

認可特定保険業者等に関する命令 Order on Authorized Specified Insurers

(平成二十三年五月十三日内閣府・総務省・法務省・文部科学省・厚生労働省・農林水産省・経済産業省・国土交通省・環境省令第一号)

(Order of the Cabinet Office, the Ministry of Internal Affairs and Communications, the Ministry of Justice, the Ministry of Education, Culture, Sports, Science and Technology, the Ministry of Health, Labour and Welfare, the Ministry of Agriculture, Forestry and Fisheries, the Ministry of Economy, Trade and Industry, the Ministry of Land, Infrastructure, Transport and Tourism and the Ministry of the Environment No. 1 of May 13, 2011)

保険業法等の一部を改正する法律（平成十七年法律第三十八号）及び保険業法施行令の一部を改正する政令（平成十八年政令第三十三号）の規定に基づき、並びに同法を実施するため、認可特定保険業者等に関する命令を次のように定める。

Pursuant to the provisions of the Act Partially Amending the Insurance Business Act (Act No. 38 of 2005) and the Cabinet Order Partially Amending the Order for Enforcement of the Insurance Business Act (Cabinet Order No. 33 of 2006), and for the purpose of the implementation of the same Act, the Order on Authorized Specified Insurers is provided as follows.

第一章 総則（第一条）

Chapter I General Provisions (Article 1)

第二章 特定保険業の認可（第二条―第十五条）

Chapter II Authorization of Specified Insurance Business (Articles 2 to 15)

第三章 旧特定保険業者の保険契約の移転（第十六条―第二十一条）

Chapter III Transfer of Insurance Contracts of Specified Insurers under the Former Act (Articles 16 to 21)

第四章 業務、経理及び監督等（第二十二条―第六十八条）

Chapter IV Business, Accounting and Supervision (Articles 22 to 68)

第五章 保険契約の移転、事業の譲渡又は譲受け並びに業務及び財産の管理の委託

Chapter V Transfer of Insurance Contracts; Assignment or Acquisition of Business; and Entrustment of Business and Property Management Service

第一節 保険契約の移転（第六十九条―第七十四条）

Section 1 Transfer of Insurance Contracts (Articles 69 to 74)

第二節 事業の譲渡又は譲受け（第七十五条）

Section 2 Assignment or Acquisition of Business (Article 75)

第三節 業務及び財産の管理の委託（第七十六条―第七十八条）

Section 3 Entrustment of Business and Property Management Service (Articles 76 to 78)

第六章 解散、合併及び清算

Chapter VI Dissolution, Merger and Liquidation

第一節 解散（第七十九条・第八十条）

Section 1 Dissolution (Articles 79 and 80)

第二節 合併（第八十一条―第八十九条）

Section 2 Merger (Articles 81 to 89)

第三節 清算（第九十条―第九十三条）

Section 3 Liquidation (Articles 90 to 93)

第七章 保険募集（第九十四条―第九十六条）

Chapter VII Insurance Solicitation (Articles 94 to 96)

第八章 雑則（第九十七条―第一百六条）

Chapter VIII Miscellaneous Provisions (Articles 97 to 106)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

（定義）

(Definitions)

第一条 この命令において、「保険業」、「保険会社」、「生命保険会社」、「外国保険業者」、「外国保険会社等」、「外国生命保険会社等」又は「少額短期保険業者」とは、それぞれ保険業法（平成七年法律第百五号。以下「法」という。）第二条に規定する保険業、保険会社、生命保険会社、外国保険業者、外国保険会社等、外国生命保険会社等又は少額短期保険業者をいう。

Article 1 (1) In this Order, the term "Insurance Business", "Insurance Company", "Life Insurance Company", "Foreign Insurer", "Foreign Insurance Company, etc.", "Foreign Life Insurance Company, etc." or "Small Amount and Short Term Insurance Company" means the Insurance Business, Insurance Company, Life Insurance Company, Foreign Insurer, Foreign Insurance Company, etc., Foreign Life Insurance Company, etc. or Small Amount and Short Term Insurance Company provided in Article 2 of the Insurance Business Act (Act No. 105 of 1995; hereinafter referred to as the "Act"), respectively.

2 この命令において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(2) In this Order, the meanings of the terms set forth in the following items are as set forth in the respective items:

一 特定保険業 保険業法等の一部を改正する法律（平成十七年法律第三十八号。以下「改正法」という。）附則第二条第一項に規定する特定保険業をいう。

(i) the term "Specified Insurance Business" means the Specified Insurance Business provided in Article 2, paragraph (1) of the Supplementary

Provisions to the Act Partially Amending the Insurance Business Act (Act No. 38 of 2005; hereinafter referred to as the "Amendment Act");

二 認可特定保険業者 改正法附則第二条第七項第一号ホ（７）に規定する認可特定保険業者をいう。

(ii) the term "Authorized Specified Insurer" means an Authorized Specified Insurer provided in Article 2, paragraph (7), item (i), (e), 7. of the Supplementary Provisions to the Amendment Act;

三 子会社 改正法附則第四条第五項に規定する子会社をいう。

(iii) the term "Subsidiary Company" means a Subsidiary Company provided in Article 4, paragraph (5) of the Supplementary Provisions to the Amendment Act;

四 保険募集 改正法附則第四条の二に規定する保険募集をいう。

(iv) the term "Insurance Solicitation" means an Insurance Solicitation provided in Article 4-2 of the Supplementary Provisions to the Amendment Act.

第二章 特定保険業の認可

Chapter II Authorization of Specified Insurance Business

（特定保険業を行っていた者と密接な関係を有する者）

(Persons with Close Relationship with Persons Formerly Engaged in Specified Insurance Business)

第二条 改正法附則第二条第一項に規定する主務省令で定める者（以下「密接関係者」という。）は、次の各号に掲げる事項に照らして、改正法の公布の際現に特定保険業を行っていた者（以下「旧特定保険業者」という。）と実質的に同一と認められる一般社団法人又は一般財団法人とする。

Article 2 The persons specified by order of the competent ministry, referred to in Article 2, paragraph (1) of the Supplementary Provisions to the Amendment Act (hereinafter referred to as a "Closely Related Person"), is a general incorporated association or general incorporated foundation, which is deemed substantially identical with the person actually engaged in Specified Insurance Business at the time of the promulgation of the Amendment Act (hereinafter referred to as "Specified Insurer under Former Act"), judging from the matters set forth in the following items:

一 当該法人の目的

(i) purpose of the corporation;

二 当該法人の社員又は評議員の構成

(ii) composition of members or councilors of the corporation; and

三 当該法人の理事及び監事の構成

(iii) composition of directors and inspectors of the corporation.

（純資産額の算定方法）

(Methods of Calculation of Amount of Net Assets)

第三条 改正法附則第二条第二項第二号に規定する主務省令で定める方法は、貸借対照表の資産の部に計上されるべき金額の合計額から負債の部に計上されるべき金額の合計額（次に掲げるものの金額の合計額を除く。）を控除する方法とする。

Article 3 (1) The method specified by order of the competent ministry, referred to in Article 2, paragraph (2), item (ii) of the Supplementary Provisions to the Amendment Act, is the method of calculation by deducting the total of the amounts to be reported in the liabilities section of balance sheet (excluding the total of the following amounts) from the total of the amounts to be reported in the asset section of the balance sheet:

一 改正法附則第四条第一項において読み替えて準用する法第百十五条第一項の価格変動準備金に相当する額

(i) amount equivalent to a price fluctuation reserve, referred to in Article 115, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; and

二 第四十三条第一項第三号の異常危険準備金に相当する額

(ii) amount equivalent to extraordinary contingency reserve under Article 43, paragraph (1), item (iii).

2 前項の資産及び負債の評価は、計算を行う日において、一般に公正妥当と認められる会計の慣行に従って評価した価額によらなければならない。

(2) The assessment of assets and liabilities under the preceding paragraph must be made based on values thereof assessed in accordance with the accounting practices that are generally accepted as fair and appropriate as of the day of the calculation.

3 前項の場合において、次の各号に掲げる場合に該当するときは、当該各号に定める金額を評価額とする。

(3) In the case referred to in the preceding paragraph, if any of the cases set forth in the following items is applicable, the amount specified in the relevant item is deemed as the assessed amount:

一 金銭債権又は市場価格のない債券について取立不能のおそれがある場合 取立不能見込額を控除した金額

(i) cases where there is a risk of non-collectability of monetary claim or bonds without market price: the amount after deducting the prospective uncollectible amount;

二 市場価格のない株式についてその発行会社の資産状態が著しく悪化した場合 相当の減額をした金額

(ii) in relation to any share without market price, cases where the asset standing of the issuer is extremely deteriorated: the amount after making an appropriate reduction;

三 前二号以外の流動資産の時価が帳簿価額より著しく低い場合であって、その価額

が帳簿価額まで回復することが困難と見られる場合 当該時価

(iii) cases where the market price of current assets other than those specified in the preceding two items is extremely lower than their book value, and where it is considered difficult for the value to recover to the level of book value: the relevant market price;

四 第一号又は第二号以外の固定資産について償却不足があり、又は予測することのできない減損が生じた場合 償却不足額を控除し、又は相当の減額をした金額

(iv) in relation to fixed assets other than those specified in item (i) or (ii), if there occurs any underdepreciation or unpredictable impairment loss: the amount after deducting the amount of underdepreciation or making an appropriate reduction;

五 繰延資産について償却不足がある場合 償却不足額を控除した金額

(v) if there is underdepreciation in relation to deferred assets: the amount after deducting the amount of underdepreciation.

(認可申請書の添付書類)

(Documents to Be Attached to Written Application for Authorization)

第四条 改正法附則第二条第三項に規定する主務省令で定める書類は、次に掲げる書類(官公署が証明する書類については、同条第一項の認可の申請(以下この条において「認可申請」という。)の日前三月以内に作成されたものに限る。)とする。

Article 4 The documents specified by order of the competent ministry, referred to in Article 2, paragraph (3) of the Supplementary Provisions to the Amendment Act, are the documents set forth in the following (in case of documents certified by a public agency, the documents must have been prepared within three months prior to the date of application of the authorization under paragraph (1) of the same Article (hereinafter referred to as an "application for authorization" in this Article)):

一 一般社団法人又は一般財団法人の登記事項証明書

(i) a certificate of registered information of the general incorporated association or general incorporated foundation;

二 特定保険業(これに附帯する業務及び保険代理業(改正法附則第四条第六項に規定する保険代理業をいう。))を含む。次号及び第十四号において同じ。)に係る三事業年度の事業計画書

(ii) a business plan for three business years in relation to Specified Insurance Business (including any business incidental thereto and an insurance agency service (meaning an insurance agency service provided in Article 4, paragraph (6) of the Supplementary Provisions to the Amendment Act); the same applies in the following item and item (xiv));

三 特定保険業以外の事業に係る三事業年度の事業計画書

(iii) a business plan for three business years relating to the business other than the Specified Insurance Business;

四 最終の貸借対照表、損益計算書その他の当該認可申請者の最近における業務、財産及び損益の状況を知ることができる書類

(iv) the latest balance sheet, profit and loss statement and any other document which shows recent business, assets and profit and loss standings of the applicant for authorization;

五 一般社団法人にあってはその社員の名簿、一般財団法人にあってはその設立者及び評議員の名簿

(v) a name list of members, in case of a general incorporated association; or a name list of founders and councilors, in case of a general incorporated foundation;

六 理事及び監事の履歴書

(vi) curricula vitae of directors and inspectors;

七 理事及び監事が改正法附則第二条第七項第一号ホ（１）から（１０）までのいずれにも該当しない者であることを当該理事及び監事が誓約する書面

(vii) a document in which the director and inspector pledge that they do not fall under any of the persons specified in Article 2, paragraph (7), item (i), (e), 1. to 10. of the Supplementary Provisions to the Amendment Act;

八 改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要することとなる者にあっては、次に掲げる書類

(viii) in case of an applicant required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the following documents:

イ 保険計理人に選任する者の履歴書

(a) a curriculum vitae for the person to be appointed an responsible actuary;

ロ 保険計理人に選任する者が改正法附則第四条第一項において読み替えて準用する法第百二十条第二項に規定する主務省令で定める要件に該当する者であることを証する書面

(b) a document certifying that the person to be appointed an responsible actuary satisfies the requirements provided by order of the competent ministry, referred to in Article 120, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

ハ 改正法附則第二条第三項第四号に掲げる書類に記載された保険料及び責任準備金の算出方法が保険数理に基づき合理的かつ妥当なものであることについての保険計理人に選任する者の意見書

(c) a written opinion from the person to be appointed an responsible actuary that the method of calculation of insurance premiums and policy reserve

- specified in a document set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act is reasonable and appropriate based on actuarial science; and
- ニ 認可申請時において引受けを行っている保険契約に係る責任準備金に相当する額が保険数理に基づき合理的かつ妥当な方法により積み立てられているかどうかについて、保険計理人に選任する者が確認した結果を記載した意見書
- (d) a written opinion containing the verification findings of the person to be appointed an responsible actuary as to whether the amount equivalent to policy reserve for insurance contracts underwritten at the time of the application for authorization is set aside according to a reasonable and appropriate method based on actuarial science;
- 九 純資産額（改正法附則第二条第二項第二号の規定により算定される額をいう。次号及び第十一条第一項において同じ。）の算出根拠を記載した書面
- (ix) a document containing calculation basis of the amount of net assets (meaning the amount calculated pursuant to Article 2, paragraph (2), item (ii) of the Supplementary Provisions to the Amendment Act; the same applies in the following item and Article 11, paragraph (1));
- 十 純資産額が第十一条第一項第一号に定める額に満たない者にあつては、同項第二号の基準に適合するための計画を記載した書面（当該計画の実施期間が五年を超える場合においては、当該期間が五年を超えることについてやむを得ない理由を記載した書面及び当該計画の目的が達成される蓋然性について改正法附則第四条第一項において読み替えて準用する法第百二十条第二項に規定する主務省令で定める要件に該当する者が確認した結果を記載した意見書を含む。）
- (x) in the case of a person having net assets less than the amount specified in Article 11, paragraph (1), item (i), a document specifying a plan to ensure compliance with the criteria under item (ii) of the same paragraph (or, in the case where the period for implementation of the plan exceeds five years, including a document specifying the unavoidable reason for the period exceeding five years, and a written opinion specifying the verification findings on the feasibility of achieving the purpose of the plan, prepared by a person who satisfies the requirements specified by order of the competent ministry, referred to in Article 120, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms);
- 十一 特定保険業に関する知識及び経験を有する使用人の確保の状況を記載した書類
- (xi) a document specifying the status of securing employees with knowledge and experience in Specified Insurance Business;
- 十二 旧特定保険業者として認可申請を行う者にあつては、旧特定保険業者に該当することを明らかにする書類
- (xii) in the case of a person making an application for authorization as a

- Specified Insurer under Former Act, a document expressly describing that the person falls under the category of Specified Insurer under Former Act;
- 十三 密接関係者に該当する者として認可申請を行う者にあつては、密接関係者に該当することを明らかにする書類
- (xiii) in the case of a person making an application for authorization as a Closely Related Person, a document expressly describing that the person falls under the category of Closely Related Person;
- 十四 特定保険業以外の業務を行う場合には、次に掲げる事項を記載した書類
- (xiv) if the applicant engages in any business other than Specified Insurance Business, the documents specifying the following matters:
- イ 当該業務の種類
 - (a) type of the business;
 - ロ 当該業務の方法
 - (b) method of the business;
 - ハ 当該業務の開始年月日又は開始予定年月日
 - (c) actual or slated year/month/date for starting the business;
 - ニ 当該業務を所掌する組織及び人員配置
 - (d) organizations having jurisdiction over the business and personnel staffing; and
 - ホ 当該業務の運営に関する内部規則等（内部規則その他これに準ずるものをいう。第二十六条及び第六十三条第二項第三号において同じ。）
 - (e) internal rules, etc. (meaning internal rules and any other rules equivalent thereto; the same applies in Article 26 and Article 63, paragraph (2), item (iii)) on operation of the business;
- 十五 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十五条第一項の規定により同条第三項に規定する移転業者から保険契約の移転を受けることを約する者にあつては、同条第一項の契約に係る契約書
- (xv) in the case of a person who undertakes to acquire insurance contracts from a transferor provided in Article 135, paragraph (3) of the Act, pursuant to the provisions of paragraph (1) of the same Article as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written contract for the contract under Article 135, paragraph (1) of the Act;
- 十六 認可申請者が子会社等（改正法附則第四条第一項及び第二項において読み替えて準用する法第百三十二条第一項に規定する子会社等をいう。以下この号、第七十五条第七号及び第九十六条第三号において同じ。）を有する場合には、次に掲げる書類
- (xvi) if an applicant for authorization has a subsidiary company, etc. (meaning a subsidiary company, etc. provided in Article 132, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of

the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in this item, Article 75, item (vii) and Article 96, item (iii)), the following documents:

イ 当該子会社等の商号又は名称及び主たる営業所又は事務所の所在地を記載した書類

(a) a document specifying the trade name or name of the subsidiary company, etc. as well as the location of its main office or principal office;

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

(b) a document specifying the title and name of the officers of the subsidiary company, etc. (if the officer is a corporation, including the person to perform the duties of the corporation);

ハ 当該子会社等の業務の内容を記載した書類

(c) a document specifying the details of business of the subsidiary company, etc.; and

ニ 当該子会社等の最終の貸借対照表、損益計算書その他の当該子会社等の最近における業務、財産及び損益の状況を知ることができる書類

(d) the latest balance sheet, profit and loss statement and any other document which shows recent business, assets and profit and loss standings of the subsidiary company, etc.;

十七 前各号に掲げるもののほか、行政庁が必要と認める書類

(xvii) beyond what is set forth in the preceding items, documents as may be deemed necessary by an administrative authority.

(改正法附則第二条第七項第二号の基準に適合することを明らかにするために必要な事項)

(Matters Necessary for Clarifying Compliance with Criteria under Article 2, Paragraph (7), Item (ii) of the Supplementary Provisions of the Amendment Act)

第五条 改正法附則第二条第三項第五号に規定する主務省令で定める事項は、認可申請者（認可申請者が密接関係者である場合には、当該認可申請者を密接関係者とする旧特定保険業者）が改正法の公布の際現に行っていた特定保険業に係る次に掲げる事項とする。

Article 5 The matters specified by order of the competent ministry, referred to in Article 2, paragraph (3), item (v) of the Supplementary Provisions to the Amendment Act, are the matters set forth in the following in relation to Specified Insurance Business actually conducted by an applicant for authorization (or, in the case where the applicant for authorization is a Closely Related Person, the Specified Insurer under Former Act whose Closely Related Person is the applicant for authorization) at the time of the promulgation of the Amendment Act:

- 一 保険の種類
- (i) types of insurance;
- 二 保険契約者の範囲
- (ii) scope of policyholders;
- 三 被保険者又は保険の目的の範囲
- (iii) scope of insured persons or purpose of insurance; and
- 四 保険金の支払事由
- (iv) grounds of payment of insurance proceeds.

(電磁的記録)

(Electronic or Magnetic Records)

第六条 改正法附則第二条第四項において読み替えて準用する法第四条第三項に規定する主務省令で定めるもの及び改正法附則第四条第十七項において読み替えて準用する法第一百七十六条に規定する主務省令で定める電磁的記録は、磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものとする。

Article 6 The record specified by order of the competent ministry, referred to in Article 4, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 2, paragraph (4) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, and the electronic or magnetic record specified by order of the competent ministry, referred to in Article 176 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are information recorded in a file that has been prepared using media which can securely record certain information on magnetic disks or by any other means equivalent thereto.

(事業方法書の記載事項)

(Matters to Be Included in Business Method Statement)

第七条 改正法附則第二条第六項に規定する主務省令で定める事項は、同条第三項第二号に掲げる書類にあっては、次に掲げるものとする。

Article 7 The matters specified by order of the competent ministry, referred to in Article 2, paragraph (6) of the Supplementary Provisions to the Amendment Act, are as set forth in the following, in the case of a document set forth in paragraph (3), item (ii) of the same Article:

- 一 保険の種類
- (i) types of insurance;
- 二 保険契約者の範囲
- (ii) scope of policyholders;
- 三 被保険者又は保険の目的の範囲
- (iii) scope of insured persons or purpose of insurance;

四 保険金額及び保険期間に関する事項

(iv) matters relating to insurance proceeds and insured period;

五 被保険者又は保険の目的の選択及び保険契約の締結の手続に関する事項

(v) matters relating to designation of insured persons or purpose of insurance, as well as procedures for executing an insurance contract;

六 保険料の収受並びに保険金及び払い戻される保険料その他の返戻金の支払に関する事項

(vi) matters relating to receipt of insurance premiums, as well as payment of insurance proceeds, insurance premiums refund or any other refund;

七 保険証券（保険法（平成二十年法律第五十六号）第六条第一項、第四十条第一項又は第六十九条第一項の書面をいう。）、保険契約の申込書及びこれらに添付すべき書類に記載する事項

(vii) matters to be included in an insurance policy certificate (meaning a document under Article 6, paragraph (1), Article 40, paragraph (1) or Article 69, paragraph (1) of the Insurance Act (Act No. 56 of 2008)), an insurance contract application form, and documents to be attached to these;

八 保険契約の特約に関する事項

(viii) matters relating to special provisions of an insurance contract;

九 契約者配当（改正法附則第四条第一項において読み替えて準用する法第百十四条第一項に規定する契約者配当をいう。以下同じ。）に関する事項

(ix) matters relating to policy dividends (meaning policy dividends provided in Article 114, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies hereinafter);

十 保険金額、保険の種類又は保険期間を変更する場合の取扱いに関する事項

(x) matters relating to transactions in the case of change to an amount of insurance proceeds, type of insurance or insured period;

十一 特別勘定（改正法附則第四条第一項において読み替えて準用する法第百十八条第一項に規定する特別勘定をいう。以下同じ。）を設ける場合にあっては、次に掲げる事項

(xi) in the case of creating a special account (meaning a special account provided in Article 118, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies hereinafter), the matters set forth in the following:

イ 特別勘定を設ける保険契約の種類

(a) type of insurance contracts for which a special account is to be created;

ロ 特別勘定に属する財産の種類及び評価の方法

(b) type of properties in the special account and evaluation method thereof;
and

ハ 保険料の全部又は一部を特別勘定に振り替える日

(c) date on which all or part of insurance premiums is to be transferred to the special account.

(普通保険約款の記載事項)

(Matters to Be Included in General Policy Conditions)

第八条 改正法附則第二条第六項に規定する主務省令で定める事項は、同条第三項第三号に掲げる書類にあっては、次に掲げるものとする。

Article 8 The matters specified by order of the competent ministry, referred to in Article 2, paragraph (6) of the Supplementary Provisions to the Amendment Act, are as set forth in the following, in the case of a document set forth in paragraph (3), item (iii) of the same Article:

一 保険金の支払事由

(i) grounds of payment of insurance proceeds;

二 保険契約の無効原因

(ii) grounds for invalidity of insurance contract;

三 保険者としての保険契約に基づく義務を免れるべき事由

(iii) grounds to release an insurer from obligations under an insurance contract;

四 保険料の増額又は保険金の削減に関する事項

(iv) matters relating to increase of insurance premiums or reduction of insurance proceeds;

五 保険者としての義務の範囲を定める方法及び履行の時期

(v) method of determining the scope of obligations of an insurer, as well as the timing of performance of the obligations;

六 保険契約者又は被保険者が保険約款に基づく義務の不履行のために受けるべき不利益

(vi) disadvantages to a policyholder or insured person in the case of non-performance of their obligations under the policy conditions;

七 保険契約の全部又は一部の解除の原因並びに当該解除の場合における当事者の有する権利及び義務

(vii) grounds for cancellation of all or part of an insurance contract, as well as the rights and obligations of parties in the case of cancellation; and

八 契約者配当を受ける権利を有する者がいる場合においては、その権利の範囲

(viii) in the case where any person has a right to receive policy dividends, the scope of the right.

(保険料及び責任準備金の算出方法書の記載事項)

(Matters to Be Included in Statement of Calculation Procedures for Insurance Premiums and Policy Reserve)

第九条 改正法附則第二条第六項に規定する主務省令で定める事項は、同条第三項第四

号に掲げる書類にあっては、次に掲げるものとする。

Article 9 The matters specified by order of the competent ministry, referred to in Article 2, paragraph (6) of the Supplementary Provisions to the Amendment Act, are as set forth in the following, in the case of a document set forth in paragraph (3), item (iv) of the same Article:

一 保険料の計算の方法（その計算の基礎となる係数を要する場合においては、その係数を含む。）に関する事項

(i) matters relating to the method of calculation of insurance premiums (if the method requires a coefficient as a basis of the calculation, including the coefficient);

二 責任準備金の計算の方法（その計算の基礎となる係数を要する場合においては、その係数を含む。）に関する事項

(ii) matters relating to the method of calculation of policy reserve (if the method requires a coefficient as a basis of the calculation, including the coefficient);

三 返戻金の額その他の被保険者のために積み立てるべき額を基礎として計算した金額（第十三条第一号及び第五十条第一項第四号において「契約者価額」という。）の計算の方法及びその基礎に関する事項

(iii) matters relating to the method and basis of calculation of the amount of refund and other amount calculated based on the amount to be reserved for insured persons (referred to as "policyholder value" in Article 13, item (i) and Article 50, paragraph (1), item (iv));

四 第三十九条第一項の契約者配当準備金（同項及び第七十二条の二第一項第三号ロからニまでを除き、以下単に「契約者配当準備金」という。）及び契約者配当の計算の方法に関する事項

(iv) matters relating to the method of calculation of a policy dividend reserve under Article 39, paragraph (1) (hereinafter simply referred to as "policy dividend reserve", excluding the same paragraph and Article 72-2, paragraph (1), item (iii), (b) to (d)) and policy dividends;

五 保険金額、保険の種類又は保険期間を変更する場合における計算の方法に関する事項

(v) matters relating to the method of calculation in the case of any change to the amount of insurance proceeds, type of insurance or insured period; and

六 その他保険数理に関して必要な事項

(vi) any other matters necessary in relation to actuarial science.

（認可申請者と密接な関係を有する者）

(Persons in Close Relationship with Applicant for Authorization)

第十条 改正法附則第二条第七項第二号に規定する主務省令で定める者は、認可申請者を密接関係者とする旧特定保険業者とする。

Article 10 The person specified by order of the competent ministry, referred to in

Article 2, paragraph (7), item (ii) of the Supplementary Provisions to the Amendment Act, is a Specified Insurer under Former Act whose Closely Related Person is an applicant for authorization.

(財産的基礎)

(Financial Basis)

第十一条 改正法附則第二条第七項第三号に規定する主務省令で定める基準は、次の各号のいずれかに該当することとする。

Article 11 (1) The criteria specified by order of the competent ministry, referred to in Article 2, paragraph (7), item (iii) of the Supplementary Provisions to the Amendment Act, is the satisfaction of any of the following items:

一 純資産額が千万円以上であること。

(i) the amount of net assets is not less than 10,000,000 yen; and

二 次に掲げる基準に適合する計画を有しており、かつ、当該計画の目的が達成される蓋然性が高いと見込まれること。

(ii) the applicant has a plan complying with the following standards, and it is considered highly feasible that the purpose of the plan will be achieved:

イ 純資産額が前号に定める額以上となることを目的とするものであること。

(a) the plan is for ensuring that the amount of net assets is not less than the amount specified in the preceding item;

ロ 認可申請者が実行可能な範囲内でできる限り早期に目的を達成するために必要と見込まれる措置を適切に講ずることとするものであること。

(b) the plan is for ensuring that the applicant for authorization implements measures as may be considered necessary to achieve the purpose, as soon as practicable and in an appropriate manner; and

ハ 計画の実施期間が、目的を達成するために必要な最小限度の期間であること。

(c) the period for implementation of the plan is within the minimum extent necessary for achieving the purpose.

2 前項第二号の計画の実施期間は五年を超えることはできない。ただし、認可申請者の業務又は財産の状況等に照らし、当該認可申請者の同号の計画の実施期間が五年を超えることについてやむを得ない理由があると認められる場合であって、当該計画の目的が達成される蓋然性について改正法附則第四条第一項において読み替えて準用する法第百二十条第二項に規定する主務省令で定める要件に該当する者の確認を受けたものである場合にあっては、この限りでない。

(2) The plan implementation period under item (ii) of the preceding paragraph may not exceed five years; provided, however, that this does not apply to the case where an unavoidable reason is found for the plan implementation period of the applicant for authorization under the same item to exceed five years, judging from the business or property status, etc. of the applicant for authorization, and where a verification is obtained from a person satisfying the requirements specified by order of the competent ministry, referred to in

Article 120, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, as to the feasibility of the achievement of the purpose of the plan.

(事業方法書等の審査基準)

(Examination Standard of Business Method Statement)

第十二条 改正法附則第二条第七項第六号ハに規定する主務省令で定める基準は、次に掲げる基準とする。

Article 12 The criteria specified by order of the competent ministry, referred to in Article 2, paragraph (7), item (vi), (c) of the Supplementary Provisions to the Amendment Act, are as set forth in the following:

一 保険契約の内容に関し、特定の者に対して不当な差別的取扱いをするものでないこと。

(i) an insurance contract does not contain any provision affording unreasonably discriminatory treatment against any specific person;

二 保険契約の内容が、当該認可申請者の支払能力に照らし、過大な危険の引受けを行うものでないこと。

(ii) an insurance contract does not contain any provision to assume excessively high risks, judging from the insolvency margin of the applicant for authorization;

三 保険契約者、被保険者、保険金額を受け取るべき者その他の関係者（以下「保険契約者等」という。）の権利義務その他保険契約の内容が、保険契約者等にとって明確かつ平易に定められたものであること。

(iii) an insurance contract contains provisions on the rights and obligations of its policyholder, insured person, beneficiary of insurance proceeds, and any other related party (hereinafter referred to as "Policyholder, etc."), as well as any other insurance contract terms and conditions which are clear and easy-to-understand for the Policyholder, etc.;

四 次のイ及びロに掲げる手続に関する当該イ及びロに定める同意の方式について、書面による方式その他これに準じた方式が明瞭に定められていること。

(iv) for the method of consent provided in the following (a) and (b) in relation to the procedures set forth in those items, respectively, an insurance contract contains a provision clearly setting forth the method in the form of writing or any other equivalent method:

イ 保険契約の締結（被保険者の同意を必要とする契約の変更を含む。次号において同じ。） 保険法第三十八条又は第六十七条第一項の同意

(a) conclusion of an insurance contract (including amendment to a contract which requires consent from an insured person; the same applies in the following item): consent under Article 38 or Article 67, paragraph (1) of the Insurance Act;

- ロ 保険法第四十三条第一項又は第七十二条第一項に規定する保険金受取人の変更
同法第四十五条又は第七十四条第一項の同意
- (b) change of the beneficiary of insurance proceeds provided in Article 43,
paragraph (1) or Article 72, paragraph (1) of the Insurance Act; consent
under Article 45 or Article 74, paragraph (1) of the Insurance Act;
- 五 電気通信回線に接続している情報処理の用に供する機器を利用して、保険契約の
申込みその他の保険契約の締結の手続を行うものについては、保険契約の申込みを
した者の本人確認、被保険者（当該保険契約の締結時において被保険者が特定でき
ない場合を除く。）の身体の状態の確認、契約内容の説明、情報管理その他当該手
続の遂行に必要な事項について、保険契約者等の保護及び業務の的確な運営が確保
されるための適切な措置が講じられていること。
- (v) when the application for an insurance contract or any other procedures for
conclusion of an insurance contract are to be handled by the use of devices
connected to telecommunication lines made available for information
processing, adequate measures are implemented so as to secure protection of
Policyholders, etc. and appropriate business operation, in relation to identity
confirmation of the applicants of insurance contracts, checking of physical
conditions of the insured persons (excluding the case where the insured
person cannot be identified at the time of conclusion of the insurance
contract), explanation of contract terms and conditions, information
management and any other aspects as may be required for implementation of
the procedures;
- 六 保険契約の解約による返戻金の開示方法が、保険契約者等の保護に欠けるおそれ
のない適正なものであり、かつ、明瞭に定められていること。
- (vi) the method of disclosure of information on cancellation refund of an
insurance contract is appropriate and bears no risk of negative impact on
protection of Policyholders, etc., and is clearly defined;
- 七 法第三条第四項第一号又は第二号に掲げる保険の引受けを行う場合においては、
保険金の支払基準及び限度額が適正であること。
- (vii) when any insurance set forth in Article 3, paragraph (4), item (i) or (ii) of
the Act is to be underwritten, the criteria for payment and the maximum
limitation of the insurance proceeds are appropriate;
- 八 特別勘定を設ける保険契約にあつては、それに属する財産の運用に係る体制が適
正であること。
- (viii) in case of an insurance contract for which a special account is to be
created, the investment structures for the properties in those accounts are
appropriate;
- 九 保険契約者に対して、第二十三条第一号から第五号までに定める書面を交付した
上で、当該保険契約者から当該書面を受領した旨の署名又は押印を得る措置が明確
に定められていること。
- (ix) the measures are clearly defined so that the documents specified in Article

23, items (i) to (v) are delivered to a Policyholder, etc. and that signature or seals in acknowledgment of the receipt of the documents by the Policyholder, etc. are obtained; and

十 第八条第四号に掲げる事項に関する保険約款の規定において、保険料の増額又は保険金の削減（以下この号において「保険料の増額等」という。）が行われる場合の要件、保険料の増額等の内容及び保険契約者に当該保険料の増額等の内容を通知する時期が明確に定められていること。

(x) in the provisions of policy conditions relating to the matters set forth in Article 8, item (iv), the conditions for increase of insurance premiums or reduction of insurance proceeds (hereinafter referred to as "insurance premiums increase, etc." in this item), the details of the insurance premiums increase, etc. and the timing of making notification of the details of the insurance premiums increase, etc. to the policyholder are clearly defined.

（保険料及び責任準備金の算出方法書の審査基準）

(Examination Standard for Statement of Calculation Procedures of Insurance Premium and Policy Reserve)

第十三条 改正法附則第二条第七項第七号ロに規定する主務省令で定める基準は、次に掲げる基準とする。

Article 13 The criteria specified by order of the competent ministry, referred to in Article 2, paragraph (7), item (vii), (b) of the Supplementary Provisions to the Amendment Act, are as set forth in the following:

一 契約者価額の計算が、保険契約者等にとって不当に不利益なものでないこと。

(i) the calculation of the policyholder value is not unreasonably disadvantageous to the Policyholder, etc.; and

二 当該書類に記載された事項に関し、特定の者に対して不当な差別的取扱いをするものでないこと。

(ii) the document does not contain any statement affording unreasonably discriminatory treatment against any specific person.

（保険契約者等の保護のために必要な基準）

(Standards Necessary for Protection of Policyholders)

第十四条 改正法附則第二条第七項第八号に規定する主務省令で定める基準は、認可申請者が、特定保険業に関し不正又は不誠実な行為をするおそれがあると認めるに足りる相当の理由がある者でないこととする。

Article 14 The criteria specified by order of the competent ministry, referred to in Article 2, paragraph (7), item (viii) of the Supplementary Provisions to the Amendment Act, is that the applicant for authorization is not a person concerning which there is a reasonable ground for believing that the person is likely to engage in an unfair or dishonest act in relation to the Specified Insurance Business.

(保険契約管理業者に適用される規定の読替え)

**(Replacement of Terms Applicable to Providers of Insurance Contract
Administrative Service)**

第十五条 改正法附則第二条第十二項の規定により保険契約管理業者（同項に規定する保険契約管理業者をいう。第八十九条第一項第十六号ロにおいて同じ。）が認可特定保険業者とみなされる場合における第五十九条、第六十五条、第六十九条から第七十一条まで、第七十二条から第七十四条まで、第七十五条（第七号及び第八号を除く。）、第七十六条から第七十八条まで及び第八十九条（第一項第七号、第十一号及び第十五号を除く。）の規定の適用については、第六十九条第二号中「認可特定保険業者」とあるのは「移転先会社が認可特定保険業者の場合」と、「外国保険会社等」とあるのは「外国保険会社等の場合」と、第七十二条第二項第七号イ中「責任準備金その他の準備金の額」とあるのは「責任準備金その他の準備金に相当する額」と、同号ロ中「係る責任準備金その他の準備金の額」とあるのは「係る責任準備金その他の準備金に相当する額」と、「算定の適切性（移転業者が改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の額及びそれらの算出方法）」とあるのは「算出方法」と、同号ハ中「責任準備金その他の準備金の算定の適切性（移転業者が改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の算出方法）」とあるのは「責任準備金その他の準備金に相当する額の算出方法」と、第七十二条の二第一項第二号中「移転業者を保険者とする保険契約及び移転先会社を保険者とする保険契約に係る責任準備金が保険数理に基づき合理的かつ妥当な方法により積み立てられること」とあるのは「移転先会社を保険者とする保険契約に係る責任準備金が保険数理に基づき合理的かつ妥当な方法により積み立てられること（移転業者を保険者とする保険契約にあっては、責任準備金に相当する額が適正に積み立てられること）」と、第七十四条中「、移転業者の事業方法書等に定めた事項のうちの移転対象契約に関する部分」とあるのは「移転対象契約に関する事項」と、第七十五条第二号中「事業又は」とあるのは「特定保険業に係る事業又は」と、「事業に係る」とあるのは「特定保険業に係る事業に係る」と、第八十九条第一項第十号中「改正法附則第四条第十七項において読み替えて準用する法第六十五条の二十四第二項の規定による官報による公告及び当該合併認可特定保険業者の定款で定めた公告方法による公告又は催告をしたこと並びに」とあるのは「一般社団法人及び一般財団法人に関する法律第二百四十八条第二項又は第二百五十二条第二項の規定による公告をしたこと及び」と、「当該官報による公告」とあるのは「当該公告」とする。

Article 15 For the purpose of application of the provisions of Article 59, Article 65, Articles 69 to 71, Articles 72 to 74, Article 75 (excluding items (vii) and (viii)), Article 76 to 78 and Article 89 (excluding items (vii), (xi) and (xv) of paragraph (1)) in the case where a provider of insurance contract

administrative service (meaning a provider of insurance contract administrative service provided in Article 2, paragraph (12) of the Supplementary Provisions to the Amendment Act; the same applies in Article 89, paragraph (1), item (xvi), (b)) is deemed as an Authorized Specified Insurer pursuant to the provisions of Article 2, paragraph (12) of the Supplementary Provisions to the Amendment Act, in Article 69, item (ii), the term "in the case of an Authorized Specified Insurer" is deemed to be replaced with "in the case where the transferee company is an Authorized Specified Insurer", and the term "a Foreign Insurance Company, etc." is deemed to be replaced with "in the case of a Foreign Insurance Company, etc."; in Article 72, paragraph (2), item (vii), (a), the term "amount of policy reserve and any other reserve" is deemed to be replaced with "amount equivalent to policy reserve and any other reserve"; in Article 72, paragraph (2), item (vii), (b), the term "amount of policy reserve and any other reserve" is deemed to be replaced with "amount equivalent to policy reserve and any other reserve", the phrase "the appropriateness of the calculation of the amount, for each type of insurance contract (in the case where a transferor is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the amount of policy reserve and any other reserve and the method of calculation of the amounts)" is deemed to be replaced with "the appropriateness of the calculation of the amount, for each type of insurance contract"; in Article 72, paragraph (2), item (vii), (c), the phrase "the appropriateness of the calculation of the amount of policy reserve and any other reserves after the transfer of insurance contracts (in the case where a transferor is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the method of calculation of policy reserve and any other reserve)" is deemed to be replaced with "the appropriateness of the calculation of the amount equivalent to policy reserve and other reserves"; in Article 72-2, paragraph (1), item (ii), the phrase "after the transfer of insurance contracts, it is expected that policy reserves for insurance contracts wherein the insurer is the transferor and insurance contracts wherein the insurer is the transferee company will be set aside by a reasonable and appropriate method in accordance with actuarial science" is deemed to be replaced with "it is expected that policy reserves for insurance contracts wherein the insurer is the transferee company will be set aside by a reasonable and appropriate method in accordance with actuarial science (or, in

the case of an insurance contract wherein the insurer is the transferor, that it is expected that the amount equivalent to policy reserve will be set aside in an appropriate manner"); in Article 74, the phrase "the portion of matters specified in a business method statement, etc. of the transferor which relate to the transferred contracts" is deemed to be replaced with "matters relating to the transferred contract"; in Article 75, item (ii), the term "assignment of business" is deemed to be replaced with "assignment of business pertaining to Specified Insurance Business"; in Article 75, item (v), the term "business or" is deemed to be replaced with "business pertaining to the Specified Insurance Business or", the term "pertaining to business" is deemed to be replaced with "pertaining to the business relating to the Specified Insurance Business"; in Article 89, paragraph (1), item (x), the phrase "the public notice on an official gazette under Article 165-24, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms and a public notice or demand by the method of public notice provided in the articles of incorporation of the merged authorized specified insurer has been given, and" is deemed to be replaced with "the public notice pursuant to Article 248, paragraph (2) or Article 252, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations has been given, and", and the term "public notice in official gazette" is deemed to be replaced with "public notice".

第三章 旧特定保険業者の保険契約の移転

Chapter III Transfer of Insurance Contracts of Specified Insurers under the Former Act

(保険契約の移転に係る備置書類)

(Documents to Be Kept in Cases of Transfer of Insurance Contracts)

第十六条 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十六条の二第一項に規定する主務省令で定める書類は、次に掲げる書類とする。

Article 16 The documents specified by order of the competent ministry, referred to in Article 136-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十六条の二第一項に規定する移転契約書（第十九条第二項第二号において単に「移転契約書」という。）

(i) a transfer contract provided in Article 136-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the

Supplementary Provisions to the Amendment Act following the deemed replacement of terms (simply referred to as a "transfer contract" in Article 19, paragraph (2), item (ii)); and

二 改正法附則第三条第一項において読み替えて準用する法第百三十五条第三項に規定する移転業者（以下この章において単に「移転業者」という。）並びに改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十五条第一項に規定する移転先法人（以下この章において単に「移転先法人」という。）の貸借対照表（移転先法人にあつては、一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百二十三条第二項（同法第百九十九条において準用する場合を含む。）の規定により作成した貸借対照表及び別紙様式第一号第三により作成した貸借対照表。第十九条第二項第四号において同じ。）

(ii) a balance sheet of a transferor provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter simply referred to as "transferor" in this Chapter) and a transferee company provided in Article 135, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter simply referred to as "transferee company" in this Chapter) (in the case of a transferee company, a balance sheet prepared pursuant to Article 123, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) (including the cases where it is applied mutatis mutandis pursuant to Article 199 of the same Act) and a balance sheet prepared according to appended Form 1-3; the same applies in Article 19, paragraph (2), item (iv)).

（保険契約の移転に係る公告事項又は通知事項）

(Matters for Public Notice or Notice in Cases of Transfer of Insurance Contracts)

第十七条 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十七条第一項本文に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 17 The matters specified by order of the competent ministry, referred to in the main clause of Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 移転先法人の名称

(i) name of the transferee company;

二 移転先法人の主たる事務所の所在地

(ii) the location of the principal office of the transferee company;

三 保険契約の移転後における移転対象契約（改正法附則第三条第一項において読み

替えて準用する法第百三十五条第三項に規定する移転対象契約をいう。第十九条第二項第六号から第九号まで、第十一号及び第十五号、第十九条の二第一号並びに第二十一条において同じ。) に関するサービスの内容の概要

- (iii) a brief description of the services relating to the transferred contracts (meaning a transferred contract provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in Article 19, paragraph (2), items (vi) to (ix), items (xi) and (xv), Article 19-2, item (i) and Article 21); and
- 四 保険契約の移転前及び移転後における移転業者及び移転先法人の配当の方針並びに保険契約の移転前における移転業者及び移転先法人の配当の額
- (iv) a dividend policy of the transferor and transferee company before and after the transfer of insurance contracts, and the amount of dividend paid from the transferor and the transferee company before the transfer of insurance contracts.

(保険契約に係る債権の額)

(Amount of Claim Relating to Insurance Contract)

第十八条 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十七条第三項に規定する主務省令で定める金額は、次に掲げる金額の合計額とする。

Article 18 The amount specified by order of the competent ministry, referred to in Article 137, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the total of the amounts set forth in the following:

一 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十七条第一項の公告又は通知（次号において「公告等」という。）の時ににおいて被保険者のために積み立てるべき金額

- (i) the amount to be reserved for insured persons at the time of the public notice or notice under Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter referred to as a "public notice, etc." in the following item); and
- 二 未経過期間（保険契約に定めた保険期間のうち、公告等の時ににおいて、まだ経過していない期間をいう。）に対応する保険料の金額
- (ii) the amount of insurance premiums covering the unexpired period (meaning the insurance period specified in an insurance contract, which has not passed as of the time of the public notice, etc.).

(保険契約の移転の認可の申請)

(Application for Authorization of Transfer of Insurance Contracts)

第十九条 改正法附則第三条第一項において読み替えて準用する法第百三十九条第一項の規定による認可の申請は、改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十七条第一項の異議を述べるべき期間経過後一月以内に、移転業者及び移転先法人の連名の認可申請書を行政庁に提出して行わなければならない。

Article 19 (1) For applying for authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written application for authorization prepared in the joint names of the transferor and the transferee company must be submitted to the administrative authority, within one month from the end of the objection period under Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for authorization under the preceding paragraph:

一 理由書

(i) a written statement of reasons;

二 移転契約書

(ii) a transfer contract;

三 移転先法人の社員総会又は評議員会の議事録

(iii) minutes of general meeting of members or meeting of councilors of the transferee company;

四 移転業者及び移転先法人の貸借対照表

(iv) a balance sheets of the transferor and transferee company;

五 移転業者の財産目録

(v) an inventory of assets of the transferor;

六 移転対象契約の選定基準及び対象範囲を記載した書面

(vi) a document specifying the criteria for determination of transferred contracts and the scope of the contracts;

七 移転対象契約について、その保険の種類、保険契約者の範囲、被保険者又は保険の目的の範囲及び保険金の支払事由を記載した書面

(vii) a document specifying type of insurance, scope of policyholders, scope of insured persons, purpose of insurance and grounds of payment of insurance proceeds in relation to a transferred contract; and

八 移転業者を保険者とする保険契約について、次に掲げる事項を記載した書面

(viii) a document specifying the following matters in relation to an insurance contract wherein the insurer is a transferor:

イ 当該保険契約の種類ごとに保険契約の移転前及び移転後における保険契約者の数、保険契約の件数及び保険金額の合計額並びに責任準備金その他の準備金に相

当する額

- (a) the number of policyholders, the number of insurance contracts, the total of the insurance proceeds, and the amount of policy reserve and any other reserves before and after the transfer of insurance contracts, for each type of insurance contract;
 - ロ 当該保険契約の種類ごとに保険契約の移転前における移転対象契約に係る責任準備金その他の準備金に相当する額及びそれらの算出方法
 - (b) the amount of policy reserve and any other reserves for the transferred contracts before the transfer of insurance contract, and the method of the calculation of the amount, for each type of insurance contract; and
 - ハ 保険契約の移転後における責任準備金その他の準備金に相当する額の算出方法
 - (c) the method of calculation of the amount equivalent to policy reserve and any other reserves after the transfer of insurance contracts;
- 九 改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十五条第一項の契約により移転対象契約とともに移転するものとされる財産について、その種類ごとに数量及び価額を記載した書面
- (ix) a document specifying the quantity and value of properties, for each type of properties to be transferred associated with the transferred contract pursuant to a contract referred to in Article 135, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;
- 十 移転先法人を保険者とする保険契約について、その保険の種類、保険契約者の範囲、被保険者又は保険の目的の範囲及び保険金の支払事由を記載した書面
- (x) a document specifying type of insurance, scope of policyholders, scope of insured persons, purpose of insurance and grounds of payment of insurance proceeds for an insurance contract wherein the insurer is the transferee company;
- 十一 移転先法人を保険者とする保険契約について、次に掲げる事項を記載した書面
- (xi) a document specifying the following matters in relation to an insurance contract wherein the insurer is a transferee company:
- イ 当該保険契約の種類ごとに保険契約の移転前及び移転後における保険契約者の数、保険契約の件数及び保険金額の合計額並びに責任準備金その他の準備金の額
 - (a) the number of policyholders, the number of insurance contracts, the total of the insurance proceeds, and the amount of policy reserve and any other reserves before and after the transfer of insurance contracts, for each type of insurance contract;
 - ロ 当該保険契約の種類ごとに保険契約の移転後における移転対象契約に係る責任準備金その他の準備金の額及びそれらの算定の適切性（移転先法人が改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要しない者である場合にあつては、責任準備金その他

の準備金の額及びそれらの算出方法)

- (b) the amount of policy reserve and any other reserves for the transferred contracts after the transfer of insurance contract and the appropriateness of the calculation of the amount, for each type of insurance contract (in the case where a transferee company is not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the amount of policy reserve and any other reserve, as well as the method of calculation of the amounts); and

ハ 保険契約の移転後における責任準備金その他の準備金の算定の適切性（移転先法人が改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十条第一項の規定により保険計理人の選任を要しない者である場合にあっては、責任準備金その他の準備金の算出方法）

- (c) the appropriateness of the calculation of the amount of policy reserve and any other reserves after the transfer of insurance contracts (in the case where a transferee company is not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the method of calculation of policy reserve and any other reserve);

十二 改正法附則第三条第一項及び第二項において読み替えて準用する法第三百三十七条第一項本文の規定による公告又は通知をしたことを証する書面

- (xii) a document certifying that a public notice or notice under the main clause of Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms has been given;

十三 改正法附則第三条第一項及び第二項において読み替えて準用する法第三百三十七条第一項の異議を述べるべき期間内に異議を述べた移転対象契約者（改正法附則第三条第一項において読み替えて準用する法第三百三十五条第三項に規定する移転対象契約者をいう。次号において同じ。）の数又はその者の前条に規定する金額が、改正法附則第三条第一項及び第二項において読み替えて準用する法第三百三十七条第三項に定める割合を超えなかったことを証する書面

- (xiii) a document certifying that the number of affected policyholders (meaning an affected policyholder provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in the following item) who raised their objections within the objection period under Article 137, paragraph (1)

of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, or that the amount relating to the policyholders as provided in the preceding Article has not exceeded the certain ratio provided in Article 137, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

十四 前号の異議を述べた移転対象契約者の異議の理由及び当該異議に対する移転業者及び移転先法人の対応を記載した書面

(xiv) a document specifying the grounds for objections raised by the affected policyholders who raised objections under the preceding item and the measures taken by the transferor or the transferee company in response to the objections;

十五 移転先法人の移転対象契約に係る業務の実施体制及びサービスの内容を記載した書面

(xv) a document specifying the organization for implementing the business and the details of services relating to the transferred contracts by the transferee company;

十六 その他改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十九条第二項の規定による審査をするため参考となるべき事項を記載した書類

(xvi) any other document specifying the matters to serve as reference information for the examination under Article 139, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

(保険契約の移転の認可の審査)

(Examination of Authorization of Transfer of Insurance Contracts)

第十九条の二 行政庁は、前条第一項の規定による認可の申請に係る改正法附則第三条第一項及び第二項において読み替えて準用する法第百三十九条第二項の規定により審査をするときは、次に掲げる事項に配慮するものとする。

Article 19-2 When an administrative authority conducts an examination of the application for authorization under paragraph (1) of the preceding Article, pursuant to the provisions of Article 139, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the authority is to pay due consideration to the following:

一 保険契約の移転の目的及び移転対象契約の選定基準が保険契約者等の保護に欠けるおそれのないものであること。

(i) that the purpose of the transfer of insurance contracts and the determination criteria for transferred contracts are not likely to have negative impact on protection of Policyholders, etc.;

二 保険契約の移転後において、移転先法人を保険者とする保険契約に係る責任準備金が保険数理に基づき合理的かつ妥当な方法により積み立てられること（移転業者を保険者とする保険契約にあつては、責任準備金に相当する額が適正に積み立てられること）が見込まれること。

(ii) that, after the transfer of insurance contracts, policy reserves for the insurance contracts wherein the insurer is the transferred corporation will be set aside using a reasonable and relevant method based on actuarial science (in the case of an insurance contract wherein the insurer is a transferor, that the amount equivalent to policy reserve will be set aside in an appropriate manner); and

三 保険契約の移転後において、移転先法人の契約者配当準備金が、適正に積み立てられることが見込まれること。

(iii) that, after the transfer of insurance contracts, the transferee company is expected to set aside policy dividend reserve in an appropriate manner.

（保険契約の移転後の公告事項）

(Matters for Public Notice after Transfer of Insurance Contracts)

第二十条 改正法附則第三条第一項及び第二項において読み替えて準用する法第四百十條第一項前段に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 20 The matters specified by order of the competent ministry, referred to in the first sentence of Article 140, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 改正法附則第三条第一項及び第二項において読み替えて準用する法第一百三十七條第一項から第三項までの規定（同条第一項ただし書の規定を除く。）による手続の経過

(i) progress of procedures under Article 137, paragraphs (1) to (3) of the Act as applied mutatis mutandis pursuant to Article 3, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (excluding the proviso to Article 137, paragraph (1) of the Act); and

二 移転先法人の名称及び主たる事務所の所在地

(ii) the name of the transferee company and the location of its principal office.

（保険契約の移転の効力）

(Effect of Transfer of Insurance Contracts)

第二十一条 保険契約の移転を受けたことにより、移転先法人の改正法附則第二条第三

項第二号から第四号までに掲げる書類（以下「事業方法書等」という。）に定めた事項を移転対象契約に関する事項を付加した内容に変更しなければならない場合においては、改正法附則第三条第一項において読み替えて準用する法第百三十九条第一項の規定による認可を受けた時に、当該書類の変更について、改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十三条第一項の規定による認可を受け、又は同条第二項の規定による届出があったものとみなす。

Article 21 As a result of the transfer of insurance contracts, if the matters specified in the documents of the transferee company set forth in Article 2, paragraph (3), items (ii) to (iv) of the Supplementary Provisions to the Amendment Act (hereinafter referred to as "Business Method Statement, etc.") require any amendment adding the matters concerning the transferred contract, the amendment to those documents is deemed to have been authorized pursuant to the provisions of Article 123, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, or to have been notified pursuant to the provisions of paragraph (2) of the same Article, at the time of obtaining the authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

第四章 業務、経理及び監督等

Chapter IV Business, Accounting and Supervision

（資産の運用方法の制限）

（Limitations on Asset Investment Method）

第二十二条 改正法附則第四条第一項において読み替えて準用する法第九十七条第二項に規定する主務省令で定める方法は、次に掲げる方法とする。

Article 22 (1) The method specified by order of the competent ministry, referred to in Article 97, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 次に掲げる有価証券の取得

(i) acquisition of the securities set forth in the following:

イ 国債

(a) Japanese Government Bonds;

ロ 地方債

(b) local government bond;

ハ 政府保証債（政府が元本の償還及び利息の支払について保証している社債その他の債券をいう。）

- (c) government guaranteed bond (meaning corporate bonds or any other bonds, for which the government guarantees redemption of principal and interest payments);
- ニ 特別の法律により法人の発行する債券（ハに掲げるものを除く。）
- (d) bonds issued by a corporation based on a special law (excluding those set forth in (c));
- ホ 償還及び利払の遅延のない物上担保付又は一般担保付の社債（ハ及びニに掲げるものを除く。）
- (e) corporate bonds secured by real collateral or ordinary collateral, with no delayed redemption and interest payment (excluding those set forth in (c) and (d));
- ヘ その発行する株式が金融商品取引所（金融商品取引法（昭和二十三年法律第二十五号）第二条第十六項に規定する金融商品取引所をいう。以下この号において同じ。）に上場されている株式会社が発行する社債（ハからホまでに掲げるものを除く。）又は約束手形（同条第一項第十五号に掲げるものをいう。）
- (f) corporate bonds issued by a stock company whose shares are listed on a financial instruments exchange (meaning a financial instruments exchange provided in Article 2, paragraph (16) of the Financial Instruments and Exchange Act (Act No. 25 of 2011); hereinafter the same applies in this item) (excluding those set forth in (c) to (e)) or promissory notes (meaning promissory notes provided in paragraph (1), item (xv) of the same Article);
- ト その発行する出資証券が金融商品取引所に上場されている特別の法律により設立された法人が発行する出資証券
- (g) investment securities issued by a corporation incorporated under a special law, whose investment securities are listed on a financial instruments exchange;
- チ その発行する株式が金融商品取引所に上場されている株式会社が発行する株式
- (h) shares issued by a stock company whose shares are listed on a financial instruments exchange;
- リ 証券投資信託又は貸付信託の受益証券
- (i) beneficiary certificates for securities investment trust or loan trust;
- 二 次に掲げる金融機関への預金又は貯金
- (ii) deposit or saving with the following financial institutions:
 - イ 銀行（銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行をいう。）
 - (a) a bank (meaning a bank provided in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981));
 - ロ 長期信用銀行（長期信用銀行法（昭和二十七年法律第百八十七号）第二条に規定する長期信用銀行をいう。）
 - (b) the Long Term Credit Bank (meaning the Long Term Credit Bank provided in Article 2 of the Long Term Credit Bank Act (Act No. 187 of

- 1952));
- ハ 株式会社商工組合中央金庫
 - (c) the Shoko Chukin Bank Limited;
 - ニ 信用金庫又は信用金庫連合会
 - (d) a credit union or a federation of credit unions;
 - ホ 労働金庫又は労働金庫連合会
 - (e) a labor bank or a federation of labor banks;
 - ヘ 農林中央金庫
 - (f) the Norinchukin Bank;
 - ト 信用協同組合又は中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会
 - (g) credit cooperatives or a federation of cooperatives that carries out the business under Article 9-9, paragraph (1), item (i) of the Small and Medium Sized Enterprise Cooperatives Act (Act No. 181 of 1949);
 - チ 農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合又は農業協同組合連合会
 - (h) agricultural cooperatives or a federation of agricultural cooperatives that carries out the business under Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947);
 - リ 水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条第一項第四号の事業を行う漁業協同組合若しくは同法第八十七条第一項第四号の事業を行う漁業協同組合連合会又は同法第九十三条第一項第二号の事業を行う水産加工業協同組合若しくは同法第九十七条第一項第二号の事業を行う水産加工業協同組合連合会
 - (i) fisheries cooperatives that carry out the business under Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948) or a federation of fisheries cooperatives that carries out the business under Article 87, paragraph (1), item (iv) of the same Act, a fishery processing cooperatives that carries out the business under Article 93, paragraph (1), item (ii) of the same Act, or a federation of fishery processing cooperatives that carries out the business under Article 97, paragraph (1), item (ii) of the same Act;
 - 三 信託業務を営む金融機関又は信託会社への金銭信託（ただし、運用方法を特定する金銭信託（金融商品取引法第二条第九項に規定する金融商品取引業者との投資一任契約によるものを除く。）については、前二号に掲げる方法又はコールローンで運用されるものに限る。）
 - (iii) a money trust with a financial institution engaged in trust business or a trust company (however, in the case of a money trust designating an investment method (excluding a money trust under a discretionary investment contract with a financial instruments business operator provided in Article 2, paragraph (9) of the Financial Instruments and Exchange Act),

limited to a money trust managed by the method set forth in the preceding two items or by call loan);

四 認可特定保険業者の保険契約者を被保険者とする生命保険契約（生命保険会社又は外国生命保険会社等を保険者とするものに限る。）の締結

(iv) conclusion of a life insurance contract wherein the insured person is a policyholder of an Authorized Specified Insurer (limited to a contract wherein the insurer is a Life Insurance Company or a Foreign Life Insurance Company, etc.);

五 前各号に掲げるもののほか、認可特定保険業者又は当該認可特定保険業者を密接関係者とする旧特定保険業者が改正法の公布の際現に行っていた特定保険業に係る資産の運用状況その他の事情を勘案して行政庁（保険業法施行令の一部を改正する政令（平成十八年政令第三十三号。以下「改正令」という。）附則第五条の二第一項の規定により、当該認可特定保険業者の主たる事務所を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）が当該認可特定保険業者に改正法附則第二条第一項の認可をした場合にあつては、その財務局長又は福岡財務支局長。次項において同じ。）が保険契約者等の保護に欠けるおそれが少ないものと認めて承認したもの

(v) beyond what is set forth in the preceding items, a method approved by an administrative authority (or, pursuant to Article 5-2, paragraph (1) of the Supplementary Provisions to the Cabinet Order Partially Amending the Order for Enforcement of the Insurance Business Act (Cabinet Order No. 33 of 2006; hereinafter referred to as the "Amendment Order"), if an authorization is granted to the Authorized Specified Insurer by the Director General of the Local Finance Bureau having jurisdiction over the principal office of the Authorized Specified Insurer (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau), pursuant to Article 2, paragraph (1) of the Supplementary Provisions to the Amendment Act, by the Director General of the Local Finance Bureau or the Director General of Fukuoka Local Finance Branch; the same applies in the following paragraph) as the method with low risk to protection of Policyholders, etc. after taking into consideration the status of investment of assets pertaining to the Specified Insurance Business actually conducted by the Authorized Specified Insurer or a Specified Insurer under Former Act whose Closely Related Person is an Authorized Specified Insurer at the time of the promulgation of the Amendment Act and other circumstances.

2 認可特定保険業者は、前項第五号の規定による承認を受けようとするときは、承認申請書に理由書その他参考となるべき事項を記載した書類を添付して行政庁に提出しなければならない。

(2) When an Authorized Specified Insurer intends to obtain an approval pursuant

to item (v) of the preceding paragraph, it must submit a written application for authorization, attaching a written statement of reasons and a document specifying the matters to serve as reference information, to the administrative authority.

(業務運営に関する措置)

(Measures Relating to Business Operation)

第二十三条 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第百条の二の規定により、その業務に関し、次に掲げる措置を講じなければならない。

Article 23 An Authorized Specified Insurer must implement the following measures in relation to its business, pursuant to the provisions of Article 100-2 of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms:

一 保険募集に際して、所属認可特定保険業者（改正法附則第四条の二に規定する所属認可特定保険業者をいう。以下この条及び第九十四条において同じ。）のために保険募集を行う者が、保険契約者に対し、法第二編第十章第四節第二款の規定による保険契約者保護機構の行う資金援助等の措置がないこと及び法第二百七十条の三第二項第一号に規定する補償対象契約に該当しないことを記載した書面の交付により、説明を行うことを確保するための措置

(i) a measure to ensure that, upon Insurance Solicitation, a person who conducts Insurance Solicitation for an affiliated authorized specified insurer (meaning an affiliated authorized specified insurer provided in Article 4, paragraph (2) of the Supplementary Provisions to the Amendment Act; the same applies in this Article and Article 94) will provide an explanation to the policyholder by delivering a document specifying that measures such as financial assistance from the Insurance Policyholders Protection Corporation of Japan pursuant to Part II, Chapter V, Section 2, Subsection 2 are not applicable and that the contract does not fall under the category of the covered contract under Article 270-3, paragraph (2), item (i) of the Act;

二 特別勘定を設けた保険契約の保険募集に際して、所属認可特定保険業者のために保険募集を行う者が、保険契約者に対し、次に掲げる事項を記載した書面の交付により、説明を行うことを確保するための措置

(ii) a measure to ensure that, upon Insurance Solicitation for an insurance contract for which a special account is created, a person who conducts Insurance Solicitation for an affiliated authorized specified insurer will provide an explanation to the policyholder by delivering a document specifying the following matters:

イ 特別勘定に属する資産（以下この号において「資産」という。）の種類及びその評価の方法

(a) type of assets in the special account (hereinafter referred to as "assets" in this item) and method of assessment thereof;

ロ 資産の運用方針

(b) investment policy for the assets; and

ハ 資産の運用実績により将来における保険金、返戻金その他の給付金（以下「保険金等」という。）の額が不確実であること。

(c) the fact that the amount of insurance proceeds, refund or any other benefits (hereinafter referred to as "Insurance Proceeds, etc.") in the future is uncertain, depending on the investment performance of the assets;

三 保険金等の額を外国通貨をもって表示する保険契約（保険業法施行規則（平成八年大蔵省令第五号）第八十三条第三号に掲げる保険契約のうち、事業者（法人その他の団体及び事業として又は事業のために契約の当事者となる場合における個人をいう。）を保険契約者とするものを除く。）の保険募集に際して、所属認可特定保険業者のために保険募集を行う者が、保険契約者に対し、保険金等の支払時における外国為替相場により本邦通貨に換算した保険金等の額が、保険契約時における外国為替相場により本邦通貨に換算した保険金等の額を下回る場合があることを記載した書面の交付により、説明を行うことを確保するための措置

(iii) a measure to ensure that, upon Insurance Solicitation of an insurance contract for which the amount of Insurance Proceeds, etc. is indicated in a foreign currency (excluding a contract wherein the policyholder is a business operator (meaning an individual person in the case where the person becomes a party to a contract as a corporation or other entity or business, or for business), among the insurance contracts set forth in Article 83, item (iii) of the Regulation for Enforcement of the Insurance Business Act (Ministry of Finance Order No. 5 of 1996)), a person who conducts the Insurance Solicitation for its affiliated authorized specified insurer will provide explanation to the policyholder by delivering a document specifying that the amount of Insurance Proceeds, etc. converted into Japanese currency at the foreign exchange rate as of the time of its payment may fall below the amount of Insurance Proceeds, etc. converted into Japanese currency at the foreign exchange rate as of the time of concluding the insurance contract;

四 保険料の計算に際して予定解約率を用い、かつ、保険契約の解約による返戻金を支払わないことを約した保険契約の保険募集に際して、所属認可特定保険業者のために保険募集を行う者が、保険契約者に対し、保険契約の解約による返戻金がないことを記載した書面の交付により、説明を行うことを確保するための措置

(iv) a measure to ensure that, upon Insurance Solicitation for an insurance contract that undertakes to use a projected cancellation rate for calculating insurance premiums and not to pay any refund for the cancellation of the insurance contract, a person who conducts Insurance Solicitation for an affiliated authorized specified insurer will provide an explanation to the policyholder by delivering a document specifying that there is no refund for

the cancellation of the insurance contract;

五 既に締結されている保険契約（以下この号において「既契約」という。）を消滅させると同時に、既契約の責任準備金（第四十三条の規定にかかわらず、被保険者のために積み立てられている額をいう。以下この号において同じ。）、返戻金の額その他の被保険者のために積み立てられている額を、新たに締結する保険契約（以下この号において「新契約」という。）の責任準備金又は保険料に充当することによって成立する保険契約（既契約と新契約の被保険者が同一人を含む場合に限る。）の保険募集に際して、所属認可特定保険業者のために保険募集を行う者が、保険契約者に対し、次に掲げる事項を記載した書面の交付（イに定める事項の記載にあつては、既契約と新契約が対比できる方法による。）により、説明を行うことを確保するための措置

(v) a measure to ensure that, upon Insurance Solicitation of an insurance contract to be effected by terminating an insurance contract already in force (hereinafter referred to as an "existing contract" in this item) and allocating the policy reserve (meaning any amount of money reserved for insured persons, notwithstanding the provisions of Article 43; hereinafter the same applies in this item), refunds, or any other amounts reserved for the insured person for the existing contract to the policy reserve or insurance premiums for a newly concluded insurance contract (hereinafter referred to as a "new contract" in this item) (limited to the case where the insured person of the existing contract and the new contract includes the same person), a person who conducts Insurance Solicitation for an affiliated authorized specified insurer will provide an explanation to the policyholder by delivering a document specifying the following matters (description of the matters provided in (a) must be in accordance with a method by which the existing contract and the new contract can be compared):

イ 既契約及び新契約に関する保険の種類、保険金額、保険期間、保険料（普通保険約款及び給付のある主要な特約ごとに記載するものとする。）、保険料払込期間その他保険契約に関して重要な事項

(a) the types of insurance, amounts of insurance proceeds, insurance periods, the insurance premiums (to be included for each general policy conditions and major special provisions involving benefits), the periods for paying insurance premiums, and other material matters concerning the existing contracts and new contracts; and

ロ 既契約を継続したまま保障内容を見直す方法がある事実及びその方法

(b) the fact that there is an alternative method whereby the existing contract is continued after reviewing the coverage, and the alternative method;

六 所属認可特定保険業者のために保険募集を行う者の公正な保険募集を行う能力の向上を図るための措置

(vi) measures to enhance capacity of a person to conduct fair Insurance Solicitation for an affiliated authorized specified insurer;

七 保険代理店（改正法附則第四条の二において読み替えて準用する法第二百七十五条第一項第二号に規定する保険代理店をいう。以下この号並びに第九十六条第六号及び第七号において同じ。）を置く認可特定保険業者にあつては、次に掲げる基準を満たすために必要な措置

(vii) in the case of an Authorized Specified Insurer which has an insurance agency (meaning an insurance agency provided in Article 275, paragraph (1), item (ii) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; hereinafter the same applies in this item and Article 96, items (vi) and (vii)), a measure necessary to ensure compliance with the following standards:

イ 当該保険代理店の顧客の情報の管理が適切に行われること。

(a) that customer information of the insurance agency will be properly managed;

ロ 当該保険代理店において、代理業務に係る財産と保険代理店の固有の財産とが分別して管理されること。

(b) that the insurance agency will manage the properties pertaining to the agency business separately from its own properties; and

ハ 当該認可特定保険業者が当該保険代理店の業務の健全かつ適切な運営を確保するための措置を講ずることができること。

(c) that the Authorized Specified Insurer is capable of implementing measures to ensure sound and proper operation of business of the insurance agency; and

ニ 当該保険代理店が認可特定保険業者以外の者のための保険募集を併せ行う場合には、業務の方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえ、顧客に対し、書面の交付その他の適切な方法により、認可特定保険業者が引き受ける保険契約と認可特定保険業者以外の者が引き受ける保険契約との誤認を防止するため、次に掲げる事項の説明を行うこと。

(d) that, when the insurance agency also conducts Insurance Solicitation for any person other than an Authorized Specified Insurer, the insurance agency makes an explanation of the following matters to prevent customers from misidentifying an insurance contract underwritten by the Authorized Specified Insurer with an insurance contract underwritten by any person other than Authorized Specified Insurer, by delivering a document or by any other appropriate means, in accordance with the method of its business, in light of the customer's knowledge, experience, property status, and the purpose of transactions:

(1) 契約の主体

1. parties to the contract;

(2) その他認可特定保険業者が引き受ける保険契約との誤認防止に関し参考となると認められる事項

2. other matters considered to serve as reference information in relation to prevention of confusion with insurance contracts underwritten by the Authorized Specified Insurer;

八 前各号に定めるもののほか、保険募集に際して、所属認可特定保険業者のために保険募集を行う者が、保険契約者及び被保険者（保険契約の締結時において被保険者が特定できない場合を除く。）に対し、保険契約の内容のうち重要な事項を記載した書面の交付その他の適切な方法により、説明を行うことを確保するための措置 (viii) beyond what is specified in the preceding items, a measure to ensure that, upon Insurance Solicitation, a person who conducts Insurance Solicitation for an affiliated authorized specified insurer will provide an explanation to the policyholder and insured person (excluding the case where the insured person cannot be identified at the time of the conclusion of the insurance contract), by delivering a document specifying important matters of the terms and conditions of the insurance contract or by other appropriate methods.

(認可特定保険業者が引き受ける保険契約と保険会社等が引き受ける保険契約との誤認防止)

(Prevention of Confusion between Insurance Contract Underwritten by Authorized Specified Insurers and Insurance Contract Underwritten by Insurance Company)

第二十四条 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第一項の規定により保険募集を行う場合には、契約の種類に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえ、顧客に対し、書面の交付その他の適切な方法により、当該認可特定保険業者が引き受ける保険契約と当該保険募集に係る保険契約との誤認を防止するため、次に掲げる事項の説明を行わなければならない。

Article 24 When an Authorized Specified Insurer conducts Insurance Solicitation pursuant to the provisions of Article 272-11, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must make an explanation of the following matters to prevent customers from misidentifying an insurance contract underwritten by the Authorized Specified Insurer with an insurance contract relating to the Insurance Solicitation, by delivering a document or by any other appropriate means, in accordance with the type of contacts and in light of the customer's knowledge, experience, property status, and the purpose of transactions:

一 契約の主体

(i) parties to the contract; and

二 その他当該認可特定保険業者が引き受ける保険契約との誤認防止に関し参考となるべき事項

(ii) other matters to serve as reference information in relation to prevention of confusion with insurance contracts underwritten by the Authorized Specified Insurer.

(認可特定保険業者と他の者との誤認防止)

(Prevention of Confusion of Authorized Specified Insurers with Other Persons)

第二十五条 認可特定保険業者は、電気通信回線に接続している電子計算機を利用してその業務を行う場合には、顧客が当該認可特定保険業者と他の者を誤認することを防止するための適切な措置を講じなければならない。

Article 25 If an Authorized Specified Insurer conducts its business by the use of a computer connected via telecommunications line, it must take appropriate measures to prevent customers from misidentifying the Authorized Specified Insurer with other persons.

(内部規則等)

(Internal Rules)

第二十六条 認可特定保険業者は、特定保険業の内容及び方法に応じ、顧客の知識、経験、財産の状況及び取引を行う目的を踏まえた重要な事項の顧客への説明その他の健全かつ適切な業務の運営を確保するための措置（書面の交付その他の適切な方法による商品又は取引の内容及びリスクの説明並びに犯罪を防止するための措置を含む。）に関する内部規則等を定めるとともに、理事及び監事又は使用人に対する研修その他の当該内部規則等に基づいて特定保険業が運営されるための十分な体制を整備しなければならない。

Article 26 (1) An Authorized Specified Insurer must establish internal rules, etc. concerning explanations on material matters to be provided to customers, in light of the customers' knowledge, experience, the status of their properties and the purpose of transactions, and other measures to ensure healthy and proper business operations (including the explanations of the details and risks of instruments or transactions by the delivery of a document or by any other appropriate means and measures to prevent crimes), in accordance with the details and the method of Specified Insurance Business, and must develop a sufficient system to provide training to directors, inspectors and employees or otherwise ensure that the Specified Insurance Business is conducted based on the internal rules, etc.

2 認可特定保険業者が、人の死亡に関し、一定額の保険金を支払うことを約し、保険料を収受する保険であつて、被保険者が十五歳未満であるもの又は被保険者本人の同意がないもの（いずれも不正な利用のおそれが少ないと認められるものを除く。以下この項において「死亡保険」という。）の引受けを行う場合には、前項の内部規則等に、死亡保険の不正な利用を防止することにより被保険者を保護するための保険金の限度額その他引受けに関する定めを設けなければならない。

(2) When an Authorized Specified Insurer underwrites insurance where

insurance premiums are received under contracts to pay a fixed amount of insurance proceeds in connection with the death of individuals and the insured is younger than 15 years of age or the insured has not given the consent (excluding insurance that is deemed unlikely to be used unlawfully in either case; hereinafter referred to as "insurance against death" in this paragraph), it must establish provisions on the maximum limit of insurance proceeds or other provisions on underwriting in the internal rules, etc. under the preceding paragraph, so as to protect the insured by preventing illegal use of insurance against death.

(個人顧客情報の安全管理措置等)

(Measures for Security Management of Personal and Customer Information)

第二十七条 認可特定保険業者は、その取り扱う個人である顧客に関する情報の安全管理、従業者の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 27 If an Authorized Specified Insurer entrusts security management of information concerning individual customers that it handles, supervision of employees, and handling of the information, it must take necessary and appropriate measures for the supervision of the entrusted party, so as to prevent the leaking, destruction or loss of the information.

(返済能力情報の取扱い)

(Handling of Information on Repayment Ability)

第二十八条 認可特定保険業者は、信用情報に関する機関（資金需要者の借入金返済能力に関する情報の収集及び認可特定保険業者に対する当該情報の提供を行うものをいう。）から提供を受けた情報であって個人である資金需要者の借入金返済能力に関するものを、資金需要者の返済能力の調査以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 28 An Authorized Specified Insurer must take measures to ensure that it will not use information of individual fund demanders on their ability to pay provided by a credit information-related organization (meaning an organization that collects information on fund demanders' ability to pay and provide the information to Authorized Specified Insurers) for any purposes other than for the investigation of fund demanders' ability to pay.

(特別の非公開情報の取扱い)

(Handling of Special Confidential Information)

第二十九条 認可特定保険業者は、その業務上取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を、当該業務の適切な運営

の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 29 An Authorized Specified Insurer must take measures to ensure that any information it handles in the course of the business which relates to the individual customer's race, creed, family origin, registered domicile, health and medical care or criminal records, or any other special and undisclosed information (meaning undisclosed information which it may come to know in the course of business) will not be used for any purpose other than the assurance of the proper operation of the business or any other purpose as may be deemed necessary.

(委託業務の的確な遂行を確保するための措置)

(Measures to Secure Proper Implementation of Entrusted Business)

第三十条 認可特定保険業者は、その業務を第三者に委託する場合には、当該業務の内容に応じ、次に掲げる措置を講じなければならない。

Article 30 If an Authorized Specified Insurer entrusts its business to a third party, it must take the following measures, in accordance with the details of the business:

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

(i) measures to ensure entrustment of the business to a person who has the ability to perform it properly, fairly, and effectively;

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

(ii) measures to ensure necessary and appropriate supervision, etc. of a person entrusted with the business (hereinafter referred to as an "entrusted party" in this Article), such as by confirming the status of the performance of the business on a regular or as-needed basis, in order to verify whether the entrusted party is carrying out the business in an appropriate manner, or having the entrusted party make improvements as needed;

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

(iii) measures necessary to appropriately and promptly process complaints from customers concerning the business conducted by the entrusted party;

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

(iv) measures to prevent any interference to the protection of Policyholders, etc. in the case of the occurrence of a situation where the entrusted party is

unable to carry out the business appropriately, such as by entrusting the business promptly to other appropriate third party; or

五 認可特定保険業者の業務の健全かつ適切な運営を確保し、保険契約者等の保護を図るため必要がある場合には、当該業務の委託に係る契約の変更又は解除をする等の必要な措置を講ずるための措置

(v) measures to take necessary measures if it is necessary to ensure healthy and proper business operations of the Authorized Specified Insurer and to protect Policyholders, etc., such as by changing or canceling the contract pertaining to the entrustment of the business.

(財産的基礎に関する説明書類の縦覧等)

(Public Inspection of Explanatory Documents on Financial Basis)

第三十一条 認可特定保険業者（第十一条第一項第二号の基準に適合するものとして改正法附則第二条第一項の認可を受けた者に限る。）は、事業年度ごとに、同号の計画の実施状況に関する説明書類を作成し、その事務所（第三十四条第二項各号に掲げる事務所を除く。）に備え置き、保険契約者（保険契約の相手方となることができる者を含む。）の縦覧に供するとともに、保険契約者に対して当該説明書類を交付し、又は送付しなければならない。

Article 31 (1) An Authorized Specified Insurer (limited to an insurer authorized under Article 2, paragraph (1) of the Supplementary Provisions to the Amendment Act as satisfying the criteria under Article 11, paragraph (1), item (ii)) must, for each business year, prepare explanatory documents on status of implementation of the plan under the same item and keep and make them available for public inspection by policyholders (including persons eligible to become parties to insurance contracts) at its office (excluding an office set forth in the items of Article 34, paragraph (2)), and deliver or send the explanatory documents to the policyholder.

2 第三十五条の規定は、前項の説明書類の縦覧について、準用する。

(2) The provisions of Article 35 apply mutatis mutandis to public inspection of explanatory documents under the preceding paragraph.

(他の業務を行う場合における特定保険業の適正かつ確実な遂行を確保するための措置)

(Measures to Ensure Proper and Appropriate Implementation of Specified Insurance Business in Cases of Conducting Other Businesses)

第三十二条 認可特定保険業者は、特定保険業以外の業務を行う場合には、当該業務が特定保険業の適正かつ確実な遂行を妨げないことを確保するための措置を講じなければならない。

Article 32 If an Authorized Specified Insurer carries out any business other than a Specified Insurance Business, it must take measures to ensure that the relevant other business will not prevent the proper and appropriate

implementation of the Specified Insurance Business.

(業務報告書等)

(Business Report)

第三十三条 改正法附則第四条第一項及び第二項において読み替えて準用する法第一百条第一項に規定する業務報告書は、事業報告書、附属明細書、貸借対照表及び損益計算書に分けて、別紙様式第一号により作成し、事業年度終了後四月以内に提出しなければならない。

Article 33 (1) A business report provided in Article 110, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, must be submitted within four months from the end of the business year, in accordance with the Appended Form No. 1 and categorized into a business report, annex detailed statement, balance sheet and profit and loss statement.

2 認可特定保険業者は、やむを得ない理由により前項に規定する期間内に同項の業務報告書を提出することができない場合には、あらかじめ行政庁（改正令附則第五条の二第一項の規定により、当該認可特定保険業者の主たる事務所を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）が当該業務報告書を受理する場合にあっては、その財務局長又は福岡財務支局長。次項及び第四項において同じ。）の承認を受けて、当該提出を延期することができる。

(2) When an Authorized Specified Insurer cannot submit the business report under the preceding paragraph within the period specified in the same paragraph due to an unavoidable reason, it may delay the submission of the business report with a prior approval of an administrative authority (in the case where the business report is received by the Director General of the Local Finance Bureau having jurisdiction over the principal office of the Authorized Specified Insurer pursuant to Article 5-2, paragraph (1) of the Supplementary Provisions to the Amendment Order (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau), the Director General of the Local Finance Bureau or the Director General of Fukuoka Local Finance Branch; the same applies in the following paragraph and paragraph (4)).

3 認可特定保険業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して行政庁に提出しなければならない。

(3) When an Authorized Specified Insurer intends to obtain an approval under the preceding paragraph, it must submit a written application for approval, attaching a written statement of reasons, to the administrative authority.

4 行政庁は、前項の規定による承認の申請があったときは、当該申請をした認可特定保険業者が第一項の規定による業務報告書の提出を延期することについてやむを得な

い理由があるかどうかを審査するものとする。

- (4) When an application for approval under the preceding paragraph is made, the administrative authority is to examine whether the applicant Authorized Specified Insurer has any unavoidable reason for extending the period of submission of a business report pursuant to paragraph (1).

(業務及び財産の状況に関する説明書類に記載する事項等)

(Matters to Be Contained in Explanatory Documents Relating to Status of Business and Property)

第三十四条 改正法附則第四条第一項及び第二項において読み替えて準用する法第百十一条第一項に規定する主務省令で定めるものは、次に掲げる事項とする。

Article 34 (1) The matters specified by order of the competent ministry, referred to in Article 111, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 認可特定保険業者の概況及び組織に関する次に掲げる事項

(i) the following matters relating to the overview and organization of the Authorized Specified Insurer:

イ 業務運営の組織

(a) organization for business operation;

ロ 理事及び監事の氏名及び役職名

(b) names and job titles of directors and inspectors;

ハ 使用人数

(c) number of employees;

ニ 事務所の名称及び所在地

(d) name and location of the office;

ホ 認可特定保険業者の子会社に関する次に掲げる事項

(e) the matters set forth in the following in relation to the Subsidiary Company of the Authorized Specified Insurer:

(1) 商号

1. trade name;

(2) 本店の所在地

2. location of the head office;

(3) 資本金の額

3. the amount of stated capital;

(4) 事業の内容

4. the details of business;

(5) 設立年月日

5. year/month/date of incorporation; and

(6) 財産及び損益の状況

6. status of properties and loss and profit;
- 二 認可特定保険業者の主要な業務の内容（改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第二項ただし書の承認を受けた業務を行う場合においては、当該業務の内容を含む。）
- (ii) details of main business of the Authorized Specified Insurer (in the case of conducting business approved pursuant to the provisions of the proviso to Article 272-11, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, including the details of the business);
- 三 認可特定保険業者の主要な業務に関する次に掲げる事項
- (iii) the matters set forth in the following in relation to the main business of the Authorized Specified Insurer:
- イ 直近の事業年度における業務の概況（改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第二項ただし書の承認を受けた業務を行う場合においては、当該業務の概況を含む。）
- (a) brief description of the business for the latest business year (in the case of conducting business approved pursuant to the provisions of the proviso to Article 272-11, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, including the brief description of the business); and
- ロ 別紙様式第二号により作成した直近の事業年度における主要な業務の状況
- (b) status of main business for the latest business year, prepared using the appended Form 2;
- 四 認可特定保険業者の運営に関する次に掲げる事項
- (iv) the matters set forth in the following in relation to the business operation of the Authorized Specified Insurer:
- イ リスク管理の体制
- (a) organization for risk management; and
- ロ 法令遵守の体制
- (b) organization for compliance with laws and regulations;
- 五 認可特定保険業者の直近の事業年度における財産の状況に関する次に掲げる事項
- (v) the matters set forth in the following in relation to the status of properties for the latest business year of the Authorized Specified Insurer:
- イ 貸借対照表（別紙様式第一号第三により作成されたものに限る。第四十二条第一項及び第六十四条第三項において同じ。）
- (a) a balance sheet (limited to the one prepared using the appended Form 1-3; the same applies in Article 42, paragraph (1) and Article 64, paragraph (3)); and
- ロ 損益計算書（別紙様式第一号第四により作成されたものに限る。第四十二条第

一項及び第六十四条第三項において同じ。)

(b) a profit and loss statement (limited to the one prepared using the appended Form 1-4; the same applies in Article 42, paragraph (1) and Article 64, paragraph (3)).

2 改正法附則第四条第一項及び第二項において読み替えて準用する法第百十一条第一項に規定する主務省令で定める事務所は、次に掲げる事務所とする。

(2) The offices specified by order of the competent ministry, referred to in the main clause of Article 111, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 特定保険業以外の事業の用に供される事務所

(i) an office for the business other than Specified Insurance Business;

二 一時的に設置する事務所

(ii) an office which is temporarily established; and

三 無人の事務所

(iii) an office without any staff member.

第三十五条 改正法附則第四条第一項及び第二項において読み替えて準用する法第百十一条第一項の規定により作成した説明書類は、当該認可特定保険業者の事業年度終了後四月以内にその縦覧を開始し、当該事業年度の翌事業年度に係る説明書類の縦覧を開始するまでの間、保険契約者（保険契約の相手方となることができる者を含む。）の縦覧に供しなければならない。

Article 35 (1) The explanatory documents prepared pursuant to the provisions of Article 111, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms must be made available for public inspection within four months from the end of the business year of the Authorized Specified Insurer, and must be made available for inspection by policyholders (including a person eligible to become a counterparty to an insurance contract) until the commencement of public inspection of each of the explanatory documents pertaining to the business year subsequent to the relevant business year.

2 認可特定保険業者は、やむを得ない理由により前項に定める時までに説明書類の縦覧を開始することができない場合には、あらかじめ行政庁（改正令附則第五条の二第一項の規定により、当該認可特定保険業者の主たる事務所を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）が当該説明書類の縦覧の開始に係る届出を受理する場合にあっては、その財務局長又は福岡財務支局長。次項及び第四項において同じ。）の承認を受けて、当該縦覧の開始を延期することができる。

(2) When an Authorized Specified Insurer cannot make available for public

inspection its explanatory documents by the time specified in the preceding paragraph due to an unavoidable reason, it may delay the starting of the public inspection with a prior approval of an administrative authority (in the case where the notification for starting public inspection of the explanatory documents is received by the Director General of the Local Finance Bureau having jurisdiction over the principal office of the Authorized Specified Insurer pursuant to Article 5-2, paragraph (1) of the Supplementary Provisions to the Amendment Order (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau), the Director General of the Local Finance Bureau or the Director General of Fukuoka Local Finance Branch; the same applies in the following paragraph and paragraph (4)).

3 認可特定保険業者は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して行政庁に提出しなければならない。

(3) When an Authorized Specified Insurer intends to obtain an approval under the preceding paragraph, it must submit a written application for approval, attaching a written statement of reasons, to the administrative authority.

4 行政庁は、前項の規定による承認の申請があったときは、当該申請をした認可特定保険業者が第一項の規定による縦覧の開始を延期をすることについてやむを得ない理由があるかどうかを審査するものとする。

(4) When an application for approval under the preceding paragraph is made, the administrative authority is to examine whether the applicant Authorized Specified Insurer has any unavoidable reason for extending the starting period of public inspection pursuant to paragraph (1).

第三十六条 改正法附則第四条第一項及び第二項において読み替えて準用する法第一百一条第四項に規定する主務省令で定めるものは、電磁的記録（改正法附則第二条第四項において読み替えて準用する法第四条第三項に規定する電磁的記録をいう。第八十七条において同じ。）に記録された事項を紙面又は映像面に表示する方法とする。

Article 36 The measure specified by order of the competent ministry, referred to in Article 111, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is the method of provision by displaying the information recorded in an electronic or magnetic record (meaning electronic or magnetic record provided in Article 4, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 2, paragraph (4) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in Article 87) on paper or on screen.

（創立費の償却）

(Depreciation of Organization Expenses)

第三十七条 改正法附則第四条第一項及び第二項において読み替えて準用する法第百十三条に規定する主務省令で定める金額は、次に掲げるものとする。

Article 37 The amounts specified by order of the competent ministry, referred to in Article 113 of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 定款の認証の手数料、設立時に募集をする基金（一般社団法人及び一般財団法人に関する法律第百三十一条に規定する基金をいう。）の拠出に係る金銭の払込みの取扱いをした銀行等（同法第百三十八条第一項に規定する銀行等をいう。）に支払うべき手数料及び報酬、同法第百三十七条第三項の規定により決定された検査役の報酬並びに一般社団法人又は一般財団法人の設立の登記の登録免許税として支出した金額

(i) charge for certification of articles of incorporation, charges and fees payable to a bank, etc. (meaning a bank, etc. provided in Article 138, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations) handling payment for contribution of money for a fund (meaning a fund provided in Article 131 of the same Act) to be solicited at the time of the incorporation, remuneration for an inspector determined pursuant to Article 137, paragraph (3) of the same Act, and the amount disbursed as registration and license tax for a registration of incorporation of a general incorporated association or general incorporated foundation;

二 開業準備のために支出した金額

(ii) the amount disbursed for preparation of starting business.

（契約者配当の計算方法）

(Methods of Calculation of Policy Dividends)

第三十八条 認可特定保険業者が契約者配当を行う場合には、保険契約の特性に応じて設定した区分ごとに、契約者配当の対象となる金額を計算し、次の各号に掲げるいずれかの方法により、又はそれらの方法の併用により行わなければならない。

Article 38 When an Authorized Specified Insurer makes payment of policy dividends, it must calculate the amount to be distributed as policy dividends in accordance with the types categorized by the distinctive natures of the insurance contracts, and must implement the distribution by one or more of the methods set forth in the following items:

一 保険契約者が支払った保険料及び保険料として収受した金銭を運用することによって得られる収益から、保険金等の支払、事業費の支出その他の費用等を控除した金額に応じて分配する方法

(i) by distributing the amount based on the proceeds of investment of insurance premiums paid by the policyholders or money received as insurance premiums, after deducting the amount of Insurance Proceeds, etc., expenditure of operating expenses and any other costs;

二 契約者配当の対象となる金額をその発生の原因ごとに把握し、それぞれ各保険契約の責任準備金、保険金その他の基準となる金額に応じて計算し、その合計額を分配する方法

(ii) by recognizing the amount to be distributed as policy dividends based on the grounds of the dividends and distributing the total of the amount calculated in accordance with the policy reserve, insurance premiums or any other base amount which pertains to each insurance contract;

三 契約者配当の対象となる金額を保険期間等により把握し、各保険契約の責任準備金その他の基準となる金額に応じて計算した金額を分配する方法

(iii) by recognizing the amount to be distributed as policy dividends based on the insurance period, etc. and distributing the amount calculated in accordance with the policy reserve, insurance premiums or any other base amount which pertains to each insurance contract; or

四 その他前三号に掲げる方法に準ずる方法

(iv) any other methods equivalent to those set forth in the preceding three items.

(契約者配当準備金)

(Policy Dividend Reserve)

第三十九条 認可特定保険業者が契約者配当に充てるため積み立てる準備金は、契約者配当準備金とする。

Article 39 (1) A reserve to be set aside by an Authorized Specified Insurer to be appropriated to policy dividends is a policy dividend reserve.

2 認可特定保険業者は、前項の契約者配当準備金に、次に掲げるものの合計額を超えて繰り入れてはならない。

(2) An Authorized Specified Insurer may not transfer to the policy dividend reserve under the preceding paragraph the amount in excess of the total of the following amount:

一 積立配当（契約者に分配された配当で利息を付して積み立てているものをいう。）の額

(i) the amount of reserved dividend (meaning the dividend distributed to policyholders, which is reserved with interests);

二 未払配当（契約者に分配された配当で支払われていないもののうち、前号に規定する積立配当以外のものをいう。）の額（決算期においては、翌期に分配する予定の配当の額を含む。）

(ii) the amount of unpaid dividend (meaning the unpaid dividends distributed to policyholders, which exclude the reserved dividend provided in the preceding item) (in the case of the account closing period, including the amounts scheduled to be distributed in the subsequent business year);

三 全件消滅時配当（保険契約の全てが消滅したと仮定して計算した当該保険契約の消滅時に支払う配当をいう。）の額

(iii) the amount of dividend payable on expiry (meaning the dividend payable at the time of expiry of the insurance contract, calculated based on the presumption that all insurance contracts have expired); and

四 その他前三号に掲げるものに準ずるものとして改正法附則第二条第三項第四号に掲げる書類において定める方法により計算した額

(iv) any other amount calculated in accordance with the formula designated in the document set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act as the amount equivalent to those set forth in the preceding three items.

(価格変動準備金対象資産)

(Assets for Price Fluctuation Reserve)

第四十条 改正法附則第四条第一項において読み替えて準用する法第百十五条第一項に規定する主務省令で定める資産は、次に掲げる資産とする。ただし、特別勘定に属する財産は含まないものとする。

Article 40 The assets specified by order of the competent ministry, referred to in Article 115, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is as set forth in the following; provided, however, that properties in a special account are to be excluded:

一 株式及び新株予約権証券、法人に対する出資、優先出資及び預託を表示する証券又は証書、株式その他に係る投資信託の受益証券若しくは投資証券若しくは新投資口予約権証券又は金銭の信託の受益権を表示する証券若しくは証書及び貸付有価証券並びにこれらに準ずる資産

(i) a share or share option certificate; securities or instruments representing contribution to a corporation, preferred equity investment and deposit; a beneficiary certificate, investment certificate or investment equity subscription rights certificate for investment trust for shares and others; securities or instruments representing beneficiary interest in money trust; and loaned securities; as well as any other equivalent assets;

二 日本政府（地方公共団体を含む。以下この号から第五号までにおいて同じ。）及び日本政府と同等以上の信用力を有する外国の中央政府並びに国際機関が発行する又は元利金を保証する次に掲げる資産（ただし、満期保有目的の債券（満期まで所有する意図をもって保有する債券（満期まで所有する意図をもって取得したものに限る。）をいう。）は除くことができる。次号において同じ。）

(ii) the following assets issued by, or guaranteed as to their principal and interests by, the Japanese government (including local governments; hereinafter the same applies in this item to item (v)), a foreign central government with equivalent or higher creditworthiness as the Japanese government, and an international organization (however, bonds held to maturity (meaning bonds that are retained with the intention of holding

them until maturity, but limited to those acquired with the intention of holding them until maturity) may be excluded; the same applies in the following item):

イ 償還元本が邦貨建（先物為替予約が付されていること等により満期時又は償還時における元本の邦貨額が確定している外貨建のものを含む。次号において同じ。）の債券（新株予約権付社債を含む。以下この号から第五号までにおいて同じ。）

(a) bonds of which principal redemption amount is denominated in Japanese currency (including foreign currency-denominated bonds for which the amount of principal in Japanese yen at the time of maturity or redemption is fixed by reasons such as forward exchange contract; the same applies in the following item) (including bonds with share option; hereinafter the same applies in this item to item (v));

ロ イに掲げる債券に係る証券投資信託の受益証券若しくは投資証券又は金銭の信託の受益権を表示する証券若しくは証書及び貸付有価証券

(b) beneficiary certificate or investment securities for securities investment trust, securities or instruments representing beneficiary interest in money trust, and loaned securities, which relate to the bonds set forth in (a); and
ハ その他イ及びロに掲げるものに準ずる資産

(c) any other assets equivalent to those set forth in (a) and (b);

三 日本政府及び日本政府と同等以上の信用力を有する外国の中央政府並びに国際機関以外の者が発行する又は元利金を保証する次に掲げる資産

(iii) the following assets issued by, or guaranteed as to their principal and interests by, any party other than the Japanese government, a foreign central government with equivalent or higher creditworthiness as the Japanese government and an international organization:

イ 償還元本が邦貨建の債券

(a) bonds of which principal redemption amount is denominated in Japanese currency;

ロ イに掲げる債券に係る証券投資信託の受益証券若しくは投資証券又は金銭の信託の受益権を表示する証券若しくは証書及び貸付有価証券

(b) beneficiary certificate or investment securities for securities investment trust, securities or instruments representing beneficiary interest in money trust, and loaned securities, which relate to the bonds set forth in (a); and
ハ その他イ及びロに掲げるものに準ずる資産

(c) any other assets equivalent to those set forth in (a) and (b);

四 日本政府及び日本政府と同等以上の信用力を有する外国の中央政府並びに国際機関が発行する又は元利金を保証する次に掲げる資産

(iv) the following assets issued by, or guaranteed as to their principal and interests by, the Japanese government, a foreign central government with equivalent or higher creditworthiness as the Japanese government and an

international organization:

イ 償還元本が外貨建（先物為替予約が付されていること等により満期時又は償還時における元本の邦貨額が確定しているものを除く。次号及び第六号において同じ。）の債券

(a) bonds of which principal redemption amount is denominated in foreign currency (excluding bonds for which the amount of principal in Japanese yen at the time of maturity or redemption is fixed by reasons such as forward exchange contract; the same applies in this item and item (vi));

ロ イに掲げる債券に係る証券投資信託の受益証券若しくは投資証券又は金銭の信託の受益権を表示する証券若しくは証書及び貸付有価証券

(b) beneficiary certificate or investment securities for securities investment trust, securities or instruments representing beneficiary interest in money trust, and loaned securities, which relate to the bonds set forth in (a); and

ハ その他イ及びロに掲げるものに準ずる資産

(c) any other assets equivalent to those set forth in (a) and (b);

五 日本政府及び日本政府と同等以上の信用力を有する外国の中央政府並びに国際機関以外の者が発行する又は元利金を保証する次に掲げる資産

(v) the following assets issued by, or guaranteed as to their principal and interests by, any party other than the Japanese government, a foreign central government with equivalent or higher creditworthiness as the Japanese government and an international organization:

イ 償還元本が外貨建の債券

(a) bonds of which principal redemption amount is denominated in foreign currency;

ロ イに掲げる債券に係る証券投資信託の受益証券若しくは投資証券又は金銭の信託の受益権を表示する証券若しくは証書及び貸付有価証券

(b) beneficiary certificate or investment securities for securities investment trust, securities or instruments representing beneficiary interest in money trust, and loaned securities, which relate to the bonds set forth in (a); and

ハ その他イ及びロに掲げるものに準ずる資産

(c) any other assets equivalent to those set forth in (a) and (b);

六 償還元本が外貨建の預金、貸付金及び貸付債権信託の受益証券並びにこれらに準ずる資産

(vi) deposit, loan and beneficiary certificate for loan trust whose principal redemption amount is denominated in foreign currency, and any other assets equivalent thereto.

（価格変動準備金の計算）

(Calculation of Price Fluctuation Reserve)

第四十一条 認可特定保険業者は、毎決算期において保有する資産をそれぞれ次の表の上欄に掲げる資産に区分して、それぞれの資産の帳簿価額に同表の積立基準の欄に掲

げる率を乗じて計算した金額の合計額以上を当該価格変動準備金として積み立てなければならない。この場合において、当該価格変動準備金の限度額は、毎決算期において保有する資産をそれぞれ同表の上欄に掲げる資産に区分してそれぞれの資産の帳簿価額に同表の積立限度の欄に掲げる率を乗じて計算した金額の合計額とする。

Article 41 An Authorized Specified Insurer must reserve the amount not less than the total of the amount obtained by multiplying the book value of each asset by the ratio set forth in the space of the Reserve Threshold as specified in the left column of the following table, itemized by the assets respectively set forth in that column which are held as of the account closing period, as the price fluctuation reserve. In this case, the maximum amount of the Price Fluctuation Reserve is the total of the amount obtained by the book value of each asset held as of the time of the account closing period as itemized by the assets set forth in the left column of that table, multiplied by the ratio specified in the Maximum Limit of Reserve as set forth in the table.

対象資産 Assets	積立基準 Reservation criteria	積立限度 Maximum amount of reserve
前条第一号に掲げる資産 Assets set forth in item (i) of the preceding Article	千分の四・〇 4.0/1000	千分の百 100/1000
前条第二号に掲げる資産 Assets set forth in item (ii) of the preceding Article	千分の〇・四 0.4/1000	千分の十 10/1000
前条第三号に掲げる資産 Assets set forth in item (iii) of the preceding Article	千分の〇・八 0.8/1000	千分の二十 20/1000
前条第四号に掲げる資産 Assets set forth in item (iv) of the preceding Article	千分の二・〇 2.0/1000	千分の五十 50/1000
前条第五号に掲げる資産 Assets set forth in item (v) of the preceding Article	千分の二・四 2.4/1000	千分の六十 60/1000
前条第六号に掲げる資産 Assets set forth in item (vi) of the preceding Article	千分の二・〇 2.0/1000	千分の五十 50/1000

(価格変動準備金の不積立て等に関する認可の申請等)

(Application for Authorization of Exemption from Reserving Price Fluctuation

Reserve)

第四十二条 認可特定保険業者は、改正法附則第四条第一項において読み替えて準用する法第百十五条第一項ただし書又は改正法附則第四条第一項及び第二項において読み替えて準用する法第百十五条第二項ただし書の規定による認可を受けようとするときは、認可申請書に理由書並びに貸借対照表及び損益計算書又はこれに準ずる書類を添付して行政庁に提出しなければならない。

Article 42 (1) When an Authorized Specified Insurer intends to obtain an authorization under the proviso to Article 115, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms or the proviso to Article 115, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for authorization, attaching a written statement of reasons as well as a balance sheet and profit and loss statement or any other documents equivalent thereto, to the administrative authority.

2 行政庁は、前項の規定による認可の申請があったときは、当該認可の申請をした認可特定保険業者の業務又は財産の状況等に照らし、やむを得ないと認められる理由があるかどうかを審査するものとする。

(2) When the application for authorization under the preceding paragraph is made, the administrative authority is to examine whether any grounds considered unavoidable exist, in light of the status of business or properties of the Authorized Specified Insurer which has filed the application for authorization.

(責任準備金の積立て等)

(Reservation of Policy Reserve)

第四十三条 認可特定保険業者は、毎決算期において、次の各号に掲げる区分に応じ、当該各号に掲げる金額を改正法附則第二条第三項第四号に掲げる書類に記載された方法に従って計算し、責任準備金として積み立てなければならない。

Article 43 (1) An Authorized Specified Insurer must, for each accounting period and for each of the categories respectively set forth in the following items, calculate and set aside as the policy reserve the amounts respectively set forth therein, in accordance with the formula specified in the documents set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act:

一 保険料積立金 保険契約に基づく将来の債務の履行に備えるため、保険数理に基づき計算した金額

(i) insurance premiums reserve: amount calculated in accordance with actuarial methodology, with an objective of preparation for performance of

future obligations under insurance contracts;

二 未経過保険料 未経過期間（保険契約に定めた保険期間のうち、事業年度末において、まだ経過していない期間をいう。）に対応する責任に相当する額として計算した金額

(ii) outstanding insurance premiums: the amount calculated as the amount equivalent to the liability corresponding to the unexpired period (meaning the insurance period specified under an insurance contract which has not passed as of the end of business year);

三 異常危険準備金 保険契約に基づく将来の債務を確実に履行するため、将来発生が見込まれる危険に備えて計算した金額

(iii) extraordinary contingency reserve: the amount calculated for covering risks which may accrue in the future, so as to secure performance of the future obligations under insurance contracts; and

四 契約者配当準備金 契約者配当準備金の額

(iv) policy dividend reserve: the amount of the policy dividend reserve.

2 前項第一号の保険料積立金（以下この項、次項及び第五項において単に「保険料積立金」という。）は、次の各号に定めるところにより積み立てるものとする。

(2) The insurance premiums reserve under item (i) of the preceding paragraph (hereinafter simply referred to as "insurance premiums reserve" in this paragraph, the following paragraph and paragraph (5)) is to be set aside pursuant to the provisions of the following items:

一 保険契約（特別勘定を設けた保険契約を除く。）に係る保険料積立金については、平準純保険料式（保険契約に基づく将来の債務の履行に備えるための資金を全保険料払込期間にわたり平準化して積み立てる方式をいう。）により計算した金額を下回ることができない。

(i) insurance premiums reserve for insurance contracts (excluding insurance contracts for which a special account is created) may not be less than the amount calculated in accordance with the level premium system (meaning the system whereby the fund in preparation for performance of future obligations under insurance contracts is set aside by the level method for the entire insurance premiums payment period);

二 特別勘定を設けた保険契約に係る保険料積立金については、当該特別勘定における収支の残高を積み立てなければならない。

(ii) for insurance premiums reserve for insurance contracts for which a special account is created, the outstanding balance of the income and expenditure in the special account must be reserved;

三 第一号の規定は、認可特定保険業者の業務又は財産の状況及び保険契約の特性等に照らし特別な事情がある場合には、適用しない。ただし、この場合においても、保険料積立金の額は、保険数理に基づき、合理的かつ妥当なものとして改正法附則第二条第三項第四号に掲げる書類に記載された方法に従い積み立てなければならない。

- (iii) in light of the status of business or properties of an Authorized Specified Insurer and distinctiveness of insurance contracts and other factors, if any special circumstance exists, the provisions of item (i) do not apply; provided, however, that even in this case, the amount of the insurance premiums reserve must be reserved in accordance with the method specified in the document set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act as the reasonable and fair amount from the standpoint of actuarial methodology.
- 3 前二項の規定により積み立てられた責任準備金では、将来の債務の履行に支障を来すおそれがあると認められる場合には、改正法附則第二条第三項第四号に掲げる書類を変更することにより、追加して保険料積立金を積み立てなければならない。
- (3) If the policy reserve set aside pursuant to the preceding two paragraphs is found likely to be insufficient to cover the performance of the future obligations, an additional policy reserve must be set aside, by way of amendment to the documents set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act.
- 4 第一項第三号の異常危険準備金は、次に掲げるものに区分して積み立てなければならない。
- (4) Extraordinary contingency reserve under item (iii) of paragraph (1) must be set aside in accordance with the following categories:
- 一 保険リスク（実際の保険事故の発生率等が通常の予測を超えることにより発生し得る危険をいう。）に備える異常危険準備金
 - (i) extraordinary contingency reserve for an insurance risk (meaning a risk which may accrue from an actual incidence ratio of insured event exceeding the normally predictable range); and
 - 二 予定利率リスク（責任準備金の算出基礎となる予定利率を確保できなくなる危険をいう。第六項において同じ。）に備える異常危険準備金
 - (ii) extraordinary contingency reserve for a scheduled interest rate risk (meaning a risk that an insurer may be unable to assure the scheduled interest rate to serve the basis of calculation of the policy reserve; the same applies in paragraph (6)).
- 5 前項第一号に掲げる異常危険準備金は、次の表の上欄に掲げるリスクの区分に応じ、それぞれ同表の積立額の欄に掲げる額又はこれに準ずるものとして改正法附則第二条第三項第四号に掲げる書類に記載された方法に従って計算した額の合計額以上を積み立てるものとする。ただし、同表の上欄に掲げるリスクの区分に応じ、それぞれ同表の積立限度額の欄に掲げる額又はこれに準ずるものとして同号に掲げる書類に記載された方法に従って計算した額の合計額を限度とするものとする。
- (5) For an extraordinary contingency reserve set forth in item (i) of the preceding paragraph, a reserve is to be made for the amount not less than the total of the amounts set forth in the column of reserve amounts specified in the following table or the amount not less than the total of the amounts calculated in

accordance with the method specified in the documents set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act as the amounts equivalent thereto, according to the risks as respectively set forth in the left-hand column of the same table; provided, however, that the maximum of the amount is to be the total of the amount set forth in the column of the maximum limit of reserves specified in the same table, or the total of the amounts calculated in accordance with the methods specified in the documents set forth in the same item as the amounts equivalent thereto, according to the risks as respectively set forth in the left-hand column of the same table.

リスク Risks	積立額 Reserve amount	積立限度額 Maximum limit of reserve
死亡リスク及び入院リスク（人の死亡又は入院に関して支払われる保険金の発生率が通常の予測を超えることにより発生し得る危険をいう。） Mortality risk and hospitalization risk (meaning a risk which may accrue from an incidence rate of insurance proceeds, etc. payable contingent upon death or hospitalization of a person exceeding the normally predictable range)	当該事業年度の収入危険保険料の額（当該事業年度の収入保険料の額のうち、当該事業年度の保険金等の支払に充てるべきものをいう。以下この表において同じ。）に千分の十五を乗じて得た額 Amount obtained by multiplying the amount of risk premiums receipts for the relevant business year (meaning insurance premiums receipts for the relevant business year which is to be allocated to payment of insurance proceeds, etc. for said business year; hereinafter the same applies in this table) by 15/1000	当該事業年度の収入危険保険料の額に千分の百五十を乗じて得た額 Amount obtained by multiplying the amount of risk premiums receipts for the relevant business year by 150/1000

<p>生存保障リスク（人の生存に関して支払われる保険金の発生率が通常の予測を超えることにより発生し得る危険をいう。） Life cover risk (meaning a risk which may accrue from an incidence rate of insurance proceeds payable in relation to life of a person exceeding the normally predictable range)</p>	<p>当該事業年度末の年金保険（人の生存に関し年金を支払うことを主たる目的とする保険をいう。以下この表において同じ。）に係る保険料積立金の額に千分の一を乗じて得た額 Amount obtained by multiplying the amount of insurance premiums reserve for a pension insurance (meaning insurance whose primal purpose is the payment of pension in relation to a life of a person; hereinafter the same applies in this table) as of the end of the relevant business year by 1/1000</p>	<p>当該事業年度末の年金保険に係る保険料積立金の額に千分の十を乗じて得た額 Amount obtained by multiplying the amount of insurance premiums reserve for a pension insurance as of the end of the relevant business year by 10/1000</p>
<p>損害保険リスク（一定の偶然の事故によって生ずることのある損害をてん補するために支払われる保険金の発生率が通常の予測を超えることにより発生し得る危険をいう。） Damage insurance risk (meaning a risk which may accrue from an incidence rate of insurance proceeds payable to compensate for damage caused by a certain incident exceeding the normally predictable range)</p>	<p>当該事業年度の収入危険保険料の額に千分の五十を乗じて得た額 Amount obtained by multiplying the amount of risk premiums receipts for the relevant business year by 50/1000</p>	<p>当該事業年度の収入危険保険料の額の二倍の額 Twice the amount of risk premiums receipts for the relevant business year</p>
<p>その他のリスク Other risks</p>	<p>当該事業年度の収入危険保険料の額に千分の三十四を乗じて得た額 Amount obtained by multiplying the amount of risk premiums receipts for the relevant business year by 34/1000</p>	<p>当該事業年度の収入危険保険料の額に千分の三百四十を乗じて得た額 Amount obtained by multiplying the amount of risk premiums receipts for the relevant business year by 340/1000</p>

6 第四項第二号に掲げる異常危険準備金は、予定利率リスク相当額（責任準備金の予定利率ごとに、当該予定利率を別表に掲げる予定利率の区分により区分し、それに当該区分のリスク係数の欄に掲げる率を乗じて得られた数値を合計し、その得られた合計値を当該予定利率の責任準備金残高に乗じた額の合計額をいう。以下この項において同じ。）に千分の百を乗じて得た額及び責任準備金（予定利率リスクを有するものに限る。以下この項において同じ。）の額に千分の一を乗じて得た額の合計額以上を積み立てるものとする。ただし、予定利率リスク相当額及び責任準備金の額に千分の三十を乗じて得た額の合計額を限度とするものとする。

(6) For an extraordinary contingency reserve set forth in item (ii) of paragraph (4), a reserve is to be made for the amount not less than the total of the amounts obtained by multiplying the amount equivalent to a scheduled interest rate risk (meaning the total of the amounts derived by the following formula: categorizing each of the schedule interest rates for policy reserve according to the categories of schedule interest rate set forth in the appended table; adding up the values derived by multiplying the total amount by the ratio set forth in the column of risk coefficients corresponding to the relevant category; and then adding up the amounts obtained by multiplying the total value by the outstanding amount of policy reserve for the schedule interest rate; hereinafter the same applies in this paragraph) by 100/1000, and the amount obtained by multiplying the amount of the policy reserve (limited to policy reserve with a schedule interest rate; hereinafter the same applies in this paragraph) by one thousandth (1/1000); provided, however, that the maximum of the amount is to be the total of the amounts derived by multiplying the amount equivalent to the scheduled interest rate risk and the amount of policy reserve by 30/1000.

7 第一項第三号の異常危険準備金は、次の各号に掲げる異常危険準備金の区分に応じ、当該各号に定める場合を除くほか、取り崩してはならない。ただし、当該各号に掲げる異常危険準備金の前事業年度末の積立残高の額が当該異常危険準備金の当該事業年度末の積立限度額を超える場合には、当該超える額を取り崩さなければならない。

(7) The extraordinary contingency reserve under item (iii) of paragraph (1) may not be reversed, except for the cases specified in the following items, according to the categories of extraordinary contingency reserve as respectively set forth therein; provided, however, that if the outstanding amount of the extraordinary contingency reserve set forth in those items as of the end of the previous business year exceeds the maximum limit of reserves of the extraordinary contingency reserve as of the relevant business year, the excess amount must be reversed:

一 第四項第一号に掲げる異常危険準備金 死差損又は危険差損（実際の死亡率又は危険率が予定死亡率又は予定危険率より高くなった場合に生ずる損失をいう。）がある場合において、当該死差損又は危険差損のてん補に充てるとき。

(i) extraordinary contingency reserve set forth in item (i) of paragraph (4): in the case of appropriation to compensate for mortality loss or loss on insurance claims (meaning losses accrued in the case where the actual mortality rate or risk ratio exceeds the scheduled mortality rate or scheduled risk ratio), if the losses accrue; or

二 第四項第二号に掲げる異常危険準備金 利差損（資産運用による実際の利回りが予定利率より低くなった場合に生ずる損失をいう。）がある場合において、当該利差損のてん補に充てるとき。

(ii) extraordinary contingency reserve set forth in item (ii) of paragraph (4): in the case of appropriation to compensate for interest loss (meaning losses accrued in the case where the actual interest rate as a result of asset management is less than the scheduled interest rate), if the losses accrue.

8 認可特定保険業者の業務又は財産の状況等に照らし、やむを得ない事情がある場合には、前三項の規定にかかわらず、これらの規定によらないで、第一項第三号の異常危険準備金の積立て又は取崩しを行うことができる。

(8) Notwithstanding the provisions of the preceding three paragraphs, in light of the status of business or properties of an Authorized Specified Insurer, if there are any inevitable grounds, reserving or reversal of extraordinary contingency reserve under item (iii) of paragraph (1) may be made not in accordance with these provisions.

（再保険契約の責任準備金）

(Policy Reserve for Reinsurance Contracts)

第四十四条 認可特定保険業者は、保険契約を再保険に付した場合において、次に掲げる者に再保険を付した部分に相当する責任準備金を積み立てないことができる。

Article 44 If an Authorized Specified Insurer takes out reinsurance for insurance contracts, the insurer is not required to set aside a policy reserve for the portion of the amount of the reinsurance of the following persons:

一 保険会社

(i) an Insurance Company;

二 外国保険会社等

(ii) a Foreign Insurance Company, etc.;

三 法第二百十九条第一項に規定する引受社員であつて法第二百二十四条第一項の届出のあった者

(iii) an underwriting member provided in Article 219, paragraph (1) of the Act for whom a notification under Article 224, paragraph (1) of the Act is made;

四 外国保険業者のうち、前二号に掲げる者以外の者であつて、業務又は財産の状況に照らして、当該再保険を付した認可特定保険業者の経営の健全性を損なうおそれがない者

(iv) a Foreign Insurer other than as set forth in the preceding two items which, in light of its status of business or properties, is not likely to prejudice

soundness of the business management of the Insurance Company which took out the reinsurance; and

五 独立行政法人日本貿易保険

(v) Nippon Export and Investment Insurance.

(支払義務が発生したものに準ずる保険金等)

(Insurance Proceeds, etc. Equivalent to Amount Due and Payable)

第四十五条 改正法附則第四条第一項において読み替えて準用する法第百十七条第一項に規定する主務省令で定めるものは、保険金等であつて、認可特定保険業者が、毎決算期において、まだ支払事由の発生の報告を受けていないが保険契約に規定する支払事由が既に発生したと認めるものとする。

Article 45 The amount specified by order of the competent ministry, referred to in Article 117, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is an Insurance Proceeds, etc. for which the occurrence of a grounds of payment has not been reported to an Authorized Specified Insurer at each accounting period but for which the grounds of payment provided in an insurance contract is considered to have already occurred.

(支払備金の積立て)

(Reservation of Reserves for Outstanding Claims)

第四十六条 認可特定保険業者は、毎決算期において、次に掲げる金額を支払備金として積み立てなければならない。

Article 46 (1) An Authorized Specified Insurer must, for each accounting period, set aside the following amounts as a reserve for outstanding claims:

一 保険契約に基づいて支払義務が発生した保険金等（当該支払義務に係る訴訟が係属しているものを含む。）のうち、認可特定保険業者が毎決算期において、まだ支出として計上していないものがある場合は、当該支払のために必要な金額

(i) if an Authorized Specified Insurer has not yet recorded as expenses any Insurance Proceeds, etc. due and payable under the insurance contract for each accounting period (including those subject to a pending litigation as to the payment obligation), the amount required for the payment; and

二 まだ支払事由の発生の報告を受けていないが保険契約に規定する支払事由が既に発生したと認める保険金等について、その支払のために必要な金額（次項から第四項までにおいて「既発生未報告支払備金」という。）

(ii) for Insurance Proceeds, etc., for which the occurrence of the grounds of payment has not been reported but the Authorized Specified Insurer finds that grounds of payment provided in the insurance contracts has occurred, the amount necessary for the payment (referred to as "accrued and unreported reserves for outstanding claims" in the following paragraphs to

paragraph (4)).

2 既発生未報告支払備金は、次に掲げる額の平均額とする。

(2) The accrued and unreported reserves for outstanding claims are the average of the following amounts:

一 支払備金の計算の対象となる事業年度（以下この項において「対象事業年度」という。）の前事業年度末の既発生未報告支払備金積立所要額（まだ支払事由の発生の報告を受けていないが保険契約に規定する支払事由が既に発生したと認める保険金等の額をいう。以下この項において同じ。）に、対象事業年度の保険金等の支払額を当該対象事業年度の前事業年度の保険金等の支払額で除して得られた率を乗じて得られた額

(i) the amount obtained by multiplying the amount required for accrued and unreported reserves for outstanding claims (meaning the amount of Insurance Proceeds, etc., for which the occurrence of the grounds of payment has not been reported but the Authorized Specified Insurer finds that grounds of payment provided in the insurance contracts has occurred; hereinafter the same applies in this paragraph) as of the end of business year immediately preceding the business year which is a reference year for calculation of reserves for outstanding claims (hereinafter referred to as "reference business year" in this paragraph) by the ratio obtained by dividing the amount of payment of Insurance Proceeds, etc. for the reference business year by the amount of payment of Insurance Proceeds, etc. for the business year immediately preceding the reference business year;

二 対象事業年度の二事業年度前の事業年度末の既発生未報告支払備金積立所要額に、対象事業年度の保険金等の支払額を当該対象事業年度の二事業年度前の事業年度の保険金等の支払額で除して得られた率を乗じて得られた額

(ii) the amount obtained by multiplying the amount required for accrued and unreported reserves for outstanding claims as of the end of the business year which is two years prior to the reference business year by the ratio obtained by dividing the amount of payment of Insurance Proceeds, etc. for the reference business year by the amount of payment of Insurance Proceeds, etc. for the business year which is two years prior to the reference business year; and

三 対象事業年度の三事業年度前の事業年度末の既発生未報告支払備金積立所要額に、対象事業年度の保険金等の支払額を当該対象事業年度の三事業年度前の事業年度の保険金等の支払額で除して得られた率を乗じて得られた額

(iii) the amount obtained by multiplying the amount required for accrued and unreported reserves for outstanding claims as of the end of the business year which is three years prior to the reference business year by the ratio obtained by dividing the amount of payment of Insurance Proceeds, etc. for the reference business year by the amount of payment of Insurance Proceeds, etc. for the business year which is three years prior to the reference business

year.

- 3 前項の規定にかかわらず、保険契約に基づいて支払義務が発生した保険金等の支払が長期間にわたると認められる保険契約に係る既発生未報告支払備金については、当該保険契約の引受けの区分別の単位ごとに、支払保険金の額及び普通支払備金の額（第一項第一号に掲げる金額をいう。）等を基礎として、統計的な見積方法により合理的に計算した額を積み立てるものとする。ただし、合理的かつ妥当な理由がある場合には、一般に公正妥当と認められる会計基準及び適正な保険数理に基づく他の方法により計算した額とすることができる。

(3) Notwithstanding the provisions of the preceding paragraph, for accrued and unreported reserves for outstanding claims for an insurance contract deemed to require a long-term payment of Insurance Proceeds, etc. due and payable under the insurance contract, the amount reasonably calculated in accordance with the method of statistical estimation is to be reserved, based on the amounts as insurance proceeds and reserves for outstanding claims (meaning an amount set forth in item (i) of paragraph (1)), in accordance with each category of underwriting applicable to the insurance contract; provided, however, that if there is a reasonable and appropriate reason, the amount may be the amount calculated by other method based on accounting standards that are generally accepted as fair and appropriate and appropriate actuarial science.

- 4 認可特定保険業者の業務又は財産の状況等に照らし、やむを得ないと認められる事情がある場合には、前二項の規定にかかわらず、既発生未報告支払備金については、一定の期間を限り、改正法附則第二条第三項第四号に掲げる書類に記載された方法により計算した金額を積み立てることができる。

(4) Notwithstanding the provisions of the preceding two paragraphs, if there is a circumstance considered unavoidable in light of the status of business or property of an Authorized Specified Insurer, accrued and unreported reserves for outstanding claims may be reserved in amount calculated by the method specified in the document specified in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act, limited only to a certain period of time.

- 5 第四十四条の規定は、保険契約を再保険に付した場合における支払備金の積立てについて準用する。

(5) The provisions of paragraph 44 apply mutatis mutandis to the reserving of reserves for outstanding claims in the case where an insurance contract is reinsured.

（特別勘定を設置する保険契約）

(Insurance Contracts for Which Special Account Is Created)

- 第四十七条 改正法附則第四条第一項において読み替えて準用する法第百十八条第一項に規定する主務省令で定める保険契約は、当該保険契約に係る責任準備金の金額に対応する財産の価額により、保険金等の金額が変動する保険契約とする。

Article 47 The insurance contract specified by order of the competent ministry, referred to in Article 118, paragraph (1) the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is an insurance contract whose amount of Insurance Proceeds, etc. fluctuates depending on the value of the properties corresponding to the policy reserve for the insurance contract.

(勘定間の振替に係る例外)

(Exception on Book-Entry Transfer between Accounts)

第四十八条 改正法附則第四条第一項において読み替えて準用する法第百十八条第二項に規定する主務省令で定める場合は、保険料の収受、保険金等の支払、特別勘定以外の勘定からの借入れ又はその返済その他これらに準ずる金銭の振替であって改正法附則第二条第三項第二号に掲げる書類に定める場合とする。

Article 48 The cases specified by order of the competent ministry, referred to in Article 118, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are receipt of insurance premiums, payment of Insurance Proceeds, etc., borrowing from or repayment to any account other than a special account, or any other book-entry transfer of money equivalent thereto, which are specified in the documents set forth in Article 2, paragraph (3), item (ii) of the Supplementary Provisions to the Amendment Act.

(保険計理人の選任を要しない認可特定保険業者の要件)

(Requirements of Authorized Specified Insurer Exempted from Appointment of Responsible actuary)

第四十九条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百十条第一項に規定する主務省令で定める要件は、次のいずれにも該当することとする。

Article 49 The requirement specified by order of the competent ministry, referred to in Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is the satisfaction of all of the following:

- 一 保険期間が長期にわたる保険契約であって保険数理の知識及び経験を要するものに係る保険料及び責任準備金の算出を行わないこと。
- (i) that the insurance premiums and policy reserve is not calculated for an insurance contract with a long insured period which requires knowledge and experience of actuarial science; and
- 二 保険期間が長期にわたる保険契約に係る契約者配当準備金の算出及び積立てを行わないこと。

- (ii) that the policy dividend reserve is not calculated and reserved for an insurance contract with a long insured period.

(保険計理人の関与事項)

(Matters for Participation by Responsible actuary)

第五十条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十条第一項に規定する主務省令で定めるものは、保険計理人の関与を要する保険契約についての次に掲げるものに係る保険数理に関する事項とする。

Article 50 (1) The matters specified by order of the competent ministry, referred to in Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the matters relating to actuarial science for the following in relation to an insurance contract requiring participation by an responsible actuary:

一 保険料の算出方法

(i) method of calculation of insurance premium;

二 責任準備金の算出方法

(ii) method of calculation of policy reserve;

三 契約者配当の算出方法

(iii) method of calculation of policy dividends;

四 契約者価額の算出方法

(iv) method of calculation of policyholder value;

五 未収保険料の算出

(v) calculation of outstanding insurance premium;

六 支払備金の算出

(vi) calculation of reserves for outstanding claims; and

七 その他保険計理人がその職務を行うに際し必要な事項

(vii) any other matters necessary for an responsible actuary to perform the duties.

2 前項に規定する「保険計理人の関与を要する保険契約」とは、保険期間が長期にわたる保険契約であってその保険料及び責任準備金の算出に保険数理の知識及び経験を要するもの並びに保険期間が長期にわたる保険契約であって契約者配当準備金の算出及び積立てを行うものをいう。

(2) The term "an insurance contract which requires participation by an responsible actuary" provided in the preceding paragraph means an insurance contract with a long insured period and which requires knowledge and experience of actuarial science for calculation of its insurance premiums and policy reserve, and an insurance contract with a long insured period and for which a calculation and reservation of policy dividend reserve is to be made.

(保険計理人の要件に該当する者)

(Persons Satisfying Requirements of Responsible actuary)

第五十一条 改正法附則第四条第一項において読み替えて準用する法第二百十条第二項に規定する主務省令で定める要件に該当する者は、次の各号のいずれかに該当する者とする。

Article 51 The person who satisfies the requirement specified by order of the competent ministry, referred to in Article 120, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is a person who falls under any of the following items:

一 公益社団法人日本アクチュアリー会の正会員であり、かつ、保険数理（年金数理を含む。次号において同じ。）に関する業務に五年以上従事した者

(i) a regular member of The Institute of Actuaries of Japan, who has engaged in the business relating to actuarial science (including pension actuarial science; the same applies in the following item) for at least five years; or

二 公益社団法人日本アクチュアリー会の準会員（資格試験のうち五科目以上に合格した者に限る。）であり、かつ、保険数理に関する業務に十年以上従事した者

(ii) a semi-member of The Institute of Actuaries of Japan (limited to a person who passed at least five subjects of a qualification examination), who has engaged in the business relating to actuarial science for at least ten years.

(保険計理人の選任及び退任の届出)

(Notification of Appointment and Retirement of Responsible actuary)

第五十二条 認可特定保険業者は、保険計理人を選任したときは、遅滞なく、届出書に当該保険計理人の履歴書及び当該保険計理人が前条各号に掲げる者のいずれかに該当することを証する書面を添付して行政庁に提出しなければならない。

Article 52 (1) When an Authorized Specified Insurer appoints an responsible actuary, it must submit to the administrative authority without delay a written notification, attaching a curriculum vitae of the responsible actuary and a document certifying that the responsible actuary falls under any of the persons set forth in the items of the preceding Article.

2 認可特定保険業者は、保険計理人が退任したときは、遅滞なく、届出書に理由書を添付して行政庁に提出しなければならない。

(2) When an responsible actuary resigns from office, an Authorized Specified Insurer must submit a written notification, attaching a written statement of reasons, without delay to the administrative authority.

3 認可特定保険業者は、保険計理人が二人以上となる場合は、前二項の規定により添付する書類のほか、各保険計理人のそれぞれの職務に属する事項を記載した書面を添付しなければならない。

(3) If an Authorized Specified Insurer has two or more actuaries, it must attach a document specifying the scope of their respective duties, in addition to the documents to be attached pursuant to the preceding two paragraphs.

(保険計理人の確認業務)

(Verification Service of Responsible actuary)

第五十三条 保険計理人は、毎決算期において、次に掲げる基準により、改正法附則第四条第一項において読み替えて準用する法第二百二十一条第一項各号に掲げる事項について確認しなければならない。

Article 53 An responsible actuary must make a verification as to the matters set forth in the items of Article 121, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, for each accounting period and in accordance with the following criteria:

一 責任準備金が第四十三条に定めるところにより適正に積み立てられていること。

(i) whether the policy reserve has been appropriately set aside pursuant to the provisions of Article 43;

二 契約者配当が第三十八条に定めるところにより適正に行われていること。

(ii) whether the distribution of policy dividends has been properly implemented pursuant to the provisions of Article 38; and

三 将来の時点における資産の額として合理的な予測に基づき算定される額が、当該将来の時点における負債の額として合理的な予測に基づき算定される額に照らして、特定保険業の継続の観点から適正な水準に満たないと見込まれること。

(iii) judging from the amount of liabilities as of a certain time in the future calculated based upon reasonable estimation, whether the amount of assets as of a certain time in the future calculated based upon reasonable estimation is expected to fall short of the appropriate level in terms of continuance of the Specific Insurance Business.

(責任準備金に関して確認の対象となる契約)

(Contract for Verification in Relation to Policy Reserve)

第五十四条 改正法附則第四条第一項において読み替えて準用する法第二百二十一条第一項第一号に規定する主務省令で定める保険契約は、認可特定保険業者が引き受けている全ての保険契約とする。

Article 54 The insurance contracts specified by order of the competent ministry, referred to in Article 121, paragraph (1), item (i) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are all insurance contracts underwritten by an Authorized Specified Insurer.

(保険計理人の確認事項)

(Matters for Verification by Responsible actuary)

第五十五条 改正法附則第四条第一項において読み替えて準用する法第二百二十一条第一項第三号に規定する主務省令で定める事項は、将来の収支を保険数理に基づき合理的

に予測した結果に照らし、特定保険業の継続が困難であるかどうかとする。

Article 55 The matter specified by order of the competent ministry, referred to in Article 121, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is whether it is difficult to continue the Specified Insurance Business in light of the results of reasonable estimate of future income and expenditure based on actuarial science.

(保険計理人意見書)

(Written Opinion of Responsible actuary)

第五十六条 保険計理人は、計算書類（一般社団法人及び一般財団法人に関する法律第二百三十三条第二項（同法第百九十九条において準用する場合を含む。）に規定する計算書類をいう。）を承認する理事会に、次に掲げる事項を記載した意見書を提出しなければならない。

Article 56 (1) An responsible actuary must submit a written opinion containing the following matters, to a council meeting to approve financial statements (meaning financial statements provided in Article 123, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act)):

一 認可特定保険業者の名称及び保険計理人の氏名

(i) names of the Authorized Specified Insurer and responsible actuary;

二 提出年月日

(ii) year/month/date of submission;

三 第五十四条に定める保険契約に係る責任準備金の積立てに関する事項

(iii) matters relating to reservation of a policy reserve for an insurance contract provided in Article 54;

四 契約者配当に関する事項

(iv) matters relating to policy dividends;

五 契約者配当準備金の繰入れに関する事項

(v) matters relating to increase of policy dividend reserve;

六 前条の規定に基づく確認に関する事項

(vi) matters relating to verification under the provisions of the preceding Article; and

七 第三号から前号までに掲げる事項に対する保険計理人の意見

(vii) an opinion of the responsible actuary on the matters set forth in items (iii) to (vi).

2 保険計理人は、改正法附則第四条第一項において読み替えて準用する法第二百一十一条第一項の規定により意見書を理事会に提出するとき、及び同条第二項の規定により意見書の写しを行政庁に提出するときは、同条第一項各号に掲げる事項の確認の方法

その他確認の基礎とした事項を記載した附属報告書を添付しなければならない。

(2) When an responsible actuary submits a written opinion to a council meeting pursuant to the provisions of Article 121, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, and when an responsible actuary submits a copy of the written opinion to an administrative authority pursuant to the provisions of Article 121, paragraph (2) of the Act, the responsible actuary must attach an ancillary report containing the method of verification of the matters set forth in the items of Article 121, paragraph (1) of the Act and any other matters which serve as the basis of the verification.

3 保険計理人は、第一項の規定にかかわらず、監事又は会計監査人に対し、同項第三号から第七号までに掲げる事項の内容を通知することができる。

(3) Notwithstanding the provisions of paragraph (1), an responsible actuary may notify an inspector or financial auditor of the details of the matters set forth in items (iii) to (vii) of the same paragraph.

(事業方法書等の変更の認可を要しない事項)

(Matters Not Requiring Authorization on Change of Business Method Statement)

第五十七条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百十三条第一項の主務省令で定める事項は、関係法令の改正（条項の移動等当該法令に規定する内容の実質的な変更を伴わないものに限る。）に伴い規定を整理する場合における当該整理に係る事業方法書等に定めた事項とする。

Article 57 The matters specified by order of the competent ministry, referred to in Article 123, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the matters specified in a business method statement, etc. in relation to rearrangement of provisions, in the case where the provisions are rearranged according to amendment of relevant laws and regulations (limited to rearrangement with no substantial effect on the contents of the provision, including renumbering of provisions).

(事業方法書等の変更の認可の申請又は届出)

(Application or Notification for Authorization on Change of Business Method Statement)

第五十八条 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百十三条第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書類を添付して行政庁に提出しなければならない。

Article 58 (1) When an Authorized Specified Insurer intends to obtain an

authorization under Article 123, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for authorization, attaching the following documents, to the administrative authority:

一 理由書

(i) a written statement of reasons; and

二 改正法附則第二条第三項第四号に掲げる書類に定めた事項を変更しようとする場合にあっては、当該変更後の当該書類に定めた事項が保険数理に基づき合理的かつ妥当なものであることについて、保険計理人が確認した結果を記載した意見書（認可特定保険業者が改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十条第一項の規定により保険計理人の選任を要する者である場合に限る。）

(ii) in the case of amendment to any matter specified in the documents set forth in Article 2, paragraph (3), item (iv) of the Supplementary Provisions to the Amendment Act, a written opinion containing an responsible actuary's verification finding that the matters specified in the relevant documents after the amendment are reasonable and fair in terms of actuarial methodology (limited to the case where the Authorized Specified Insurer is required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms); and

三 その他参考となるべき事項を記載した書類

(iii) any other document specifying matters to serve as reference information.

2 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十三条第二項の規定による届出をしようとするときは、届出書に前項第一号及び第三号に掲げる書類を添付して行政庁に提出しなければならない。

(2) When an Authorized Specified Insurer intends to make a notification under Article 123, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written notification, attaching the documents set forth in items (i) and (iii) of the preceding paragraph, to the administrative authority.

（当該認可特定保険業者と特殊の関係のある者）

(Persons in Special Relationship with Authorized Specified Insurers)

第五十九条 改正法附則第四条第一項及び第二項において読み替えて準用する法第三百十二条第一項に規定する主務省令で定める特殊の関係のある者は、次に掲げる者とする。

Article 59 The persons in special relationship specified by order of the competent

ministry, referred to in Article 132, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 当該認可特定保険業者の子法人等（保険業法施行令（平成七年政令第四百二十五号。以下「令」という。）第十三条の五の二第三項に規定する子法人等をいう。第六十五条において同じ。）

(i) a subsidiary corporation, etc. (meaning a subsidiary corporation, etc. provided in Article 13-5-2, paragraph (3) of the Cabinet Order for Enforcement of the Insurance Business Act (Cabinet Order No. 425 of 1995); hereinafter referred to as the "Cabinet Order"; the same applies in Article 65) of the Authorized Specified Insurer; and

二 当該認可特定保険業者の関連法人等（令第十三条の五の二第四項に規定する関連法人等をいう。）

(ii) an affiliated corporation, etc. (meaning an affiliated corporation, etc. provided in Article 13-5-2, paragraph (4) of the Cabinet Order) of the Authorized Specified Insurer.

(名称)

(Name)

第六十条 改正法附則第四条第一項において読み替えて準用する法第二百七十二条の八第三項において読み替えて適用する法第七条第二項に規定する認可特定保険業者であることを示す文字として主務省令で定めるものは、認可特定保険とする。

Article 60 The words specified by order of the competent ministry as those representing an Authorized Specified Insurer provided in Article 7, paragraph (2) of the Act, as applied to Article 272-8, paragraph (3) of the Act following the deemed replacement of terms as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are authorized specified insurance.

(保険会社に準ずる者)

(Persons Equivalent to Insurance Company)

第六十一条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第一項に規定する保険会社に準ずる者として主務省令で定める者は、外国保険会社等、少額短期保険業者、認可特定保険業者及び人の生存又は死亡に関し一定額の保険金を支払うことを約し保険料を収受する保険、一定の偶然の事故によって生ずることのある損害をてん補することを約し保険料を収受する保険その他の保険で、法第三条第四項各号又は第五項各号に掲げるものの引受けを行う事業であって、法第二条第一項第一号に掲げるものを行う者とする。

Article 61 The persons specified by order of the competent ministry as those equivalent to an Insurance Company, referred to in Article 272-11, paragraph

(1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are a Foreign Insurance Company, etc., Small Amount and Short Term Insurance Company, Authorized Specified Insurer, and a person carrying out a business specified in Article 2, paragraph (1), item (i) of the Act to underwrite an insurance where the insurer undertakes to pay a certain amount of insurance proceeds contingent upon the life or death of a person and receives insurance premiums, an insurance where the insurer undertakes to compensate for damage that may accrue as a result of occurrence of certain accidents and receives insurance premiums and other insurance, which are set forth in the items of Article 3, paragraph (4) or (5) of the Act.

(保険代理業の範囲)

(Scope of Insurance Agency Service)

第六十二条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第一項に規定する主務省令で定めるものは、保険募集その他の保険会社又は前条に規定する者（以下この条において「保険会社等」という。）の業務の代理又は事務の代行であつて、次の各号に掲げる要件のいずれにも該当する保険契約に係るものとする。

Article 62 The businesses specified by order of the competent ministry, referred to in Article 272-11, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are an agency or business handling service for Insurance Solicitation or any other business for an Insurance Company or any person provided in the preceding Article (hereinafter referred to as an "insurance company, etc." in this Article), which relate to an insurance contract satisfying all of the requirements set forth in the following items:

一 認可特定保険業者若しくは当該認可特定保険業者を密接関係者とする旧特定保険業者が改正法の公布の際現に行っていた特定保険業又は保険会社等の業務の代理若しくは事務の代行に係る保険契約（次号において「旧保険契約」という。）と同一の種類のものであること。

(i) that the business is of the same type as an insurance contract for Specified Insurance Business or agency or business handling service for Insurance Company, etc. currently carried out by an Authorized Specified Insurer or a former specified insurer whose Closely Related Person is the Authorized Specified Insurer at the time of the promulgation of the Amendment Act (referred to as an "insurance contract under the former Act" in the following item); and

二 その保険契約者及び被保険者の範囲が旧保険契約に係る保険契約者及び被保険者

の範囲と同一であること又は認可特定保険業者をその保険契約者とし、その被保険者の範囲が旧保険契約に係る保険契約者の範囲と同一であること。

- (ii) that the scope of policyholders and insured persons are the same as the scope of the policyholders and insured persons under the insurance contract under the former Act; or that an Authorized Specified Insurer is a policyholder under the insurance contract and the scope of the insured persons is the same as the scope of policyholders of an insurance contract under the former Act.

(他の業務を行う場合の行政庁の承認)

(Approval of Administrative Authority for Conducting Other Business)

第六十三条 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の十一第二項ただし書の規定による承認を受けようとするときは、次に掲げる事項を記載した承認申請書を行政庁に提出しなければならない。

Article 63 (1) When an Authorized Specified Insurer intends to obtain an approval under the proviso to Article 272-11, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for approval containing the following matters to the administrative authority:

一 名称

(i) name;

二 認可年月日

(ii) year/month/date of authorization;

三 承認を受けようとする業務の種類

(iii) type of business for which an approval is sought; and

四 当該業務の開始予定年月日

(iv) slated year/month/date for starting the business.

2 前項の承認申請書には、次に掲げる事項を記載した書類を添付しなければならない。

(2) A document specifying the following matters must be attached to the written application for approval under the preceding paragraph:

一 当該業務の内容及び方法

(i) details and methods of the business;

二 当該業務を所掌する組織及び人員配置

(ii) organizations having jurisdiction over the business and personnel staffing;
and

三 当該業務の運営に関する内部規則等

(iii) internal rules, etc. for the operation of the business.

(届出事項等)

(Matters for Notification)

第六十四条 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の二十一第一項第六号に規定する主務省令で定める場合は、次に掲げる場合とする。

Article 64 (1) The cases specified by order of the competent ministry, referred to in Article 272-21, paragraph (1), item (vi) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 認可特定保険業者の代表理事（一般社団法人及び一般財団法人に関する法律第二十一条第一項又は第百六十二条第一項に規定する代表理事をいう。）の認可特定保険業者の常務に従事する理事又は監事の就任又は退任があった場合

(i) assumption of, or retirement from, an office of a representative director (meaning a representative director provided in Article 21, paragraph (1) or Article 162, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations) of an Authorized Specified Insurer, or a director or inspector engaged in the ordinary business of an Authorized Specified Insurer;

二 その事務所（特定保険業に係る業務を行うものに限る。）の位置を変更した場合（改正法附則第四条第八項の規定により認可を受ける場合を除く。）

(ii) if the location of its office (limited to an office for conducting business pertaining to the Specified Insurance Business) is changed (excluding the case where an authorization is obtained pursuant to Article 4, paragraph (8) of the Supplementary Provisions to the Amendment Act);

三 その子会社が子会社でなくなった場合（改正法附則第四条第十二項において読み替えて準用する法第百四十二条の規定による認可を受けて事業の譲渡をした場合を除く。）

(iii) if the Subsidiary Company no longer falls under the category (excluding the case where the business is assigned with an authorization under Article 142 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (12) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms);

四 その子会社が商号、本店の所在地若しくは主な業務の内容を変更し、又は合併し、解散し、若しくは業務の全部を廃止した場合（前号の規定により子会社でなくなったことについて同号の届出をしなければならないとされるものを除く。）

(iv) if the Subsidiary Company has changed its trade name, location of its head office or contents of its main business, implemented a merger or dissolution, or discontinued all of its businesses (excluding the case where the Subsidiary Company is required to make a notification under the preceding item to the effect that it no longer falls under the category of a Subsidiary Company pursuant to the same item);

五 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二條の十一第二項ただし書の規定による承認を受けて行う業務の全部又は一部を休止し、再開し、又は廃止した場合

(v) if the Subsidiary Company suspends, resumes or discontinues all or part of its business conducted with an approval under the proviso to Article 272-11, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

六 第五十九条各号に掲げる者に該当する者（子会社を除く。次号及び第八号において「特殊関係者」という。）を新たに有することとなった場合

(vi) if the Subsidiary Company newly enters into a relationship with a person who falls under the categories of persons set forth in the items of Article 59 (excluding a Subsidiary Company; referred to as "specific interested party" in the following item and item (viii));

七 その特殊関係者が特殊関係者でなくなった場合

(vii) if the specific interested party no longer falls under its category;

八 その特殊関係者が主な業務の内容を変更することとなった場合

(viii) if the specific interested party changes the contents of its main business;

九 第四十三条第一項第三号の異常危険準備金について同条第八項の規定により同条第五項から第七項までの規定によらない積立て又は取崩しを行おうとする場合

(ix) pursuant to the provisions of Article 43, paragraph (8), if the Authorized Specified Insurer intends to make a reservation or reversal of extraordinary contingency reserve under paragraph (1), item (iii) of the same Article not in accordance with paragraphs (5) to (7) of the same Article;

十 認可特定保険業者が第三十一条第一項又は改正法附則第四条第一項及び第二項において読み替えて準用する法第百十一条第一項の規定により説明書類の縦覧を開始した場合

(x) when the Authorized Specified Insurer started making available for public inspection the explanatory documents pursuant to the provisions of Article 31, paragraph (1) of this Order or Article 111, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; or

十一 認可特定保険業者、その子会社又は業務の委託先（第四項において「認可特定保険業者等」という。）において不祥事件（業務の委託先にあつては、当該認可特定保険業者が委託する業務に係るものに限る。）が発生したことを知った場合

(xi) if the Authorized Specified Insurer becomes aware of the occurrence of any deplorable event by it, its Subsidiary Company or party entrusted with business (referred to as "Authorized Specified Insurer, etc." in paragraph (4)) (in the case of a party entrusted with business, limited to the event relating to the business entrusted by the Authorized Specified Insurer).

2 認可特定保険業者は、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百七十二条の二十一第一項の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項を記載した書類を添付して行政庁に提出しなければならない。

(2) When an Authorized Specified Insurer intends to make a notification under Article 272-21, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written notification, attaching a written statement of reasons and any document containing matters which may serve as reference information, to the administrative authority.

3 第一項第九号に該当するときの届出は、貸借対照表及び損益計算書の作成後、速やかに、当該書類を添付して行うものとする。

(3) If item (ix) of paragraph (1) applies, a notification attaching a balance sheet and profit and loss statement is to be made promptly after the preparation of the documents.

4 第一項第十一号に規定する「不祥事件」とは、認可特定保険業者等、認可特定保険業者等の役員若しくは使用人又は認可特定保険業者等（認可特定保険業者の業務の委託先を除く。）のために保険募集を行う者若しくはその役員若しくは使用人が次の各号のいずれかに該当する行為を行ったことをいう。

(4) The term "deplorable event" provided in item (xi), paragraph (1) means that any of an Authorized Specified Insurer, etc., its officers or employees, a person conducting Insurance Solicitation for an Authorized Specified Insurer (excluding a party receiving entrustment of business from an Authorized Specified Insurer) or its officers or employees has conducted an act which falls under any of the following items:

一 認可特定保険業者の業務を遂行するに際しての詐欺、横領、背任その他の犯罪行為

(i) fraud, embezzlement, breach of trust or any other criminal act in the course of the performance of business of an Authorized Specified Insurer;

二 出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第九十五号）に違反する行為

(ii) an act in violation of the Act Regulating the Receipt of Contributions, the Receipt of Deposits, and Interest Rates (Act No. 195 of 1954);

三 改正法附則第四条の二において読み替えて準用する法第三百条第一項の規定に違反する行為

(iii) an act in violation of the provisions of Article 300, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

四 現金、手形、小切手又は有価証券その他有価物の一件当たり百万円以上の紛失

(盗難に遭うこと及び過不足を生じさせることを含む。)

(iv) loss of cash, negotiable instrument, check or securities or any other item of value of not less than one million yen in value per each instance (including theft and occurrence of deficiency or excess); and

五 その他認可特定保険業者の業務の健全かつ適切な運営に支障を来す行為又はそのおそれのある行為であつて前各号に掲げる行為に準ずるもの

(v) any other act equivalent to those set forth in the preceding items, which would actually or potentially hinder sound and appropriate operation of business of an Authorized Specified Insurer.

5 第一項第十一号に該当するときの届出は、前項に規定する不祥事件の発生を認可特定保険業者が知った日から三十日以内に行わなければならない。

(5) A notification in the case where item (xi) of paragraph (1) applies must be made within 30 days from the day when the Authorized Specified Insurer becomes aware of the occurrence of the deplorable event provided in the preceding paragraph.

(認可特定保険業者がその経営を支配している法人)

(Corporations of Which Business Management Is Controlled by Authorized Specified Insurers)

第六十五条 改正法附則第四条第一項において読み替えて準用する法第二百七十二条の二十二第二項に規定する主務省令で定めるものは、当該認可特定保険業者の子法人等のうち子会社以外のものとする。

Article 65 The party specified by order of the competent ministry, referred to in Article 272-22, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is a Subsidiary Corporation, etc. of the Authorized Specified Insurer which is not a Subsidiary Company.

(認可特定保険業者が子会社を保有することについての承認の申請)

(Application for Approval for Authorized Specified Insurers to Hold Subsidiary Companies)

第六十六条 認可特定保険業者は、改正法附則第四条第四項ただし書の承認を受けようとするときは、承認申請書に次に掲げる書類を添付して行政庁に提出しなければならない。

Article 66 When an Authorized Specified Insurer intends to obtain an approval under the proviso to Article 4, paragraph (4) of the Supplementary Provisions to the Amendment Act, it must submit a written application for approval, attaching the following documents, to the administrative authority:

一 理由書

(i) a written statement of reasons; and

二 当該認可特定保険業者に関する次に掲げる書類

(ii) the following documents in relation to the Authorized Specified Insurer:

イ 最終の貸借対照表（一般社団法人及び一般財団法人に関する法律第二百二十三条第二項（同法第百九十九条において準用する場合を含む。）の規定により作成した貸借対照表及び別紙様式第一号第三により作成した貸借対照表をいう。第七十五条第四号並びに第七十九条第一号ハ及び第二号ハにおいて同じ。）、損益計算書（同法第二百二十三条第二項（同法第百九十九条において準用する場合を含む。）の規定により作成した損益計算書及び別紙様式第一号第四により作成した損益計算書をいう。）その他最近における業務、財産及び損益の状況を知ることができる書類

(a) a latest balance sheet (meaning a balance sheet prepared pursuant to Article 123, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act) and a balance sheet prepared using the appended form No. 1-3; the same applies in Article 75, item (iv) and Article 79, item (i), (c) and item (ii), (c) of the same Article), a profit and loss statement (meaning a profit and loss statement prepared pursuant to Article 123, paragraph (2) of the same Act (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act) and a balance sheet prepared using the appended form No. 1-4), and any other document showing the recent situations of business, properties and profit and loss; and

ロ 当該承認後における収支の見込みを記載した書類

(b) a document specifying the prospect of income and expenditure after obtaining the approval;

三 当該承認に係る子会社に関する次に掲げる書類

(iii) the documents set forth in the following in relation to the Subsidiary Company for which the approval is sought:

イ 商号及び本店の所在地を記載した書類

(a) a document specifying the location of the trade name and head office;

ロ 業務の内容を記載した書類

(b) a document specifying the details of business; and

ハ 最終の貸借対照表、損益計算書、株主資本等変動計算書その他最近における業務、財産及び損益の状況を知ることができる書類

(c) the latest balance sheet, profit and loss statement, statement of changes in net assets and any other document which shows the recent business, assets and profit and loss standings;

ニ 取締役、執行役、会計参与（会計参与が法人であるときは、その職務を行うべき社員を含む。）及び監査役の役職名及び氏名又は名称を記載した書類

(d) a document specifying the job title and name of the directors, executive officers, accounting advisors (if the accounting adviser is a corporation, including the member to perform the duties of the corporation) and

auditors; and

四 その他参考となるべき事項を記載した書類

(iv) any other document specifying matters to serve as reference information.

(特定保険業に係る会計から他の会計への資金運用等に係る承認の申請等)

(Application for Approval on Transfer of Fund Management from Specified Insurance Business Account to Other Account)

第六十七条 認可特定保険業者は、改正法附則第四条第七項ただし書の規定による承認を受けようとするときは、承認申請書に理由書その他参考となるべき事項を記載した書類を添付して行政庁に提出しなければならない。

Article 67 (1) When an Authorized Specified Insurer intends to obtain an approval under Article 4, paragraph (7) of the Supplementary Provisions to the Amendment Act, it must submit a written application for authorization, attaching a written statement of reasons and a document specifying the matters to serve as reference information, to the administrative authority.

2 行政庁は、前項の規定による承認の申請があったときは、当該承認の申請をした認可特定保険業者の業務又は財産の状況等に照らし、やむを得ないと認められる理由があるかどうかを審査するものとする。

(2) When the application for approval under the preceding paragraph is made, the administrative authority is to examine whether there exist any grounds considered unavoidable, in light of status of business or properties of the Authorized Specified Insurer which has filed the application for approval.

(定款の変更に係る認可の申請)

(Application for Authorization on Change of Articles of Incorporation)

第六十八条 認可特定保険業者は、改正法附則第四条第八項の規定による認可を受けようとするときは、認可申請書に次に掲げる書類を添付して行政庁に提出しなければならない。

Article 68 When an Authorized Specified Insurer intends to obtain an authorization under Article 4, paragraph (8) of the Supplementary Provisions to the Amendment Act, it must submit a written application for authorization, attaching the following documents, to the administrative authority:

一 理由書

(i) a written statement of reasons; and

二 社員総会又は評議員会の議事録その他必要な手続があったことを証する書類

(ii) minutes of general meeting of members or meeting of councilors, or any other document certifying that necessary procedures have been taken; and

三 その他参考となるべき事項を記載した書類

(iii) any other document specifying matters to serve as reference information.

第五章 保険契約の移転、事業の譲渡又は譲受け並びに業務及び財産の管理の

委託

Chapter V Transfer of Insurance Contracts; Assignment or Acquisition of Business; and Entrustment of Business and Property Management Service

第一節 保険契約の移転

Section 1 Transfer of Insurance Contracts

(保険契約の移転に係る備置書類)

(Documents to Be Kept in Cases of Transfer of Insurance Contracts)

第六十九条 改正法附則第四条第十一項において読み替えて準用する法第百三十六条の二第一項に規定する主務省令で定める書類は、次に掲げる書類とする。

Article 69 The documents specified by order of the competent ministry, referred to in Article 136-2, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 改正法附則第四条第十一項において読み替えて準用する法第百三十五条第一項の契約に係る契約書（第七十二条第二項第二号において「移転契約書」という。）

(i) a written contract for the contract under Article 135, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter referred to as a "transfer contract" in Article 72, paragraph (2), item (ii)); and

二 改正法附則第四条第十一項において読み替えて準用する法第百三十五条第三項に規定する移転業者（以下この節において単に「移転業者」という。）及び改正法附則第四条第十一項において読み替えて準用する法第百三十五条第一項に規定する移転先会社（以下この節において単に「移転先会社」という。）の貸借対照表（認可特定保険業者にあっては一般社団法人及び一般財団法人に関する法律第二百三十三条第二項（同法第百九十九条において準用する場合を含む。）の規定により作成した貸借対照表及び別紙様式第一号第三により作成した貸借対照表、外国保険会社等にあっては日本における保険業の貸借対照表。第七十二条第二項第四号、第七十七条第二項第四号及び第七十八条第二項第四号において同じ。）

(ii) a balance sheet of a transferor provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter simply referred to as "transferor" in this Section) and a transferee company provided in Article 135, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter simply referred to as "transferee company" in this Section) (in the case of an Authorized Specified Insurer, a balance

sheet prepared pursuant to Article 123, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act), a balance sheet prepared according to appended Form 1-3, or in the case of a Foreign Insurance Company, etc., a balance sheet for insurance business in Japan; the same applies in Article 72, paragraph (2), item (iv), Article 77, paragraph (2), item (iv) and Article 78, paragraph (2), item (iv)).

(保険契約の移転に係る公告事項又は通知事項)

(Matters for Public Notice of Notice in Cases of Transfer of Insurance Contracts)

第七十条 改正法附則第四条第十一項において読み替えて準用する法第百三十七条第一項本文に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 70 The matters specified by order of the competent ministry, referred to in the main clause of Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 移転先会社の商号、名称又は氏名

(i) the trade name or name of the transferee company;

二 移転先会社の本店、主たる事務所又は日本における主たる店舗の所在地

(ii) the location of the transferee company's head office, principal office or a main business establishment in Japan;

三 移転先会社（認可特定保険業者を除く。）の直近の事業年度における保険金等の支払能力の充実の状況を示す比率（法第百三十条（法第二百七十二条の二十八において準用する場合を含む。）又は法第二百二条の保険金等の支払能力の充実の状況が適当であるかどうかの基準に係る算式により得られる比率をいう。以下この号及び第七十二条第二項第十六号において同じ。）及び保険契約の移転の日に見込まれる保険金等の支払能力の充実の状況を示す比率

(iii) the ratio to indicate the soundness of solvency margin for Insurance

Proceeds, etc. of the transferee company (excluding an Authorized Specified Insurer) for the latest business year (meaning a ratio derived from a calculation formula relating to the standard of soundness of solvency margin for Insurance Proceeds, etc. under Article 130 of the Act (including the case where it is applied mutatis mutandis pursuant to Article 272-28 of the Act) or Article 202 of the Act; the same applies in this item and Article 72, paragraph (2), item (xvi)), and the prospective ratio to indicate the soundness of their solvency margin for Insurance Proceeds, etc. as of the day of transfer of insurance contracts;

四 保険契約の移転後における移転対象契約（改正法附則第四条第十一項において読み替えて準用する法第百三十五条第三項に規定する移転対象契約をいう。第七十二

条第二項第六号から第十一号まで及び第十七号、第七十二条の二第一項第一号並びに第七十四条において同じ。) に関するサービスの内容の概要

(iv) a brief description of the services relating to the transferred contract (meaning a transferred contract provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in Article 72, paragraph (2), items (vi) to (xi) and (xvii), Article 72-2, paragraph (1), item (i) and Article 74) after the transfer of insurance contracts; and

五 保険契約の移転前及び移転後における移転業者及び移転先会社の契約者配当又は社員に対する剰余金の分配（以下この号において「配当等」という。）の方針並びに保険契約の移転前における移転業者及び移転先会社の配当等の額

(v) a policy for policy dividends or dividend of surplus to members (hereinafter referred to as "dividend, etc." in this item) of the transferor and transferee company before and after the transfer of insurance contracts, and the amount of dividend, etc. of the transferor and the transferee company before the transfer of insurance contracts.

（保険契約に係る債権の額）

(Amount of Claim Relating to Insurance Contract)

第七十一条 改正法附則第四条第十一项において読み替えて準用する法第百三十七条第三項に規定する主務省令で定める金額は、次に掲げる金額の合計額とする。

Article 71 The amount specified by order of the competent ministry, referred to in Article 137, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the total of the amounts as set forth in the following:

一 改正法附則第四条第十一项において読み替えて準用する法第百三十七条第一項の公告又は通知（次号において「公告等」という。）の時ににおいて被保険者のために積み立てるべき金額

(i) the amount to be reserved for insured persons at the time of the public notice or notice under Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter referred to as a "public notice" in the following item); and

二 未経過期間（保険契約に定めた保険期間のうち、公告等の時ににおいて、まだ経過していない期間をいう。）に対応する保険料の金額

(ii) the amount of insurance premiums corresponding to the unexpired period (meaning the insurance period specified in an insurance contract, which has not passed as of the time of the public notice, etc.).

(保険契約移転手続中の契約に係る通知事項)

(Matters for Notices Relating to Contracts under Transfer Procedures of Insurance Contracts)

第七十一条の二 改正法附則第四条第十一项において読み替えて準用する法第百三十八条第一項第三号に規定する主務省令で定める事項は、第七十条各号に掲げる事項とする。

Article 71-2 The matters specified by order of the competent ministry, referred to in Article 138, paragraph (1), item (iii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the items of Article 70.

(保険契約の移転の認可の申請)

(Application for Authorization of Transfer of Insurance Contracts)

第七十二条 改正法附則第四条第十一项において読み替えて準用する法第百三十九条第一項の規定による認可の申請は、改正法附則第四条第十一项において読み替えて準用する法第百三十七条第一項の異議を述べるべき期間経過後一月以内に、認可申請書を移転業者の行政庁に提出して行わなければならない。

Article 72 (1) For applying for authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written application for authorization must be submitted to the administrative authority of the transferor, within one month from the objection period under Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for authorization under the preceding paragraph:

一 理由書

(i) a written statement of reasons;

二 移転契約書

(ii) a transfer contract;

三 移転業者及び移転先会社（外国保険会社等を除く。）の株主総会等（改正法附則第四条第十一项において読み替えて準用する法第百三十六条第一項に規定する株主総会等をいう。）の議事録

(iii) minutes of shareholders meeting, etc. (meaning a shareholders meeting, etc. provided in Article 136, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of

terms) of the transferor and transferee company (excluding a Foreign Insurance Company, etc.);

四 移転業者及び移転先会社の貸借対照表

(iv) a balance sheet of the transferor and transferee company;

五 移転業者の財産目録

(v) an inventory of assets of the transferor;

六 移転対象契約の選定基準及び対象範囲を記載した書面

(vi) a document specifying the criteria for determination of transferred contracts and the scope of the contracts; and

七 移転業者を保険者とする保険契約について、次に掲げる事項を記載した書面

(vii) a document specifying the following matters in relation to an insurance contract wherein the insurer is a transferor:

イ 当該保険契約の種類ごとに保険契約の移転前及び移転後における保険契約者の数、保険契約の件数及び保険金額の合計額並びに責任準備金その他の準備金の額

(a) the number of policyholders, the number of insurance contracts, the total of the insurance proceeds, and the amount of policy reserve and any other reserves before and after the transfer of insurance contracts, for each type of insurance contract;

ロ 当該保険契約の種類ごとに保険契約の移転前における移転対象契約に係る責任準備金その他の準備金の額及びそれらの算定の適切性（移転業者が改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の額及びそれらの算出方法）

(b) the amount of policy reserve and any other reserves for the transferred contracts before the transfer of insurance contract and the appropriateness of the calculation of the amount, for each type of insurance contract (in the case where a transferor is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the amount of policy reserve and any other reserve and the method of calculation of the amounts); and

ハ 保険契約の移転後における責任準備金その他の準備金の算定の適切性（移転業者が改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の算出方法）

(c) the appropriateness of the calculation of the amount of policy reserve and any other reserves after the transfer of insurance contracts (in the case where a transferor is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120,

paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the method of calculation of policy reserve and any other reserve);

八 改正法附則第四条第十一項において読み替えて準用する法第百三十五条第一項の契約により移転対象契約とともに移転するものとされる財産について、その種類ごとに数量及び価額を記載した書面

(viii) a document specifying the quantity and value for each type of properties to be transferred associated with the transferred contract pursuant to a contract referred to in Article 135, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

九 移転先会社が認可特定保険業者である場合にあっては、次に掲げる書面

(ix) the documents set forth in the following, if the transferee company is an Authorized Specified Insurer:

イ 移転対象契約について、その保険の種類、保険契約者の範囲、被保険者又は保険の目的の範囲及び保険金の支払事由を記載した書面

(a) a document specifying type of the insurance, scope of policyholders, scope of insured persons or purposes of insurance, and grounds of payment of insurance proceed in relation to the transferred contracts;

ロ 移転先会社を保険者とする保険契約について、イに定める事項を記載した書面

(b) a document specifying the matters specified in (a) in relation to an insurance contract wherein the insurer is a transferee company;

十 移転先会社を保険者とする保険契約（外国保険会社等にあつては、日本における保険契約）について、次に掲げる事項を記載した書面

(x) a document specifying the following matters in relation to an insurance contract for an insurance contract (in the case of a Foreign Insurance Company, etc., an insurance contract in Japan) wherein the insurer is a transferee company:

イ 当該保険契約の種類ごとに保険契約の移転前及び移転後における保険契約者の数、保険契約の件数及び保険金額の合計額並びに責任準備金（外国保険会社等にあつては、法第百九十九条において準用する法第百十六条第一項の規定により日本において積み立てる責任準備金をいう。ロ及びハ並びに次条第一項第二号において同じ。）その他の準備金の額

(a) the number of policyholders, the number of insurance contracts, the total of the insurance proceeds, and the amount of policy reserve (in the case of a Foreign Insurance Company, etc., meaning policy reserve to be made in Japan pursuant to Article 116, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 199 of the Act; the same applies in (b) and (c) below and paragraph (1), item (ii) of the following Article) and any other

reserves before and after the transfer of insurance contracts, for each type of insurance contract;

ロ 当該保険契約の種類ごとに保険契約の移転後における移転対象契約に係る責任準備金その他の準備金の額及びそれらの算定の適切性（移転先会社が改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の額及びそれらの算出方法）

(b) the amount of policy reserve and any other reserves for the transferred contracts after the transfer of insurance contract and the appropriateness of the calculation of the amount, for each type of insurance contract (in the case where a transferee company is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the amount of policy reserve and any other reserve and the method of calculation of the amounts); and

ハ 保険契約の移転後における責任準備金その他の準備金の算定の適切性（移転先会社が改正法附則第四条第一項及び第二項において読み替えて準用する法第百二十条第一項の規定により保険計理人の選任を要しない認可特定保険業者である場合にあっては、責任準備金その他の準備金の算出方法）

(c) the appropriateness of the calculation of the amount of policy reserve and any other reserves after the transfer of insurance contracts (in the case where a transferee company is an Authorized Specified Insurer not required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the method of calculation of policy reserve and any other reserve);

十一 移転先会社が少額短期保険業者である場合であって、移転対象契約及び移転先会社を保険者とする保険契約について同一の保険契約者又は被保険者があるときは、当該保険契約者又は被保険者ごとの全ての保険契約の保険金額の合計額及び全ての保険契約に係る令第一条の六各号に掲げる保険の区分に応じた保険金額の合計額を記載した書面

(xi) in the case where a transferee company is a Small Amount and Short Term Insurance Company, if a transferred contract or any insurance contract wherein the insurer is the transferee company covers the same policyholder or reinsured person, a document specifying the total amount of insurance proceeds for all insurance contracts for each policyholder or reinsured person and the total amount of insurance proceeds for all insurance contracts according to the categories of insurance set forth in the items of Article 1-6 of

the Cabinet Order;

十二 改正法附則第四条第十項において読み替えて準用する法第百三十七条第一項本文の規定による公告又は通知をしたことを証する書面

(xii) a document certifying that a public notice or notice under the main clause of Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms has been given;

十三 改正法附則第四条第十項において読み替えて準用する法第百三十七条第一項の異議を述べるべき期間内に異議を述べた移転対象契約者（改正法附則第四条第十項において読み替えて準用する法第百三十五条第三項に規定する移転対象契約者をいう。次号において同じ。）の数又はその者の第七十一条に規定する金額が、改正法附則第四条第十項において読み替えて準用する法第百三十七条第三項に定める割合を超えなかったことを証する書面

(xiii) a document certifying that the number of affected policyholders (meaning an affected policyholder provided in Article 135, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in the following item) who raised their objections within the period for objection under Article 137, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms or the amount pertaining to the policyholders as provided in Article 71 has not exceeded the certain ratio provided in Article 137, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

十四 前号の異議を述べた移転対象契約者の異議の理由及び当該異議に対する移転業者及び移転先会社の対応を記載した書面

(xiv) a document specifying the grounds for the objections raised by the affected policyholders under the preceding item and the measures taken by the transferor or the transferee company in response to the objections;

十五 次のイからハまでに掲げる移転先会社の区分に応じ、当該イからハまでに定める行政機関が作成した書面であって、当該保険契約の移転が改正法附則第四条第十項において読み替えて準用する法第百三十九条第二項第一号（移転先会社に係る部分に限る。）及び第二号に掲げる基準に適合する旨の意見（移転先会社が認可特定保険業者である場合にあっては、当該保険契約の移転に係る特定保険業が当該保険契約の移転を受ける前に当該移転先会社の行っていた特定保険業の全部又は一部と実質的に同一のものであると認められる旨の意見を含む。）が記載されたもの（当該行政機関が移転業者の行政庁と同一であるときを除く。）

(xv) a document prepared by an administrative organ specified in the following (a) to (c), in accordance with the categories of transferee companies as

respectively set forth therein, which contains an opinion that the transfer of insurance contracts complies with the standards set forth in Article 139, paragraph (2), item (i) (limited to the portion relating to the transferee company) and item (ii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (or, in the case where the transferee company is an Authorized Specified Insurer, including an opinion that the Specified Insurance Business relating to the transfer of insurance contracts is considered to be substantially the same as all or part of the Specified Insurance Business carried out by the transferee company before the transfer of the insurance contracts) (excluding the case where the administrative organ is the same as the administrative authority of the transferor):

イ 認可特定保険業者 その行政庁

(a) Authorized Specified Insurer: its administrative authority;

ロ 保険会社、外国保険会社等又は少額短期保険業者（令第四十七条の二第三項の規定により金融庁長官の指定する少額短期保険業者に限る。） 金融庁長官

(b) Insurance Company, Foreign Insurance Company, etc. or Small Amount and Short Term Insurance Company (limited to a Small Amount and Short Term Insurance Company designated by the Commissioner of the Financial Services Agency pursuant to Article 47-2, paragraph (3) of the Order):
Commissioner of the Financial Services Agency;

ハ 少額短期保険業者（ロに掲げる者を除く。） その本店又は主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）

(c) Small Amount and Short Term Insurance Company (excluding those specified in (b)): the Director General of the Local Finance Bureau having jurisdiction over its head office or principal office (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau);

十六 移転先会社（認可特定保険業者を除く。）の直近の事業年度における保険金等の支払能力の充実の状況を示す比率及び保険契約の移転の日に見込まれる保険金等の支払能力の充実の状況を示す比率を記載した書面

(xvi) a document specifying the ratio to indicate the soundness of solvency margin for Insurance Proceeds, etc. of the transferee company (excluding an Authorized Specified Insurer) for the latest business year, and the prospective ratio to indicate the soundness of their solvency margin for Insurance Proceeds, etc. as of the day of transfer of insurance contracts;

十七 移転先会社の移転対象契約に係る業務の実施体制及びサービスの内容を記載した書面

(xvii) a document specifying the organization for carrying out the business relating to the transferred contracts at the transferee company and the content of its services;

十八 その他改正法附則第四条第十一項において読み替えて準用する法第百三十九条第二項の規定による審査をするため参考となるべき事項を記載した書類

(xviii) any other document specifying the matters to serve as reference information for the examination under Article 139, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

3 移転業者の行政庁は、改正法附則第四条第十一項において読み替えて準用する法第百三十九条第一項の規定による認可の申請を受けたときは、直ちに、その旨を当該申請に係る保険契約の移転について前項第十五号の規定により意見書を作成した行政機関に通知するものとする。当該申請について処分をしたときも同様とする。

(3) When an administrative authority of a transferor receives an application for authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it is immediately to make a notification to that effect to the administrative organ which prepared the written opinion pursuant to item (xv) of the preceding paragraph as to the transfer of insurance contracts relating to the application. The same applies to the case where the administrative authority renders a disposition as to the application.

(保険契約の移転の認可の審査等)

(Examination of Authorization of Transfer of Insurance Contracts)

第七十二条の二 移転業者の行政庁は、前条第一項の規定による認可の申請に係る改正法附則第四条第十一項において読み替えて準用する法第百三十九条第二項の規定により審査をするときは、次に掲げる事項に配慮するものとする。

Article 72-2 (1) When an administrative authority of the transferor conducts an examination of the application for authorization under paragraph (1) of the preceding Article, pursuant to the provisions of Article 139, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the authority is to pay due consideration to the following matters:

一 保険契約の移転の目的及び移転対象契約の選定基準が保険契約者等の保護に欠けるおそれのないものであること。

(i) the purpose of the transfer of insurance contracts and the determination criteria for transferred contracts are not likely to have negative impact on protection of Policyholders, etc.;

二 保険契約の移転後において、移転業者を保険者とする保険契約及び移転先会社を保険者とする保険契約に係る責任準備金が保険数理に基づき合理的かつ妥当な方法により積み立てられることが見込まれること。

(ii) after the transfer of insurance contracts, it is expected that policy reserves for insurance contracts wherein the insurer is the transferor and insurance contracts wherein the insurer is the transferee company will be set aside by a reasonable and appropriate method in accordance with actuarial science; and

三 保険契約の移転後において、次のイからニまでに掲げる移転先会社の区分に応じ、当該イからニまでに定める準備金が適正に積み立てられることが見込まれること。

(iii) after the transfer of insurance contracts, it is expected that the reserves specified in the following (a) to (d) will be set aside in an appropriate way, according to the categories of transferee companies as respectively set forth therein:

イ 認可特定保険業者 契約者配当準備金

(a) Authorized Specified Insurer: policy dividend reserve;

ロ 保険会社 保険業法施行規則第六十四条第一項の契約者配当準備金

(b) Insurance Company: policy dividend reserve under Article 64, paragraph (1) of the Regulation for Enforcement of the Insurance Business Act;

ハ 外国保険会社等 保険業法施行規則第四百六条第一項の契約者配当準備金

(c) Foreign Insurance Company, etc.: policy dividend reserve under Article 146, paragraph (1) of the Regulation for Enforcement of the Insurance Business Act;

ニ 少額短期保険業者 保険業法施行規則第二百十一条の四十二第一項の契約者配当準備金

(d) Small Amount and Short Term Insurance Company: policy dividend reserve under Article 211-42, paragraph (1) of the Regulation for Enforcement of the Insurance Business Act;

四 保険契約の移転後において、移転先会社（認可特定保険業者を除く。）の保険金等の支払能力の充実の状況が保険数理に基づき適当であると見込まれること。

(iv) after the transfer of insurance contracts, the soundness of solvency margin for Insurance Proceeds, etc. of the transferee company (excluding an Authorized Specified Insurer) is deemed appropriate based on actuarial science.

2 移転先会社の行政機関は、前条第二項第十五号の書面を作成するときは、前項各号に掲げる事項に配慮するものとする。

(2) When an administrative organ of the transferee company prepares a document under Article 72, paragraph (2), item (xv), it is to pay due regard to the matters set forth in the items of the preceding paragraph.

(保険契約の移転後の公告事項)

(Matters for Public Notice after Transfer of Insurance Contracts)

第七十三条 改正法附則第四条第十一项において読み替えて準用する法第四百十条第一項前段に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 73 The matters specified by order of the competent ministry, referred to in the first sentence of Article 140, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 改正法附則第四条第十一项において読み替えて準用する法第三百七条第一項から第三項までの規定（同条第一項ただし書の規定を除く。）による手続の経過

(i) progress of procedures under Article 137, paragraphs (1) to (3) of the Act (excluding the provisions of the proviso to paragraph (1) of the same Article) as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; and

二 移転先会社の商号、名称又は氏名及び本店、主たる事務所又は日本における主たる店舗の所在地

(ii) the transferee company's trade name, name, and the location of its head office, principal office or a main business establishment in Japan.

(保険契約の移転の効力)

(Effect of Transfer of Insurance Contracts)

第七十四条 保険契約の移転を受けたことにより、移転先会社の次の各号に掲げる書類に定めた事項を、移転業者の事業方法書等に定めた事項のうちの移転対象契約に関する部分を付加した内容に変更しなければならない場合においては、改正法附則第四条第十一项において読み替えて準用する法第三百九条第一項の規定による認可を受けた時に、次の各号に定める認可を受け、又は変更若しくは届出があったものとみなす。

Article 74 As a result of the transfer of insurance contracts, if the matters specified in the documents of the transferee company set forth in the following items require amendment to add the portion of matters specified in a business method statement, etc. of the transferor which relate to the transferred contracts, the amendment to those documents is deemed to have been authorized, amended or notified as follows, at the time of obtaining the authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (11) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms:

一 法第四条第二項第二号から第四号までに掲げる書類又は法第八十七条第三項第二号から第四号までに掲げる書類 法第二百三十三条第一項（法第二百七条において準用する場合を含む。）の規定による認可又は法第二百三十三条第二項（法第二百七条において準用する場合を含む。）の変更

(i) the documents set forth in Article 4, paragraph (2), items (ii) to (iv) of the

Act or the documents set forth in Article 187, paragraph (3), items (ii) to (iv) of the Act: an authorization under Article 123, paragraph (1) of the Act (including the case where it is applied mutatis mutandis pursuant to Article 207 of the Act) or an amendment pursuant to Article 123, paragraph (2) of the Act (including the case where it is applied mutatis mutandis pursuant to Article 207 of the Act);

二 法第二百七十二条の二第二項第二号から第四号までに掲げる書類 法第二百七十二条の十九第一項の変更

(ii) the documents set forth in Article 272-2, paragraph (2), items (ii) to (iv) of the Act: an amendment under Article 272-19, paragraph (1) of the Act;

三 事業方法書等 改正法附則第四条第一項及び第二項において読み替えて準用する法第二百二十三条第一項の規定による認可又は同条第二項の届出

(iii) business method statement, etc.: an authorization under Article 123, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms or a notification under paragraph (2) of the same Article of the Act.

第二節 事業の譲渡又は譲受け

Section 2 Assignment or Acquisition of Business

(事業譲渡等の認可の申請)

(Application for Authorization of Business Assignment)

第七十五条 認可特定保険業者は、改正法附則第四条第十二項において読み替えて準用する法第四百二十二条の規定による認可を受けようとするときは、認可申請書に次に掲げる書類を添付して行政庁に提出しなければならない。

Article 75 When an Authorized Specified Insurer intends to obtain an authorization under Article 142 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (12) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for authorization, attaching the following documents, to the administrative authority:

一 理由書

(i) a written statement of reasons;

二 事業の譲渡又は譲受け（以下この条において「事業譲渡等」という。）に係る契約の内容を記載した書面

(ii) a document specifying the details of a contract for assignment or acquisition of business (hereinafter referred to as "business assignment, etc." in this Article);

三 当事者である認可特定保険業者の社員総会又は評議員会の議事録その他必要な手続があったことを証する書面

(iii) minutes of general meeting of members or meeting of councilors of the relevant Authorized Specified Insurer, or any other document certifying that necessary procedures have been taken;

四 当事者である認可特定保険業者の貸借対照表

(iv) a balance sheet of the relevant Authorized Specified Insurer;

五 譲渡しようとする事業又は譲り受けようとする事業に係る損益の状況を記載した書面

(v) a document specifying the status of loss and profit of the business to be assigned or acquired; and

六 認可特定保険業者が特定保険業を譲り受ける事業譲渡等の認可の申請の場合にあつては、次に掲げる事項を記載した書面

(vi) in the case of an application for authorization of a business assignment, etc. whereby an Authorized Specified Insurer acquires Specified Insurance Business, a document specifying the following matters:

イ 当該事業譲渡等に係る特定保険業に関する次に掲げる事項

(a) the following matters in relation to Specified Insurance Business relating to the business assignment, etc.:

(1) 保険の種類

1. type of insurance;

(2) 保険契約者の範囲

2. scope of policyholders;

(3) 被保険者又は保険の目的の範囲

3. scope of insured persons or purposes of insurance; and

(4) 保険金の支払事由

4. grounds of payment of insurance proceeds;

ロ 当該特定保険業を譲り受けようとする認可特定保険業者が行っている特定保険業に関するイ(1)から(4)までに掲げる事項

(b) the matters set forth in (a), 1. to 4. in relation to the Specified Insurance Business carried out by the Authorized Specified Insurer intending to acquire the Specified Insurance Business;

七 当該事業譲渡等を行った後における認可特定保険業者が子会社等を有する場合には、当該認可特定保険業者及び当該子会社等の収支の見込みを記載した書類

(vii) if the Authorized Specified Insurer after the business assignment, etc. has a subsidiary company, etc., a document specifying the prospect of income and expenditure of the Authorized Specified Insurer and subsidiary company, etc.;

八 当該事業の譲渡により当該認可特定保険業者の子会社が子会社でなくなる場合には、当該子会社の名称を記載した書類

(viii) if the Subsidiary Company of the Authorized Specified Insurer is no longer a Subsidiary Company as a result of the transfer of business, a document specifying the name of the Subsidiary Company; and

九 その他参考となるべき事項を記載した書類

(ix) any other document specifying matters to serve as reference information.

第三節 業務及び財産の管理の委託

Section 3 Entrustment of Business and Property Management Service

(業務及び財産の管理を受託できない外国保険会社等)

(Foreign Insurance Company, etc. Not Permitted to Accept Entrustment of Management of Business and Properties)

第七十六条 改正法附則第四条第十四項において読み替えて準用する法第百四十四条第一項に規定する主務省令で定めるものは、法第百八十五条第一項の日本における保険業に係る保険の引受けの代理をする者の事務所を設けている外国保険会社等とする。

Article 76 The party specified by order of the competent ministry, referred to in Article 144, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is a Foreign Insurance Company, etc. which establishes an office for an agent of underwriting of insurance relating to the insurance business in Japan under Article 185, paragraph (1) of the Act.

(業務及び財産の管理の委託の認可の申請)

(Application for Authorization of Entrustment of Business and Property Management)

第七十七条 改正法附則第四条第十四項において読み替えて準用する法第百四十五条第一項の規定による認可の申請は、認可申請書を委託業者（改正法附則第四条第十四項において読み替えて準用する法第百四十四条第二項に規定する委託業者をいう。以下この条及び次条において同じ。）の行政庁に提出して行わなければならない。

Article 77 (1) For applying for authorization under Article 145, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written application for authorization must be submitted to the administrative authority of the entrusting party (meaning an entrusting party provided in Article 144, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; hereinafter the same applies in this Article and the following Article).

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for authorization under the preceding paragraph:

一 理由書

(i) a written statement of reasons;

二 管理委託契約（改正法附則第四条第十四項において読み替えて準用する法第百四十四条第一項の契約をいう。次条第二項第二号及び第三項において同じ。）に係る契約書

(ii) a written management service entrustment contract (meaning a contract under Article 144, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; the same applies in Article 78, paragraph (2), item (ii) and paragraph (3));

三 委託業者及び受託会社（改正法附則第四条第十四項において読み替えて準用する法第百四十四条第一項に規定する受託会社をいう。以下この条及び次条において同じ。）（外国保険会社等を除く。）の株主総会等（改正法附則第四条第十四項において読み替えて準用する法第百四十四条第二項に規定する株主総会等をいう。次条第二項第三号において同じ。）の議事録

(iii) minutes of shareholders meeting, etc. (meaning a shareholders meeting, etc. provided in Article 144, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; hereinafter the same applies in Article 78, paragraph (2), item (iii)) of the entrusting party and entrusted company (meaning an entrusted company provided in Article 144, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; hereinafter the same applies in this Article and the following Article, and excluding a Foreign Insurance Company, etc.);

四 委託業者及び受託会社の貸借対照表

(iv) a balance sheet of the entrusting party and the entrusted company;

五 管理の委託をしようとする業務及び財産に係る損益の状況を記載した書面

(v) a document specifying the status of loss and profit of the business and property subject to the entrustment of management service;

六 受託会社が委託業者の業務及び財産の管理を行う方法並びに受託会社が改正法附則第四条第十四項において読み替えて準用する法第百四十八条第一項の規定による表示をする方法を記載した書面

(vi) a document specifying the method of management of business and properties of the entrusting party, and the method of indication by the entrusted company under Article 148, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

七 次のイからハまでに掲げる受託会社の区分に応じ、当該イからハまでに定める行政機関が作成した書面であって、当該認可の申請に係る業務及び財産の管理の委託が改正法附則第四条第十四項において読み替えて準用する法第百四十五条第二項第

一号（受託会社に係る部分に限る。）及び第二号に掲げる基準に適合する旨の意見が記載されたもの（当該行政機関が委託業者の行政庁と同一であるときを除く。）

(vii) a document prepared by an administrative organ specified in the following

(a) to (c), in accordance with the categories of entrusted companies as respectively set forth therein, which contains an opinion that the entrustment of management service for the business and properties relating to the application for authorization of amendment or cancellation complies with the standards set forth in Article 145, paragraph (2), item (i) (limited to the portion relating to the entrusted company) and item (ii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (excluding the case where the administrative organ is the same as the administrative authority of the entrusting party):

イ 認可特定保険業者 その行政庁

(a) Authorized Specified Insurer: its administrative authority;

ロ 保険会社、外国保険会社等又は少額短期保険業者（令第四十七条の二第三項の規定により金融庁長官の指定する少額短期保険業者に限る。） 金融庁長官

(b) Insurance Company, Foreign Insurance Company, etc. or Small Amount and Short Term Insurance Company (limited to a Small Amount and Short Term Insurance Company designated by the Commissioner of the Financial Services Agency pursuant to Article 47-2, paragraph (3) of the Order): Commissioner of the Financial Services Agency;

ハ 少額短期保険業者（ロに掲げる者を除く。） その本店又は主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）

(c) Small Amount and Short Term Insurance Company (excluding those specified in (b)): the Director General of the Local Finance Bureau having jurisdiction over its head office or principal office (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau);

八 その他改正法附則第四条第十四項において読み替えて準用する法第百四十五条第二項の規定による審査をするため参考となるべき事項を記載した書類

(viii) any other document specifying the matters to serve as reference information for the examination under Article 145, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

3 委託業者の行政庁は、改正法附則第四条第十四項において読み替えて準用する法第百四十五条第一項の規定による認可の申請を受けたときは、直ちに、その旨を当該申請に係る業務及び財産の管理の委託について前項第七号の規定により意見書を作成し

た行政機関に通知するものとする。当該申請について処分をしたときも同様とする。

- (3) When an administrative authority of an entrusting party receives an application for authorization under Article 145, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it is immediately to notify the administrative organ which prepared the written opinion pursuant to item (vii) of the preceding paragraph of the entrustment of business or property management for the application. The same applies to the case where the administrative authority renders a disposition as to the application.

(管理委託契約の変更又は解除の認可の申請)

(Application for Authorization of Change or Cancellation of Management Service Entrustment Contract)

第七十八条 改正法附則第四条第十四項において読み替えて準用する法第百四十九条第二項の規定による認可の申請は、認可申請書を委託業者の行政庁に提出して行わなければならない。

Article 78 (1) For applying for authorization under Article 149, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written application for authorization must be submitted to the administrative authority of the entrusting party.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

- (2) The following documents must be attached to the written application for authorization under the preceding paragraph:

一 理由書

(i) a written statement of reasons;

二 管理委託契約に定めた事項の変更の認可の申請をする場合においては、変更後の管理委託契約書

(ii) in the case of application for authorization for change of any matters provided in the management service entrustment contract, the contract after the change;

三 委託業者及び受託会社（外国保険会社等を除く。）の株主総会等の議事録

(iii) minutes of shareholders meeting, etc. of the entrusting party and entrusted company (excluding a Foreign Insurance Company, etc.);

四 委託業者及び受託会社の貸借対照表

(iv) a balance sheet of the entrusting party and the entrusted company;

五 管理の委託をしている業務及び財産に係る損益の状況を記載した書面

(v) a document specifying the status of loss and profit of the business and property subject to the entrustment of management service;

六 管理の委託をする業務及び財産の範囲に係る変更の認可を申請する場合において

は、当該変更後に管理の委託をしようとする業務及び財産に係る損益の状況を記載した書面

(vi) in the case of application for authorization on change of the scope of business and properties for which management service is to be entrusted, a document specifying the profit and loss standings of business and properties after the change for which the management services is to be entrusted;

七 前条第二項第七号イからハまでに掲げる受託会社の区分に応じ、当該イからハまでに定める行政機関が作成した書面であって、当該変更又は解除の認可の申請に係る業務及び財産の管理の委託が改正法附則第四条第十四項において読み替えて準用する法第百四十五条第二項第一号（受託会社に係る部分に限る。）及び第二号に掲げる基準に適合する旨（解除の認可の申請の場合にあっては、既存の業務及び財産の管理の委託がこれらの基準のいずれかに適合しなくなった旨）の意見が記載されたもの（当該行政機関が委託業者の行政庁と同一であるときを除く。）

(vii) a document prepared by an administrative organ specified in paragraph (2), item (vii), (a) to (c) of the preceding Article, in accordance with the categories of entrusted companies as respectively set forth therein, which contains an opinion that the entrustment of management service for the business and properties relating to the application for authorization of amendment or cancellation complies with the standards set forth in Article 145, paragraph (2), item (i) (limited to the portion relating to the entrusted company) and item (ii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (or, in the case of an application for authorization of cancellation, an opinion that the existing entrustment of business and properties management service no longer complies with these standards) (excluding the case where the administrative organ is the same as the administrative authority for the entrusting party); and

八 その他参考となるべき事項を記載した書類

(viii) any other document specifying matters to serve as reference information.

3 委託業者の行政庁は、改正法附則第四条第十四項において読み替えて準用する法第百四十九条第二項の規定による認可の申請を受けたときは、直ちに、その旨を当該申請に係る管理委託契約の変更又は解除について前項第七号の規定により意見書を作成した行政機関に通知するものとする。当該申請について処分をしたときも同様とする。

(3) When an administrative authority of an entrusting party receives an application for authorization under Article 149, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (14) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it is immediately to notify the administrative organ which prepared the written opinion pursuant to item (vii) of the preceding paragraph of the amendment or cancellation of the management service

entrustment agreement for the application. The same applies to the case where the administrative authority renders a disposition as to the application.

第六章 解散、合併及び清算

Chapter VI Dissolution, Merger and Liquidation

第一節 解散

Section 1 Dissolution

(解散等の認可の申請)

(Application for Authorization of Dissolution)

第七十九条 認可特定保険業者は、改正法附則第四条第十七項において読み替えて準用する法第百五十三条第一項の規定による認可を受けようとするときは、認可申請書に、次の各号に掲げる認可事項の区分に応じ、当該各号に定める書類を添付して行政庁に提出しなければならない。

Article 79 When an Authorized Specified Insurer intends to obtain an authorization under Article 153, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for authorization, attaching the documents set forth in the following items according to the categories of items for authorization respectively set forth therein, to the administrative authority:

一 解散についての社員総会の決議 次に掲げる書類

(i) a resolution of a general meeting of members in relation to the dissolution: the following documents:

イ 理由書

(a) a written statement of reasons;

ロ 社員総会の議事録

(b) minutes of general meeting of members;

ハ 財産目録及び貸借対照表

(c) an inventory of assets and balance sheet;

ニ 当該認可特定保険業者を保険者とする保険契約（改正令附則第一条の三第六項各号に掲げる保険契約を除く。）がないことを証する書面

(d) a document certifying that there is no insurance contract wherein the insurer is the relevant Authorized Specified Insurer (excluding an insurance contract set forth in the items of Article 1-3, paragraph (6) of the Supplementary Provisions to the Amendment Order);

ホ 当該認可特定保険業者を保険者とする保険契約があるときは、当該保険契約の処理方針を記載した書面

(e) if there is any insurance contract wherein the insurer is the relevant Authorized Specified Insurer, a document specifying the policy for handling

- the insurance contract;
- へ その他改正法附則第四条第十七項において読み替えて準用する法第百五十三条第二項の規定による審査をするため参考となるべき事項を記載した書類
- (f) any other document specifying the matters to serve as reference information for the examination under Article 153, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;
- 二 特定保険業の廃止についての社員総会又は評議員会の決議 次に掲げる書類
- (ii) a resolution of a general meeting of members or councilors in relation to the discontinuance of Specified Insurance Business: the following documents:
- イ 理由書
- (a) a written statement of reasons;
- ロ 社員総会又は評議員会の議事録
- (b) minutes of general meeting of members or meeting of councilors;
- ハ 貸借対照表
- (c) a balance sheet;
- ニ 当該認可特定保険業者を保険者とする保険契約（改正令附則第一条の三第六項各号に掲げる保険契約を除く。）がないことを証する書面
- (d) a document certifying that there is no insurance contract wherein the insurer is the relevant Authorized Specified Insurer (excluding an insurance contract set forth in the items of Article 1-3, paragraph (6) of the Supplementary Provisions to the Amendment Order);
- ホ 当該認可特定保険業者を保険者とする保険契約があるときは、当該保険契約の処理方針を記載した書面
- (e) if there is any insurance contract wherein the insurer is the relevant Authorized Specified Insurer, a document specifying the policy for handling the insurance contract;
- へ その他改正法附則第四条第十七項において読み替えて準用する法第百五十三条第二項の規定による審査をするため参考となるべき事項を記載した書類
- (f) any other document specifying the matters to serve as reference information for the examination under Article 153, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;
- 三 認可特定保険業者を全部又は一部の当事者とする合併 次に掲げる書類
- (iii) a merger wherein all or part of the parties are Authorized Specified Insurers: the following documents:
- イ 理由書
- (a) a written statement of reasons;
- ロ 合併契約の内容を記載した書面

(b) a document specifying the details of a merger contract;

ハ 当事者である認可特定保険業者の社員総会又は評議員会の議事録その他必要な
手続があったことを証する書面

(c) minutes of general meeting of members or meeting of councilors of the
relevant Authorized Specified Insurer, or any other document certifying
that necessary procedures have been taken;

ニ 各当事者の財産目録並びに貸借対照表（認可特定保険業者にあつては、一般社
団法人及び一般財団法人に関する法律第二百三十三条第二項（同法第百九十九条に
おいて準用する場合を含む。）の規定により作成した貸借対照表及び別紙様式第
一号第三により作成した貸借対照表。第八十九条第一項第四号において同じ。）
及び損益計算書（認可特定保険業者にあつては、同法第二百三十三条第二項（同法
第百九十九条において準用する場合を含む。）の規定により作成した損益計算書
及び別紙様式第一号第四により作成した損益計算書。第八十九条第一項第四号に
おいて同じ。）

(d) each party's inventory of assets and a balance sheet (in the case of an
Authorized Specified Insurer, including a balance sheet prepared pursuant
to Article 123, paragraph (2) of the Act on General Incorporated
Associations and General Incorporated Foundations (including the case
where it is applied mutatis mutandis pursuant to Article 199 of the same
Act) and a balance sheet prepared using the appended form No. 1-3; the
same applies in Article 89, paragraph (1), item (iv)), a profit and loss
statement (in the case of an Authorized Specified Insurer, a profit and loss
statement prepared pursuant to Article 123, paragraph (2) of the same Act
(including the case where it is applied mutatis mutandis pursuant to
Article 199 of the same Act) and a balance sheet prepared using the
appended form No. 1-4; the same applies in Article 89, paragraph (1), item
(iv));

ホ 合併費用を記載した書面

(e) a document specifying the merger costs;

ヘ 一般社団法人及び一般財団法人に関する法律第二百四十八条第二項又は第二百
五十二条第二項の規定による公告又は催告をしたこと及び異議を述べた債権者が
あるときは、その者に対し弁済し、若しくは担保を提供し、若しくは信託したこ
と又は合併をしてもその者を害するおそれがないことを証する書面

(f) a document certifying that a public notice or demand pursuant to Article
248, paragraph (2) or Article 252, paragraph (2) of the Act on General
Incorporated Associations and General Incorporated Foundations has been
given, and that if any creditor has raised an objection, the fact that the
payment has been made or security has been provided to, or has been
placed under trust for the creditor, or that the merger is not likely to harm
the creditor;

ト 当事者である認可特定保険業者を保険者とする保険契約（改正令附則第一条の

- 三第六項各号に掲げる保険契約を除く。)がないことを証する書面
- (g) a document certifying that there is no insurance contract wherein the insurer is the relevant Authorized Specified Insurer (excluding an insurance contract set forth in the items of Article 1-3, paragraph (6) of the Supplementary Provisions to the Amendment Order);
- チ 当事者である認可特定保険業者を保険者とする保険契約があるときは、当該保険契約の処理方針を記載した書面
- (h) if there is any insurance contract wherein the insurer is the relevant Authorized Specified Insurer, a document specifying the policy for handling the insurance contract;
- リ 合併の当事者の一方が認可特定保険業者でない場合においては、当該認可特定保険業者でない当事者の従前の定款
- (i) in the case where any party to the merger is not an Authorized Specified Insurer, the former articles of incorporation of the party which is not an Authorized Specified Insurer;
- ヌ その他改正法附則第四条第十七項において読み替えて準用する法第百五十三条第二項の規定による審査をするため参考となるべき事項を記載した書類
- (j) any other document specifying the matters to serve as reference information for the examination under Article 153, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

(解散等の公告)

(Public Notice of Dissolution)

第八十条 認可特定保険業者は、改正法附則第四条第十七項において読み替えて準用する法第百五十四条の規定による公告をする場合において、当該認可特定保険業者を保険者とする保険契約があるときは、当該保険契約の処理方針を併せて示すものとする。

Article 80 When an Authorized Specified Insurer intends to give a public notice under Article 154 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, and where there is any insurance contract wherein the insurer is the Authorized Specified Insurer, it is also to present the handling policy for the insurance contracts.

第二節 合併

Section 2 Merger

(合併認可特定保険業者の事前開示事項)

(Matters Subject to Prior Disclosure by Merged Authorized Specified Insurers)

第八十一条 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の

二十三の規定により読み替えて適用する一般社団法人及び一般財団法人に関する法律第二百四十六条第一項に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 81 The matters specified by order of the competent ministry, referred to in Article 246, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations, as applied following the deemed replacement of terms pursuant to the provisions of Article 165-23 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 吸収合併消滅法人（一般社団法人及び一般財団法人に関する法律第二百四十四条第一号に規定する吸収合併消滅法人をいう。以下この節において同じ。）（清算法人（同法第二百七条に規定する清算法人をいう。次号及び第八十三条第四号において同じ。）を除く。）についての最終事業年度に係る一般社団法人及び一般財団法人に関する法律施行規則（平成十九年法務省令第二十八号）第七十五条第二項に規定する計算書類等（認可特定保険業者にあつては、別紙様式第一号第一から第四までにより作成した事業報告書、附属明細書、貸借対照表及び損益計算書を含む。）の内容

(i) contents of financial statements, etc. for the latest business year of a corporation disappearing in absorption-type merger (meaning a corporation disappearing in absorption-type merger provided in Article 244, item (i) of the Act on General Incorporated Associations and General Incorporated Foundations; hereinafter the same applies in this Section) (excluding a corporation in liquidation (meaning a corporation in liquidation provided in Article 207 of the same Act; the same applies in the following item and Article 83, item (iv))) provided in Article 75, paragraph (2) of the Regulation for Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations (Ministry of Justice Order No. 28 of 2007) (or, in the case of an Authorized Specified Insurer, including a business report, annex detailed statement, balance sheet and profit and loss statement prepared using the appended Forms 1-1 to 1-4);

二 吸収合併消滅法人（清算法人に限る。）が一般社団法人及び一般財団法人に関する法律第二百二十五条第一項の規定により作成した貸借対照表

(ii) a balance sheet prepared by a corporation disappearing in absorption-type merger (limited to a corporation in liquidation) pursuant to Article 225, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations;

三 吸収合併消滅法人の保険契約者の吸収合併後における権利に関する事項

(iii) matters regarding the rights of the policyholders of the corporation disappearing in absorption-type merger after the absorption-type merger;
and

四 吸収合併契約備置開始日（一般社団法人及び一般財団法人に関する法律第二百四

十六条第二項に規定する吸収合併契約備置開始日をいう。) 後、前三号に掲げる事項に変更が生じたときは、変更後の当該事項

- (iv) after the start date for keeping the absorption-type merger agreement documents (meaning the start date for keeping the absorption-type merger agreement documents provided in Article 246, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations), if any change has arisen in any of the matters set forth in the preceding three items, the matters after the change.

第八十二条 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十三の規定により読み替えて適用する一般社団法人及び一般財団法人に関する法律第二百五十条第一項に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 82 The matters specified by order of the competent ministry, referred to in Article 250, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations, as applied following the deemed replacement of terms pursuant to the provisions of Article 165-23 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

- 一 吸収合併存続法人（一般社団法人及び一般財団法人に関する法律第二百四十四条第一号に規定する吸収合併存続法人をいう。以下この節において同じ。）についての最終事業年度に係る一般社団法人及び一般財団法人に関する法律施行規則第七十五条第二項に規定する計算書類等並びに別紙様式第一号第一から第四までにより作成した事業報告書、附属明細書、貸借対照表及び損益計算書の内容

- (i) contents of financial statements, etc. for the latest business year of a corporation surviving the absorption-type merger (meaning a corporation surviving the absorption-type merger provided in Article 244, item (i) of the Act on General Incorporated Associations and General Incorporated Foundations; hereinafter the same applies in this Section) provided in Article 75, paragraph (2) of the Regulation for Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations, and contents of a business report, annex detailed statement, balance sheet and profit and loss statement prepared using the appended Forms 1-1 to 1-4;

- 二 吸収合併消滅法人の保険契約者の吸収合併後における権利に関する事項

- (ii) matters regarding the rights of the policyholders of the corporation disappearing in absorption-type merger after the absorption-type merger; and

- 三 吸収合併契約備置開始日（一般社団法人及び一般財団法人に関する法律第二百五十条第二項に規定する吸収合併契約備置開始日をいう。）後吸収合併が効力を生ずるまでの間に、前二号に掲げる事項に変更が生じたときは、変更後の当該事項

- (iii) for the period between the start date for keeping the absorption-type

merger agreement documents (meaning the start date for keeping the absorption-type merger agreement documents provided in Article 250, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations) and the day when the absorption-type merger takes effect, if any change has arisen in any of the matters set forth in the preceding two items, the matters after the change.

(計算書類に関する公告事項)

(Matters for Public Notice Relating to Financial Statement)

第八十三条 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第二項第三号に規定する主務省令で定めるものは、同項の規定による官報による公告の日における次の各号に掲げる場合の区分に応じ、当該各号に定めるものとする。

Article 83 The matters specified by order of the competent ministry, referred to in Article 165-24, paragraph (2), item (iii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following items, according to the categories of cases respectively set forth therein as of the date of the public notice on an official gazette under Article 165-24, paragraph (2) of the Act:

一 最終事業年度に係る貸借対照表又はその要旨につき公告対象法人（吸収合併消滅法人又は吸収合併存続法人をいう。以下この条において同じ。）が一般社団法人及び一般財団法人に関する法律第二百二十八条第一項又は第二項の規定（同法第百九十九条において準用する場合を含む。）により公告をしている場合 次に掲げるもの

(i) pursuant to the provisions of Article 128, paragraph (1) or (2) of the Act on General Incorporated Associations and General Incorporated Foundations (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act), if the corporation subject to public notice requirement (meaning a corporation disappearing in absorption-type merger or corporation surviving the absorption-type merger; hereinafter the same applies in this Article) has given a public notice of its balance sheet for the latest business year or summary thereof: the following information:

イ 官報で公告をしているときは、当該官報の日付及び当該公告が掲載されている頁

(a) if the public notice has been made by means of an official gazette, the date of the official gazette and the page number on which the public notice has been published;

ロ 時事に関する事項を掲載する日刊新聞紙で公告をしているときは、当該日刊新聞紙の名称、日付及び当該公告が掲載されている頁

(b) if the public notice has been made by means of a daily newspaper that publishes matters on current affairs, the name and date of the newspaper,

- and the page number on which the public notice has been published;
- ハ 電子公告（一般社団法人及び一般財団法人に関する法律第三百三十一条第一項第三号に規定する電子公告をいう。）により公告をしているときは、同法第三百一条第二項第十五号イ又は第三百二条第二項第十三号イに掲げる事項
- (c) if the public notice has been made by means of an electronic public notice (meaning an electronic public notice provided in Article 331, paragraph (1), item (iii) of the Act on General Incorporated Associations and General Incorporated Foundations), the matters set forth in Article 301, paragraph (2), item (xv), (a) or Article 302, paragraph (2), item (xiii), (a) of the same Act; and
- ニ 一般社団法人及び一般財団法人に関する法律施行規則第八十八条第一項に定める方法により公告をしているときは、当該公告が掲示されている場所
- (d) if the public notice is made by the method provided in Article 88, paragraph (1) of the Regulation for Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations, the place of the public notice;
- 二 最終事業年度に係る貸借対照表につき公告対象法人が一般社団法人及び一般財団法人に関する法律第二百二十八条第三項（同法第百九十九条において準用する場合を含む。）の規定による措置をとっている場合 同法第三百一条第二項第十三号又は第三百二条第二項第十一号に掲げる事項
- (ii) for a balance sheet for the latest business year, the corporation subject to public notice requirement has taken a measure under Article 128, paragraph (3) of the Act on General Incorporated Associations and General Incorporated Foundations (including the case where it is applied mutatis mutandis pursuant to Article 199 of the same Act): the matters set forth in Article 301, paragraph (2), item (xiii) or Article 302, paragraph (2), item (xi) of the same Act;
- 三 公告対象法人につき最終事業年度がない場合 その旨
- (iii) if the corporation subject to public notice requirement has no latest business year, that fact;
- 四 公告対象法人が清算法人である場合 その旨
- (iv) if the corporation subject to public notice requirement is a corporation in liquidation, that fact;
- 五 前各号に掲げる場合以外の場合 一般社団法人及び一般財団法人に関する法律第二百二十八条第二項の規定による貸借対照表の要旨の内容
- (v) the cases other than those set forth in the preceding items: the summary of the balance sheet under Article 128, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations.
- (合併認可特定保険業者の公告事項)
- (Matters for Public Notice Relating to Merged Authorized Specified Insurers)

第八十四条 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第二項第五号に規定する主務省令で定める事項は、合併後消滅する合併認可特定保険業者（同条第一項に規定する合併認可特定保険業者をいう。第八十九条第一項第十号において同じ。）の保険契約者の合併後における権利に関する事項とする。

Article 84 The matters specified by order of the competent ministry, referred to in Article 165-24, paragraph (2), item (v) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the matters relating to the rights of policyholders of the merged authorized specified insurer to be distinguished in merger (meaning a merged authorized specified insurer provided in Article 165-24, paragraph (1) of the Act; the same applies in Article 89, paragraph (1), item (x)) after the merger.

（保険契約に係る債権の額）

(Amount of Claim Relating to Insurance Contract)

第八十五条 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第六項に規定する主務省令で定める金額は、次に掲げる金額の合計額とする。

Article 85 The amount specified by order of the competent ministry, referred to in Article 165-24, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is the total of the amounts as set forth in the following:

一 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第二項の官報による公告（次号において「公告」という。）の時ににおいて被保険者のために積み立てるべき金額

(i) the amount to be reserved for insured persons at the time of the public notice in official gazette under Article 165-24, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (hereinafter referred to as a "public notice" in the following item); and

二 未経過期間（保険契約に定めた保険期間のうち、公告の時ににおいて、まだ経過していない期間をいう。）に対応する保険料の金額

(ii) the amount of insurance premiums corresponding to the unexpired period (meaning the insurance period specified in an insurance contract, which has not passed as of the time of the public notice).

（合併後の公告事項）

(Matters for Public Notice after Merger)

第八十六条 改正法附則第四条第十七項において読み替えて準用する法第百六十六条第一項に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 86 The matters specified by order of the competent ministry, referred to in Article 166, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 次に掲げる手続の経過

(i) the progress of the following procedures:

イ 吸収合併消滅法人（認可特定保険業者に限る。）における改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四の規定による手続の経過

(a) the progress of procedures under Article 165-24 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, in relation to the corporation disappearing in absorption-type merger (limited to an Authorized Specified Insurer);

ロ 吸収合併存続法人における改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四の規定による手続の経過

(b) the progress of procedures under Article 165-24 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, in relation to the corporation surviving the absorption-type merger; and

二 吸収合併がその効力を生ずる日

(ii) the day when the absorption-type merger takes effect; and

三 合併後存続する認可特定保険業者の主たる事務所の所在地

(iii) a location of the principal office of the Authorized Specified Insurer surviving the merger.

（合併後存続する認可特定保険業者の事後開示事項）

(Matters Subject to Ex-Post Facto Disclosure by Authorized Specified Insurers Surviving Merger)

第八十七条 改正法附則第四条第十七項において読み替えて準用する法第百六十六条第二項に規定する主務省令で定める事項は、次に掲げる事項とする。

Article 87 (1) The matters specified by order of the competent ministry, referred to in Article 166, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 次に掲げる手続の経過

(i) the progress of the following procedures:

イ 吸収合併消滅法人（認可特定保険業者に限る。）における改正法附則第四条第

十七項において読み替えて準用する法第百六十五条の二十四の規定による手続の経過

- (a) the progress of procedures under Article 165-24 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, in relation to the corporation disappearing in absorption-type merger (limited to an Authorized Specified Insurer); and
- ロ 吸収合併存続法人における改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四の規定による手続の経過
- (b) the progress of procedures under Article 165-24 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, in relation to the corporation surviving the absorption-type merger;

二 合併後存続する認可特定保険業者における一般社団法人及び一般財団法人に関する法律第二百五十三条第一項の規定により作成する書面又は電磁的記録に記載又は記録がされた事項

- (ii) information specified or recorded in a document or electronic or magnetic record prepared pursuant to Article 253, paragraph (1) of the Act on General Incorporated Associations and General Incorporated Foundations in relation to the Authorized Specified Insurer surviving the merger.

2 改正法附則第四条第十七項において読み替えて準用する法第百六十六条第三項第三号に規定する主務省令で定める方法は、当該電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

- (2) The method specified by order of the competent ministry, referred to in Article 166, paragraph (3), item (iii) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is a method of presentation by displaying the information recorded in the electronic or magnetic records on paper or on a computer screen:

(吸収合併の効力)

(Effect of Absorption-Type Merger)

第八十八条 改正法附則第四条第十七項において読み替えて準用する法第百六十七条第一項の合併が行われたことにより、事業方法書等に定めた事項を、当該合併により消滅する認可特定保険業者の事業方法書等に定めた事項を付加した内容に変更しなければならない場合においては、当該合併が効力を生じた時に、改正法附則第四条第一項及び第二項において読み替えて準用する法第二百三十三条第一項の規定による認可を要する事項については、その認可を受けたものと、同条第二項の規定による届出を要する事項については、その届出があったものとみなす。

Article 88 As a result of the merger under Article 167, paragraph (1) of the Act

as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, if the matters specified in the business method statement, etc. require amendment to add the matters specified in the business method statement, etc. of the Authorized Specified Insurer to be extinguished in the merger, the matters which require authorization under Article 123, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms are deemed to have been authorized, or the matters which require a notification under Article 123, paragraph (2) of the Act are deemed to have been notified, at the time when the merger takes effect.

(合併の認可の申請)

(Application for Authorization of Merger)

第八十九条 認可特定保険業者は、改正法附則第四条第十七項において読み替えて準用する法第百六十七条第一項の規定による認可を受けようとするときは、認可申請書に次に掲げる書類を添付して、吸収合併存続法人の行政庁に提出しなければならない。

Article 89 (1) When an Authorized Specified Insurer intends to obtain an authorization under Article 167, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it must submit a written application for authorization, attaching the following documents, to the administrative authority of the corporation surviving the absorption-type merger:

一 理由書

(i) a written statement of reasons;

二 合併契約の内容を記載した書面

(ii) a document specifying the details of a merger contract;

三 当事者である認可特定保険業者の社員総会又は評議員会の議事録その他必要な手続があったことを証する書面

(iii) minutes of general meeting of members or meeting of councilors of the relevant Authorized Specified Insurer, or any other document certifying that necessary procedures have been taken;

四 各当事者の財産目録並びに貸借対照表及び損益計算書

(iv) an inventory of assets, balance sheet and profit and loss statement of each party;

五 当事者である特定保険業を行う者が二以上の合併の認可の申請の場合にあっては、次に掲げる事項を記載した書面

(v) in the case of an application for authorization of merger involving two or more parties engaged in Specified Insurance Business, a document specifying

the following matters:

イ 合併後存続する認可特定保険業者が当該合併前に行っていた特定保険業に関する次に掲げる事項

(a) the matters set forth in the following in relation to the Specified Insurance Business carried out by the Authorized Specified Insurer surviving the merger before the merger:

(1) 保険の種類

1. type of insurance;

(2) 保険契約者の範囲

2. scope of policyholders;

(3) 被保険者又は保険の目的の範囲

3. scope of insured persons or purpose of insurance; and

(4) 保険金の支払事由

4. grounds of payment of insurance proceeds;

ロ 合併後存続する認可特定保険業者が当該合併後に行う特定保険業に関するイ

(1) から (4) までに掲げる事項

(b) the matters set forth in (a), 1. to 4. in relation to the Specified Insurance Business to be carried out by the Authorized Specified Insurer surviving the merger after the merger;

六 当事者である特定保険業を行う者を保険者とする保険契約について、その種類ごとに保険契約者の数、保険契約の件数及び保険金額の合計額並びに責任準備金の額又はこれに相当する額を記載した書面

(vi) for each type of insurance contract wherein the insurer is a person engaged in the Specified Insurance Business which is the party to the merger, a document specifying the respective number of policyholders, the number of insurance contracts, the total of the insurance proceeds, and the amount of policy reserve or the amount equivalent thereto;

七 合併後存続する認可特定保険業者の合併後の事業方法書等（当該合併により事業方法書等に定めた事項に変更がある場合に限る。）

(vii) a business method statement, etc. after the merger of the Authorized Specified Insurer surviving the merger (limited to a case where there is any change to the matters specified in the business method statement, etc. as a result of the merger);

八 合併後存続する認可特定保険業者の合併後における収支の見込みを記載した書面

(viii) a document specifying the prospect of income and expenditure after the merger by the Authorized Specified Insurer surviving the merger;

九 合併費用を記載した書面

(ix) a document specifying the merger costs;

十 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第二項の規定による官報による公告及び当該合併認可特定保険業者の定款で定めた公告方法による公告又は催告をしたこと並びに異議を述べた保険契約者（当該官報

による公告の時ににおいて既に保険金請求権等が生じている保険契約（当該保険金請求権等に係る支払により消滅することとなるものに限る。）に係る保険契約者に限る。）その他の債権者があるときは、その者に対し弁済し、若しくは担保を提供し、若しくは信託したこと又は合併をしてもその者を害するおそれがないことを証する書面

- (x) a document certifying that the public notice on an official gazette under Article 165-24, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms and a public notice or demand by the method of public notice provided in the articles of incorporation of the merged authorized specified insurer has been given, and that if any policyholder (limited to policyholders of the insurance contract (limited to the insurance contract which expires upon completion of the payment pertaining to the insurance claim, etc.) whose insurance claim, etc. has been already accrued as of the time of giving the public notice in official gazette) or other creditor has stated objection, a document certifying that the insurer has made payment or provided equivalent security to the policyholder or other creditor, or has entrusted equivalent property to a trust company, etc. or that the merger poses no risk of harming the interest of the policyholder or other creditor;

十一 改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第二項第四号の期間内に異議を述べた保険契約者の数が同条第六項の保険契約者の総数の五分の一を超えなかったことを証する書面又はその者の第八十五条に定める金額が改正法附則第四条第十七項において読み替えて準用する法第百六十五条の二十四第六項の金額の総額の五分の一を超えなかったことを証する書面

- (xi) a document certifying that the number of policyholders who raised objections within the period under Article 165-24, paragraph (2), item (iv) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms did not exceed one-fifth of the total number of policyholders as referred to in Article 165-24, paragraph (6) of the Act, or a document certifying that the amount relating to the policyholders as referred to in Article 75 did not exceed one-fifth of the total of the amount under Article 165-24, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms;

十二 一般社団法人及び一般財団法人に関する法律第二百四十九条第二項の規定による公告をしたときは、これを証する書面

- (xii) if a public notice under Article 249, paragraph (2) of the Act on General Incorporated Associations and General Incorporated Foundations, a document certifying to that effect;

十三 当事者の従前の定款

(xiii) former articles of incorporation of the parties;

十四 合併に際して就任する理事又は監事があるときは、就任を承諾したことを証する書面及びこれらの者の履歴書

(xiv) in the case where any director or inspector assumes office upon the merger, a document certifying the consent to assumption of office, and curriculum vitae of these persons;

十五 吸収合併存続法人が改正法附則第四条第一項及び第二項において読み替えて準用する法第二百十條第一項の規定により保険計理人の選任を要する者である場合には、吸収合併消滅法人（特定保険業を行う者に限る。）の保険契約に係る責任準備金又はこれに相当する額が保険数理に基づき合理的かつ妥当な方法により積み立てられているかどうかについて、当該吸収合併存続法人の保険計理人が確認した結果を記載した意見書

(xv) in the case where the corporation surviving the absorption-type merger is required to appoint an responsible actuary pursuant to the provisions of Article 120, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraphs (1) and (2) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written opinion containing the results of the verification by the responsible actuary of the corporation surviving the absorption-type merger as to whether the policy reserve for insurance contracts of the corporation disappearing in absorption-type merger (limited to a corporation engaged in Specified Insurance Business) or amount equivalent thereto is reserved by the reasonable and fair method according to actuarial methodology;

十六 次のイからニまでに掲げる吸収合併消滅法人の区分に応じ、当該イからニまでに定める行政機関が作成した書面であって、当該合併が改正法附則第四条第十七項において読み替えて準用する法第六十七條第二項第一号（吸収合併消滅法人に係る部分に限る。）に掲げる基準に適合する旨の意見が記載されたもの（当該行政機関が吸収合併存続法人の行政庁と同一であるときを除く。）

(xvi) a document prepared by an administrative organ specified in the following (a) to (d), in accordance with the categories of corporation disappearing in absorption-type merger as respectively set forth therein, which contains an opinion that the merger complies with the standards set forth in Article 167, paragraph (2), item (i) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (limited to the portion relating to the corporation disappearing in absorption-type merger) (excluding the case where the administrative organ is the same as the administrative authority for the corporation surviving the absorption-type merger):

イ 認可特定保険業者 その行政庁

(a) Authorized Specified Insurer: its administrative authority;

ロ 保険契約管理業者 その行政庁

(b) provider of insurance contract administrative service: its administrative authority;

ハ 移行法人（改正法附則第五条第五項の規定により移行登記（同項に規定する移行登記をいう。）をした日前に引き受けた保険契約に係る業務及び財産の管理を行う同項に規定する移行法人をいう。ニにおいて同じ。）（令第四十七条の二第一項の規定により金融庁長官の指定する移行法人に限る。） 金融庁長官

(c) a transition corporation (meaning a transition corporation provided in Article 5, paragraph (5) of the Supplementary Provisions to the Amendment Act engaged in business and property management for insurance contracts underwritten before the day of transition registration (meaning a transition registration provided in the same paragraph), pursuant to the same paragraph; the same applies in (d)) (limited to a transition corporation designated by the Commissioner of the Financial Services Agency pursuant to Article 47-2, paragraph (1) of the Cabinet Order): the Commissioner of the Financial Services Agency;

ニ 移行法人（ハに掲げる者を除く。） その主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）

(d) a transition corporation (excluding those specified in (c)): the Director General of the Local Finance Bureau having jurisdiction over its principal office (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau);

十七 その他改正法附則第四条第十七項において読み替えて準用する法第百六十七条第二項の規定による審査をするため参考となるべき事項を記載した書類

(xvii) any other document specifying the matters to serve as reference information for the examination under Article 167, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms.

2 吸収合併存続法人の行政庁は、改正法附則第四条第十七項において読み替えて準用する法第百六十七条第一項の認可の申請を受けたときは、直ちに、その旨を当該申請に係る合併について前項第十六号の規定により意見書を作成した行政機関に通知するものとする。当該申請について処分をしたときも同様とする。

(2) When an administrative authority of a corporation surviving the absorption-type merger receives an application for authorization under Article 167, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, it is immediately to notify the

administrative organ which prepared the written opinion on the merger pertaining to the application pursuant to item (xvi) of the preceding paragraph to that effect. The same applies to the case where the administrative authority renders a disposition as to the application.

第三節 清算

Section 3 Liquidation

(利害関係人の清算人選任請求)

(Request for Appointment of Liquidator by Interested Party)

第九十条 改正法附則第四条第十七項において読み替えて準用する法第百七十四条第一項の規定により利害関係人が清算人の選任を請求する場合には、申請書に利害関係人であることを証する書面を添付しなければならない。

Article 90 When an interested party makes a request for appointment of a liquidator pursuant to the provisions of Article 174, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the party must attach to the written application a document certifying that it is an interested party.

(清算人の就職の届出)

(Notification of Assumption of Office of Liquidator)

第九十一条 認可特定保険業者の清算人は、改正法附則第四条第十七項において読み替えて準用する法第百七十四条第八項の規定による届出をしようとするときは、届出書に当該認可特定保険業者の登記事項証明書を添付して行政庁に提出しなければならない。

Article 91 When a liquidator of an Authorized Specified Insurer intends to make a notification under Article 174, paragraph (8) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, the liquidator must submit a written notification, attaching the certificate of registered information of the Authorized Specified Insurer, to the administrative authority.

(債権申出期間内の弁済の許可の申請)

(Application for Permission for Repayment during Period for Notifying Claims)

第九十二条 改正法附則第四条第十七項において読み替えて準用する法第百七十八条の規定により読み替えて適用する一般社団法人及び一般財団法人に関する法律第二百三十四条第二項の規定による許可の申請は、清算人全員の連名の許可申請書を行政庁に提出して行わなければならない。

Article 92 (1) For an application for a permission under Article 234, paragraph

(2) of the Act on General Incorporated Associations and General Incorporated Foundations, as applied following the deemed replacement of terms pursuant to the provisions of Article 178 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, a written application for the permission prepared in the name of all liquidators must be submitted to the administrative authority.

2 前項の許可申請書には、次に掲げる書類を添付しなければならない。

(2) A document specifying the following matters must be attached to the written application for permission under the preceding paragraph:

一 理由書

(i) a written statement of reasons; and

二 前項の許可をすべき場合であることを証する書面

(ii) a document certifying that permission under the preceding paragraph should be granted.

(清算状況の届出)

(Notification of Status of Liquidation)

第九十三条 清算に係る認可特定保険業者の清算人は、重要な事項が生じたときは、遅滞なく、当該事項を行政庁（改正令附則第五条の二第一項の規定により、当該認可特定保険業者の主たる事務所を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては、福岡財務支局長）が当該清算人の選任をした場合にあっては、その財務局長又は福岡財務支局長）に届け出なければならない。

Article 93 When any material event arises, a liquidator of an Authorized Specified Insurer under liquidation must make a notification of the event without delay to the administrative authority (in the case where the liquidator was appointed by the Director General of the Local Finance Bureau having jurisdiction over the principal office of the Authorized Specified Insurer pursuant to Article 5-2, paragraph (1) of the Supplementary Provisions to the Amendment Order (or, the Director General of Fukuoka Local Finance Branch Bureau, in the case where the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau), the Director General of the Local Finance Bureau or the Director General of Fukuoka Local Finance Branch Bureau).

第七章 保険募集

Chapter VII Insurance Solicitation

(顧客に対する説明)

(Explanation to Customers)

第九十四条 改正法附則第四条の二において読み替えて準用する法第二百九十四条第三

号に規定する主務省令で定める事項は、所属認可特定保険業者のために保険募集を行う者の商号、名称又は氏名とする。

Article 94 The matters specified by order of the competent ministry, referred to in Article 294, item (iii) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are a trade name or name of a person to conduct Insurance Solicitation for an affiliated authorized specified insurer.

(将来における金額が不確実な事項)

(Items Amounts of Which Are Contingent)

第九十五条 改正法附則第四条の二において読み替えて準用する法第三百条第一項第七号に規定する主務省令で定めるものは、資産の運用実績その他の要因によりその金額が変動する保険金等又は保険料とする。

Article 95 The amounts be specified by order of the competent ministry, referred to in Article 300, paragraph (1), item (vii) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are insurance proceeds or insurance premiums whose amounts fluctuate depending on the investment performance of assets or other factors.

(保険契約の締結又は保険募集に関する禁止行為)

(Prohibited Acts Relating to Conclusion of Insurance Contract and Insurance Solicitation)

第九十六条 改正法附則第四条の二において読み替えて準用する法第三百条第一項第九号に規定する主務省令で定める行為は、次に掲げる行為とする。

Article 96 The acts specified by order of the competent ministry, referred to in Article 300, paragraph (1), item (ix) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are as set forth in the following:

一 何らの名義によってするかを問わず、改正法附則第四条の二において読み替えて準用する法第三百条第一項第五号に掲げる行為の同項の規定による禁止を免れる行為

(i) an act conducted so as to evade the prohibitions under Article 300, paragraph (1), item (v) of the Act, as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms in relation to the act set forth therein, irrespective of the name under which the act is to be conducted;

二 保険契約者又は被保険者に対して、威迫し、又は業務上の地位等を不当に利用して保険契約の申込みをさせ、又は既に成立している保険契約を消滅させる行為

(ii) an act to cause the policyholder or insured person to make an application for insurance contract or to terminate the insurance contract already in

effect, by way of intimidation or by unjustly taking advantage of their business position, etc.;

三 認可特定保険業者との間で保険契約を締結することを条件として当該認可特定保険業者の子会社等が当該保険契約に係る保険契約者又は被保険者に対して信用を供与し、又は信用の供与を約していることを知りながら、当該保険契約者に対して当該保険契約の申込みをさせる行為

(iii) an act to cause a policyholder to make an application for an insurance contract, knowing that its subsidiary company, etc. has extended or has undertaken to extend credit to the policyholder or insured thereunder on the condition that the policyholder or insured will conclude the insurance contract with the Authorized Specified Insurer;

四 保険契約者若しくは被保険者又は不特定の者に対して、保険契約等に関する事項であってその判断に影響を及ぼすこととなる重要なものにつき、誤解させるおそれのあることを告げ、又は表示する行為

(iv) an act to notify or present the policyholder, insured person or unspecified person misleading information as to important matters related to insurance contracts, etc. which may affect their respective judgments;

五 保険契約者に対して、保険契約に係る保険の種類又は認可特定保険業者の名称を他のものと誤解させるおそれのあることを告げる行為

(v) an act to inform the policyholder of any misleading information which may create confusion as to type of insurance under the insurance contract or the trade name or name of the Authorized Specified Insurer;

六 保険代理店が、その取り扱う個人である顧客に関する情報の安全管理、従業員の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を怠ること。

(vi) a failure to take necessary and appropriate measures to prevent leakage of, loss of or damage to information in supervising the party to whom its business is entrusted, upon entrusting the confidentiality management of information concerning individual customers which it handles, supervision of its employees or handling of the information;

七 保険代理店が、その業務上取り扱う個人である顧客に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を、当該業務の適切な運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を怠ること。

(vii) a failure of an agency to take measures to ensure that the information it handles in the course of the business which relates to the individual customer's race, creed, family origin, registered domicile, health and medical care or criminal records, or any other special and undisclosed information (meaning undisclosed information which it may come to know in the course of business) will not be used for any purpose other than the assurance of the

proper operation of the business or any other purpose as may be deemed necessary.

第八章 雑則

Chapter VIII Miscellaneous Provisions

(書面の内容等)

(Contents of Documents)

第九十七条 改正法附則第四条の二において読み替えて準用する法第三百九条第一項第一号の書面には、保険契約の申込みの撤回又は解除に関する同条各項に規定する事項を記載しなければならない。

Article 97 (1) The document provided in Article 309, paragraph (1), item (i) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms must contain the matters related to withdrawal of application for insurance contract or cancellation of insurance contract, as provided in the items of the same Article.

2 前項の書面には、日本工業規格Z八三〇五に規定する八ポイント以上の文字及び数字を用いなければならない。

(2) The document set forth in the preceding paragraph must be prepared by using letters, characters and numerals larger than 8-point as provided in JIS Z8305.

3 第一項の書面を申込者等（改正法附則第四条の二において読み替えて準用する法第三百九条第一項に規定する申込者等をいう。以下この項及び第九十九条において同じ。）に交付する場合は、申込者等に当該書面を十分に読むべき旨を告げて交付する方法その他の申込者等が確実に当該書面の記載内容を了知する方法により交付しなければならない。

(3) When the document under paragraph (1) is to be delivered to an applicant, etc. (meaning an applicant, etc. as provided in Article 309, paragraph (1) of the Act, as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms; hereinafter the same applies in this paragraph and Article 99), it must be delivered by such means that ensures that the applicant, etc. understands the details written in the document, such as informing the applicant, etc. to comprehensively read the document.

(保険契約の申込みの撤回等ができない場合)

(Cases Where Withdrawal of Application for Insurance Contract Is Unacceptable)

第九十八条 改正令附則第一条の四第二項第三号に規定する主務省令で定める方法は、次に掲げる方法とする。

Article 98 The methods specified by order of the competent ministry, referred to

in Article 1-4, paragraph (2), item (iii) of the Supplementary Provisions to the Amendment Order, are as set forth in the following:

一 郵便を利用する方法

(i) by mail;

二 ファクシミリ装置その他これに準ずる通信機器又は情報処理の用に供する機器を利用する方法

(ii) by using a facsimile device or any other transmission device similar thereto or a device for information processing; and

三 認可特定保険業者が設置した機器を利用する方法

(iii) by using devices equipped by an Authorized Specified Insurer.

(保険契約の申込みの撤回等に係る情報通信の技術を利用する方法)

(Methods of Provision by Using Information and Communications Technology Pertaining to Withdrawal of Application for Insurance Contract)

第九十九条 改正法附則第四条の二において読み替えて準用する法第三百九条第二項に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるものは、次に掲げる方法とする。

Article 99 (1) The method using an electronic data processing system or any other methods of provision by using information and communication technology referred to in Article 309, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, and specified by order of the competent ministry are as set forth in the following:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) a method using an electronic data processing system which is set forth in the following (a) or (b):

イ 認可特定保険業者の使用に係る電子計算機と申込者等の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) by transmitting information via telecommunications line connected between a computer used by an Authorized Specified Insurer and that used by an applicant, etc., and recording the information in a file stored on a computer used by the recipient; or

ロ 認可特定保険業者の使用に係る電子計算機に備えられたファイルに記録された書面に記載すべき事項を電気通信回線を通じて申込者等の閲覧に供し、当該申込者等の使用に係る電子計算機に備えられたファイルに当該事項を記録する方法
(改正法附則第四条の二において読み替えて準用する法第三百九条第二項前段に規定する方法による提供を受ける旨の承諾又は受けない旨の申出をする場合にあっては、認可特定保険業者の使用に係る電子計算機に備えられたファイルにその旨を記録する方法)

(b) by having the information to be included in documents that is recorded in

the files stored on a computer used by an Authorized Specified Insurer available for inspection by an applicant, etc. via telecommunications line, and recording the information into the relevant files stored on the computer used by the applicant, etc. (or, if the applicant, etc. consents to the provision of information by the means provided in the first sentence of Article 309, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, or if the applicant, etc. makes a notification to the effect that the applicant, etc. refuses to receive information by the relevant means, by recording the consent or notice into files stored on the computer used by the Authorized Specified Insurer);

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもって調製するファイルに書面に記載すべき事項を記録したものを交付する方法

(ii) by delivering the file, which is prepared with an object enabling secure storage of certain information through magnetic disks, CD-ROMs or any other means equivalent thereto, in which the information to be included in documents is stored.

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

(2) The methods set forth in the items of the preceding paragraph must be the methods enabling an applicant, etc. to prepare a document by outputting information recorded into the file;

3 第一項各号に掲げる方法により書面に記載すべき事項を提供する場合は、申込者等に当該事項を十分に読むべき旨が表示された画像を閲覧させることその他の申込者等が確実に当該事項の内容を了知する方法により提供しなければならない。

(3) When information to be included in documents is to be provided by the methods set forth in the items of paragraph (1), the information must be provided by showing images which inform the applicant, etc. that it is necessary for the applicant, etc. to fully read the documents, or by any other methods to ensure that the applicant, etc. understands the details of the information.

4 第一項第一号の「電子情報処理組織」とは、認可特定保険業者の使用に係る電子計算機と、申込者等の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。

(4) The term "electronic data processing system" as used in paragraph (1), item (i) means an electronic data processing system connecting a computer used by an Authorized Specified Insurer and a computer used by an applicant, etc. via telecommunications line.

第百条 改正令第一条の四第三項の規定により示すべき方法の種類及び内容は、次に掲

げる事項とする。

Article 100 The types and details of the methods to be specified as set forth in Article 1-4, paragraph (3) of the Amendment Order are as follows:

- 一 前条第一項各号に掲げる方法のうち認可特定保険業者が使用するもの
(i) the means set forth in the items of paragraph (1) of the preceding Article which are to be used by the Authorized Specified Insurer; and
- 二 ファイルへの記録の方式
(ii) the format for recording information into files.

第百一条 改正法附則第四条の二において読み替えて準用する法第三百九条第三項に規定する主務省令で定める方法は、第九十九条第一項第二号に掲げる方法とする。

Article 101 The methods specified by order of the competent ministry, referred to in Article 309, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, are the methods set forth in Article 99, paragraph (1), item (ii).

(保険契約の解除の場合における当該解除までの期間に相当する保険料)

(Insurance Premiums Corresponding to Period before Cancellation, in Cases of Cancellation of Insurance Contract)

第百二条 改正法附則第四条の二において読み替えて準用する法第三百九条第五項に規定する主務省令で定める金額は、当該保険契約に係る保険料として既に受領し、又は受領すべき金銭の額を当該保険契約の保険期間のうち当該金銭の額に対応する期間（以下この項において「保険料期間」という。）の総日数で除した額に、当該保険料期間の開始の日から当該保険契約の解除の日までの日数を乗じた額に相当する金額を限度とする。

Article 102 (1) The amount specified by order of the competent ministry, referred to in Article 309, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 4-2 of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, is up to the amount obtained by the following formula: dividing the amount already received or to be received as the insurance premiums for the insurance period under the insurance contract, by the total number of the days contained in the insurance period thereunder corresponding to the amount (hereinafter referred to as "Insurance Premiums Period" in this paragraph); and then multiplying the amount by the number of days contained in the period from commencement of the Insurance Premiums Period and the date of cancellation of the insurance contract.

2 前項の規定により算出した金額について生じた一円未満の端数は、切り捨てる。

(2) Any fraction of less than one yen that arises with regard to the amount calculated pursuant to the provisions of the preceding paragraph is to be truncated.

(検査職員の証票の様式)

(Form of Identification Card of Inspecting Officials)

第百三条 改正法附則第四条第一項において読み替えて準用する法第二百七十二条の二十三（改正法附則第四条第十七項において読み替えて準用する法第百七十九条第二項において準用する場合を含む。）の規定による検査をする職員が携帯すべきその身分を示す証票の様式は、別紙様式第三号のとおりとする。ただし、金融庁又は財務局若しくは福岡財務支局の職員が検査をするときに携帯すべき証票については、この限りでない。

Article 103 The form of an identification card which an official is required to carry when conducting an inspection under Article 272-23 of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms (including the case where it is applied mutatis mutandis pursuant to Article 179, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 4, paragraph (17) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms) is as set forth in the appended Form 3; provided, however, that this does not apply to an identification card which an official of the Financial Services Agency, Local Finance Bureau or Fukuoka Local Finance Branch Bureau is required to carry when conducting an inspection.

(改正法附則第四条第二十項第四号の規定に基づく承認の申請)

(Application for Approval Pursuant to Article 4, Paragraph (20), Item (iv) of the Supplementary Provisions of the Amendment Act)

第百四条 認可特定保険業者は、改正法附則第四条第二十項第四号の規定による承認を受けようとするときは、承認申請書に理由書その他参考となるべき事項を記載した書類を添付して行政庁に提出しなければならない。

Article 104 When an Authorized Specified Insurer intends to obtain an authorization pursuant to the proviso to Article 4, paragraph (20), item (iv) of the Supplementary Provisions to the Amendment Act, it must submit a written application for authorization, attaching a written statement of reasons and a document specifying the matters to serve as reference information, to the administrative authority.

(予備審査)

(Preliminary Examination)

第百五条 改正法附則第二条第一項の認可又は改正法附則第三条第一項において読み替えて準用する法第百三十九条第一項の認可を受けようとする一般社団法人又は一般財団法人の設立を予定している者は、改正法附則第二条第二項及び第三項に定めるところに準じた書類又は第十九条に定めるところに準じた書類を行政庁に提出して、予備

審査を求めることができる。

Article 105 (1) A person who intends to incorporate a general incorporated association or general incorporated foundation for which an authorization under Article 2, paragraph (1) of the Supplementary Provisions to the Amendment Act or an authorization under Article 139, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 3, paragraph (1) of the Supplementary Provisions to the Amendment Act following the deemed replacement of terms is sought may seek a preliminary examination, by submitting to an administrative authority the documents equivalent to those specified in Article 2, paragraph (2) or (3) of the Supplementary Provisions to the Amendment Act or Article 19.

2 改正法附則第二条第一項の認可を受けようとする特例社団法人又は特例財団法人（一般社団法人及び一般財団法人に関する法律及び公益社団法人及び公益財団法人の認定等に関する法律の施行に伴う関係法律の整備等に関する法律（平成十八年法律第五十号）第四十二条第一項に規定する特例社団法人又は特例財団法人をいう。）は、改正法附則第二条第二項及び第三項に定めるところに準じた書類を行政庁に提出して、予備審査を求めることができる。

(2) An exceptional general incorporated association or exceptional general incorporated foundation (meaning an exceptional general incorporated association or exceptional general incorporated foundation provided in Article 42, paragraph (1) of the Act on Arrangement of Relevant Acts Incidental to Enforcement of the Act on General Incorporated Associations and General Incorporated Foundations and the Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 50 of 2006)) may seek a preliminary examination by submitting to an administrative authority the documents equivalent to those specified in Article 2, paragraph (2) or (3) of the Supplementary Provisions to the Amendment Act.

3 前二項に定めるもののほか、改正法附則又は改正法附則において読み替えて準用する法の規定により行政庁の認可又は承認を受けようとする認可特定保険業者は、当該認可又は承認を申請する際に提出すべき書類としてこの命令に定めるものに準じた書類を行政庁に提出して、予備審査を求めることができる。

(3) Beyond what is specified in the preceding two paragraphs, an Authorized Specified Insurer which intends to obtain an authorization or approval from an administrative authority pursuant to the provisions of the Supplementary Provisions to the Amendment Act or the Act as applied mutatis mutandis pursuant to the Supplementary Provisions to the Amendment Act following the deemed replacement of terms may seek a preliminary examination by submitting to an administrative authority the documents equivalent to those specified in this Order as the documents to be submitted for application of the authorization or approval.

(標準処理期間)

(Standard Processing Period)

第百六条 行政庁は、改正法附則、改正法附則において読み替えて準用する法、改正令又はこの命令の規定による許可、認可又は承認に関する申請（予備審査に係るものを除く。）がその事務所に到達してから二月以内に、当該申請に対する処分をするよう努めるものとする。

Article 106 (1) An administrative authority is to endeavor to render the disposition in response to an application relating to a permission, authorization or approval under the Supplementary Provisions to the Amendment Act, the Act as applied mutatis mutandis pursuant to the Supplementary Provisions to the Amendment Act following the deemed replacement of terms, Amendment Order, or this Order (excluding an application for preliminary examination) within two months from the arrival of the application to the authority's office.

2 前項の期間には、次に掲げる期間を含まないものとする。

(2) The period under the preceding paragraph does not include the following periods:

一 当該申請を補正するために要する期間

(i) a period required for correction of the application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) a period required for the applicant to amend the contents of the application;
and

三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) a period required for the applicant to make an addition of any documents as may be deemed necessary for the examination of the application.