) or an audit corporation, from an Incorporated Administrative Agency or its Subsidiary for which the accounting auditor is appointed as an accounting auditor pursuant to the provisions of Article 40.

（監事に対する報告）

（Report to Auditor）

第三十九条の二 会計監査人は、その職務を行うに際して役員（監事を除く。）の職務の執行に関し不正の行為又はこの法律、個別法若しくは他の法令に違反する重大な事実があることを発見したときは、遅滞なく、これを監事に報告しなければならない。

Article 39-2 (1) If an accounting auditor, in the course of performing the duties thereof, finds any misconduct or a material fact which would constitute the violation of this Act, the relevant Individual Act or any other laws and orders in relation to the performance of duties by an officer (other than an auditor), the accounting auditor must report this to an auditor without delay.

2 監事は、その職務を行うため必要があると認めるときは、会計監査人に対し、その監査に関する報告を求めることができる。

(2) An auditor may request reports on auditing from an accounting auditor if the

auditor finds this to be necessary in order to perform the duties thereof.

(会計監査人の選任)

(Appointment of Accounting Auditors)

第四十条 会計監査人は、主務大臣が選任する。

Article 40 An accounting auditor is appointed by the competent minister.

(会計監査人の資格等)

(Qualifications of Accounting Auditors)

第四十一条 会計監査人は、公認会計士又は監査法人でなければならない。

Article 41 (1) An accounting auditor must be a certified public accountant or an audit corporation.

2 会計監査人に選任された監査法人は、その社員の中から会計監査人の職務を行うべき者を選定し、これを独立行政法人に通知しなければならない。この場合においては、次項第二号に掲げる者を選定することはできない。

(2) An audit corporation appointed as an accounting auditor must appoint from among its members a person who is to perform the duties of an accounting auditor and notify the Incorporated Administrative Agency of the person. In this case, the audit corporation may not appoint a person set forth in item (ii) of the following paragraph.

3 次に掲げる者は、会計監査人となることができない。

(3) None of the persons set forth below can be an accounting auditor:

一 公認会計士法の規定により、財務諸表について監査をすることができない者

(i) a person who may not audit Financial Statements pursuant to the provisions of the Certified Public Accountant Act;

二 監査の対象となる独立行政法人の子法人若しくはその役員から公認会計士若しくは監査法人の業務以外の業務により継続的な報酬を受けている者又はその配偶者

(ii) a person who receives remuneration on an ongoing basis for performing services other than the services of a certified public accountant or an audit corporation from the Subsidiary of the Incorporated Administrative Agency to be audited or officers thereof, or a spouse of such person; or

三 監査法人でその社員の半数以上が前号に掲げる者であるもの

(iii) an audit corporation, half or more of whose members fall into the category of person set forth in the preceding item.

(会計監査人の任期)

(Term of Office of Accounting Auditors)

第四十二条 会計監査人の任期は、その選任の日以後最初に終了する事業年度についての財務諸表承認日までとする。

Article 42 The term of office of an accounting auditor is until the Date of Approval of Financial Statements for the first business year that ends after the

date of the appointment.

(会計監査人の解任)

(Dismissal of Accounting Auditors)

第四十三条 主務大臣は、会計監査人が次の各号の一に該当するときは、その会計監査人を解任することができる。

Article 43 If an accounting auditor falls under any of the following items, the competent minister may dismiss the accounting auditor:

一 職務上の義務に違反し、又は職務を怠ったとき。

(i) the accounting auditor has violated the obligations of their duties or has been negligent in the performance thereof;

二 会計監査人たるにふさわしくない非行があつたとき。

(ii) the accounting auditor has engaged in conduct unbecoming of an accounting auditor; or

三 心身の故障のため、職務の遂行に支障があり、又はこれに堪えないとき。

(iii) due to a mental or physical disorder, the accounting auditor is unable to perform their duties or is incapable of bearing the demands of their duties.

(利益及び損失の処理)

(Management of Profits and Losses)

第四十四条 独立行政法人は、毎事業年度、損益計算において利益を生じたときは、前事業年度から繰り越した損失を埋め、なお残余があるときは、その残余の額は、積立金として整理しなければならない。ただし、第三項の規定により同項の用途に充てる場合は、この限りでない。

Article 44 (1) For each business year, when profits have accrued as a result of the calculation of profits and losses, an Incorporated Administrative Agency must offset any losses carried forward from the preceding business year, and if there is a remainder, it must record the amount of the remainder as reserve funds; provided, however, that this does not apply if it appropriates the amount of the remainder for the use referred to in paragraph (3) pursuant to the provisions of the paragraph.

2 独立行政法人は、毎事業年度、損益計算において損失を生じたときは、前項の規定による積立金を減額して整理し、なお不足があるときは、その不足額は、繰越欠損金として整理しなければならない。

(2) For each business year, an Incorporated Administrative Agency must, when losses have occurred as a result of the calculation of profits and losses, record the losses by reducing the amount of the reserve funds under the provisions of the preceding paragraph, and if there is still a shortfall, it must dispose of the amount of the shortfall as a loss carried forward.

3 中期目標管理法人及び国立研究開発法人は、第一項に規定する残余があるときは、主務大臣の承認を受けて、その残余の額の全部又は一部を中期計画（第三十条第一項

の認可を受けた同項の中期計画（同項後段の規定による変更の認可を受けたときは、その変更後のもの）をいう。以下同じ。）の同条第二項第七号又は中長期計画（第三十五条の五第一項の認可を受けた同項の中長期計画（同項後段の規定による変更の認可を受けたときは、その変更後のもの）をいう。以下同じ。）の第三十五条の五第二項第七号の剰余金の使途に充てることができる。

(3) When there is a remainder provided for in paragraph (1), an Agency Managed under the Medium-term Objectives and a National Research and Development Agency may appropriate all or a part of the amount of the remainder for the use of a surplus referred to in Article 30, paragraph (2), item (vii) for a Medium-term Plan (meaning a Medium-term Plan referred to in Article 30, paragraph (1) as authorized under same paragraph (or a revised plan if the agency obtains authorization for revision under the provisions of the second sentence of same paragraph); the same applies hereinafter) or the use of a surplus referred to in Article 35-5, paragraph (2), item (vii) for a Medium to Long-term Plan (meaning a Medium to Long-term Plan referred to in Article 35-5, paragraph (1) as authorized under the paragraph (or a revised plan if the agency obtains authorization for revision under the provisions of the second sentence of the paragraph); the same applies hereinafter), by obtaining the approval of the competent minister.

4 第一項の規定による積立金の処分については、個別法で定める。

(4) The disposal of reserve funds under the provisions of paragraph (1) is specified by the relevant Individual Act.

(借入金等)

(Borrowings)

第四十五条 独立行政法人は、中期目標管理法の中期計画の第三十条第二項第四号、国立研究開発法人の中長期計画の第三十五条の五第二項第四号又は行政執行法人の事業計画（第三十五条の十第一項の認可を受けた同項の事業計画（同項後段の規定による変更の認可を受けたときは、その変更後のもの）をいう。以下同じ。）の第三十五条の十第三項第四号の短期借入金の限度額の範囲内で、短期借入金をすることができる。ただし、やむを得ない事由があるものとして主務大臣の認可を受けた場合は、当該限度額を超えて短期借入金をすることができる。

Article 45 (1) An Incorporated Administrative Agency may make short-term borrowings within the scope of the maximum amount of short-term borrowings referred to in Article 30, paragraph (2), item (iv) for the Medium-term Plan of an Agency Managed under the Medium-term Objectives, in Article 35-5, paragraph (2), item (iv) for the Medium to Long-term Plan of a National Research and Development Agency, or in Article 35-10, paragraph (3), item (iv) for the Annual Objective Plan (meaning an Annual Objective Plan referred to in Article 35-10, paragraph (1) authorized under same paragraph (or a revised plan if the agency obtains authorization for revision under the provisions of the

second sentence of same paragraph); the same applies hereinafter) of an Agency Engaged in Administrative Execution; provided, however, that an Incorporated Administrative Agency may make short-term borrowings exceeding the maximum amount, if it obtains the authorization from the competent minister regarding the presence of unavoidable circumstances.

2 前項の規定による短期借入金は、当該事業年度内に償還しなければならない。ただし、資金の不足のため償還することができないときは、その償還することができない金額に限り、主務大臣の認可を受けて、これを借り換えることができる。

(2) Short-term borrowings under the preceding paragraph must be repaid within the relevant business year; provided, however, that, when the short-term borrowings cannot be repaid due to a shortage of funds, only the amount that cannot be repaid may be refinanced by obtaining the authorization of the competent minister.

3 前項ただし書の規定により借り換えた短期借入金は、一年以内に償還しなければならない。

(3) The short-term borrowings that have been refinanced pursuant to the provisions of the proviso to the preceding paragraph must be repaid within one year.

4 独立行政法人は、個別法に別段の定めがある場合を除くほか、長期借入金及び債券発行をすることができない。

(4) An Incorporated Administrative Agency may not make long-term borrowings or issue bonds, unless otherwise provided for by the relevant Individual Act.

(財源措置)

(Delivery of Financial Resources)

第四十六条 政府は、予算の範囲内において、独立行政法人に対し、その業務の財源に充てるために必要な金額の全部又は一部に相当する金額を交付することができる。

Article 46 (1) The government may, within the scope of the budget, deliver to an Incorporated Administrative Agency an amount, equivalent to all or part of the necessary amount of money, to be appropriated to the financial resources for its operations.

2 独立行政法人は、業務運営に当たっては、前項の規定による交付金について、国民から徴収された税金その他の貴重な財源で賄われるものであることに留意し、法令の規定及び中期目標管理法の中期計画、国立研究開発法人の中長期計画又は行政執行法人の事業計画に従って適切かつ効率的に使用するよう努めなければならない。

(2) For the purpose of the running of the operations, an Incorporated Administrative Agency must strive to use the funds under the provisions of the preceding paragraph in an appropriate and efficient manner in accordance with the provisions of laws and orders as well as the Medium-term Plan of an Agency Managed under the Medium-term Objectives, the Medium to Long-term Plan of a National Research and Development Agency or the Annual Objective

Plan of an Agency Engaged in Administrative Execution, bearing in mind that the funds are procured from tax collected from people and other invaluable financial resources.

(不要財産に係る国庫納付等)

(Payment to National Treasury in relation to Unnecessary Property)

第四十六条の二 独立行政法人は、不要財産であつて、政府からの出資又は支出（金銭の出資に該当するものを除く。）に係るもの（以下この条において「政府出資等に係る不要財産」という。）については、遅滞なく、主務大臣の認可を受けて、これを国庫に納付するものとする。ただし、中期目標管理法人の中期計画において第三十条第二項第五号の計画を定めた場合、国立研究開発法人の中長期計画において第三十五条の五第二項第五号の計画を定めた場合又は行政執行法人の事業計画において第三十五条の十第三項第五号の計画を定めた場合であつて、これらの計画に従つて当該政府出資等に係る不要財産を国庫に納付するときは、主務大臣の認可を受けることを要しない。

Article 46-2 (1) An Incorporated Administrative Agency is to make payments to the national treasury in relation to any Unnecessary Property pertaining to contribution or expenditure from the government (other than any property which the contribution is in the form of money)(hereinafter referred to as "Unnecessary Property Pertaining to Government Contribution, etc." in this paragraph) with an authorization of the competent minister, without delay; provided, however, that the Incorporated Administrative Agency is not required to obtain an authorization of the competent minister if it specifies the plan referred to in Article 30, paragraph (2), item (v) for a Medium-term Plan of an Agency Managed under the Medium-term Objectives, the plan referred to in Article 35-5, paragraph (2), item (v) for a Medium to Long-term Plan of a National Research and Development Agency, or the plan referred to in Article 35-10, paragraph (3), item (v) for an Annual Objective Plan of an Agency Engaged in Administrative Execution, and it makes payment to the national treasury in relation to the Unnecessary Property Pertaining to Government Contribution, etc. in accordance with the relevant plan.

2 独立行政法人は、前項の規定による政府出資等に係る不要財産（金銭を除く。以下この項及び次項において同じ。）の国庫への納付に代えて、主務大臣の認可を受けて、政府出資等に係る不要財産を譲渡し、これにより生じた収入の額（当該財産の帳簿価額を超える額（次項において「簿価超過額」という。）がある場合には、その額を除く。）の範囲内で主務大臣が定める基準により算定した金額を国庫に納付することができる。ただし、中期目標管理法人の中期計画において第三十条第二項第五号の計画を定めた場合、国立研究開発法人の中長期計画において第三十五条の五第二項第五号の計画を定めた場合又は行政執行法人の事業計画において第三十五条の十第三項第五号の計画を定めた場合であつて、これらの計画に従つて当該金額を国庫に納付するときは、主務大臣の認可を受けることを要しない。

(2) An Incorporated Administrative Agency may make a payment to the national treasury in the amount calculated in accordance with the standards specified by the competent minister to the extent of the amount of income derived from the transfer of Unnecessary Property Pertaining to Government Contribution, etc. (other than money; hereinafter the same applies in this paragraph and the following paragraph) with the authorization of the competent minister (other than any amount exceeding the book value of the property (hereinafter referred to as "Amount Exceeding the Book Value" in the following paragraph)), in lieu of making payment to the national treasury in relation to the Unnecessary Property Pertaining to Government Contribution, etc. pursuant to the provisions of the preceding paragraph; provided, however, that the Incorporated Administrative Agency is not required to obtain an authorization of the competent minister if it specifies the plan referred to in Article 30, paragraph (2), item (v) for a Medium-term Plan of an Agency Managed under the Medium-term Objectives, the plan referred to in Article 35-5, paragraph (2), item (v) for a Medium to Long-term Plan of a National Research and Development Agency, or the plan referred to in Article 35-10, paragraph (3), item (v) for an Annual Objective Plan of an Agency Engaged in Administrative Execution, and it pays the amount to the national treasury in accordance with the relevant plan.

3 独立行政法人は、前項の場合において、政府出資等に係る不要財産の譲渡により生じた簿価超過額があるときは、遅滞なく、これを国庫に納付するものとする。ただし、その全部又は一部の金額について国庫に納付しないことについて主務大臣の認可を受けた場合における当該認可を受けた金額については、この限りでない。

(3) In the case referred to in the preceding paragraph, if there is any Amount Exceeding the Book Value derived from the transfer of Unnecessary Property Pertaining to Government Contribution, etc., an Incorporated Administrative Agency is to pay the amount to the national treasury without delay; provided, however, that this does not apply to the amount authorized if the agency obtains an authorization from the competent minister for the exemption of payment of all or part of the amount.

4 独立行政法人が第一項又は第二項の規定による国庫への納付をした場合において、当該納付に係る政府出資等に係る不要財産が政府からの出資に係るものであるときは、当該独立行政法人の資本金のうち当該納付に係る政府出資等に係る不要財産に係る部分として主務大臣が定める金額については、当該独立行政法人に対する政府からの出資はなかったものとし、当該独立行政法人は、その額により資本金を減少するものとする。

(4) If an Incorporated Administrative Agency makes payment to the national treasury pursuant to the provisions of paragraph (1) or paragraph (2), and the Unnecessary Property Pertaining to Government Contribution, etc. for which the payment made, pertains to the contribution from the government, the

amount specified by the competent minister as the portion pertaining to the Unnecessary Property Pertaining to Government Contribution, etc. for which the payment is made, out of the stated capital of the agency, is to be deemed to have not been contributed by the government to the agency, and the agency is to reduce the amount of its stated capital commensurate with such amount.

5 前各項に定めるもののほか、政府出資等に係る不要財産の処分に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding paragraphs, the matters necessary for the disposal of the Unnecessary Property Pertaining to Government Contribution, etc. are specified by Cabinet Order.

(不要財産に係る民間等出資の払戻し)

(Return of Contributions from Private Sectors Pertaining to Unnecessary Properties)

第四十六条の三 独立行政法人は、不要財産であつて、政府以外の者からの出資に係るもの（以下この条において「民間等出資に係る不要財産」という。）については、主務大臣の認可を受けて、当該民間等出資に係る不要財産に係る出資者（以下この条において単に「出資者」という。）に対し、主務省令で定めるところにより、当該民間等出資に係る不要財産に係る出資額として主務大臣が定める額の持分の全部又は一部の払戻しの請求をすることができる旨を催告しなければならない。ただし、中期目標管理法の中期計画において第三十条第二項第五号の計画を定めた場合、国立研究開発法人の中長期計画において第三十五条の五第二項第五号の計画を定めた場合又は行政執行法人の事業計画において第三十五条の十第三項第五号の計画を定めた場合であつて、これらの計画に従つて払戻しの請求をすることができる旨を催告するときは、主務大臣の認可を受けることを要しない。

Article 46-3 (1) With regard to any Unnecessary Property pertaining to the contribution from non-government parties (hereinafter referred to as "Unnecessary Property Pertaining to Contribution from the Private Sector, etc." in this Article), an Incorporated Administrative Agency must give a notice to the contributor pertaining to the Unnecessary Property Pertaining to Contribution from the Private Sector, etc. (hereinafter simply referred to as "Contributor" in this Article) pursuant to the provisions of order of the competent ministry, to the effect that the Contributor is entitled to request return of its equity interest, in all or part, in the amount specified by the competent minister as the amount of contribution pertaining to the Unnecessary Property Pertaining to Contribution from the Private Sector, etc., with an authorization of the competent minister; provided, however, that the Incorporated Administrative Agency is not required to obtain an authorization of the competent minister if the agency specifies the plan referred to in Article 30, paragraph (2), item (v) for a Medium-term Plan of an Agency Managed under the Medium-term Objectives, the plan referred to in Article 35-5,



- paragraph (2), item (v) for a Medium to Long-term Plan of a National Research and Development Agency, or the plan referred to in Article 35-10, paragraph (3), item (v) for an Annual Objective Plan of an Agency Engaged in Administrative Execution, and gives a notice to inform the Contributor of the entitlement to make a request for return in accordance with the relevant plan.
- 2 出資者は、独立行政法人に対し、前項の規定による催告を受けた日から起算して一月を経過する日までの間に限り、同項の払戻しの請求をすることができる。
- (2) A Contributor may file a request for return of equity interest with an Incorporated Administrative Agency only for the period from the day when the Contributor receives the demand under the provisions of the preceding paragraph to the day when one month elapses from the date.
- 3 独立行政法人は、前項の規定による請求があったときは、遅滞なく、当該請求に係る民間等出資に係る不要財産又は当該請求に係る民間等出資に係る不要財産（金銭を除く。）の譲渡により生じた収入の額（当該財産の帳簿価額を超える額がある場合には、その額を除く。）の範囲内で主務大臣が定める基準により算定した金額により、同項の規定により払戻しを請求された持分（当該算定した金額が当該持分の額に満たない場合にあつては、当該持分のうち主務大臣が定める額の持分）を、当該請求をした出資者に払い戻すものとする。
- (3) When an Incorporated Administrative Agency receives a request under the provisions of the preceding paragraph, it must return the equity interest for which the request was made pursuant to the provisions of the preceding paragraph to the Contributor who made such request, in the amount calculated in accordance with the standards specified by the competent minister to the extent of the Unnecessary Property Pertaining to Contribution from the Private Sector, etc. for which the request was made or to the extent of the amount of income derived from the transfer of the Unnecessary Property Pertaining to Contribution from the Private Sector, etc. (other than money; and other than any amount exceeding the book value of the property) (if the calculated amount is less than the amount of the requested equity interest, the equity interest in the amount specified by the competent minister out of the equity interest must be returned).
- 4 独立行政法人が前項の規定による払戻しをしたときは、当該独立行政法人の資本金のうち当該払戻しをした持分の額については、当該独立行政法人に対する出資者からの出資はなかったものとし、当該独立行政法人は、その額により資本金を減少するものとする。
- (4) When an Incorporated Administrative Agency returns equity interest pursuant to the provisions of the preceding paragraph, the amount corresponding to the returned equity interest within the stated capital of the agency is deemed to not have occurred by the Contributor to the agency, and the agency is to reduce its stated capital commensurate with such amount.
- 5 出資者が第二項の規定による払戻しの請求をしなかったとき又は同項の規定による

民間等出資に係る不要財産に係る持分の一部の払戻しの請求をしたときは、独立行政法人は、払戻しの請求がされなかった持分については、払戻しをしないものとする。

(5) If a Contributor fails to make a request for return of equity interest under paragraph (2), or makes a request for the part of the equity interest in relation to the Unnecessary Properties Pertaining to Contribution from the Private Sector, etc. pursuant to the provisions of the paragraph, the Incorporated Administrative Agency is not to return the equity interest for which no request for return was made.

(余裕金の運用)

(Investment of Surplus Funds)

第四十七条 独立行政法人は、次の方法による場合を除くほか、業務上の余裕金を運用してはならない。

Article 47 An Incorporated Administrative Agency must not make use of surplus funds that have become available in the course of its operations, except when using such funds in any of the following ways:

一 国債、地方債、政府保証債（その元本の償還及び利息の支払について政府が保証する債券をいう。）その他主務大臣の指定する有価証券の取得

(i) acquisition of national government bonds, local government bonds, Government Guaranteed Bonds (meaning bonds for which the government guarantees the redemption of the principal and the payment of the interest) or any other securities designated by the competent minister;

二 銀行その他主務大臣の指定する金融機関への預金

(ii) deposits to a bank or any other financial institution designated by the competent minister; and

三 信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。）への金銭信託

(iii) money trusts in a Financial Institution Engaged in the Trust Business (meaning a financial institution that has been authorized under Article 1, paragraph (1) of the Act on Engagement in Trust Business by a Financial Institution (Act No. 43 of 1943)).

(財産の処分等の制限)

(Limitation on Disposition of Property)

第四十八条 独立行政法人は、不要財産以外の重要な財産であって主務省令で定めるものを譲渡し、又は担保に供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。ただし、中期目標管理法の中期計画において第三十条第二項第六号の計画を定めた場合、国立研究開発法人の中長期計画において第三十五条の五第二項第六号の計画を定めた場合又は行政執行法人の事業計画において第三十五条の十第三項第六号の計画を定めた場合であって、これらの計画に従って当該重要な財産を譲渡し、又は担保に供するときは、この限りでない。

Article 48 When an Incorporated Administrative Agency intends to transfer or provide as collateral any important property, other than Unnecessary Property, which is specified by order of the competent ministry, it must obtain the authorization of the competent minister; provided, however, that this does not apply when the agency specifies the plan referred to in Article 30, paragraph (2), item (vi) for a Medium-term Plan of an Agency Managed under the Medium-term Objectives, the plan referred to in Article 35-5, paragraph (2), item (vi) for a Medium to Long-term Plan of a National Research and Development Agency, or the plan referred to in Article 35-10, paragraph (3), item (vi) for an Annual Objective Plan of an Agency Engaged in Administrative Execution, and it transfers the important property or provides it as collateral in accordance with the relevant plan.

(会計規程)

(Rules on Accounting)

第四十九条 独立行政法人は、業務開始の際、会計に関する事項について規程を定め、これを主務大臣に届け出なければならない。これを変更したときも、同様とする。

Article 49 On commencing operations, an Incorporated Administrative Agency must establish the rules on matters concerning accounting and notify the competent minister of such rules. The same applies when it revises such rules.

(主務省令への委任)

(Delegation to order of the competent ministry)

第五十条 この法律及びこれに基づく政令に規定するもののほか、独立行政法人の財務及び会計に関し必要な事項は、主務省令で定める。

Article 50 Beyond what is provided for in this Act and any Cabinet Order based on this Act, the necessary matters concerning the finance and accounting of Incorporated Administrative Agencies are specified by order of the competent ministry.

## 第五章 人事管理

### Chapter V Personnel Management

#### 第一節 中期目標管理法人及び国立研究開発法人

#### Section 1 Agency Managed under the Medium-term Objectives and National Research and Development Agency

(役員の報酬等)

(Remuneration of Officers)

第五十条の二 中期目標管理法人の役員に対する報酬及び退職手当（以下「報酬等」という。）は、その役員の業績が考慮されるものでなければならない。

Article 50-2 (1) The remuneration and retirement allowances (hereinafter

referred to as the "Remuneration, etc.") of officers of an Agency Managed under the Medium-term Objectives must take into consideration the performance of the respective officers.

2 中期目標管理法人は、その役員に対する報酬等の支給の基準を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

(2) An Agency Managed under the Medium-term Objectives must specify the standards for the payment of the Remuneration, etc. of its officers, and must notify the competent minister of such standards and make them public. The same applies when it revises such standards.

3 前項の報酬等の支給の基準は、国家公務員の給与及び退職手当（以下「給与等」という。）、民間企業の役員の報酬等、当該中期目標管理法人の業務の実績その他の事情を考慮して定められなければならない。

(3) The standards for the payment of the Remuneration, etc. referred to in the preceding paragraph must be specified by taking into consideration the salaries and retirement allowances (hereinafter referred to as the "Salaries, etc.") of national government employees, the Remuneration, etc. of officers of private enterprises, the operational performance of the relevant Agency Managed under the Medium-term Objectives, and any other circumstances.

（役員の兼職禁止）

(Prohibition of Concurrent Holding of Positions by Officers)

第五十条の三 中期目標管理法人の役員（非常勤の者を除く。）は、在任中、任命権者の承認のある場合を除くほか、営利を目的とする団体の役員となり、又は自ら営利事業に従事してはならない。

Article 50-3 While in office, an officer (other than a part-time officer) of an Agency Managed under the Medium-term Objectives must not serve as an officer of an organization for profit or engage in a business for profit independently, except when the officer obtains the approval of the appointer thereof.

（他の中期目標管理法人役職員についての依頼等の規制）

(Restriction on Request for Officers and Employees of Other Agency Managed under the Medium-term Objectives)

第五十条の四 中期目標管理法人の役員又は職員（非常勤の者を除く。以下「中期目標管理法人役職員」という。）は、密接関係法人等に対し、当該中期目標管理法人の他の中期目標管理法人役職員をその離職後に、若しくは当該中期目標管理法人の中期目標管理法人役職員であった者を、当該密接関係法人等の地位に就かせることを目的として、当該他の中期目標管理法人役職員若しくは当該中期目標管理法人役職員であった者に関する情報を提供し、若しくは当該地位に関する情報の提供を依頼し、又は当該他の中期目標管理法人役職員をその離職後に、若しくは当該中期目標管理法人役職

員であった者を、当該密接関係法人等の地位に就かせることを要求し、若しくは依頼してはならない。

Article 50-4 (1) An officer or employee of an Agency Managed under the Medium-term Objectives (other than a part-time officer or employee; hereinafter referred to as an "Officer or Employee of an Agency Managed under the Medium-term Objectives"), for the purpose of seeking a position with a closely-related corporation, etc. for another Officer or Employee of the Agency Managed under the Medium-term Objectives, after separation from the service, or a person who formerly served as an Officer or Employee of the Agency Managed under the Medium-term Objectives, must not provide the closely-related corporation, etc. with information on the other Officer or Employee of the Agency Managed under the Medium-term Objectives or the person who formerly served as an Officer or Employee of the Agency Managed under the Medium-term Objectives, request the closely-related corporation, etc. to provide information on the position, or demand or request the closely-related corporation, etc. to offer a position to the other Officer or Employee of the Agency Managed under the Medium-term Objectives, after separation from the service, or to the person who formerly served as an Officer or Employee of the Agency Managed under the Medium-term Objectives.

2 前項の規定は、次に掲げる場合には、適用しない。

(2) The provisions of the preceding paragraph do not apply in any of the following cases:

一 基礎研究、福祉に関する業務その他の円滑な再就職に特に配慮を要する業務として政令で定めるものに従事し、若しくは従事していた他の中期目標管理法役職員又はこれらの業務に従事していた中期目標管理法役職員であった者を密接関係法人等の地位に就かせることを目的として行う場合

(i) when the officer or employee conducts the relevant act for the purpose of seeking a position with a closely-related corporation, etc. for another Officer or Employee of the Agency Managed under the Medium-term Objectives who is, or was engaged in operations specified by Cabinet Order as those which require special consideration for smooth re-employment, such as basic research and operations relating to welfare, or for a person who formerly served as an Officer or Employee of the Agency Managed under the Medium-term Objectives and who was engaged in these operations;

二 退職手当通算予定役職員を退職手当通算法人等の地位に就かせることを目的として行う場合

(ii) when the officer or employee conducts the relevant act for the purpose of seeking a position with an Agency, etc. Subject to Aggregation of Retirement Allowance for an Officer or Employee Scheduled to Receive an Aggregate Retirement Allowance;

三 大学その他の教育研究機関の研究者であった者であって任期（十年以内に限

る。)を定めて専ら研究に従事する職員として採用された他の中期目標管理法人役職員を密接関係法人等の地位に就かせることを目的として行う場合

(iii) when the officer or employee conducts the relevant act for the purpose of seeking a position with a closely-related corporation, etc. for another Officer or Employee of the Agency Managed under the Medium-term Objectives who formerly served as a researcher of a university or any other education and research institution and who was employed as an employee solely engaged in research activities for a fixed term of office (the term must be ten years or less);

四 第三十二条第一項の評価（同項第二号に規定する中期目標の期間の終了時に見込まれる中期目標の期間における業務の実績に関する評価を除く。）の結果に基づき中期目標管理法人の業務の縮小又は内部組織の合理化が行われることにより、当該中期目標管理法人の組織の意思決定の権限を実質的に有しない地位として主務大臣が指定したもの以外の地位に就いたことがない他の中期目標管理法人役職員が離職を余儀なくされることが見込まれる場合において、当該他の中期目標管理法人役職員を密接関係法人等の地位に就かせることを目的として行うとき。

(iv) when the officer or employee conducts the relevant act for the purpose of seeking a position with a closely-related corporation, etc. for another Officer or Employee of the Agency Managed under the Medium-term Objectives, who has never assumed a position other than those designated by the competent minister as the position without substantial decision-making authority for the organization of the Agency Managed under the Medium-term Objectives, if it is expected that the other officer or employee will be compelled to leave the agency as a result of the downsizing of the operations or the streamlining of the internal organization of the agency based on the results of the evaluation referred to in Article 32, paragraph (1) (other than the evaluation of operational performance during the Period for the Medium-term Objectives that are expected to be achieved by the end of the period as provided for in item (ii) of the paragraph); or

五 第三十五条第一項の規定による措置であって政令で定める人数以上の中期目標管理法人役職員が離職を余儀なくされることが見込まれるものを行うため、当該中期目標管理法人役職員の離職後の就職の援助のための措置に関する計画を作成し、主務大臣の認定を受けている場合において、当該計画における離職後の就職の援助の対象者である他の中期目標管理法人役職員を密接関係法人等の地位に就かせることを目的として行うとき。

(v) when the officer or employee conducts the relevant act for the purpose of seeking a position with a closely-related corporation, etc. for another Officer or Employee of the Agency Managed under the Medium-term Objectives, who is eligible to receive assistance under the relevant plan for finding new employment after the separation from the service for the agency, if the agency prepares a plan on the measures for assisting Officers or Employees

of the Agency Managed under the Medium-term Objectives in finding new employment after the separation from the service so as to implement the measures under the provisions of Article 35, paragraph (1) which are expected to result in compelling its officers or employees in the number not less than the number specified by Cabinet Order, and obtains a certification for such a plan from the competent minister.

3 前二項の「密接関係法人等」とは、営利企業等（商業、工業又は金融業その他営利を目的とする私企業（以下この項において「営利企業」という。）及び営利企業以外の法人（国、国際機関、地方公共団体、行政執行法人及び地方独立行政法人法（平成十五年法律第百十八号）第二条第二項に規定する特定地方独立行政法人を除く。）をいう。以下同じ。）のうち、資本関係、取引関係等において当該中期目標管理法人と密接な関係を有するものとして政令で定めるものをいう。

(3) The term "Closely-related Corporation, etc." referred to in the preceding two paragraphs means an Enterprise for Profit, etc. (meaning a private enterprise whose purpose is to engage in commerce, industry or financial business or any other business for profit (hereinafter referred to as an "Enterprise for Profit" in this paragraph) and a corporation other than an Enterprise for Profit (other than the national government, international organizations, local governments, Agencies Engaged in Administrative Execution, and Specified Local Incorporated Administrative Agencies provided for in Article 2, paragraph (2) of the Local Incorporated Administrative Agency Act (Act No.118 of 2003)); the same applies hereinafter), which is specified by Cabinet Order as a corporation to be in close relationship with the relevant Agency Managed under the Medium-term Objectives in terms of capital relationship, business transactions, etc.

4 第二項第二号の「退職手当通算法人等」とは、営利企業等でその業務が中期目標管理法人の事務又は事業と密接な関連を有するもののうち総務大臣が定めるもの（退職手当（これに相当する給付を含む。）に関する規程において、中期目標管理法人体職員が当該中期目標管理法人の長の要請に応じ、引き続いて当該営利企業等の役員又は当該営利企業等に使用される者となった場合に、中期目標管理法人体職員としての勤続期間を当該営利企業等の役員又は当該営利企業等に使用される者としての勤続期間に通算することと定めている営利企業等に限る。）をいう。

(4) The term "Agency, etc. Subject to Aggregation of Retirement Allowance" referred to in paragraph (2), item (ii) means an Enterprise for Profit, etc. which is specified by the Minister of Internal Affairs and Communications from among those whose operations are closely related to the processes or operations of an Agency Managed under the Medium-term Objectives (limited to an Enterprise for Profit, etc. which provides in its rules on retirement allowances (including benefits equivalent thereto) that if an Officer or Employee of an Agency Managed under the Medium-term Objectives becomes an officer or employee of an Enterprise for Profit, etc. at the request of the president of the

agency with no interruption between the two periods of service, the length of service as an Officer or Employee of an Agency Managed under the Medium-term Objectives is to be aggregated with the length of service as an officer or employee of the Enterprise for Profit, etc.).

5 第二項第二号の「退職手当通算予定役職員」とは、中期目標管理法人の長の要請に応じ、引き続いて退職手当通算法人等（前項に規定する退職手当通算法人等をいう。以下同じ。）の役員又は退職手当通算法人等に使用される者となるため退職することとなる中期目標管理法人役職員であって、当該退職手当通算法人等に在職した後、特別の事情がない限り引き続いて採用が予定されている者のうち政令で定めるものをいう。

(5) The term "Officer or Employee Scheduled to Receive an Aggregate Retirement Allowance" referred to in paragraph (2), item (ii) means an Officer or Employee of an Agency Managed under the Medium-term Objectives who, at the request of the Agency Managed under the Medium-term Objectives, is to retire to become an officer or employee of an Agency, etc. Subject to Aggregation of Retirement Allowance (meaning an Agency, etc. Subject to Aggregation of Retirement Allowance provided for in the preceding paragraph; the same applies hereinafter) with no interruption between the two periods of service, and is expected to be reemployed by the Agency Managed under the Medium-term Objective after working for the Agency, etc. Subject to Aggregation of Retirement Allowance with no interruption between the two periods of service, unless there are special circumstances, and who is specified by Cabinet Order.

6 第一項の規定によるもののほか、中期目標管理法人の役員又は職員は、この法律、個別法若しくは他の法令若しくは当該中期目標管理法人が定める業務方法書、第四十九条に規定する規程その他の規則に違反する職務上の行為（以下「法令等違反行為」という。）をすること若しくはしたこと又は当該中期目標管理法人の他の役員若しくは職員に法令等違反行為をさせること若しくはさせたことに関し、営利企業等に対し、当該中期目標管理法人の他の役員若しくは職員をその離職後に、又は当該中期目標管理法人の役員若しくは職員であった者を、当該営利企業等の地位に就かせることを要求し、又は依頼してはならない。

(6) Beyond what is provided for in paragraph (1), an officer or employee of an Agency Managed under the Medium-term Objectives must not demand or request an Enterprise for Profit, etc. to offer a position with the enterprise, etc. to another officer or employee of the Agency Managed under the Medium-term Objectives, after the separation from the service, or to a person who formerly served as an officer or employee of the Agency Managed under the Medium-term Objectives, in relation to engaging in or having engaged in any Act, in the course of duties thereof, which violates this Act, the relevant Individual Act or other laws and orders, or the statement of operational procedures, rules established by the agency provided for in Article 49 or any other regulations (hereinafter referred to as an " Act that Violates the Laws and Orders, etc."), or



in relation to causing or having caused another officer or employee of the Agency Managed under the Medium-term Objectives to engage in committing an Act that Violates the Laws and Orders , etc.

(法令等違反行為に関する在職中の求職の規制)

(Restriction on Job-Seeking Involving an Act that Violates the Laws and Orders While in Office)

第五十条の五 中期目標管理法人の役員又は職員は、法令等違反行為をすること若しくはしたこと又は中期目標管理法人の他の役員若しくは職員に法令等違反行為をさせること若しくはさせたことに関し、営利企業等に対し、離職後に当該営利企業等の地位に就くことを要求し、又は約束してはならない。

Article 50-5 An officer or employee of an Agency Managed under the Medium-term Objectives must not demand an Enterprise for Profit, etc. to offer a position with the Enterprise for Profit, etc. or promise to an Enterprise for Profit, etc. to assume a position with the Enterprise for Profit, etc. after the separation from the service, in relation to engaging or having engaged in any Act that Violates the Laws and Orders, etc. or in relation to causing or having caused another officer or employee of the Agency Managed under the Medium-term Objectives to engage in committing an Act that Violates the Laws and Orders, etc.

(再就職者による法令等違反行為の依頼等の届出)

(Notification of Request, for an Act that Violates the Laws and Orders by Reemployed Officers or Employees)

第五十条の六 中期目標管理法人の役員又は職員は、次に掲げる要求又は依頼を受けたときは、政令で定めるところにより、当該中期目標管理法人の長にその旨を届け出なければならない。

Article 50-6 If an officer or employee of an Agency Managed under the Medium-term Objectives receives a demand or request as set forth in the following items, the officer or employee must notify the president of the Agency Managed under the Medium-term Objectives to that effect pursuant to the provisions of Cabinet Order:

一 中期目標管理法人役員職員であった者であって離職後に営利企業等の地位に就いている者（以下この条において「再就職者」という。）が、離職後二年を経過するまでの間に、離職前五年間に在職していた当該中期目標管理法人の内部組織として主務省令で定めるものに属する役員又は職員に対して行う、当該中期目標管理法人と当該営利企業等との間で締結される売買、賃借、請負その他の契約又は当該営利企業等に対して行われる行政手続法（平成五年法律第八十八号）第二条第二号に規定する処分に関する事務（当該中期目標管理法人の業務に係るものに限る。次号において「契約等事務」という。）であって離職前五年間の職務に属するものに関する法令等違反行為の要求又は依頼

(i) a demand or request for an Act that Violates the Laws and Orders, etc. made within the period of two years after the separation from the service by a person who formerly served as an Officer or Employee of an Agency Managed under the Medium-term Objectives and who has assumed the position with an Enterprise for Profit, etc. after separation from the service (hereinafter referred to as a "Reemployed Officer or Employee" in this Article) to an officer or employee who belongs to an organization specified by order of the competent ministry as an internal organization of the Agency Managed under the Medium-term Objectives to which the Reemployed Officer or Employee had belonged within five years before the separation from service, where such demand or request relates to a sale and purchase contract, lease contract, contract for work or any other contract concluded between the Agency Managed under the Medium-term Objectives and the Enterprise for Profit, etc., or to the processes concerning the disposition provided for in Article 2, item (ii) of the Administrative Procedure Act (Act No. 88 of 1993) and rendered to the Enterprise for Profit, etc. (limited to those pertaining to the operations of the Agency Managed under the Medium-term Objectives; referred to as "Contract Handling Processes, etc." in the following item), which fall within the scope of duties of the Reemployed Officer or Employee within the period of five years before the separation from the service;

二 前号に掲げるもののほか、再就職者のうち、当該中期目標管理法の役員又は管理若しくは監督の地位として主務省令で定めるものに就いていた者が、離職後二年を経過するまでの間に、当該中期目標管理法の役員又は職員に対して行う、契約等事務に関する法令等違反行為の要求又は依頼

(ii) beyond what is set forth in the preceding item, a demand or request for an Act that Violates the Laws and Orders, etc. made within the period of two years after the separation from the service by a Reemployed Officer or Employee who had assumed the position of an officer or a position specified by order of the competent ministry as a managerial or supervisory position of the Agency Managed under the Medium-term Objectives to an officer or employee of the Agency Managed under the Medium-term Objectives, in relation to the Contract Handling Processes; and

三 前二号に掲げるもののほか、再就職者が行う、当該中期目標管理法と営利企業等（当該再就職者が現にその地位に就いているものに限る。）との間の契約であって当該中期目標管理法においてその締結について自らが決定したもの又は当該中期目標管理法による当該営利企業等に対する行政手続法第二条第二号に規定する処分であって自らが決定したものである法令等違反行為の要求又は依頼

(iii) beyond what is set forth in the preceding two items, a demand or request for a Violation of Laws and Orders, etc. made by a Reemployed Officer or Employee, in relation to a contract between the Agency Managed under the

Medium-term Objectives and an Enterprise for Profit, etc. (limited to an enterprise, etc. with which the Reemployed Officer or Employee presently holds a position) for which the Reemployed Officer or Employee made the decision as to the conclusion thereof while in office in the Agency Managed under the Medium-term Objectives, or in relation to a disposition provided for in Article 2, item (ii) of the Administrative Procedure Act and rendered from the agency to the enterprise, etc. for which the Reemployed Officer or Employee made the decision.

(中期目標管理法人の長への届出)

(Notification to President of Agency Managed Under the Medium-term Objectives)

第五十条の七 中期目標管理法人事職員（第五十条の四第五項に規定する退職手当通算予定役職員を除く。）は、離職後に営利企業等の地位に就くことを約束した場合には、速やかに、政令で定めるところにより、中期目標管理法人の長に政令で定める事項を届け出なければならない。

Article 50-7 (1) If an Officer and Employee of an Agency Managed under the Medium-term Objectives (other than an Officer or Employee Scheduled to Receive an Aggregate Retirement Allowance provided for in Article 50-4, paragraph (5)) makes a promise to assume a position with an Enterprise for Profit, etc. after the separation from the service, the officer or employee must promptly notify the president of the Agency Managed under the Medium-term Objectives of the matters specified by Cabinet Order, pursuant to the provisions of Cabinet Order.

2 前項の規定による届出を受けた中期目標管理法人の長は、当該中期目標管理法人の業務の公正性を確保する観点から、当該届出を行った中期目標管理法人事職員の職務が適正に行われるよう、人事管理上の措置を講ずるものとする。

(2) The president of the Agency Managed under the Medium-term Objectives who received the notification under the provisions of the preceding paragraph is to take measures for personnel management from the standpoint of securing fairness in the operations of the Agency Managed under the Medium-term Objectives, so as to ensure that the duties of the officer or employee who made the notification will be performed in a proper manner.

(中期目標管理法人の長がとるべき措置等)

(Measures to Be Taken by the President of an Agency Managed Under Medium-term Objectives)

第五十条の八 中期目標管理法人の長は、当該中期目標管理法人の役員又は職員が第五十条の四から前条までの規定に違反する行為をしたと認めるときは、当該役員又は職員に対する監督上の措置及び当該中期目標管理法における当該規定の遵守を確保するために必要な措置を講じなければならない。

Article 50-8 (1) If the president of an Agency Managed under the Medium-term Objectives finds that any officer or employee of the Agency Managed under the Medium-term Objectives has committed an act in violation of any of the provisions of Article 50-4 through the preceding Article, the president must take supervisory measures against the officer or employee and measures necessary to ensure the compliance of the Agency Managed under the Medium-term Objectives with these provisions.

2 第五十条の六の規定による届出を受けた中期目標管理法人の長は、当該届出に係る要求又は依頼の事実があると認めるときは、当該要求又は依頼に係る法令等違反行為を確実に抑止するために必要な措置を講じなければならない。

(2) If the president of an Agency Managed under the Medium-term Objectives receives the notification under the provisions of Article 50-6 and finds any evidence for a demand or request as mentioned concerning the notification, the president must take measures necessary to ensure the prevention of the occurrence of a Violation of Laws and Orders, etc. pertaining to the demand or request.

3 中期目標管理法人の長は、毎年度、第五十条の六の規定による届出及び前二項の措置の内容を取りまとめ、政令で定めるところにより、主務大臣に報告しなければならない。

(3) For each year, the president of an Agency Managed under the Medium-term Objectives must prepare a report on the notification under the provisions of Article 50-6 and the details of the measures referred to in the preceding two paragraphs and submit it to the competent minister pursuant to the provisions of Cabinet Order.

(政令への委任)

(Delegation to Cabinet Order)

第五十条の九 第五十条の四から前条までの規定の実施に関し必要な手続は、政令で定める。

Article 50-9 Cabinet Order prescribes the procedures necessary for the implementation of the provisions of Article 50-4 through the preceding Article.

(職員の給与等)

(Salaries of Employees)

第五十条の十 中期目標管理法人の職員の給与は、その職員の勤務成績が考慮されるものでなければならない。

Article 50-10 (1) The salaries of employees of an Agency Managed under the Medium-term Objectives must consider the work performance of the respective employees.

2 中期目標管理法人は、その職員の給与等の支給の基準を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

(2) An Agency Managed under the Medium-term Objectives must specify the standards for payment of the Salaries, etc. for its employees, and must notify the competent minister of such standards and make them public. The same applies when the agency revises such standards.

3 前項の給与等の支給の基準は、一般職の職員の給与に関する法律（昭和二十五年法律第九十五号）の適用を受ける国家公務員の給与等、民間企業の従業員の給与等、当該中期目標管理法の業務の実績並びに職員の職務の特性及び雇用形態その他の事情を考慮して定められなければならない。

(3) The standards for the payment of the Salaries, etc. referred to in the preceding paragraph must be determined by taking into consideration the Salaries, etc. of national government employees to whom the Act on Remuneration of Officials in the Regular Service (Act No. 95 of 1950) applies, the Salaries, etc. of employees of private enterprises, the operational performance of the relevant Agency Managed under the Medium-term Objectives, the nature of duties of employees, the employment status of employees, and any other circumstances.

（国立研究開発法人への準用）

(Mutatis Mutandis Application to National Research and Development Agency)  
第五十条の十一 第五十条の二から前条までの規定は、国立研究開発法人について準用する。この場合において、第五十条の四第二項第四号中「第三十二条第一項」とあるのは「第三十五条の六第一項」と、「中期目標の期間」とあるのは「中長期目標の期間」と、同項第五号中「第三十五条第一項」とあるのは「第三十五条の七第一項」と読み替えるものとする。

Article 50-11 The provisions of Article 50-2 through the preceding Article applies mutatis mutandis to a National Research and Development Agency. In this case, the phrase "Article 32, paragraph (1)" in Article 50-4, paragraph (2), item (iv) is deemed to be replaced with "Article 35-6, paragraph (1)," and the phrase "Period for the Medium-term Objectives" is deemed to be replaced with "Period for the Medium to Long-term Objectives," and the phrase "Article 35, paragraph (1)" in item (v) of the paragraph is deemed to be replaced with "Article 35-7, paragraph (1)."

## 第二節 行政執行法人

### Section 2 Agency Engaged in Administrative Execution

（役員及び職員の身分）

(Status of Officers and Employees)

第五十一条 行政執行法人の役員及び職員は、国家公務員とする。

Article 51 The officers and employees of an Agency Engaged in Administrative Execution are national government employees.

(役員の報酬等)

(Remuneration, etc. of Officers)

第五十二条 行政執行法人の役員に対する報酬等は、その役員の業績が考慮されるものでなければならない。

Article 52 (1) The Remuneration, etc. of officers of an Agency Engaged in Administrative Execution must take into consider the performance of the respective officers.

2 行政執行法人は、その役員に対する報酬等の支給の基準を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

(2) An Agency Engaged in Administrative Execution must specify the standards for the payment of the Remuneration, etc. of its officers, and must notify the competent minister of such standards and make them public. The same applies when the agency revises such standards.

3 前項の報酬等の支給の基準は、国家公務員の給与等を参酌し、かつ、民間企業の役員の報酬等、当該行政執行法人の業務の実績及び事業計画の第三十五条の十第三項第三号の人件費の見積りその他の事情を考慮して定められなければならない。

(3) The standards for the payment of the Remuneration, etc. referred to in the preceding paragraph must be specified by making reference to the Salaries, etc. of national government employees, and by taking into consideration the Remuneration, etc. of officers of private enterprises, the operational performance of the relevant Agency Engaged in Administrative Execution, the estimate of personnel expenses referred to in Article 35-10, paragraph (3), item (iii) for the Annual Objective Plan, and any other circumstances.

(役員の服務)

(Services of Officers)

第五十三条 行政執行法人の役員（以下この条から第五十六条まで及び第六十九条において単に「役員」という。）は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も、同様とする。

Article 53 (1) An officer of an Agency Engaged in Administrative Execution (hereinafter simply referred to as an "Officer" from this Article through Article 56 and Article 69) must not disclose any secrets which the Officer has come to know in the course of their duties. The same applies after the Officer has retired.

2 前項の規定は、次条第一項において準用する国家公務員法（昭和二十二年法律第二百十号）第十八条の四及び次条第六項の規定により権限の委任を受けた再就職等監視委員会で扱われる調査の際に求められる情報に関しては、適用しない。

(2) The provisions of the preceding paragraph do not apply to information required for the investigation at the Reemployment Surveillance Commission delegated pursuant to the provisions of Article 18-4 of the National Public

Service Act (Act No. 120 of 1947) as applied mutatis mutandis pursuant to paragraph (1) of the following Article, and pursuant to the provisions of paragraph (6) of the following Article.

3 役員は、前項の調査に際して再就職等監視委員会から陳述し、又は証言することを求められた場合には、正当な理由がないのにこれを拒んではならない。

(3) If an Officer is requested by the Reemployment Surveillance Commission to make a statement or to testify for the purpose of the investigation referred to in the preceding paragraph, the Officer must not refuse such request without reasonable grounds.

4 役員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。

(4) While in office, an Officer must not become an officer of a political party or any other political organization, or actively engage in a political campaign.

5 役員（非常勤の者を除く。次条において同じ。）は、在任中、任命権者の承認のある場合を除くほか、報酬を得て他の職務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行ってはならない。

(5) While in office, an Officer (other than a part-time Officer; the same applies in the following Article) must not engage in any other service for remuneration, operate a business for profit, or carry out any other operations for monetary profit, except when the Officer obtains the approval of the appointer.

（役員の退職管理）

**(Retirement Management of Officers)**

第五十四条 国家公務員法第十八条の二第一項、第十八条の三第一項、第十八条の四、第十八条の五第一項、第十八条の六、第百六条の二（第二項第三号を除く。）、第百六条の三、第百六条の四及び第百六条の十六から第百六条の二十七までの規定（これらの規定に係る罰則を含む。）、同法第百九条（第十四号から第十八号までに係る部分に限る。）並びに第百十二条の規定は、役員又は役員であった者について準用する。この場合において、同法第十八条の二第一項中「採用試験の対象官職及び種類並びに採用試験により確保すべき人材に関する事務、標準職務遂行能力、採用昇任等基本方針、幹部職員の任用等に係る特例及び幹部候補育成課程に関する事務（第三十三条第一項に規定する根本基準の実施につき必要な事務であつて、行政需要の変化に対応するために行う優れた人材の養成及び活用の確保に関するものを含む。）、一般職の職員の給与に関する法律第六条の二第一項の規定による指定職俸給表の適用を受ける職員の号俸の決定の方法並びに同法第八条第一項の規定による職務の級の定数の設定及び改定に関する事務並びに職員の人事評価（任用、給与、分限その他の人事管理の基礎とするために、職員がその職務を遂行するに当たり発揮した能力及び挙げた業績を把握した上で行われる勤務成績の評価をいう。以下同じ。）、研修、能率、厚生、服務、退職管理等に関する事務（第三条第二項の規定により人事院の所掌に属するものを除く。）」とあるのは「役員の退職管理に関する事務」と、同法第十八条の三第一項及び第百六条の十六中「第百六条の二から第百六条の四まで」とあるのは「独立行

政法人通則法第五十四条第一項において準用する第百六条の二から第百六条の四まで」と、同法第百六条の二第二項及び第四項、第百六条の三第二項並びに第百六条の四第二項中「前項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前項」と、同法第百六条の二第二項第二号及び第四項、第百六条の三第二項第一号、第百六条の四第一項並びに第百六条の二十三第一項中「退職手当通算予定職員」とあるのは「退職手当通算予定役員」と、同法第百六条の二第二項第二号中「独立行政法人通則法第五十四条第一項において読み替えて準用する第四項に規定する退職手当通算予定役員を同条第一項において準用する次項」とあるのは「第四項に規定する退職手当通算予定職員を次項」と、同条第三項及び同法第百六条の二十四第二項中「前項第二号」とあるのは「独立行政法人通則法第五十四条第一項において準用する前項第二号」と、同法第百六条の二第四項中「第二項第二号」とあるのは「独立行政法人通則法第五十四条第一項において準用する第二項第二号」と、「選考による採用」とあるのは「任命」と、同法第百六条の三第二項第一号中「前条第四項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前条第四項」と、同法第百六条の四第三項中「前二項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前二項」と、同条第四項中「前三項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前三項」と、同条第五項中「前各項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前各項」と、同法第百六条の二十二中「第百六条の五」とあるのは「独立行政法人通則法第五十四条第一項において準用する第百六条の十六」と、同法第百六条の二十三第三項中「当該届出を行つた職員が管理又は監督の地位にある職員の官職として政令で定めるものに就いている職員（以下「管理職職員」という。）である場合には、速やかに」とあるのは「速やかに」と、同法第百六条の二十四中「前条第一項」とあるのは「独立行政法人通則法第五十四条第一項において準用する前条第一項」と、同法第百九条第十八号中「第十四号から前号までに掲げる再就職者から要求又は依頼（独立行政法人通則法第五十四条第一項において準用する第十四号から前号まで」とあるのは「独立行政法人通則法第五十四条第一項において準用する第十四号から前号までに掲げる再就職者から要求又は依頼（第十四号から前号まで」と、同法第百十二条第一号中「第百六条の二第一項」とあるのは「独立行政法人通則法第五十四条第一項において準用する第百六条の二第一項」と、同法第百十三条第一号中「第百六条の四第一項から第四項まで」とあるのは「独立行政法人通則法第五十四条第一項において準用する第百六条の四第一項から第四項まで」と、同条第二号中「第百六条の二十四第一項」とあるのは「独立行政法人通則法第五十四条第一項において準用する第百六条の二十四第一項」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。

Article 54 (1) The provisions of Article 18-2, paragraph (1), Article 18-3, paragraph (1), Article 18-4, Article 18-5, paragraph (1), Article 18-6, Article 106-2 (excluding paragraph (2), item (iii)), Article 106-3, Article 106-4, and Article 106-16 through Article 106-27 of the National Public Service Act (including penal provisions pertaining to these provisions), as well as the provisions of Article 109 (limited to the portion pertaining to items (xiv) to (xviii)) and Article 112 of the Act apply mutatis mutandis to an Officer or a



former Officer. In this case: in Article 18-2, paragraph (1) of the Act, the phrase "affairs concerning government positions pertaining to recruitment examinations, types of recruitment examinations and human resources to be secured by recruitment examinations , affairs concerning the ability to perform standard duties, basic policy on initial appointment, promotion, etc., special provisions for appointment, etc. of executive officials and fostering courses for executive candidates (including matters necessary for enforcing the basic standard provided for in Article 33, paragraph (1), concerning cultivation and utilization of excellent personnel in order to deal with change of demand for administrative services), affairs concerning methods of deciding the pay step for officials to whom the designated service salary schedule applies, provided for by Article 6-2, paragraph (1) of the Act on Remuneration of Officials in the Regular Service and deciding and revising the fixed numbers of officials in each grade of the salary schedules provided for by Article 8, paragraph (1) of said Act; and affairs concerning personnel evaluation of officials (which mean the evaluation of official's work performance after understanding their abilities and achievements shown in the course of duty in order to form a basis for appointment, remuneration, status, and other personnel management; the same applies hereinafter), training, efficiency, welfare, service discipline, and retirement management, etc. of officials (except those particulars under the jurisdiction of the National Personnel Authority, pursuant to the provisions of Article 3, paragraph (2))" is deemed to be replaced with "affairs relating to retirement management of officers"; in Article 18-3, paragraph (1) and Article 106-16 in the Act, the phrase "Article 106-2 to Article 106-4" is deemed to be replaced with "Article 106-2 through Article 106-4 as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-2, paragraphs (2) and (4), Article 106-3, paragraph (2) and Article 106-4, paragraph (2) of the Act, the phrase "the preceding paragraph" is deemed to be replaced with "the preceding paragraph as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-2, paragraph (2), item (ii) and paragraph (4), Article 106-3, paragraph (2), item (i), Article 106-4, paragraph (1) and Article 106-23, paragraph (1) of the Act, the phrase "official scheduled to receive an aggregate retirement allowance" is deemed to be replaced with "officer scheduled to receive an aggregate retirement allowance"; in Article 106-2, paragraph (2), item (ii) of the Act, the phrase "including cases where the purpose is to have an officer scheduled to receive an aggregate retirement allowance provided for in paragraph (4) as applied mutatis mutandis by replacing the terms under Article 54-2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency, assume a position in the aggregate retirement

allowance corporation provided for in the following paragraph as applied mutatis mutandis pursuant to the provisions of paragraph (1) of the same Article" is deemed to be replaced with "including the cases where the purpose is to have an employee scheduled to receive an aggregate retirement allowance provided for in paragraph (4) assume a position in the Agency, etc. Subject to Aggregation of Retirement Allowance provided for in the following paragraph"; in Article 106-2, paragraph (3) and Article 106-24, paragraph (2) of the Act, the phrase "item (ii) of the preceding paragraph" is deemed to be replaced with "item (ii) of the preceding paragraph, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-2, paragraph (4) of the Act, the phrase " paragraph (2), item (ii)" is deemed to be replaced with "paragraph (2), item (ii), as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies," and the phrase "appointed by means of selection" is deemed to be replaced with "appointed"; in Article 106-3, paragraph (2), item (i) of the Act, the phrase "paragraph (4) of the preceding Article" is deemed to be replaced with "paragraph (4) of the preceding Article, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-4, paragraph (3) of the Act, the phrase "the preceding two paragraphs" is deemed to be replaced with "the preceding two paragraphs, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-4, paragraph (4) of the Act, the phrase "the preceding three paragraphs" is deemed to be replaced with "the preceding three paragraphs, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-4, paragraph (5) of the Act, the phrase "the preceding paragraphs" is deemed to be replaced with "the preceding paragraphs, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-22 of the Act, the term "Article 106-5" is deemed to be replaced with "Article 106-16 as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 106-23, paragraph (3) of the Act, the phrase "promptly notify the particulars pertaining to the said notification to the Prime Minister, when the official who submitted said notification is an official holding a managerial or supervisory government position (hereinafter referred to as a "managerial-supervisory official") specified by Cabinet Order" is deemed to be replaced with "promptly notify the Prime Minister of the particulars pertaining to the notification"; in Article 106-24 of the Act, the phrase "paragraph (1) of the preceding Article" is deemed to

be replaced with "paragraph (1) of the preceding Article as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 109, item (xviii) of the Act, the phrase "a demand or request (including a demand or request listed in item (xiv) through the preceding item, as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency) from reemployed officials listed in item (xiv) through the preceding item" is deemed to be replaced with "a demand or request (including a demand or request listed in item (xiv) through the preceding item) from a Reemployed Officer and Employee set forth in item (xiv) to the preceding item as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agency"; in Article 112, item (i) of the Act, the phrase "Article 106-2, paragraph (1)" is deemed to be replaced with "Article 106-2, paragraph (1) as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 113, item (i) of the Act, the phrase "Article 106-4, paragraphs (1) to (4)" is deemed to be replaced with "Article 106-4, paragraphs (1) through (4) as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; in Article 113, item (ii) of the Act, the phrase "Article 106-24, paragraph (1)" is deemed to be replaced with "Article 106-24, paragraph (1) as applied mutatis mutandis pursuant to Article 54, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies"; any other necessary technical changes in interpretation are specified by Cabinet Order.

2 内閣総理大臣は、前項において準用する国家公務員法第十八条の三第一項の調査に関し必要があるときは、証人を喚問し、又は調査すべき事項に関係があると認められる書類若しくはその写しの提出を求めることができる。

(2) If it is necessary in relation to the investigation referred to in Article 18-3, paragraph (1) of the National Public Service Act as applied mutatis mutandis pursuant to the preceding paragraph, the Prime Minister may summon a witness, or request the submission of documents which may be considered relevant to the matters to be investigated or copies thereof.

3 内閣総理大臣は、第一項において準用する国家公務員法第十八条の三第一項の調査に関し必要があると認めるときは、当該調査の対象である役員若しくは役員であった者に出頭を求めて質問し、又は当該役員の勤務する場所（役員として勤務していた場所を含む。）に立ち入り、帳簿、書類その他の必要な物件を検査し、若しくは関係人に質問することができる。

(3) When the Prime Minister finds it necessary in relation to the investigation referred to in Article 18-3, paragraph (1) of the National Public Service Act as applied mutatis mutandis pursuant to paragraph (1), the Prime Minister may

summon an Officer or a former Officer who is under investigation to appear and question the Officer, or may enter the place where the Officer works (including places where the Officer has worked before as an Officer), inspect books, documents and other objects as necessary, or question the persons concerned.

4 前項の規定により立入検査をする者は、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) A person who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an identification card and present it to the persons concerned.

5 第三項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 for the on-site inspection pursuant to the provisions of paragraph (3) must not be interpreted as having been accorded for the purpose of a criminal investigation.

6 内閣総理大臣は、第二項及び第三項の規定による権限を再就職等監視委員会に委任する。

(6) The Prime Minister delegates the authority under the provisions of paragraphs (2) and (3) to the Reemployment Surveillance Commission.

(役員災害補償)

(Accident Compensation for Officers)

第五十五条 役員は、公務上の災害又は通勤による災害に対する補償及び公務上の災害又は通勤による災害を受けた役員に対する福祉事業については、行政執行法人の職員の例による。

Article 55 Compensation for an accident in the line of public duty or a commuting accident of an Officer or welfare services for an Officer who was involved in an accident in the line of public duty or a commuting accident, is governed by the rules for an employee of an Agency Engaged in Administrative Execution.

(役員に係る労働者災害補償保険法の適用除外)

(Exclusion of Officers from Application of the Industrial Accident Compensation Insurance Act)

第五十六条 労働者災害補償保険法（昭和二十二年法律第五十号）の規定は、役員には適用しない。

Article 56 The provisions of the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947) do not apply to Officers.

(職員の給与)

(Salaries of Employees)

第五十七条 行政執行法人の職員の給与は、その職務の内容と責任に応ずるものであり、かつ、職員が発揮した能率が考慮されるものでなければならない。

Article 57 (1) The salaries of employees of an Agency Engaged in Administrative Execution must be in accordance with the contents of their duties and the level of their responsibility and the efficiency demonstrated by the respective employees must be taken into consideration.

2 行政執行法人は、その職員の給与の支給の基準を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

(2) An Agency Engaged in Administrative Execution must specify the standards for the payment of salaries of its employees, and must notify the competent minister of such standards and make them public. The same applies when the agency revises such standards.

3 前項の給与の支給の基準は、一般職の職員の給与に関する法律の適用を受ける国家公務員の給与を参酌し、かつ、民間企業の従業員の給与、当該行政執行法人の業務の実績及び事業計画の第三十五条の十第三項第三号の人件費の見積りその他の事情を考慮して定められなければならない。

(3) The standards for the payment of salaries referred to in the preceding paragraph must be specified by making reference to the salaries of national government employees to whom the Act on Remuneration of Officials in the Regular Service applies, and by taking into consideration the salaries of employees of private enterprises, the operational performance of the relevant Agency Engaged in Administrative Execution, the estimate of personnel expenses referred to in Article 35-10, paragraph (3), item (iii) for the Annual Objective Plan, and any other circumstances.

(職員の勤務時間等)

(Working Hours of Employees)

第五十八条 行政執行法人は、その職員の勤務時間、休憩、休日及び休暇について規程を定め、これを主務大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

Article 58 (1) An Agency Engaged in Administrative Execution must provide rules on the working hours, recesses, holidays and leave of its employees, and must notify the competent minister of such rules and make them public. The same applies when the agency revises such rules.

2 前項の規程は、一般職の職員の勤務時間、休暇等に関する法律（平成六年法律第三十三号）の適用を受ける国家公務員の勤務条件その他の事情を考慮したものでなければならない。

(2) The rules referred to in the preceding paragraph must take into consideration the working conditions of national government employees to whom the Act on Working Hours, Leave, etc. for National Public Officers Engaged in Regular Services (Act No. 33 of 1994) applies, and any other circumstances.

(職員に係る他の法律の適用除外等)

**(Exclusion of Employees from Application of Other Laws)**

第五十九条 次に掲げる法律の規定は、行政執行法人の職員（以下この条において単に「職員」という。）には適用しない。

**Article 59 (1) The following provisions of the laws do not apply to employees of an Agency Engaged in Administrative Execution (hereinafter simply referred to as "Employees" in this Article):**

一 労働者災害補償保険法の規定

**(i) the provisions of the Industrial Accident Compensation Insurance Act;**

二 国家公務員法第十八条、第二十八条（第一項前段を除く。）、第六十二条から第七十条まで、第七十条の三第二項及び第七十条の四第二項、第七十五条第二項並びに第百六条の規定

**(ii) the provisions of Article 18, Article 28 (other than the first sentence of paragraph (1)), Articles 62 through 70, Article 70-3, paragraph (2), Article 70-4, paragraph (2), Article 75, paragraph (2) and Article 106 of the National Public Service Act;**

三 国家公務員の寒冷地手当に関する法律（昭和二十四年法律第二百号）の規定

**(iii) the provisions of the Act on Special Allowances for National Public Officers Serving in Cold Districts (Act No. 200 of 1949);**

四 一般職の職員の給与に関する法律の規定

**(iv) the provisions of the Act on Remuneration of Officials in the Regular Service;**

五 削除

**(v) deleted;**

六 国家公務員の育児休業等に関する法律（平成三年法律第百九号）第五条第二項、第八条、第九条、第十六条から第十九条まで及び第二十四条から第二十六条までの規定

**(vi) the provisions of Article 5, paragraph (2), Article 8, Article 9, Articles 16 through 19, and Articles 24 through 26 of the Act on Childcare Leave, etc. of National Public Officers (Act No. 109 of 1991);**

七 一般職の職員の勤務時間、休暇等に関する法律の規定

**(vii) the provisions of the Act on Working Hours, Leave, etc. for National Public Officers Engaged in Regular Services;**

八 一般職の任期付職員の採用及び給与の特例に関する法律（平成十二年法律第百二十五号）第七条から第九条までの規定

**(viii) the provisions of Articles 7 through 9 of the Act on Special Measures of Employment and Remuneration of Officials with Fixed Term of Office in the Regular Service (Act No. 125 of 2000);**

九 国家公務員の自己啓発等休業に関する法律（平成十九年法律第四十五号）第五条第二項及び第七条の規定

(ix) the provisions of Article 5, paragraph (2) and Article 7 of the Act on National Public Officers' Leave for Self-Development, etc. (Act No. 45 of 2007); and

十 国家公務員の配偶者同行休業に関する法律（平成二十五年法律第七十八号）第五条第二項及び第八条の規定

(x) the provisions of Article 5, paragraph (2) and Article 8 of the Act on Leave of National Government Employees Relocating due to Job Transfer of Spouses (Act No. 78 of 2013).

2 職員に関する国家公務員法の適用については、同法第二条第六項中「政府」とあるのは「独立行政法人通則法第二条第四項に規定する行政執行法人（以下「行政執行法人」という。）」と、同条第七項中「政府又はその機関」とあるのは「行政執行法人」と、同法第三十四条第一項第五号中「内閣総理大臣」とあるのは「行政執行法人」と、同条第二項中「政令で定める」とあるのは「行政執行法人が定めて公表する」と、同法第六十条第一項中「場合には、人事院の承認を得て」とあるのは「場合には」と、「により人事院の承認を得て」とあるのは「により」と、同法第七十条の三第一項中「その所轄庁の長」とあるのは「当該職員の勤務する行政執行法人の長」と、同法第七十条の四第一項中「所轄庁の長」とあるのは「職員の勤務する行政執行法人の長」と、同法第七十八条第四号中「官制」とあるのは「組織」と、同法第八十条第四項中「給与に関する法律」とあるのは「独立行政法人通則法第五十七条第二項に規定する給与の支給の基準」と、同法第八十一条の二第二項各号中「人事院規則で」とあるのは「行政執行法人の長が」と、同法第八十一条の三第二項中「ときは、人事院の承認を得て」とあるのは「ときは」と、同法第百条第二項中「、所轄庁の長」とあるのは「、当該職員の勤務する行政執行法人の長」と、「の所轄庁の長」とあるのは「の属する行政執行法人の長」と、同法第百一条第一項中「政府」とあるのは「当該職員の勤務する行政執行法人」と、同条第二項中「官庁」とあるのは「行政執行法人」と、同法第百三条第二項中「所轄庁の長」とあるのは「当該職員の勤務する行政執行法人の長」と、同法第百四条中「内閣総理大臣及びその職員の所轄庁の長」とあるのは「当該職員の勤務する行政執行法人の長」とする。

(2) With regard to the application of the National Public Service Act to Employees, the term "government" in Article 2, paragraph (6) of the Act is deemed to be replaced with "Agency Engaged in Administrative Execution provided for in Article 2, paragraph (4) of the Act on General Rules for Incorporated Administrative Agencies (hereinafter referred to as an Agency Engaged in Administrative Execution)," the phrase "the government or governmental organ" in paragraph (7) of the Article is deemed to be replaced with "the Agency Engaged in Administrative Execution," the term "the Prime Minister" in Article 34, paragraph (1), item (v) of the Act is deemed to be replaced with "the Agency Engaged in Administrative Execution," the phrase "specified by Cabinet Order" in paragraph (2) of the Article is deemed to be replaced with "specified and publicized by an Agency Engaged in Administrative Execution," the phrase "may effect, with the approval of the

National Personnel Authority" in Article 60, paragraph (1) of the Act is deemed to be replaced with "may effect," the phrase "may, with the approval of the National Personnel Authority" in the paragraph is deemed to be replaced with "may," the phrase "the head of the government agency appointing those officials" in Article 70-3, paragraph (1) of the Act is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution for which the employee works," the phrase "the head of the government agency appointing officials" in Article 70-4, paragraph (1) of the Act is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution for which the employee works," the term "the administrative organization" in Article 78, item (iv) of the Act is deemed to be replaced with "the organization," the phrase "the Act on Remuneration" in Article 80, paragraph (4) of the Act is deemed to be replaced with "the standards for the payment of salaries provided for in Article 57, paragraph (2) of the Act on General Rules for Incorporated Administrative Agencies," the phrase "by the rules of the National Personnel Authority" in the items of Article 81-2, paragraph (2) of the Act is deemed to be replaced with "by the president of the Agency Engaged in Administrative Execution," the phrase "one year, with the approval of the National Personnel Authority" in Article 81-3, paragraph (2) of the Act is deemed to be replaced with "one year," the phrase "the head of the government agency appointing the official" in Article 100, paragraph (2) of the Act is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution for which the employee works," the phrase "the head of the government agency having jurisdiction over" in the paragraph is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution," the term "the government" in Article 101, paragraph (1) of the Act is deemed to be replaced with "the Agency Engaged in Administrative Execution for which the employee works," the term "government agency" in paragraph (2) of the Act is deemed to be replaced with "Agency Engaged in Administrative Execution," the phrase "the head of the government agency appointing that official" in Article 103, paragraph (2) of the Act is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution for which the employee works," and the phrase "the Prime Minister and the head of the government agency appointing that official" in Article 104 of the Act is deemed to be replaced with "the president of the Agency Engaged in Administrative Execution for which the employee works."

- 3 職員に関する国際機関等に派遣される一般職の国家公務員の処遇等に関する法律（昭和四十五年法律第百十七号）第五条及び第六条第三項の規定の適用については、同法第五条第一項中「俸給、扶養手当、地域手当、広域異動手当、研究員調整手当、住居手当及び期末手当のそれぞれ百分の百以内」とあるのは「給与」と、同条第二項中「人事院規則（派遣職員が検察官の俸給等に関する法律（昭和二十三年法律第七十



六号)の適用を受ける職員である場合にあつては、同法第三条第一項に規定する準則)」とあるのは「独立行政法人通則法(平成十一年法律第百三号)第五十七条第二項に規定する給与の支給の基準」と、同法第六条第三項中「国は」とあるのは「独立行政法人通則法第二条第四項に規定する行政執行法人は」と、「同法」とあるのは「国家公務員災害補償法」とする。

(3) With regard to the application of the provisions of Article 5 and Article 6, paragraph (3) of the Act on Treatment, etc. of National Public Officers Engaged in Regular Services Dispatched to International Organizations, etc. (Act No. 117 of 1970), the phrase "no more than one hundred percent of the salary, dependency allowance, district allowance, wide-area transfer allowance, researcher adjustment allowance, housing allowance and term-end allowance" in Article 5, paragraph (1) of the Act is deemed to be replaced with "salary," the phrase "rules of the National Personnel Authority (in the case where the dispatched official is subject to the application of the Act on the Salaries of Public Prosecutors (Act No. 76 of 1948), the rules provided for in Article 3, paragraph (1) of the Act" in paragraph (2) of the Article is deemed to be replaced with "the standards on the payment of salaries provided for in Article 57, paragraph (2) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)," and the term "the State" in Article 6, paragraph (3) of the Act is deemed to be replaced with "an Agency Engaged in Administrative Execution provided for in Article 2, paragraph (4) of the Act on General Rules for Incorporated Administrative Agencies," and the term "the Act" is deemed to be replaced with "the National Public Officers' Accident Compensation Act."

4 職員に関する国家公務員の育児休業等に関する法律第三条第一項、第十二条第一項、第十五条及び第二十二条の規定の適用については、同法第三条第一項ただし書中「勤務時間法第十九条に規定する特別休暇のうち出産により職員が勤務しないことが相当である場合として人事院規則で定める場合における休暇」とあるのは「独立行政法人通則法(平成十一年法律第百三号)第五十八条第一項の規定に基づく規程で定める休暇のうち職員が出産した場合における休暇」と、「同条の規定により人事院規則で定める期間」とあるのは「規程で定める期間」と、「人事院規則で定める期間内」とあるのは「規程で定める期間内」と、「当該休暇又はこれに相当するものとして勤務時間法第二十三条の規定により人事院規則で定める休暇」とあるのは「当該休暇」と、同法第十二条第一項中「次の各号に掲げるいずれかの勤務の形態(勤務時間法第七条第一項の規定の適用を受ける職員にあつては、第五号に掲げる勤務の形態)」とあるのは「五分の一勤務時間(当該職員の一週間当たりの通常の勤務時間(以下この項において「週間勤務時間」という。)に五分の一を乗じて得た時間に端数処理(五分を最小の単位とし、これに満たない端数を切り上げることをいう。以下この項において同じ。)を行って得た時間をいう。第十五条において同じ。)に二を乗じて得た時間に十分の一勤務時間(週間勤務時間に十分の一を乗じて得た時間に端数処理を行って得た時間をいう。同条において同じ。)を加えた時間から八分の一勤務時間(週間勤

務時間に八分の一を乗じて得た時間に端数処理を行って得た時間をいう。)に五を乗じて得た時間までの範囲内の時間となるように独立行政法人通則法第二条第四項に規定する行政執行法人の長が定める勤務の形態」と、同法第十五条中「十九時間二十五分から十九時間三十五分」とあるのは「五分の一勤務時間に二を乗じて得た時間に十分の一勤務時間を加えた時間から十分の一勤務時間に五を乗じて得た時間」と、同法第二十二條中「第十五条から前条まで」とあるのは「第十五条及び前二条」とする。

- (4) With regard to the application of the provisions of Article 3, paragraph (1), Article 12, paragraph (1), Article 15 and Article 22 of the Act on Childcare Leave, etc. of National Public Officers: in the proviso to Article 3, paragraph (1) of the Act, the phrase "the leave to be given in cases specified by rules of the National Personnel Authority such as the case where it is appropriate that an employee is absent from work due to childbirth, among the special leave provided for in Article 19 of the Act on Working Hours," is deemed to be replaced with "the leave for childbirth of an employee, among the types of leave specified by the rules under the provisions of Article 58, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999)," the phrase "the period specified by rules of the National Personnel Authority pursuant to the provisions of the Article" is deemed to be replaced with "the period specified by the rules," the phrase "within the period specified by rules of the National Personnel Authority" is deemed to be replaced with "within the period specified by the rules," the phrase "the leave, or the leave specified by rules of the National Personnel Authority as being equivalent to the leave pursuant to the provisions of Article 23 of the Act on Working Hours" is deemed to be replaced with "the leave"; in Article 12, paragraph (1) of the Act, the phrase "the working arrangement provided for in any of the following items (in the case of an employee subject to the application of the provisions of Article 7, paragraph (1) of the Act on Working Hours, the working arrangement set forth in item (v))" is deemed to be replaced with "the working arrangement specified by the president of the Agency Engaged in Administrative Execution provided for in Article 2, paragraph (4) of the Act on General Rules for Incorporated Administrative Agencies so that the number of working hours would be within a range between the number of hours obtained by the sum of One-Fifth of the Working Hours (meaning the number of hours calculated by multiplying the Employee's regular working hours per week (hereinafter referred to as "Weekly Working Hours" in this paragraph) by one-fifth and Rounding-up (meaning rounding-up of a fraction less than the minimum unit of five minutes; hereinafter the same applies in this paragraph); the same applies in Article 15), multiplied by two, and One-Tenth of the Working Hours (meaning the number of hours calculated by multiplying the Weekly Working Hours by one-tenth and Rounding-up; the same applies in the Article), and the number of hours obtained by multiplying One-Eighth of the Working Hours

(meaning the number of hours calculated by multiplying the Weekly Working Hours by one-eighth and making a Round-up) by five"; in Article 15 of the Act, the phrase "within the range between 19 hours 25 minutes to 19 hours 35 minutes" is deemed to be replaced with "within the range between the number of hours obtained by the sum of One-Fifth of the Working Hours multiplied by two and One-Tenth of the Working Hours and the number of hours obtained by multiplying One-Tenth of the Working Hours by five"; and in Article 22 of the Act, the phrase "from Article 15 to the preceding Article" is deemed to be replaced with "Article 15 and the preceding two Articles."

- 5 職員に関する労働基準法（昭和二十二年法律第四十九号）第十二条第三項第四号及び第三十九条第八項の規定の適用については、同法第十二条第三項第四号中「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号）第二条第一号」とあるのは「国家公務員の育児休業等に関する法律（平成三年法律第九号）第三条第一項」と、「同条第二号」とあるのは「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号）第二条第二号」と、同法第三十九条第八項中「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律第二条第一号」とあるのは「国家公務員の育児休業等に関する法律第三条第一項」と、「同条第二号」とあるのは「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律第二条第二号」とする。
- (5) With regard to the application of the provisions of Article 12, paragraph (3), item (iv) and Article 39, paragraph (8) of the Labor Standards Act (Act No. 49 of 1947) to Employees, the phrase "Article 2, item (i) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991)" in Article 12, paragraph (3), item (iv) of the Act is deemed to be replaced with "Article 3, paragraph (1) of the Act on Childcare Leave, etc. of National Public Officers (Act No. 109 of 1991)," the phrase "item (ii) of the Article" in the item is deemed to be replaced with "Article 2, item (ii) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991)," the phrase "Article 2, item (i) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave" in Article 39, paragraph (8) of the Act is deemed to be replaced with "Article 3, paragraph (1) of the Act on Childcare Leave, etc. of National Public Officers," and the phrase "item (ii) of the Article" in the paragraph is deemed to be replaced with "Article 2, item (ii) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave."
- 6 職員に関する船員法（昭和二十二年法律第百号）第七十四条第四項の規定の適用については、同項中「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号）第二条第一号」とあるのは「国家公務員の育児休業等に関する法律（平成三年法律第九号）第三条第一項」と、「同条第二号」と

あるのは「育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号）第二条第二号」とする。

(6) With regard to the application of the provisions of Article 74, paragraph (4) of the Mariners Act (Act No. 100 of 1947) to Employees, the phrase "Article 2, item (i) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991)" in the paragraph is deemed to be replaced with "Article 3, paragraph (1) of the Act on Childcare Leave, etc. of National Public Officers (Act No. 109 of 1991)," and the phrase "item (ii) of the Article" in the paragraph is deemed to be replaced with "Article 2, item (ii) of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (Act No. 76 of 1991)."

（国会への報告等）

（Report to the Diet）

第六十条 行政執行法人は、政令で定めるところにより、毎事業年度、常時勤務に服することを要するその職員（国家公務員法第七十九条又は第八十二条の規定による休職又は停職の処分を受けた者、法令の規定により職務に専念する義務を免除された者その他の常時勤務に服することを要しない職員で政令で定めるものを含む。次項において「常勤職員」という。）の数を主務大臣に報告しなければならない。

Article 60 (1) For each business year, an Agency Engaged in Administrative Execution must report the number of its employees who are required to engage in full-time service (including employees who are not required to engage in full-time service and who are specified by Cabinet Order, such as those who have received a disposition of administrative leave or suspension from duty under the provisions of Article 79 or Article 82 of the National Public Service Act and those who are exempted from an obligation to give full attention to their duty pursuant to the provisions of any laws or orders; referred to as "Full-time Employees" in the following paragraph) to the competent minister, pursuant to the provisions of Cabinet Order.

2 政府は、毎年、国会に対し、行政執行法人の常勤職員の数を報告しなければならない。

(2) The government must report the number of Full-time Employees of an Agency Engaged in Administrative Execution to the Diet every year.

3 行政執行法人は、国家公務員法第三章第八節及び第四章（第五十四条第一項において準用する場合を含む。）の規定を施行するために必要な事項として内閣総理大臣が定める事項を、内閣総理大臣が定める日までに、内閣総理大臣に届け出なければならない。

(3) An Agency Engaged in Administrative Execution must notify the Prime Minister of the matters specified by the Prime Minister as being necessary for the enforcement of the provisions of Chapter III, Section 8 and Chapter IV

(including the cases where applied mutatis mutandis pursuant to Article 54, paragraph (1)) of the National Public Service Act, by the day specified by the Prime Minister.

第六十一条 削除

Article 61 Deleted

第六十二条 削除

Article 62 Deleted

第六十三条 削除

Article 63 Deleted

## 第六章 雑則

### Chapter VI Miscellaneous Provisions

(報告及び検査)

(Report and Inspection)

第六十四条 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、独立行政法人に対し、その業務並びに資産及び債務の状況に関し報告をさせ、又はその職員に、独立行政法人の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の必要な物件を検査させることができる。

Article 64 (1) When the competent minister finds it to be necessary for the enforcement of this Act, the minister may have an Incorporated Administrative Agency report on the status of its operations, assets and liabilities or have employees of the ministry enter the office of an Incorporated Administrative Agency and inspect the status of its operations, books, documents and other necessary items.

2 前項の規定により職員が立入検査をする場合には、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。

(2) When an employee of the competent ministry conducts an on-site inspection pursuant to the provisions of the preceding paragraph, the employee must carry an identification card and present it to persons concerned.

3 第一項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。

(3) The authority for the on-site inspection pursuant to the provisions of paragraph (1) must not be interpreted as having been accorded for the purpose of a criminal investigation.

第六十五条 削除

Article 65 Deleted

(解散)

(Dissolution)

第六十六条 独立行政法人の解散については、別に法律で定める。

Article 66 The rules for the dissolution of an Incorporated Administrative Agency are provided separately by law.

(財務大臣との協議)

(Consultation with the Minister of Finance)

第六十七条 主務大臣は、次の場合には、財務大臣に協議しなければならない。

Article 67 The competent minister must consult with the Minister of Finance in any of the following cases:

一 第二十九条第一項の規定により中期目標を定め、又は変更しようとするとき。

(i) when the competent minister intends to set or revise Medium-term

Objectives pursuant to the provisions of Article 29, paragraph (1);

二 第三十五条の四第一項の規定により中長期目標を定め、又は変更しようとするとき。

(ii) when the competent minister intends to set or revise Medium to Long-term

Objectives pursuant to the provisions of Article 35-4, paragraph (1);

三 第三十五条の九第一項の規定により年度目標を定め、又は変更しようとするとき。

(iii) when the competent minister intends to set or revise Annual Objectives

pursuant to the provisions of Article 35-9, paragraph (1);

四 第三十条第一項、第三十五条の五第一項、第三十五条の十第一項、第四十五条第一項ただし書若しくは第二項ただし書又は第四十八条の規定による認可をしようとするとき。

(iv) when the competent minister intends to grant an authorization under the provisions of Article 30, paragraph (1), Article 35-5, paragraph (1), Article 35-10, paragraph (1), the proviso to Article 45, paragraph (1), the proviso to Article 45, paragraph (2), or Article 48;

五 第四十四条第三項の規定による承認をしようとするとき。

(v) when the competent minister intends to grant an approval under the provisions of Article 44, paragraph (3);

六 第四十六条の二第一項、第二項若しくは第三項ただし書又は第四十六条の三第一項の規定による認可をしようとするとき。

(vi) when the competent minister intends to grant an authorization under the provisions of Article 46-2, paragraph (1), paragraph (2), the proviso to paragraph (3) of the Article, or Article 46-3, paragraph (1); and

七 第四十七条第一号又は第二号の規定による指定をしようとするとき。

(vii) when the competent minister intends to make a designation under the provisions of Article 47, item (i) or item (ii).

(主務大臣等)

(Competent Minister)

第六十八条 この法律における主務大臣及び主務省令は、個別法で定める。

Article 68 The competent minister and order of the competent ministry under this Act are specified by the relevant Individual Act.

## 第七章 罰則

### Chapter VII Penal Provisions

第六十九条 次の各号のいずれかに該当する者は、三年以下の懲役又は百万円以下の罰金に処する。次の各号に規定する行為を企て、命じ、故意にこれを容認し、唆し、又はその幫助をした者も、同様とする。

Article 69 A person who falls under any of the following items is punished by imprisonment with required labor for not more than three years or a fine of not more than one million yen. The same applies to any person who has attempted, ordered, intentionally permitted, instigated, or has aided as an accessory to the accomplished acts provided for in the following items:

一 正当な理由がないのに第五十三条第三項の規定に違反して陳述し、又は証言することを拒んだ者

(i) a person who refused to make a statement or to testify in violation of the provisions of Article 53, paragraph (3) without reasonable grounds;

二 第五十四条第二項の規定により証人として喚問を受け虚偽の陳述をした者

(ii) a person who was summoned as a witness pursuant to the provisions of Article 54, paragraph (2) and made a false statement;

三 第五十四条第二項の規定により証人として喚問を受け正当な理由がないのにこれに応じず、又は同項の規定により書類若しくはその写しの提出を求められ正当な理由がないのにこれに応じなかった者

(iii) a person who was summoned as a witness pursuant to the provisions of Article 54, paragraph (2) but refused to appear without reasonable grounds, or a person who refused to respond to the request for submission of documents or copies thereof pursuant to the provisions of the paragraph without reasonable grounds;

四 第五十四条第二項の規定により書類又はその写しの提出を求められ、虚偽の事項を記載した書類又は写しを提出した者

(iv) a person who was requested to submit documents or copies thereof pursuant to the provisions of Article 54, paragraph (2) and submitted documents or copies thereof containing false information of any kind; and

五 第五十四条第三項の規定による検査を拒み、妨げ、若しくは忌避し、又は質問に対して陳述をせず、若しくは虚偽の陳述をした者（同条第一項において準用する国家公務員法第十八条の三第一項の調査の対象である役員又は役員であった者を除く。）

- (v) a person who refused, obstructed or avoided an inspection under Article 54, paragraph (3), or refused to make a statement or made a false statement in response to the question (other than an Officer or a former Officer who is under investigation under Article 18-3, paragraph (1) of the National Public Service Act as applied mutatis mutandis pursuant to Article 54, paragraph (1)).

第六十九条の二 第五十三条第一項の規定に違反して秘密を漏らした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 69-2 A person who revealed confidential information in violation of the provisions of Article 53, paragraph (1) is punished by imprisonment with required labor for not more than one year or a fine of not more than 500,000 yen.

第七十条 第六十四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、若しくは忌避した場合には、その違反行為をした独立行政法人の役員又は職員は、二十万円以下の罰金に処する。

Article 70 If an Incorporated Administrative Agency fails to make a report under the provisions of Article 64, paragraph (1) or makes a false report, or refuses, obstructs or avoids an inspection under the provisions of the paragraph, the officer or employee who has committed such violation is punished by a fine of not more than 200,000 yen.

第七十一条 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独立行政法人の役員は、二十万円以下の過料に処する。

Article 71 (1) If an Incorporated Administrative Agency falls under any of the following items, the officer who has committed the violation in question is punished by a fine of not more than 200,000 yen:

一 この法律の規定により主務大臣の認可又は承認を受けなければならない場合において、その認可又は承認を受けなかったとき。

(i) if an Incorporated Administrative Agency fails to obtain an authorization or approval of the competent minister when the authorization or approval is required pursuant to the provisions of this Act;

二 この法律の規定により主務大臣又は内閣総理大臣に届出をしなければならない場合において、その届出をせず、又は虚偽の届出をしたとき。

(ii) if an Incorporated Administrative Agency fails to make a notification or makes a false notification to the competent minister or the Prime Minister when the notification is required pursuant to the provisions of this Act;

三 この法律の規定により公表をしなければならない場合において、その公表をせず、又は虚偽の公表をしたとき。

(iii) if an Incorporated Administrative Agency fails to make matters public, or



false matters are made public when the publication is required pursuant to the provisions of this Act;

四 第九条第一項の規定による政令に違反して登記することを怠ったとき。

(iv) if an Incorporated Administrative Agency fails to make a registration in violation of Cabinet Order under the provisions of Article 9, paragraph (1);

五 第十九条第五項若しくは第六項又は第三十九条第三項の規定による調査を妨げたとき。

(v) if an Incorporated Administrative Agency obstructs the investigation under Article 19, paragraph (5) or paragraph (6) or Article 39, paragraph (3);

六 第三十条第三項、第三十二条第六項、第三十五条の三（第三十五条の八において準用する場合を含む。）、第三十五条の五第三項、第三十五条の六第九項、第三十五条の十第四項又は第三十五条の十二の規定による主務大臣の命令に違反したとき。

(vi) if an Incorporated Administrative Agency violates an order of the competent minister under the provisions of Article 30, paragraph (3), Article 32, paragraph (6), Article 35-3 (including the cases where applied mutatis mutandis in Article 35-8), Article 35-5, paragraph (3), Article 35-6, paragraph (9), Article 35-10, paragraph (4) or Article 35-12;

七 第三十二条第二項、第三十五条の六第三項若しくは第四項又は第三十五条の十一第三項若しくは第四項の規定による報告書の提出をせず、又は報告書に記載すべき事項を記載せず、若しくは虚偽の記載をして報告書を提出したとき。

(vii) if an Incorporated Administrative Agency fails to submit a report under the provisions of Article 32, paragraph (2), Article 35-6, paragraph (3) or paragraph (4), or Article 35-11, paragraph (3) or paragraph (4), fails to state the matters required to be stated in a report, or submits a report stating false matters;

八 第三十八条第三項の規定に違反して財務諸表、事業報告書、決算報告書又は監査報告を備え置かず、又は閲覧に供しなかったとき。

(viii) if an Incorporated Administrative Agency fails to keep or make available for public inspection the Financial Statements, the business report, the statement of accounts or the audit report in violation of the provisions of Article 38, paragraph (3);

九 第四十七条の規定に違反して業務上の余裕金を運用したとき。

(ix) if an Incorporated Administrative Agency invests surplus funds that accrued in the course of operations, in violation of the provisions of Article 47; or

十 第五十条の八第三項（第五十条の十一において準用する場合を含む。）又は第六十条第一項の規定による報告をせず、又は虚偽の報告をしたとき。

(x) if an Incorporated Administrative Agency fails to make a report under Article 50-8, paragraph (3) (including the cases where applied mutatis mutandis pursuant to Article 50-11) or Article 60, paragraph (1), or makes a false report.

2 独立行政法人の子法人の役員が第十九条第七項又は第三十九条第三項の規定による調査を妨げたときは、二十万円以下の過料に処する。

(2) If an officer of a Subsidiary of an Incorporated Administrative Agency obstructs the investigation under Article 19, paragraph (7) or Article 39, paragraph (3), the officer is punished with a fine of not more than 200,000 yen.

第七十二条 第十条の規定に違反した者は、十万円以下の過料に処する。

Article 72 A person who has violated the provisions of Article 10 is punished by a 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、内閣法の一部を改正する法律（平成十一年法律第八十八号）の施行の日から施行する。

Article 1 This Act comes into effect as of the date on which the Act for Partial Revision of the Cabinet Act (Act No. 88 of 1999) comes into effect.

(名称の使用制限に関する経過措置)

(Transitional Measures Concerning Restriction on Use of Name)

第二条 この法律の施行の際現にその名称中に独立行政法人という文字を用いている者については、第十条の規定は、この法律の施行後六月間は、適用しない。

Article 2 The provisions of Article 10 do not apply for six months after this Act comes into effect with regard to a person who actually uses the characters "独立行政法人" (pronounced "dokuritsu gyousei houjin" (literally meaning "Incorporated Administrative Agency")) as part of its name at the time this Act comes into effect.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 3 Beyond what is provided for in the preceding Article, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(国の無利子貸付け等)

(Loan without Interest by the State)

第四条 国は、当分の間、独立行政法人に対し、その施設の整備で日本電信電話株式会

社の株式の売払収入の活用による社会資本の整備の促進に関する特別措置法（昭和六十二年法律第八十六号）第二条第一項第二号に該当するものに要する費用に充てる資金の全部又は一部を、予算の範囲内において、無利子で貸し付けることができる。この場合において、第四十五条第四項の規定は、適用しない。

Article 4 (1) Until otherwise provided by law, the State may, within the limits of the budget, provide a loan to an Incorporated Administrative Agency without interest for all or part of the funds to be appropriated to the expenses required for the development of its facility that falls under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning Promotion of Social Infrastructure Development Through Use of Proceeds from Sale of the Stock of Nippon Telegraph and Telephone Corporation (Act No. 86 of 1987). In this case, the provisions of Article 45, paragraph (4) do not apply.

2 前項の国の貸付金の償還期間は、五年（二年以内の据置期間を含む。）以内で政令で定める期間とする。

(2) The period for a reimbursement of the loan by the State referred to in the preceding paragraph is a period specified by Cabinet Order not exceeding five years (including a grace period not exceeding two years).

3 前項に定めるもののほか、第一項の規定による貸付金の償還方法、償還期限の繰上げその他償還に関し必要な事項は、政令で定める。

(3) Beyond what is provided for in the preceding paragraph, the method of reimbursement, advance reimbursement, and any other necessary matters concerning the reimbursement of the loan under the provisions of paragraph (1) are specified by Cabinet Order.

4 国は、第一項の規定により独立行政法人に対し貸付けを行った場合には、当該貸付けの対象である施設の整備について、当該貸付金に相当する金額の補助を行うものとし、当該補助については、当該貸付金の償還時において、当該貸付金の償還金に相当する金額を交付することにより行うものとする。

(4) When the State provides a loan to an Incorporated Administrative Agency under the provisions of paragraph (1), it is to provide a subsidy in an amount equivalent to the loan with regard to the development of the facility for which the loan has been provided, and the subsidy is to be provided by delivering an amount equivalent to the reimbursement money for the loan at the time of the reimbursement of the loan.

5 独立行政法人が、第一項の規定による貸付けを受けた無利子貸付金について、第二項及び第三項の規定に基づき定められる償還期限を繰り上げて償還を行った場合（政令で定める場合を除く。）における前項の規定の適用については、当該償還は、当該償還期限の到来時に行われたものとみなす。

(5) With regard to the application of the provisions of the preceding paragraph, if an Incorporated Administrative Agency reimburses the loan without interest which it has received under the provisions of paragraph (1) ahead of the due date for reimbursement specified based on the provisions of paragraphs (2) and

(3) (other than the cases specified by Cabinet Order), the reimbursement is deemed to be made on the arrival of the due date for reimbursement.

**附 則** 〔平成二十六年法律第六十六号〕  
**Supplementary Provisions [Act No. 66 of 2014]**

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年四月一日から施行する。ただし、次条から附則第四条までの規定並びに附則第九条、第十二条及び第十五条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of April 1, 2015; provided, however, that the provisions of the following Article through Article 4 of the Supplementary Provisions, and Articles 9, 12, and 15 of the Supplementary Provisions come into effect as of the date of promulgation.

(準備行為等)

(Preparatory Actions)

第二条 この法律による改正後の独立行政法人通則法（以下「新法」という。）第二十八条の二第一項の規定による同項の指針の策定、新法第二十八条の三の規定による同条の指針の案の作成、新法第二十九条第一項の規定による同項の中期目標の策定、新法第三十五条の四第一項の規定による同項の中長期目標の策定及び新法第三十五条の九第一項の規定による同項の年度目標の策定並びにこれらに関し必要な手続その他の行為は、この法律の施行前においても、新法第二十八条の二第一項及び第二項、第二十八条の三、第二十九条、第三十五条の四第一項から第四項まで並びに第三十五条の九の規定の例により行うことができる。この場合において、新法第二十八条の二第二項、第二十九条第三項及び第三十五条の四第三項中「委員会」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）による改正前の第三十二条第三項の政令で定める審議会」と、同条第四項中「審議会等（内閣府設置法（平成十一年法律第八十九号）第三十七条若しくは第五十四条又は国家行政組織法（昭和二十三年法律第百二十号）第八条に規定する機関をいう。）で政令で定めるもの（以下「研究開発に関する審議会」という。）」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）による改正前の第十二条第一項に規定する独立行政法人評価委員会」とする。

Article 2 (1) The formulation of the guidelines referred to in Article 28-2, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies revised by this Act (hereinafter referred to as the "New Act") as under the provisions of the paragraph, the drafting of the guidelines referred to in Article 28-3 of the New Act as under the provisions of the Article, the setting of Medium-term Objectives referred to in Article 29, paragraph (1) of the New Act as under the provisions of the paragraph, the setting of Medium to Long-term

Objectives referred to in Article 35-4, paragraph (1) of the New Act as under the provisions of the paragraph, the setting of Annual Objectives referred to in Article 35-9, paragraph (1) of the New Act as under the provisions of the paragraph, and procedures and other actions necessary for these may be conducted before this Act comes into effect, as governed by Article 28-2, paragraphs (1) and (2), Article 28-3, Article 29, Article 35-4, paragraphs (1) through (4), and Article 35-9 of the New Act. In this case: in Article 28-2, paragraph (2), Article 29, paragraph (3), and Article 35-4, paragraph (3), the phrase "Committee" is deemed to be replaced with "council specified by Cabinet Order referred to in Article 32, paragraph (3) prior to the revision by the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014)"; and in paragraph (4) of the Article, the phrase "council, etc. (meaning the organ provided for in Article 37 or 54 of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) or in Article 8 of the National Government Organization Act (Act No. 120 of 1948) which is specified by Cabinet Order (hereinafter referred to as the "Council for Research and Development"))" is deemed to be replaced with "Incorporated Administrative Agencies Evaluation Committee provided for in Article 12, paragraph (1) prior to the revision by the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014)".

2 この法律による改正前の独立行政法人通則法（以下「旧法」という。）第三十二条第三項の政令で定める審議会は、前項の規定により読み替えてその例によるものとされた新法第二十八条の二第二項、第二十九条第三項又は第三十五条の四第三項の規定により意見を述べたときは、その内容を公表しなければならない。

(2) When the council specified by Cabinet Order referred to in Article 32, paragraph (3) of the Act on General Rules for Incorporated Administrative Agencies prior to the revision by this Act (hereinafter referred to as the "Former Act") states its opinions pursuant to the provisions of Article 28-2, paragraph (2), Article 29, paragraph (3), or Article 35-4, paragraph (3) of the New Act, which are to govern pursuant to the preceding paragraph after deemed replacement, it must make the content of such opinions public.

3 第一項の規定により策定された指針、中期目標、中長期目標及び年度目標は、この法律の施行の日（以下「施行日」という。）において、それぞれ新法第二十八条の二第一項及び第二項の規定により策定された同条第一項の指針、新法第二十九条の規定により策定された同条第一項の中期目標、新法第三十五条の四第一項から第四項までの規定により策定された同条第一項の中長期目標並びに新法第三十五条の九の規定により策定された同条第一項の年度目標とみなす。

(3) As of the day on which this Act comes into effect (hereinafter referred to as the "Effective Date"), the guidelines formulated and the Medium-term Objectives, Medium to Long-term Objectives, and Annual Objectives set pursuant to the provisions of paragraph (1) are respectively deemed to be the

guidelines referred to in Article 28-2, paragraph (1) of the New Act formulated pursuant to the provisions of paragraphs (1) and (2) of the Article, the Medium-term Objectives referred to in Article 29, paragraph (1) of the New Act set pursuant to the provisions of the Article, the Medium to Long-term Objectives referred to in Article 35-4, paragraph (1) of the New Act set pursuant to the provisions of paragraphs (1) through (4) of the Article, and the Annual Objectives referred to in Article 35-9, paragraph (1) of the New Act set pursuant to the provisions of the Article.

第三条 独立行政法人評価委員会の委員の任命権者（次項において単に「任命権者」という。）は、新法第二条第三項に規定する研究開発に関して高い識見を有する外国人（日本の国籍を有しない者をいう。次項及び第三項において同じ。）を、独立行政法人評価委員会の委員に任命することができる。

Article 3 (1) The appointer of the members of the Incorporated Administrative Agencies Evaluation Committee (simply referred to as the "Appointer" in the following paragraph) may appoint a Foreign National (meaning a person who does not have Japanese nationality; the same applies in the following paragraph and paragraph (3)) who has great insight in Research and Development as provided for in Article 2, paragraph (3) of the New Act, as a member of the Incorporated Administrative Agencies Evaluation Committee.

2 任命権者は、外国人である独立行政法人評価委員会の委員を、前条第一項の規定により読み替えてその例によるものとされた新法第三十五条の四第四項の規定により主務大臣に対して意見を述べる事務以外の事務に従事させてはならない。

(2) With the exception of stating their opinions to the competent minister pursuant to the provisions of Article 35-4, paragraph (4) of the New Act, the Appointer must not engage a member of the Incorporated Administrative Agencies Evaluation Committee who is a Foreign National in any affairs which are to govern pursuant to paragraph (1) of the preceding Article after deemed replacement.

3 第一項の場合において、外国人である独立行政法人評価委員会の委員は、独立行政法人評価委員会の会務を総理し、独立行政法人評価委員会を代表する者となることはできず、当該委員の数は、独立行政法人評価委員会の委員の総数の五分之一を超えてはならない。

(3) In the case referred to in paragraph (1), a member of the Incorporated Administrative Agencies Evaluation Committee who is a Foreign National may not preside over the particulars of the Incorporated Administrative Agencies Evaluation Committee or represent the Incorporated Administrative Agencies Evaluation Committee, and the number of such members must not exceed one-fifth of the total number of the members of the Incorporated Administrative Agencies Evaluation Committee.

(独立行政法人評価委員会の所掌事務に関する経過措置)

(Transitional Measures Concerning Affairs under Jurisdiction of the  
Incorporated Administrative Agencies Evaluation Committee)

第四条 この法律の公布の日から施行日の前日までの間における旧法第十二条第二項第二号の規定の適用については、同号中「この法律又は個別法」とあるのは、「この法律、個別法又は独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）」とする。

Article 4 With regard to the application of the provisions of Article 12, paragraph (2), item (ii) of the Former Act during the period from the date of promulgation of this Act to the day preceding the Effective Date, the phrase "this Act or the relevant Individual Act" in the item is deemed to be replaced with "this Act, the relevant Individual Act, or the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014)."

(名称の使用制限に関する経過措置)

(Transitional Measures Concerning Restriction on Use of Name)

第五条 この法律の施行の際現にその名称中に国立研究開発法人という文字を用いている者については、新法第十条（国立研究開発法人（新法第二条第三項に規定する国立研究開発法人をいう。以下同じ。）に係る部分に限る。）の規定は、この法律の施行後六月間は、適用しない。

Article 5 The provisions of Article 10 of the New Act (limited to the part pertaining to a National Research and Development Agency (meaning the National Research and Development Agency provided for in Article 2, paragraph (3) of the New Act; the same applies hereinafter)) do not apply for six months after this Act comes into effect with regard to a person who actually uses the characters "国立研究開発法人" (pronounced "kokuritsu kenkyu kaiatsu houjin" (referring to "National Research and Development Agency")) as part of its name at the time this Act comes into effect.

(監事及び会計監査人の職務及び権限並びに役員 の報告義務に関する経過措置)

(Transitional Measures Concerning Duties and Authority of Auditors and  
Accounting Auditors as well as Officers' Duty to Report)

第六条 新法第十九条第四項、第五項、第七項及び第八項、第十九条の二、第二十一条の五、第三十九条第一項から第四項まで並びに第三十九条の二の規定は、施行日前に生じた事項にも適用する。

Article 6 The provisions of Article 19, paragraphs (4), (5), (7), and (8), Article 19-2, Article 21-5, Article 39, paragraphs (1) through (4), and Article 39-2 apply to matters that have arisen prior to the Effective Date.

(役員 の任期に関する経過措置)

(Transitional Measures Concerning the Term of Office of Officers)

第七条 この法律の施行の際現に独立行政法人（新法第二条第一項に規定する独立行政法人をいう。以下この項において同じ。）の長又は監事である者の任期（補欠の独立行政法人の長又は監事の任期を含む。）については、新法第二十一条、第二十一条の二又は第二十一条の三の規定にかかわらず、なお従前の例による。

Article 7 (1) With regard to the term of office of a person who serves as the president or an auditor of an Incorporated Administrative Agency (meaning the Incorporated Administrative Agency provided for in Article 2, paragraph (1) of the New Act; hereinafter the same applies in this paragraph) at the time this Act comes into effect (including the term of office of the president or an auditor of an Incorporated Administrative Agency appointed to fill a vacancy), the prior laws continue to govern the applicability, notwithstanding the provisions of Article 21, Article 21-2 or Article 21-3 of the New Act.

2 施行日において中期目標管理法人（新法第二条第二項に規定する中期目標管理法人をいう。以下同じ。）の監事である者の任期につき前項の規定の適用がある場合には、施行日の翌日以後最初に任命される中期目標管理法人の監事（補欠の中期目標管理法人の監事を除く。）の任期に係る新法第二十一条第二項の規定の適用については、同項中「各中期目標の期間に対応して定めるものとし、任命の日から、当該対応する」とあるのは、「任命の日から、当該任命の日を含む当該中期目標管理法人の」とする。

(2) If the provisions of the preceding paragraph apply to the term of office of a person who serves as an auditor of an Agency Managed under the Medium-term Objectives (meaning the Agency Managed under the Medium-term Objectives provided for in Article 2, paragraph (2) of the New Act; the same applies hereinafter) as of the Effective Date, with regard to the application of the provisions of Article 21, paragraph (2) of the New Act to the term of office of the first auditor of an Agency Managed under the Medium-term Objectives to be appointed on or after the day following the Effective Date (other than an auditor of the Agency Managed under the Medium-term Objectives appointed to fill a vacancy): in Article 21, paragraph (2) of the Act, the phrase "is specified as corresponding to each Period of the Medium-term Objectives, and it" is deemed to be deleted, and the phrase "the corresponding Period of the Medium-term Objectives" is deemed to be replaced with "the Period for the Medium-term Objectives which is provided for the Agency Managed under the Medium-term Objectives and which includes the date of appointment."

3 施行日において国立研究開発法人の長である者の任期につき第一項の規定の適用がある場合には、施行日の翌日以後最初に任命される国立研究開発法人の長（補欠の国立研究開発法人の長を除く。）の任期に係る新法第二十一条の二第一項ただし書の規定の適用については、同項ただし書中「中長期目標の期間が六年又は七年の場合」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）附則第七条第一項の規定の適用がある国立研究開発法人の長の任期（補欠の国立研究開発法人の長の任期を含む。）の末日の翌日（以下この項において「起算日」と



いう。) から起算日を含む中長期目標の期間の末日までの期間 (以下この項において「残期間」という。) が六年以上七年未満の場合」と、「中長期目標の期間の初日 (以下この項及び次項において単に「初日」という。)」とあるのは「起算日」と、同項第一号中「中長期目標の期間」とあるのは「残期間」と、「初日」とあるのは「起算日」と、同項第二号中「中長期目標の期間が七年の場合」とあるのは「残期間が六年を超え七年未満の場合」と、「初日から三年又は四年を経過する日」とあるのは「起算日から四年を経過する日までの間に終了する最後の事業年度の末日」とする。

(3) If the provisions of paragraph (1) apply to the term of office of a person who serves as the president of a National Research and Development Agency as of the Effective Date, with regard to the application of the provisions of the proviso to Article 21-2, paragraph (1) of the New Act to the term of office of the first president of a National Research and Development Agency to be appointed on or after the day following the Effective Date (other than the president of a National Research and Development Agency appointed to fill a vacancy): in the proviso to the paragraph, the phrase "Period for the Medium to Long-term Objectives is six years or seven years" is deemed to be replaced with "Period from the day following the last day of the term of office of the president of a National Research and Development Agency (including the term of office of the president of a National Research and Development Agency appointed to fill a vacancy) to which the provisions of Article 7, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014) apply (hereinafter referred to as the "Initial Date" in this paragraph) to the last day of the Period for the Medium to Long-term Objectives in which the Initial Date falls (hereinafter referred to as the "Remaining Period" in this paragraph) is not less than six years and less than seven years" and the phrase "first day of the Period for the Medium to Long-term Objectives (hereinafter simply referred to as the "First Day" in this paragraph and the following paragraph)" is deemed to be replaced with "Initial Date"; and in item (i) of the paragraph, the phrase "Period for the Medium to Long-term Objectives" is deemed to be replaced with "Remaining Period" and the phrase "First Day" is deemed to be replaced with "Initial Date"; and in item (ii) of the paragraph, the phrase "Period for the Medium to Long-term Objectives is seven years" is deemed to be replaced with " Remaining Period is more than six years and less than seven years" and the phrase "day on which a period of three or four years elapses from the First Day" is deemed to be replaced with "last day of the last business year that ends by the day on which a period of four years elapses from the Initial Date."

4 施行日において国立研究開発法人の監事である者の任期につき第一項の規定の適用がある場合には、施行日の翌日以後最初に任命される国立研究開発法人の監事（補欠の国立研究開発法人の監事を除く。）の任期に係る新法第二十一条の二第四項の規定

の適用については、同項中「各国立研究開発法人の長の任期（補欠の国立研究開発法人の長の任期を含む。以下この項において同じ。）と対応するものとし、任命の日から、当該対応する国立研究開発法人の長の任期」とあるのは、「任命の日から、当該任命の日における当該国立研究開発法人の長の任期（補欠の国立研究開発法人の長の任期を含む。）」とする。

(4) If the provisions of paragraph (1) apply to the term of office of a person who serves as an auditor of a National Research and Development Agency as of the Effective Date, with regard to the application of the provisions of Article 21-2, paragraph (4) of the New Act to the term of office of the first auditor of a National Research and Development Agency to be appointed on or after the day following the Effective Date (other than an auditor of a National Research and Development Agency appointed to fill a vacancy): in Article 21-2, paragraph (4) of the Act, the phrase "is specified as corresponding to the term of office of the president of the National Research and Development Agency (including the term of office of the president of the National Research and Development Agency appointed to fill a vacancy; hereinafter the same applies in this paragraph), and it" is deemed to be deleted and the phrase "the corresponding term of office of the president of the National Research and Development Agency" is deemed to be replaced with "the term of office of the president of the National Research and Development Agency (including the term of office of the president of the National Research and Development Agency appointed to fill a vacancy) as of the date of appointment."

5 施行日において行政執行法人（新法第二条第四項に規定する行政執行法人をいう。以下同じ。）の監事である者の任期につき第一項の規定の適用がある場合には、施行日の翌日以後最初に任命される行政執行法人の監事（補欠の行政執行法人の監事を除く。）の任期に係る新法第二十一条の三第二項の規定の適用については、同項中「各行政執行法人の長の任期（補欠の行政執行法人の長の任期を含む。以下この項において同じ。）と対応するものとし、任命の日から、当該対応する行政執行法人の長の任期」とあるのは、「任命の日から、当該任命の日における当該行政執行法人の長の任期（補欠の行政執行法人の長の任期を含む。）」とする。

(5) If the provisions of paragraph (1) apply to the term of office of a person who serves as an auditor of an Agency Engaged in Administrative Execution (meaning the Agency Engaged in Administrative Execution provided for in Article 2, paragraph (4) of the New Act; the same applies hereinafter) as of the Effective Date, with regard to the application of the provisions of Article 21-3, paragraph (2) of the New Act to the term of office of the first auditor of an Agency Engaged in Administrative Execution to be appointed on or after the day following the Effective Date (other than an auditor of an Agency Engaged in Administrative Execution appointed to fill a vacancy): in Article 21-3, paragraph (2) of the Act, the phrase "is specified as corresponding to the term of office of the president of the Agency Engaged in Administrative Execution

(including the term of office of the president of the Agency Engaged in Administrative Execution appointed to fill a vacancy; hereinafter the same applies in this paragraph), and it" is deemed to be deleted and the phrase "the corresponding term of office of the president of the Agency Engaged in Administrative Execution" is deemed to be replaced with the "term of office of the president of the Agency Engaged in Administrative Execution (including the term of office of the president of the Agency Engaged in Administrative Execution appointed to fill a vacancy) as of the date of appointment."

(中期目標管理法人及び国立研究開発法人となる独立行政法人の中期目標等に関する経過措置)

(Transitional Measures Concerning Medium-term Objectives of an Incorporated Administrative Agency that Becomes an Agency Managed under the Medium-term Objectives or a National Research and Development Agency)

第八条 この法律の施行の際現に主務大臣が旧法第二十九条第一項の規定により施行日において中期目標管理法人又は国立研究開発法人となる独立行政法人（旧法第二条第一項に規定する独立行政法人をいう。以下同じ。）に指示している旧法第二十九条第一項の中期目標は、主務大臣が新法第二十九条第一項の規定により指示した同項の中期目標又は新法第三十五条の四第一項の規定により指示した同項の中長期目標とみなす。

Article 8 (1) The Medium-term Objectives referred to in Article 29, paragraph (1) of the Former Act with regard to which, at the time this Act comes into effect, an Incorporated Administrative Agency (meaning the Incorporated Administrative Agency provided for in Article 2, paragraph (1) of the Former Act; the same applies hereinafter) that becomes an Agency Managed under the Medium-term Objectives or a National Research and Development Agency as of the Effective Date is actually subject to the instructions given by the competent minister pursuant to the provisions of under Article 29, paragraph (1) of the Former Act are deemed to be the Medium-term Objectives referred to in Article 29, paragraph (1) of the New Act with regard to which the competent minister has given instructions pursuant to the provisions of the paragraph or the Medium to Long-term Objectives referred to in Article 35-4, paragraph (1) of the New Act with regard to which the competent minister has given instructions pursuant to the provisions of the paragraph.

2 この法律の施行の際現に施行日において中期目標管理法人又は国立研究開発法人となる独立行政法人が旧法第三十条第一項の規定により認可を受けている同項の中期計画（附則第十条第二項において「旧中期計画」という。）は、新法第三十条第一項の認可を受けた同項の中期計画（附則第十条第二項において「新中期計画」という。）又は新法第三十五条の五第一項の認可を受けた同項の中長期計画（附則第十条第二項において「新中長期計画」という。）とみなす。

(2) The Medium-term Plan referred to in Article 30, paragraph (1) of the Former Act with regard to which, at the time this Act comes into effect, an Incorporated Administrative Agency that becomes an Agency Managed under the Medium-term Objectives or a National Research and Development Agency as of the Effective Date actually holds the authorization granted pursuant to the provisions of Article 30, paragraph (1) of the Former Act (such Medium-term Plan is referred to as the "Former Medium-term Plan" in Article 10, paragraph (2) of the Supplementary Provisions) is deemed to be the Medium-term Plan referred to in Article 30, paragraph (1) of the New Act with regard to which the Incorporated Administrative Agency is granted the authorization referred to in the paragraph (referred to as the "New Medium-term Plan" in Article 10, paragraph (2) of the Supplementary Provisions) or the Medium to Long-term Plan referred to in Article 35-5, paragraph (1) of the New Act with regard to which the Incorporated Administrative Agency is granted the authorization referred to in the paragraph (referred to as the "New Medium to Long-term Plan" in Article 10, paragraph (2) of the Supplementary Provisions).

(行政執行法人となる独立行政法人の中期目標の期間に関する特例)

(Special Provisions Concerning the Period for the Medium-term Objectives of an Incorporated Administrative Agency that Becomes an Agency Engaged in Administrative Execution)

第九条 施行日前に定められた独立行政法人（施行日において行政執行法人となる独立行政法人に限る。）の中期目標の期間（旧法第二十九条第二項第一号に規定する中期目標の期間をいう。以下同じ。）であって、施行日以後に終わるものとされたものは、同号の規定にかかわらず、施行日の前日に終わるものとする。

Article 9 The Period for the Medium-term Objectives (meaning the Period for the Medium-term Objectives provided for in Article 29, paragraph (2), item (i) of the Former Act; the same applies hereinafter) of an Incorporated Administrative Agency (limited to an Incorporated Administrative Agency that becomes an Agency Engaged in Administrative Execution as of the Effective Date) which has been specified prior to the Effective Date and which is to end on or after the Effective Date, is to end on the day preceding the Effective Date, notwithstanding the provisions of the item.

(年度計画及び事業計画に関する経過措置)

(Transitional Measures Concerning Annual Plans and Annual Objective Plans)

第十条 次項に規定する場合を除き、施行日を含む事業年度に係る新法第三十一条第一項（新法第三十五条の八において読み替えて準用する場合を含む。）又は第三十五条の十第一項の規定の適用については、新法第三十一条第一項中「毎事業年度の開始前に、前条第一項の認可を受けた」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）の施行の日以後最初の中期計画について前条第

一項の認可を受けた後遅滞なく、その」と、新法第三十五条の八において読み替えて準用する第三十一条第一項中「毎事業年度の開始前に、第三十五条の五第一項の認可を受けた同項の」とあるのは「独立行政法人通則法の一部を改正する法律の施行の日以後最初の中長期計画（第三十五条の五第一項の中長期計画をいう。以下この項において同じ。）について同条第一項の認可を受けた後遅滞なく、その」と、新法第三十五条の十第一項中「各事業年度」とあるのは「独立行政法人通則法の一部を改正する法律の施行の日以後最初の事業年度」と、「当該事業年度の開始前に」とあるのは「遅滞なく」とする。

Article 10 (1) Except in cases provided for in the following paragraph, with regard to the application of the provisions of Article 31, paragraph (1) of the New Act (including the cases applied mutatis mutandis pursuant to Article 35-8 of the New Act after deemed replacement) or Article 35-10, paragraph (1) of the New Act for the business year in which the Effective Date falls: in Article 31, paragraph (1) of the New Act, the phrase "Prior to the start of each business year,...the Medium-term Plan as authorized under paragraph (1) of the preceding Article" is deemed to be replaced with "Without delay after obtaining the authorization referred to in paragraph (1) of the preceding Article for the first Medium-term Plan prepared on or after the date on which the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014) comes into effect,...the Medium-term Plan"; in Article 31, paragraph (1) applied mutatis mutandis pursuant to Article 35-8 of the New Act after deemed replacement, the phrase "Prior to the start of each business year, ...the Medium-term Plan as authorized under Article 35-5, paragraph (1)" is deemed to be replaced with "Without delay after obtaining the authorization referred to in Article 35-5, paragraph (1) for the first Medium to Long-term Plan (meaning the Medium to Long-term Plan referred to in Article 35-5, paragraph (1); hereinafter the same applies in this paragraph) prepared on or after the date on which the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies comes into effect,...the Medium to Long-term Plan"; and in Article 35-10, paragraph (1) of the New Act, the phrase "each business year" is deemed to be replaced with "the first business year on or after the date on which the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies comes into effect" and the phrase "prior to the start of the relevant business year" is deemed to be replaced with "without delay."

- 2 附則第八条第二項の規定により旧中期計画が新中期計画又は新中長期計画とみなされる場合における施行日を含む事業年度に係る新法第三十一条第一項（新法第三十五条の八において読み替えて準用する場合を含む。）の規定の適用については、同項中「毎事業年度の開始前に、前条第一項の認可を受けた」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）の施行の日以後遅滞なく、同法附則第八条第二項の規定により前条第一項の認可を受けたとみなされる」と、新

法第三十五条の八において読み替えて準用する第三十一条第一項中「毎事業年度の開始前に、第三十五条の五第一項の認可を受けた」とあるのは「独立行政法人通則法の一部を改正する法律の施行の日以後遅滞なく、同法附則第八条第二項の規定により第三十五条の五第一項の認可を受けたとみなされる」とする。

(2) With regard to the application of the provisions of Article 31, paragraph (1) of the New Act (including the cases applied mutatis mutandis pursuant to Article 35-8 of the New Act after deemed replacement) for the business year in which the Effective Date falls in the cases where a Former Medium-term Plan is deemed to be a New Medium-term Plan or a New Medium to Long-term Plan pursuant to the provisions of Article 8, paragraph (2) of the Supplementary Provisions: in Article 31, paragraph (1) of the New Act, the phrase "Prior to the start of each business year, ...as authorized under paragraph (1) of the preceding Article" is deemed to be replaced with "Without delay after the date on which the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014) comes into effect,...as deemed to be authorized under paragraph (1) of the preceding Article, pursuant to the provisions of Article 8, paragraph (2) of the Supplementary Provisions of the Act"; and in Article 31, paragraph (1) applied mutatis mutandis pursuant to Article 35-8 of the New Act after deemed replacement, the phrase "Prior to the start of each business year, ...as authorized under Article 35-5, paragraph (1)" is deemed to be replaced with "Without delay after the date on which the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies comes into effect,... as deemed to be authorized under Article 35-5, paragraph (1), pursuant to the provisions of Article 8, paragraph (2) of the Supplementary Provisions of the Act."

(業績評価等に関する経過措置)

(Transitional Measures Concerning Evaluation on the Operational Performance)

第十一条 新法第三十二条の規定は、施行日において中期目標管理法人となった独立行政法人の施行日の前日に終了した事業年度及び中期目標の期間に係る業務の実績に関する評価についても適用する。

Article 11 (1) The provisions of Article 32 of the New Act also apply to the evaluation on the operational performance during the business year that ended on the day preceding the Effective Date and during the Period for the Medium-term Objectives of an Incorporated Administrative Agency that has become an Agency Managed under the Medium-term Objectives as of the Effective Date.

2 新法第三十五条の六第一項、第三項及び第五項から第九項までの規定は、施行日において国立研究開発法人となった独立行政法人の施行日の前日に終了した事業年度及び中期目標の期間に係る業務の実績に関する評価についても適用する。

- (2) The provisions of Article 35-6, paragraphs (1) and (3) and paragraphs (5) through (9) of the New Act also apply to the evaluation on the operational performance during the business year that ended on the day preceding the Effective Date and during the Period for the Medium-term Objectives of an Incorporated Administrative Agency that has become a National Research and Development Agency as of the Effective Date.
- 3 新法第三十五条の十一第一項、第三項、第五項及び第六項の規定は、施行日において行政執行法人となった独立行政法人の施行日の前日に終了した事業年度に係る業務の実績に関する評価についても適用する。
- (3) The provisions of Article 35-11, paragraphs (1), (3), (5), and (6) of the New Act also apply to the evaluation on the operational performance during the business year that ended on the day preceding the Effective Date of an Incorporated Administrative Agency that has become an Agency Engaged in Administrative Execution as of the Effective Date.
- 4 新法第三十五条の十一第二項及び第四項から第七項までの規定は、施行日において行政執行法人となった独立行政法人の施行日の前日に終了した中期目標の期間に係る業務の実績に関する評価について準用する。この場合において、同条第二項中「三年以上五年以下の期間で主務省令で定める期間」とあるのは「独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号）による改正前の第二十九条第二項第一号に規定する中期目標の期間」と、「当該期間における年度目標に定める業務運営の効率化に関する事項の実施状況」とあるのは「当該中期目標の期間における業務の実績」と、同条第四項中「事項の実施状況及び当該事項の実施状況」とあるのは「中期目標の期間における業務の実績及び当該業務の実績」と、同条第五項中「事項の実施状況」とあるのは「中期目標の期間における業務の実績」と読み替えるものとする。
- (4) The provisions of Article 35-11, paragraphs (2) and paragraphs (4) through (7) of the New Act apply *mutatis mutandis* to the evaluation on the operational performance during the Period for the Medium-term Objectives that ended on the day preceding the Effective Date of an Incorporated Administrative Agency that has become an Agency Engaged in Administrative Execution as of the Effective Date. In this case: in paragraph (2) of the Article, the phrase "a period specified by order of the competent ministry, which is not less than three years and not more than five years" is deemed to be replaced with "the Period for the Medium-term Objectives provided for in article 29, paragraph (2), item (i) prior to the revision by the Act for Partial Revision of the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014)" and the phrase "status of the implementation during the period of the matters concerning the improvement of the efficiency of the running of the operations specified in the Annual Objectives" is deemed to be replaced with "results of the operations during the Period for the Medium-term Objectives"; in paragraph (4) of the Article, the phrase "status of the implementation of the

matters provided for in the paragraph and the results of its self-evaluation on the status of the implementation of these matters" is deemed to be replaced with "results of the operations during the Period for the Medium-term Objectives provided for in the paragraph and the results of its self-evaluation on the status of these results of the operations"; and in paragraph (5) of the Article "status of the implementation of the matters" is deemed to be replaced with "results of the operations during the Period for the Medium-term Objectives."

5 前項の規定は、附則第九条の規定により、施行日前に定められた中期目標の期間が施行日の前日に終わることにより当該中期目標の期間が一年以上となる場合には、適用しない。

(5) The provisions of the preceding paragraph do not apply if the Period for the Medium-term Objectives specified prior to the Effective Date ends on the day preceding the Effective Date and as a result, the Period remaining for the Medium-term Objectives is one year or less, as provided for in Article 9 of the Supplementary Provisions.

6 第四項において準用する新法第三十五条の十一第四項の規定による報告書の提出をせず、又は報告書に記載すべき事項を記載せず、若しくは虚偽の記載をして報告書を提出した場合には、その違反行為をした行政執行法人の役員は、二十万円以下の過料に処する。

(6) If an Agency Engaged in Administrative Execution fails to submit a report under the provisions of Article 35-11, paragraph (4) of the New Act applied mutatis mutandis pursuant to paragraph (4) or fails to state in a report the matters that should be stated therein or submits a report containing a false statement, the officer of the Agency Engaged in Administrative Execution who has committed such violation is punished by a non-criminal fine of not more than 200,000 yen.

第十二条 旧法第三十五条の規定は、施行日において行政執行法人となる独立行政法人の施行日の前日を含む中期目標の期間については、適用しない。

Article 12 The provisions of Article 35 of the Former Act do not apply to the Period for the Medium-term Objectives which is specified for an Incorporated Administrative Agency that becomes an Agency Engaged in Administrative Execution as of the Effective Date in which the day preceding the Effective Date falls.

(秘密保持義務に関する経過措置)

(Transitional Measures Concerning Duty of Confidentiality)

第十三条 旧法第二条第二項に規定する特定独立行政法人の役員であった者に係る旧法第五十四条第一項の規定によるその職務上知ることのできた秘密を漏らしてはならない義務については、施行日以後も、なお従前の例による。



Article 13 With regard to the duty of a person who formerly served as an officer of a Specified Incorporated Administrative Agency provided for in Article 2, paragraph (2) of the Former Act is not to disclose any secrets that the person has come to know in the course of performing their duties as provided for in Article 54, paragraph (1), the prior laws continue to govern the applicability, even after the Effective Date.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第十四条 この法律の施行前にした行為及び前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 14 The laws in force at the time in question continue to govern the applicability of penal provisions to a conduct that a person engages in before the Act comes into effect.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十五条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 15 In addition to what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.