

# 厚生年金保険法 Employees' Pension Insurance Act

(昭和二十九年五月十九日法律第百十五号)  
(Act No. 115 of May 19, 1954)

厚生年金保険法（昭和十六年法律第六十号）の全部を改正する。

The Employees' Pension Insurance Act (Act No. 60 of 1941) is hereby amended in its entirety.

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**第一章 総則**

**Chapter I General Provisions**

（この法律の目的）

(Purpose of This Act)

第一条 この法律は、労働者の老齢、障害又は死亡について保険給付を行い、労働者及びその遺族の生活の安定と福祉の向上に寄与することを目的とする。

Article 1 The purpose of this Act is to provide insurance benefits for workers' old-age, disability, and death, so as to contribute to stabilizing the livelihoods and improving the welfare of workers and their surviving family.

（管掌）

(Administration)

第二条 厚生年金保険は、政府が、管掌する。

Article 2 Employees' pension insurance is administered by the government.

(年金額の改定)

**(Revisions to the Amount of Pension)**

第二条の二 この法律による年金たる保険給付の額は、国民の生活水準、賃金その他の諸事情に著しい変動が生じた場合には、変動後の諸事情に応ずるため、速やかに改定の措置が講ぜられなければならない。

Article 2-2 If a significant change occurs in the national standard of living, wages, or other such circumstances, measures must be taken promptly to revise the amounts of pension insurance benefits under this Act so that they fit with the circumstances after the change.

(財政の均衡)

**(Budgetary Balance)**

第二条の三 厚生年金保険事業の財政は、長期的にその均衡が保たれたものでなければならない。著しくその均衡を失すると見込まれる場合には、速やかに所要の措置が講ぜられなければならない。

Article 2-3 The budget for employees' pension insurance services must allow balance to be maintained over the long term, and if a significant imbalance is projected, the necessary measures must be promptly taken.

(財政の現況及び見通しの作成)

**(Compiling a Current Budget Status and Projections Report)**

第二条の四 政府は、少なくとも五年ごとに、保険料及び国庫負担の額並びにこの法律による保険給付に要する費用の額その他の厚生年金保険事業の財政に係る収支についてその現況及び財政均衡期間における見通し（以下「財政の現況及び見通し」という。）を作成しなければならない。

Article 2-4 (1) At least every five years, the government must compile a report on the current status of income and expenditures in connection with the budget for employees' pension insurance services, including the amounts of insurance premiums and state subsidies and the amount of expenses needed to provide insurance benefits under this Act and projections for the period subject to budget balancing (hereinafter referred to as a "current budget status and projections report"), at least every 5 years.

2 前項の財政均衡期間（第三十四条第一項及び第八十四条の六第三項第二号において「財政均衡期間」という。）は、財政の現況及び見通しが作成される年以降おおむね百年間とする。

(2) The period subject to budget balancing referred to in the preceding paragraph (referred to as the "period subject to budget balancing" in Article 34, paragraph (1) and Article 84-6, paragraph (3), item (ii)) is the approximately 100-year period following the year in which the current budget status and projections report is compiled.

3 政府は、第一項の規定により財政の現況及び見通しを作成したときは、遅滞なく、これを公表しなければならない。

(3) Once the government has compiled the current budget status and projections report pursuant to the provisions of paragraph (1), it must publish this without delay.

(実施機関)

(Implementing Organizations)

第二条の五 この法律における実施機関は、次の各号に掲げる事務の区分に応じ、当該各号に定める者とする。

Article 2-5 (1) The implementing organizations referred to in this Act are the persons that each of the following items prescribes for the category of administrative function set forth in the relevant item:

一 次号から第四号までに規定する被保険者以外の厚生年金保険の被保険者（以下「第一号厚生年金被保険者」という。）の資格、第一号厚生年金被保険者に係る標準報酬（第二十八条に規定する標準報酬をいう。以下この項において同じ。）、事業所及び被保険者期間、第一号厚生年金被保険者であつた期間（以下「第一号厚生年金被保険者期間」という。）に基づくこの法律による保険給付、当該保険給付の受給権者、第一号厚生年金被保険者に係る国民年金法（昭和三十四年法律第四百四十一号）第九十四条の二第一項の規定による基礎年金拠出金の負担、第一号厚生年金被保険者期間に係る保険料その他この法律の規定による徴収金並びに第一号厚生年金被保険者の保険料に係る運用に関する事務 厚生労働大臣

(i) administrative functions connected with the status of insureds covered by employees' pension insurance other than the insureds specified in the following item through item (iv) (hereinafter each such a person is referred to as a "category I EPI insured"); the standardized remunerations (meaning the standardized remuneration as specified in Article 28; the same applies hereinafter in this paragraph), places of business, and insured periods of category I EPI insureds; the provision of insurance benefits under this Act based on the period during which a person was a category I EPI insured (hereinafter referred to as the "category I EPI insured period"); the beneficiaries of those insurance benefits; the bearing of monetary contributions to the Basic Pension under the provisions of Article 94-2, paragraph (1) of the National Pension Act (Act No. 141 of 1959) in connection with category I EPI insureds; insurance premiums associated with category I EPI insured periods and other monies collected under the provisions of this Act; and the investment of insurance premiums of category I EPI insureds: the Minister of Health, Labour and Welfare.

二 国家公務員共済組合の組合員たる厚生年金保険の被保険者（以下「第二号厚生年金被保険者」という。）の資格、第二号厚生年金被保険者に係る標準報酬、事業所及び被保険者期間、第二号厚生年金被保険者であつた期間（以下「第二号厚生年金

被保険者期間」という。)に基づくこの法律による保険給付、当該保険給付の受給権者、第二号厚生年金被保険者に係る国民年金法第九十四条の二第二項の規定による基礎年金拠出金の納付及び第八十四条の五第一項の規定による拠出金の納付、第二号厚生年金被保険者期間に係る保険料その他この法律の規定による徴収金並びに第二号厚生年金被保険者の保険料に係る運用に関する事務 国家公務員共済組合及び国家公務員共済組合連合会

(ii) administrative functions connected with the status of insureds covered by employees' pension insurance who are members of the National Public Service Personnel Mutual Aid Association (hereinafter each such a person is referred to as a "category II EPI insured"); the standardized remunerations, places of business, and insured periods of category II EPI insureds; the provision of insurance benefits under this Act based on the period during which a person was a category II EPI insured (hereinafter referred to as the "category II EPI insured period"); the beneficiaries of those insurance benefits; the payment of monetary contributions to the Basic Pension under the provisions of Article 94-2, paragraph (2) of the National Pension Act and the payment of contributions under the provisions of Article 84-5, paragraph (1), in connection with category II EPI insureds; insurance premiums associated with category II EPI insured periods and other monies collected under the provisions of this Act; and the investment of insurance premiums of category II EPI insureds: national public service personnel mutual aid associations and the Federation of National Public Service Personnel Mutual Aid Associations.

三 地方公務員共済組合の組合員たる厚生年金保険の被保険者（以下「第三号厚生年金被保険者」という。）の資格、第三号厚生年金被保険者に係る標準報酬、事業所及び被保険者期間、第三号厚生年金被保険者であつた期間（以下「第三号厚生年金被保険者期間」という。）に基づくこの法律による保険給付、当該保険給付の受給権者、第三号厚生年金被保険者に係る国民年金法第九十四条の二第二項の規定による基礎年金拠出金の納付及び第八十四条の五第一項の規定による拠出金の納付、第三号厚生年金被保険者期間に係る保険料その他この法律の規定による徴収金並びに第三号厚生年金被保険者の保険料に係る運用に関する事務 地方公務員共済組合、全国市町村職員共済組合連合会及び地方公務員共済組合連合会

(iii) administrative functions connected with the status of an insured covered by employees' pension insurance who is a member of a mutual aid association of local government officials (hereinafter referred to as a "category III EPI insured"); the standardized remunerations, places of business, and insured periods of category III EPI insureds; the provision of insurance benefits under this Act based on the period during which a person was a category III EPI insured (hereinafter referred to as the "category III EPI insured period"); the beneficiaries of those insurance benefits; the payment of monetary contributions to the Basic Pension under the provisions of Article

94-2, paragraph (2) of the National Pension Act and the payment of contributions under the provisions of Article 84-5, paragraph (1), in connection with category III EPI insureds; insurance premiums associated with category II EPI insured periods and other monies collected under the provisions of this Act; and the investment of insurance premiums of category III EPI insureds: mutual aid associations of local government officials, the National Federation of Mutual Aid Associations for Municipal Personnel, and the Pension Fund Association for Local Government Officials.

四 私立学校教職員共済法（昭和二十八年法律第二百四十五号）の規定による私立学校教職員共済制度の加入者たる厚生年金保険の被保険者（以下「第四号厚生年金被保険者」という。）の資格、第四号厚生年金被保険者に係る標準報酬、事業所及び被保険者期間、第四号厚生年金被保険者であつた期間（以下「第四号厚生年金被保険者期間」という。）に基づくこの法律による保険給付、当該保険給付の受給権者、第四号厚生年金被保険者に係る国民年金法第九十四条の二第二項の規定による基礎年金拠出金の納付及び第八十四条の五第一項の規定による拠出金の納付、第四号厚生年金被保険者期間に係る保険料その他この法律の規定による徴収金並びに第四号厚生年金被保険者の保険料に係る運用に関する事務 日本私立学校振興・共済事業団

(iv) administrative functions connected with the status of an insured covered by employees' pension insurance who is a member of a mutual aid system for private school personnel under the provisions of the Private School Personnel Mutual Aid Act (Act No. 245 of 1953) (hereinafter referred to as a "category IV EPI insured"); the standardized remunerations, places of business, and insured periods of category IV EPI insureds; the provision of insurance benefits under this Act based on the period during which a person was a category IV EPI insured (hereinafter referred to as the "category IV EPI insured period"); the beneficiaries of those insurance benefits; the payment of monetary contributions to the Basic Pension under the provisions of Article 94-2, paragraph (2) of the National Pension Act and the payment of contributions under the provisions of Article 84-5, paragraph (1), in connection with category IV EPI insureds; insurance premiums associated with category IV EPI insured periods and other monies collected under the provisions of this Act; and the investment of insurance premiums of category IV EPI insureds: the Promotion and Mutual Aid Corporation for Private Schools of Japan.

2 前項第二号又は第三号に掲げる事務のうち、第八十四条の三、第八十四条の五、第八十四条の六、第八十四条の八及び第八十四条の九の規定に係るものについては、国家公務員共済組合連合会又は地方公務員共済組合連合会が行い、その他の規定に係るものについては、政令で定めるところにより、同項第二号又は第三号に定める者のうち政令で定めるものが行う。

(2) Those of the administrative functions set forth in item (ii) and item (iii) of the

preceding paragraph that are connected with the provisions of Article 84-3, Article 84-5, Article 84-6, Article 84-8, and Article 84-9 are performed by the Federation of National Public Service Personnel Mutual Aid Associations or the Pension Fund Association for Local Government Officials, and those that are connected with other provisions are performed, pursuant to the provisions of Cabinet Order, by the person specified by Cabinet Order from among the persons prescribed in item (ii) and item (iii) of the preceding paragraph.

(用語の定義)

(Definitions of Terms)

第三条 この法律において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

Article 3 (1) In this Act, the meanings of the terms set forth in the following items are as prescribed in those items:

一 保険料納付済期間 国民年金法第五条第一項に規定する保険料納付済期間をいう。

(i) "premium-paid period" means the premium-paid period prescribed in Article 5 paragraph (1) of the National Pension Act;

二 保険料免除期間 国民年金法第五条第二項に規定する保険料免除期間をいう。

(ii) "premium-exemption period" means the premium-exemption period prescribed in Article 5, paragraph (2) of the National Pension Act;

三 報酬 賃金、給料、俸給、手当、賞与その他いかなる名称であるかを問わず、労働者が、労働の対償として受ける全てのものをいう。ただし、臨時に受けるもの及び三月を超える期間ごとに受けるものは、この限りでない。

(iii) "remuneration" means wages, pay, salary, allowances, bonuses, and all other earnings, whatever they may be called, received by a worker as compensation for the worker's labor; provided, however, that this does not apply to occasional earnings or those received at intervals that exceed every three months;

四 賞与 賃金、給料、俸給、手当、賞与その他いかなる名称であるかを問わず、労働者が労働の対償として受ける全てのもののうち、三月を超える期間ごとに受けるものをいう。

(iv) "bonus" means, among the wages, pay, salary, allowances, bonuses, and all other earnings, whatever they may be called, received by a worker as compensation for the worker's labor, those that a worker receives at intervals that exceed every three months.

2 この法律において、「配偶者」、「夫」及び「妻」には、婚姻の届出をしていないが、事実上婚姻関係と同様の事情にある者を含むものとする。

(2) In this Act, the terms "spouse"; "husband"; and "wife" include persons who have not registered a marriage but whose circumstances are, de facto, the same as those of a person in a marital relationship.

第四条及び第五条 削除〔平成一九年七月法律一〇九号〕  
Article 4 and Article 5 Deleted (Act No. 109 of July 2007)

## 第二章 被保険者

### Chapter II The Insured

#### 第一節 資格

##### Section 1 Status

(適用事業所)

(Applicable Place of Business)

第六条 次の各号のいずれかに該当する事業所若しくは事務所（以下単に「事業所」という。）又は船舶を適用事業所とする。

Article 6 (1) A place of business or an office (hereinafter referred to simply as a "place of business"), or a ship falling under any of the following items is an applicable place of business:

一 次に掲げる事業の事業所又は事務所であつて、常時五人以上の従業員を使用するもの

(i) a place of business or office for the types of business set forth in the following, at which five or more persons are regularly employed:

イ 物の製造、加工、選別、包装、修理又は解体の事業

(a) the business of manufacturing, processing, selecting, packing, repairing, or dismantling goods;

ロ 土木、建築その他工作物の建設、改造、保存、修理、変更、破壊、解体又はその準備の事業

(b) the business of civil engineering or architecture; the business of constructing, remodeling, preserving, repairing, altering, demolishing, or dismantling structures, or of preparing to do so;

ハ 鉱物の採掘又は採取の事業

(c) the business of mining or quarrying minerals;

ニ 電気又は動力の発生、伝導又は供給の事業

(d) the business of generating, transmitting, or supplying electric or other motive power;

ホ 貨物又は旅客の運送の事業

(e) the business of transporting freight or passengers;

ヘ 貨物積みおろしの事業

(f) the business of loading or unloading freight;

ト 焼却、清掃又はと殺の事業

(g) the business of incineration, sanitation, or animal slaughter;

チ 物の販売又は配給の事業

(h) the business of selling or distributing goods;

リ 金融又は保険の事業



(i) financial or insurance services;

ヌ 物の保管又は賃貸の事業

(j) the business of storing or leasing goods;

ル 媒介周旋の事業

(k) intermediary brokerage services;

ヲ 集金、案内又は広告の事業

(l) the business of collections, guidance, or advertising;

ワ 教育、研究又は調査の事業

(m) education, research, or investigative services;

カ 疾病の治療、助産その他医療の事業

(n) medical treatment, midwifery, and other medical services;

ヨ 通信又は報道の事業

(o) communications or news services;

タ 社会福祉法（昭和二十六年法律第四十五号）に定める社会福祉事業及び更生保護事業法（平成七年法律第八十六号）に定める更生保護事業

(p) social welfare services specified by the Social Welfare Act (Act No. 45 of 1951) and offenders' rehabilitation services specified by the Offenders' Rehabilitation Services Act (Act No. 86 of 1995).

二 前号に掲げるもののほか、国、地方公共団体又は法人の事業所又は事務所であつて、常時従業員を使用するもの

(ii) a place of business or office of the national government, a local government, or a corporation, where persons are regularly employed, other than one that is also set forth in the preceding item.

三 船員法（昭和二十二年法律第百号）第一条に規定する船員（以下単に「船員」という。）として船舶所有者（船員保険法（昭和十四年法律第七十三号）第三条に規定する場合にあつては、同条の規定により船舶所有者とされる者。以下単に「船舶所有者」という。）に使用される者が乗り組む船舶（第五十九条の二を除き、以下単に「船舶」という。）

(iii) a ship manned by persons who are employed by a shipowner (or in the case provided for in Article 3 of the Mariners Insurance Act (Act No. 73 of 1939), a person who is regarded as a shipowner in accordance with the provisions of that Article; hereinafter referred to simply as the "shipowner" or the ship's "owner") as the mariners set forth in Article 1 of the Mariners Act (Act No. 100 of 1947) (hereinafter such a person is referred to simply as a "mariner") (hereinafter such a ship is referred to simply as a "ship", except in Article 59-2).

2 前項第三号に規定する船舶の船舶所有者は、適用事業所の事業主とみなす。

(2) The owner of a ship as prescribed in item (iii) of the preceding paragraph is deemed to be an employer with an applicable place of business.

3 第一項の事業所以外の事業所の事業主は、厚生労働大臣の認可を受けて、当該事業所を適用事業所とすることができる。

(3) An employer with a place of business other than as referred to in paragraph (1) may make the place of business an applicable place of business with the approval of the Minister of Health, Labour and Welfare.

4 前項の認可を受けようとするときは、当該事業所の事業主は、当該事業所に使用される者（第十二条に規定する者を除く。）の二分の一以上の同意を得て、厚生労働大臣に申請しなければならない。

(4) If an employer with a place of business seeks the approval referred to in the preceding paragraph, it must file an application with the Minister of Health, Labour and Welfare with the consent of at least one-half of the persons (excluding the persons prescribed in Article 12) employed at the place of business.

第七条 前条第一項第一号又は第二号の適用事業所が、それぞれ当該各号に該当しなくなつたときは、その事業所について同条第三項の認可があつたものとみなす。

Article 7 If an applicable place of business under paragraph (1), item (i) or (ii) of the preceding Article has ceased to fall under either of the relevant items, that place of business is deemed to have been given approval under paragraph (3) of that Article.

第八条 第六条第三項の適用事業所の事業主は、厚生労働大臣の認可を受けて、当該事業所を適用事業所でなくすることができる。

Article 8 (1) An employer with an applicable place of business as referred to in Article 6, paragraph (3) may cause the place of business to cease to be an applicable place of business with the approval of the Minister of Health, Labour and Welfare.

2 前項の認可を受けようとするときは、当該事業所の事業主は、当該事業所に使用される者（第十二条に規定する者を除く。）の四分の三以上の同意を得て、厚生労働大臣に申請しなければならない。

(2) If an employer with a place of business seeks the approval referred to in the preceding paragraph, the employer must file an application with the Minister of Health, Labour and Welfare with the consent of at least three-quarters of the persons (excluding the persons prescribed in Article 12) employed at the place of business.

第八条の二 二以上の適用事業所（船舶を除く。）の事業主が同一である場合には、当該事業主は、厚生労働大臣の承認を受けて、当該二以上の事業所を一の適用事業所とすることができる。

Article 8-2 (1) If the employer is the same for two or more applicable places of business (other than ships), the employer may treat those two or more places of business as one applicable place of business with the approval of the Minister of Health, Labour and Welfare.

2 前項の承認があつたときは、当該二以上の適用事業所は、第六条の適用事業所でなくなつたものとみなす。

(2) If the approval referred to in the preceding paragraph has been obtained, the relevant two or more applicable places of business are deemed to have ceased to be applicable places of business as referred to in Article 6.

第八条の三 二以上の船舶の船舶所有者が同一である場合には、当該二以上の船舶は、一の適用事業所とする。この場合において、当該二以上の船舶は、第六条の適用事業所でないものとみなす。

Article 8-3 If the owner is the same for two or more ships, those two or more ships are treated as one applicable place of business. In such a case, those two or more ships are deemed not to be an applicable place of business as referred to in Article 6.

(被保険者)

(The Insured)

第九条 適用事業所に使用される七十歳未満の者は、厚生年金保険の被保険者とする。

Article 9 A person under 70 years of age who is employed at an applicable place of business is an insured covered by employees' pension insurance.

第十条 適用事業所以外の事業所に使用される七十歳未満の者は、厚生労働大臣の認可を受けて、厚生年金保険の被保険者となることができる。

Article 10 (1) A person under 70 years of age who is employed at a place of business other than an applicable place of business may become an insured covered by employees' pension insurance with the approval of the Minister of Health, Labour and Welfare.

2 前項の認可を受けるには、その事業所の事業主の同意を得なければならない。

(2) In order to obtain the approval referred to in the preceding paragraph, the relevant person must gain the consent of the employer of the place of business.

第十一条 前条の規定による被保険者は、厚生労働大臣の認可を受けて、被保険者の資格を喪失することができる。

Article 11 An insured under the provisions of the preceding Article may forfeit status as an insured with the approval of the Minister of Health, Labour and Welfare.

(適用除外)

(Exemptions)

第十二条 次の各号のいずれかに該当する者は、第九条及び第十条第一項の規定にかかわらず、厚生年金保険の被保険者としなない。

Article 12 Notwithstanding the provisions of Article 9 and Article 10, paragraph

(1), a person falling under one of the following items is not an insured covered by employees' pension insurance:

一 臨時に使用される者（船舶所有者に使用される船員を除く。）であつて、次に掲げるもの。ただし、イに掲げる者にあつては一月を超え、ロに掲げる者にあつては所定の期間を超え、引き続き使用されるに至つた場合を除く。

(i) a person set forth in the following who is employed temporarily (other than a mariner employed by a shipowner); provided, however, that this does not apply to a person set forth in (a) who has come to be employed continuously for more than one month, nor to a person set forth in (b) who has come to be employed continuously for more than the contracted period:

イ 日々雇い入れられる者

(a) a person employed on a day-to-day basis;

ロ 二月以内の期間を定めて使用される者

(b) a person employed for a contracted period of less than two months;

二 所在地が一定しない事業所に使用される者

(ii) a person employed at a place of business with a variable location;

三 季節的業務に使用される者（船舶所有者に使用される船員を除く。）。ただし、継続して四月を超えて使用されるべき場合は、この限りでない。

(iii) a person employed in seasonal work (other than a mariner employed by a shipowner; provided, however, that this does not apply if the person is to be employed continuously for more than four months;

四 臨時的事業の事業所に使用される者。ただし、継続して六月を超えて使用されるべき場合は、この限りでない。

(iv) a person employed at a place of business for temporary business; provided, however, that this does not apply if the person is to be employed continuously for more than six months; or

五 事業所に使用される者であつて、その一週間の所定労働時間が同一の事業所に使用される短時間労働者の雇用管理の改善等に関する法律（平成五年法律第七十六号）第二条に規定する通常の労働者（以下この号において「通常の労働者」という。）の一週間の所定労働時間の四分の三未満である同条に規定する短時間労働者（以下この号において「短時間労働者」という。）又はその一月間の所定労働日数が同一の事業所に使用される通常の労働者の一月間の所定労働日数の四分の三未満である短時間労働者に該当し、かつ、イからニまでのいずれかの要件に該当するもの

(v) a person employed at a place of business, who constitutes a part-time worker whose scheduled working hours per week are less than three-quarters of the scheduled working hours per week of workers with standard employment statuses employed at the same place of business (referred to as "workers with standard employment statuses" hereinafter in this item) as prescribed by Article 2 of the Act on Improvement, etc. of Employment Management for Part-Time Workers (Act No. 76 of 1993) prescribed in that

Article (referred to as a "part-time worker" hereinafter in this item) or a part-time worker whose scheduled working days per month are less than three-quarters of the working days per month of workers with standard employment statuses employed at the same place of business, and who meets one of the requirements in (a) through (d):

イ 一週間の所定労働時間が二十時間未満であること。

(a) the scheduled working hours per week are shorter than 20 hours;

ロ 当該事業所に継続して一年以上使用されることが見込まれないこと。

(b) it is not expected that the person will be employed at the place of business continuously for one year or longer;

ハ 報酬（最低賃金法（昭和三十四年法律第百三十七号）第四条第三項各号に掲げる賃金に相当するものとして厚生労働省令で定めるものを除く。）について、厚生労働省令で定めるところにより、第二十二條第一項の規定の例により算定した額が、八万八千円未満であること。

(c) the amount of remuneration (other than that which is prescribed by Order of Ministry of Health, Labour and Welfare as equivalent to wages set forth in the items of Article 4, paragraph (3) of the Minimum Wages Act (Act No. 137 of 1959)) that is calculated, pursuant to Order of the Ministry of Health, Labour and Welfare, as per the provisions of Article 22, paragraph (1), is less than 88,000 yen;

ニ 学校教育法（昭和二十二年法律第二十六号）第五十条に規定する高等学校の生徒、同法第八十三条に規定する大学の学生その他の厚生労働省令で定める者であること。

(d) the person is a student at a high school student as prescribed by Article 50 of School Education Act (Act No. 26 of 1947), a student at a university as prescribed in Article 83 of that Act, or another person as prescribed by Order of the Ministry of Health, Labour and Welfare.

（資格取得の時期）

(Timing of Status Acquisition)

第十三条 第九条の規定による被保険者は、適用事業所に使用されるに至った日若しくはその使用される事業所が適用事業所となつた日又は前条の規定に該当しなくなつた日に、被保険者の資格を取得する。

Article 13 (1) An insured under the provisions of Article 9 acquires the status of an insured on the day on which the person comes to be employed at an applicable place of business, the day on which the relevant place of business becomes an applicable place of business, or the day on which the person ceases to be subject to the provisions of the preceding Article.

2 第十条第一項の規定による被保険者は、同項の認可があつた日に、被保険者の資格を取得する。

(2) An insured under the provisions of Article 10, paragraph (1) acquires the

status of an insured on the day on which the approval referred to in that paragraph is obtained.

(資格喪失の時期)

(Timing of the Forfeiture of Status)

第十四条 第九条又は第十条第一項の規定による被保険者は、次の各号のいずれかに該当するに至つた日の翌日（その事実があつた日に更に前条に該当するに至つたとき、又は第五号に該当するに至つたときは、その日）に、被保険者の資格を喪失する。

Article 14 An insured as under the provisions of Article 9 or Article 10, paragraph (1) forfeits the status as an insured on the day following the day on which the person comes to fall under one of the following items (or on the day itself if, on the day on which the fact occurred, the person had already come to fall under the preceding Article or had already come to fall under item (v)):

一 死亡したとき。

(i) the person dies;

二 その事業所又は船舶に使用されなくなつたとき。

(ii) the person ceases to be employed at the relevant place of business or on the relevant ship;

三 第八条第一項又は第十一条の認可があつたとき。

(iii) approval as referred to in Article 8 paragraph (1) or Article 11 is obtained;

四 第十二条の規定に該当するに至つたとき。

(iv) the person comes to be subject to the provisions of Article 12; or

五 七十歳に達したとき。

(v) the person reaches the age of 70.

(被保険者の種別の変更に係る資格の得喪)

(Acquisition or Forfeiture of Status Due to Changes in Insured Category)

第十五条 同一の適用事業所において使用される被保険者について、被保険者の種別（第一号厚生年金被保険者、第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者のいずれであるかの区別をいう。以下同じ。）に変更があつた場合には、前二条の規定は、被保険者の種別ごとに適用する。

Article 15 If an insured employed at the same applicable place of business undergoes a change in insured category (meaning the classification of whether the person is a category I EPI insured, a category II EPI insured, a category III EPI insured, or a category IV EPI insured; the same applies hereinafter), the provisions of the preceding two Articles apply for each insured category.

第十六条及び第十七条 削除〔平成二四年八月法律六三号〕

Article 16 and Article 17 Deleted (Act No. 63 of August 2012)

(資格の得喪の確認)

(Confirmation of Acquisition or Forfeiture of Status)

第十八条 被保険者の資格の取得及び喪失は、厚生労働大臣の確認によつて、その効力を生ずる。ただし、第十条第一項の規定による被保険者の資格の取得及び第十四条第三号に該当したことによる被保険者の資格の喪失は、この限りでない。

Article 18 (1) Acquisition and forfeiture of status as an insured become effective by virtue of a confirmation by the Minister of Health, Labour and Welfare; provided, however, that this does not apply to status as an insured acquired pursuant to the provisions of Article 10, paragraph (1), nor to forfeiture of status as an insured due to the person having come to fall under Article 14, item (iii).

2 前項の確認は、第二十七条の規定による届出若しくは第三十一条第一項の規定による請求により、又は職権で行うものとする。

(2) The Minister of Health, Labour and Welfare makes a confirmation as referred to in the preceding paragraph based on a notification under the provisions of Article 27 or a request under the provisions of Article 31, paragraph (1), or on the minister's own authority.

3 第一項の確認については、行政手続法（平成五年法律第八十八号）第三章（第十二条及び第十四条を除く。）の規定は、適用しない。

(3) The provisions of the Administrative Procedure Act (Act No. 88 of 1993) Chapter III (other than Articles 12 and 14) do not apply to the confirmation referred to in paragraph (1).

4 第二号厚生年金被保険者、第三号厚生年金被保険者及び第四号厚生年金被保険者の資格の取得及び喪失については、前三項の規定は、適用しない。

(4) The provisions of the preceding three paragraphs do not apply to the acquisition or forfeiture of status as a category II EPI insured, a category III EPI insured, or a category IV EPI insured.

(異なる被保険者の種別に係る資格の得喪)

(Acquisition and Forfeiture of Status in Different Insured Categories)

第十八条の二 第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者は、第十三条の規定にかかわらず、同時に、第一号厚生年金被保険者の資格を取得しない。

Article 18-2 (1) Notwithstanding the provisions of Article 13, a category II EPI insured, a category III EPI insured, or a category IV EPI insured does not simultaneously acquire the status of a category I EPI insured .

2 第一号厚生年金被保険者が同時に第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者の資格を有するに至つたときは、その日に、当該第一号厚生年金被保険者の資格を喪失する。

(2) If a category I EPI insured comes to acquire the status of a category II EPI insured, a category III EPI insured, or a category IV EPI insured, the category I EPI insured forfeits their status as a category I EPI insured on that date.

## 第二節 被保険者期間

### Section 2 Insured Period

第十九条 被保険者期間を計算する場合には、月によるものとし、被保険者の資格を取得した月からその資格を喪失した月の前月までをこれに算入する。

Article 19 (1) When an insured period is calculated, this is done in months; the months from that in which a person acquires the status of an insured to the month preceding that in which the person forfeits that status are used to calculate it.

2 被保険者の資格を取得した月にその資格を喪失したときは、その月を一箇月として被保険者期間に算入する。ただし、その月に更に被保険者又は国民年金の被保険者（国民年金法第七条第一項第二号に規定する第二号被保険者を除く。）の資格を取得したときは、この限りでない。

(2) If, in the same month that a person has acquired the status of an insured, the person forfeits that status, that month is calculated as a one-month long insured period; provided, however, that this does not apply if the person acquires the status of an insured or an insured under a National Pension (excluding a category II insured specified in Article 7, paragraph (1) item (ii) of the National Pension Act) again in that month.

3 被保険者の資格を喪失した後、更にその資格を取得した者については、前後の被保険者期間を合算する。

(3) For a person who has acquired the status of an insured again after having forfeited that status, the previous and subsequent insured periods are added up.

4 前三項の規定は、被保険者の種別ごとに適用する。

(4) The provisions of the preceding three paragraphs apply for each insured category.

5 同一の月において被保険者の種別に変更があつたときは、前項の規定により適用するものとされた第二項の規定にかかわらず、その月は変更後の被保険者の種別の被保険者であつた月（二回以上にわたり被保険者の種別に変更があつたときは、最後の被保険者の種別の被保険者であつた月）とみなす。

(5) Notwithstanding the provisions of paragraph (2) that were to have been applied pursuant to the provisions of the preceding paragraph, if a person has undergone a change of insured categories in the same month, that month is deemed to be a month in which the insured was under the insured category from after the change (if the insured has undergone a change of insured categories twice or more in the same month, that month is deemed to be a month in which the insured was under the last of those insured categories).

## 第三節 標準報酬月額及び標準賞与額



### Section 3 Standardized Monthly Amount of Remuneration and the Standardized Amount of Bonus

(標準報酬月額)

(Standardized Monthly Amount of Remuneration)

第二十条 標準報酬月額は、被保険者の報酬月額に基づき、次の等級区分（次項の規定により等級区分の改定が行われたときは、改定後の等級区分）によつて定める。

Article 20 (1) An insured's standardized monthly amount of remuneration is established according to the following grade classification (or the grade classification following the revision, if a grade classification has been revised pursuant to the provisions of the following paragraph) based on the insured's amount of monthly remuneration:

標準報酬月額等級 Standardized monthly remuneration grade	標準報酬月額 Standardized monthly amount of remuneration	報酬月額 Monthly amount of remuneration
第一級 Grade 1	八八、〇〇〇円 88,000 yen	九三、〇〇〇円未満 Less than 93,000 yen
第二級 Grade 2	九八、〇〇〇円 98,000 yen	九三、〇〇〇円以上一〇一、〇〇〇円未満 93,000 yen or more, less than 101,000 yen
第三級 Grade 3	一〇四、〇〇〇円 104,000 yen	一〇一、〇〇〇円以上一〇七、〇〇〇円未満 101,000 yen or more, less than 107,000 yen
第四級 Grade 4	一一〇、〇〇〇円 110,000 yen	一〇七、〇〇〇円以上一一四、〇〇〇円未満 107,000 yen or more, less than 114,000 yen
第五級 Grade 5	一一八、〇〇〇円 118,000 yen	一一四、〇〇〇円以上一二二、〇〇〇円未満 114,000 yen or more, less than 122,000 yen
第六級 Grade 6	一二六、〇〇〇円 126,000 yen	一二二、〇〇〇円以上一三〇、〇〇〇円未満 122,000 yen or more, less than 130,000 yen
第七級 Grade 7	一三四、〇〇〇円 134,000 yen	一三〇、〇〇〇円以上一三八、〇〇〇円未満 130,000 yen or more, less than 138,000 yen

第八級 Grade 8	一四二、〇〇〇円 142,000 yen	一三八、〇〇〇円以上一四六、〇〇〇円未満 138,000 yen or more, less than 146,000 yen
第九級 Grade 9	一五〇、〇〇〇円 150,000 yen	一四六、〇〇〇円以上一五五、〇〇〇円未満 146,000 yen or more, less than 155,000 yen
第十級 Grade 10	一六〇、〇〇〇円 160,000 yen	一五五、〇〇〇円以上一六五、〇〇〇円未満 155,000 yen or more, less than 165,000 yen
第十一級 Grade 11	一七〇、〇〇〇円 170,000 yen	一六五、〇〇〇円以上一七五、〇〇〇円未満 165,000 yen or more, less than 175,000 yen
第十二級 Grade 12	一八〇、〇〇〇円 180,000 yen	一七五、〇〇〇円以上一八五、〇〇〇円未満 175,000 yen or more, less than 185,000 yen
第十三級 Grade 13	一九〇、〇〇〇円 190,000 yen	一八五、〇〇〇円以上一九五、〇〇〇円未満 185,000 yen or more, less than 195,000 yen
第十四級 Grade 14	二〇〇、〇〇〇円 200,000 yen	一九五、〇〇〇円以上二一〇、〇〇〇円未満 195,000 yen or more, less than 210,000 yen
第十五級 Grade 15	二二〇、〇〇〇円 220,000 yen	二一〇、〇〇〇円以上二三〇、〇〇〇円未満 210,000 yen or more, less than 230,000 yen
第十六級 Grade 16	二四〇、〇〇〇円 240,000 yen	二三〇、〇〇〇円以上二五〇、〇〇〇円未満 230,000 yen or more, less than 250,000 yen
第十七級 Grade 17	二六〇、〇〇〇円 260,000 yen	二五〇、〇〇〇円以上二七〇、〇〇〇円未満 250,000 yen or more, less than 270,000 yen
第十八級 Grade 18	二八〇、〇〇〇円 280,000 yen	二七〇、〇〇〇円以上二九〇、〇〇〇円未満 270,000 yen or more, less than 290,000 yen
第十九級 Grade 19	三〇〇、〇〇〇円 300,000 yen	二九〇、〇〇〇円以上三一〇、〇〇〇円未満 290,000 yen or more, less than 310,000 yen

第二十級 Grade 20	三二〇、〇〇〇円 320,000 yen	三一〇、〇〇〇円以上三三〇、〇〇〇円未満 310,000 yen or more, less than 330,000 yen
第二十一級 Grade 21	三四〇、〇〇〇円 340,000 yen	三三〇、〇〇〇円以上三五〇、〇〇〇円未満 330,000 yen or more, less than 350,000 yen
第二十二級 Grade 22	三六〇、〇〇〇円 360,000 yen	三五〇、〇〇〇円以上三七〇、〇〇〇円未満 350,000 yen or more, less than 370,000 yen
第二十三級 Grade 23	三八〇、〇〇〇円 380,000 yen	三七〇、〇〇〇円以上三九五、〇〇〇円未満 370,000 yen or more, less than 395,000 yen
第二十四級 Grade 24	四一〇、〇〇〇円 410,000 yen	三九五、〇〇〇円以上四二五、〇〇〇円未満 395,000 yen or more, less than 425,000 yen
第二十五級 Grade 25	四四〇、〇〇〇円 440,000 yen	四二五、〇〇〇円以上四五五、〇〇〇円未満 425,000 yen or more, less than 455,000 yen
第二十六級 Grade 26	四七〇、〇〇〇円 470,000 yen	四五五、〇〇〇円以上四八五、〇〇〇円未満 455,000 yen or more, less than 485,000 yen
第二十七級 Grade 27	五〇〇、〇〇〇円 500,000 yen	四八五、〇〇〇円以上五一五、〇〇〇円未満 485,000 yen or more, less than 515,000 yen
第二十八級 Grade 28	五三〇、〇〇〇円 530,000 yen	五一五、〇〇〇円以上五四五、〇〇〇円未満 515,000 yen or more, less than 545,000 yen
第二十九級 Grade 29	五六〇、〇〇〇円 560,000 yen	五四五、〇〇〇円以上五七五、〇〇〇円未満 545,000 yen or more, less than 575,000 yen
第三十級 Grade 30	五九〇、〇〇〇円 590,000 yen	五七五、〇〇〇円以上六〇五、〇〇〇円未満 575,000 yen or more, less than 605,000 yen
第三十一級 Grade 31	六二〇、〇〇〇円 620,000 yen	六〇五、〇〇〇円以上

2 毎年三月三十一日における全被保険者の標準報酬月額を平均した額の百分の二百に

相当する額が標準報酬月額等級の最高等級の標準報酬月額を超える場合において、その状態が継続すると認められるときは、その年の九月一日から、健康保険法（大正十一年法律第七十号）第四十条第一項に規定する標準報酬月額の等級区分を参酌して、政令で、当該最高等級の上に更に等級を加える標準報酬月額の等級区分の改定を行うことができる。

- (2) If, as of March 31 of any year, an amount equivalent to 200 percent of the average standardized monthly amount of remuneration for all insureds exceeds the standardized monthly amount of remuneration in the highest standardized monthly remuneration grade, and it is found that those circumstances will continue, the grade classification of the standardized monthly amount of remuneration may be revised to add an additional grade above the highest grade, in accordance with Cabinet Order and in consideration of the grade classifications of the standardized monthly amount of remuneration under Article 40, paragraph (1) of National Health Insurance Act (Act No. 70 of 1922), beginning September 1 of that year.

(定時決定)

(Periodically Scheduled Decisions)

第二十一条 実施機関は、被保険者が毎年七月一日現に使用される事業所において同日前三月間（その事業所で継続して使用された期間に限るものとし、かつ、報酬支払の基礎となつた日数が十七日（厚生労働省令で定める者にあつては、十一日。第二十三条第一項、第二十三条の二第一項及び第二十三条の三第一項において同じ。）未満である月があるときは、その月を除く。）に受けた報酬の総額をその期間の月数で除して得た額を報酬月額として、標準報酬月額を決定する。

Article 21 (1) Every year, the implementing organization decides an insured's standardized monthly amount of remuneration based on the insured's amount of monthly remuneration, which is calculated by dividing the total remuneration which the insured receives during a three-month period prior to July 1 in the year in question at the place of business where the insured is actually employed as of that date by the number of months in that period (the period mentioned above is limited to a period during which the insured was continuously employed at the place of business; and, if there is any month which has fewer than seventeen days (or fewer than eleven days, for a person as specified by Order of the Ministry of Health, Labour and Welfare; the same applies for Article 23, paragraph (1), Article 23-2, paragraph (1) and Article 23-3, paragraph (1)) which forms the basis for the remuneration of remuneration, that month is excluded from the abovementioned period).

2 前項の規定によつて決定された標準報酬月額は、その年の九月から翌年の八月までの各月の標準報酬月額とする。

- (2) The standardized monthly amount of remuneration decided upon pursuant to the provisions of the preceding paragraph is the standardized monthly amount

of remuneration for each month from September of that year to August of the next year.

3 第一項の規定は、六月一日から七月一日までの間に被保険者の資格を取得した者及び第二十三条、第二十三条の二又は第二十三条の三の規定により七月から九月までのいずれかの月から標準報酬月額を改定され、又は改定されるべき被保険者については、その年に限り適用しない。

(3) The provisions of paragraph (1) do not apply to a person who has acquired the status of an insured between June 1 and July 1, nor to those a person whose standardized monthly amount of remuneration is or will be revised in any month between July and September pursuant to the provisions of Article 23, Article 23-2 or Article 23-3, but only in the year in question.

(被保険者の資格を取得した際の決定)

(Deciding Standardized Monthly Amount of Remuneration at the Time Status as an Insured Is Acquired)

第二十二條 実施機関は、被保険者の資格を取得した者があるときは、次の各号に規定する額を報酬月額として、標準報酬月額を決定する。

Article 22 (1) When a person acquires the status of an insured, the implementing organization decides that person's standardized monthly amount of remuneration by taking the amount provided for in each of the following items to be the amount of monthly remuneration:

一 月、週その他一定期間によつて報酬が定められる場合には、被保険者の資格を取得した日の現在の報酬の額をその期間の総日数で除して得た額の三十倍に相当する額

(i) if remuneration is determined on a monthly basis, on a weekly basis, or based on any other set period, the amount corresponding to the amount of remuneration as of the day the person acquired the status of an insured, divided by the total number of days in that period, and multiplied by 30;

二 日、時間、出来高又は請負によつて報酬が定められる場合には、被保険者の資格を取得した月前一月間に当該事業所で、同様の業務に従事し、かつ、同様の報酬を受ける者が受けた報酬の額を平均した額

(ii) if remuneration is determined on a daily or hourly basis or based on output or contracted work, the average of the amounts of remuneration that persons engaged in the same kind of work and receiving the same kind of remuneration at the relevant place of business received during the one-month period prior to the month in which the person in question acquired the status of an insured

三 前二号の規定によつて算定することが困難であるものについては、被保険者の資格を取得した月前一月間に、その地方で、同様の業務に従事し、かつ、同様の報酬を受ける者が受けた報酬の額

(iii) if it is difficult to calculate an amount pursuant to the preceding two items,

the amount of remuneration received that a person engaged in the same kind of work and receiving the same kind of remuneration in the same district received during the one-month period prior to the month in which the person in question acquired the status of an insured; and

四 前三号の二以上に該当する報酬を受ける場合には、それぞれについて、前三号の規定によつて算定した額の合算額

(iv) if the person receives remuneration that falls under two or more of the preceding three items, the total of those amounts, each of which has first been calculated pursuant to the provisions of the preceding three items.

2 前項の規定によつて決定された標準報酬月額は、被保険者の資格を取得した月からその年の八月（六月一日から十二月三十一日までの間に被保険者の資格を取得した者については、翌年の八月）までの各月の標準報酬月額とする。

(2) A standardized monthly amount of remuneration that has been determined pursuant to the provisions of the preceding paragraph is the standardized monthly amount of remuneration for each month from the month in which the person acquired the status of an insured until August of that year (or until August of the next year, for a person who acquired the status of an insured between June 1 and December 31).

(改定)

(Revision)

第二十三条 実施機関は、被保険者が現に使用される事業所において継続した三月間（各月とも、報酬支払の基礎となつた日数が、十七日以上でなければならない。）に受けた報酬の総額を三で除して得た額が、その者の標準報酬月額の基礎となつた報酬月額に比べて、著しく高低を生じた場合において、必要があると認めるときは、その額を報酬月額として、その著しく高低を生じた月の翌月から、標準報酬月額を改定することができる。

Article 23 (1) If the amount arrived at when the total amount of remuneration an insured has received during a continuous period of three months at the place of business at which the insured is employed at the time in question (the number of days forming the basis for the payment of remuneration is seventeen days or more in each month) is divided by three is significantly higher or lower than the amount of monthly remuneration that formed the basis for the standardized monthly amount of remuneration and the implementing organization finds it to be necessary to do so, it may regard the amount so calculated as the amount of monthly remuneration and revise the amount of standardized remuneration beginning in the month following the month in which that significant high or low occurred.

2 前項の規定によつて改定された標準報酬月額は、その年の八月（七月から十二月までのいずれかの月から改定されたものについては、翌年の八月）までの各月の標準報酬月額とする。

(2) A standardized monthly amount of remuneration that has been revised in accordance with the provisions of the preceding paragraph is the standardized monthly amount of remuneration for each month up until August of that year (or up until August of the following year, for standardized monthly amounts of remuneration revised in any month from July to December).

(育児休業等を終了した際の改定)

(Revision at the End of Childcare/Parental Leave)

第二十三条の二 実施機関は、育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号。以下この項において「育児・介護休業法」という。）第二条第一号に規定する育児休業若しくは育児・介護休業法第二十三条第二項の育児休業に関する制度に準ずる措置若しくは育児・介護休業法第二十四条第一項（第二号に係る部分に限る。）の規定により同項第二号に規定する育児休業に関する制度に準じて講ずる措置による休業、国会職員の育児休業等に関する法律（平成三年法律第百八号）第三条第一項の規定による育児休業、国家公務員の育児休業等に関する法律（平成三年法律第百九号）第三条第一項（同法第二十七条第一項及び裁判所職員臨時措置法（昭和二十六年法律第二百九十九号）（第七号に係る部分に限る。）において準用する場合を含む。）の規定による育児休業、地方公務員の育児休業等に関する法律（平成三年法律第百十号）第二条第一項の規定による育児休業又は裁判官の育児休業に関する法律（平成三年法律第百十一号）第二条第一項の規定による育児休業（以下「育児休業等」という。）を終了した被保険者が、当該育児休業等を終了した日（以下この条において「育児休業等終了日」という。）において育児・介護休業法第二条第一号に規定する子その他これに類する者として政令で定めるもの（第二十六条において「子」という。）であつて、当該育児休業等に係る三歳に満たないものを養育する場合において、その使用される事業所の事業主を経由して主務省令で定めるところにより実施機関に申出をしたときは、第二十一条の規定にかかわらず、育児休業等終了日の翌日が属する月以後三月間（育児休業等終了日の翌日において使用される事業所で継続して使用された期間に限るものとし、かつ、報酬支払の基礎となつた日数が十七日未満である月があるときは、その月を除く。）に受けた報酬の総額をその期間の月数で除して得た額を報酬月額として、標準報酬月額を改定する。ただし、育児休業等終了日の翌日に次条第一項に規定する産前産後休業を開始している被保険者は、この限りでない。

Article 23-2 (1) Notwithstanding the provisions of Article 21, if, on the day on which an insured's childcare leave as provided for Article 2, item (i) of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991; hereinafter referred to in this paragraph as the "Childcare/Caregiver Leave Act"); leave based on measures equivalent to the system of childcare leave under the provisions of Article 23, paragraph (2) of the Childcare/Caregiver Leave Act or based on measures taken, pursuant to the provisions of Article 24, paragraph (1) (limited to the part pertaining to item (ii)) of the

Childcare/Caregiver Leave Act, under the system of childcare leave provided for in item (ii) of that paragraph; childcare leave under the provisions of Article 3, paragraph (1) of the Act on Childcare/Parental Leave of Diet Officers (Act No. 108 of 1991); childcare leave under the provisions of Article 3, paragraph (1) of the Act on Childcare/Parental Leave of National Public Officers (Act No. 109 of 1991) (including as applied mutatis mutandis pursuant to Article 27, paragraph (1) of that Act and the Act on Temporary Measures concerning Court Officials (Act No. 299 of 1951) (limited to the part pertaining to item (vii))); childcare leave under the provisions of Article 2, paragraph (1) of the Act on Childcare/Parental Leave of Local Public Officers (Act No. 110 of 1991); or childcare leave under the provisions of Article 2, paragraph (1) of the Act on Childcare/Parental Leave of Judges (Act No. 111 of 1991) (hereinafter referred to as "childcare/parental leave") ends (hereinafter referred to as the "childcare/parental leave end date" in this Article), the insured whose childcare/parental leave has ended is raising the child provided for in Article 2 item (i) of the Childcare/Caregiver Leave Act or person prescribed by Cabinet Order as being similar thereto (referred to as the "child" in Article 26) who is under three years of age and for whom the insured was taking that childcare/parental leave, and the insured files a request with the implementing organization as provided for by order of the competent ministry through the employer of the place of business at which the insured is employed, the implementing organization revises the insured's standard amount of remuneration by regarding the amount arrived at when the total amount of remuneration during the three-month period beginning from the month in which the day following the childcare/parental leave end date falls (limited to a period during which the insured continues to be employed at the place of business at which the insured was employed on the day following the childcare/parental leave end date, and excluding any month which has fewer than seventeen days which forms the basis for payment of remuneration) is divided by the number of months in that period, as the insured's monthly remuneration; provided, however, that this does not apply to an insured who starts maternity leave as provided for in paragraph (1) of the following Article on the day following the childcare/parental leave end date.

- 2 前項の規定によつて改定された標準報酬月額は、育児休業等終了日の翌日から起算して二月を経過した日の属する月の翌月からその年の八月（当該翌月が七月から十二月までのいずれかの月である場合は、翌年の八月）までの各月の標準報酬月額とする。
- (2) A standardized monthly amount of remuneration that has been revised pursuant to the provisions of the preceding paragraph is the standardized monthly amount of remuneration for each month during the period from the month following the month that contains the day that is calculated as falling two months after the day following the childcare/parental leave end date until



August of that year (or until August of the following year, if the relevant following month is any month from July to December).

3 第二号厚生年金被保険者及び第三号厚生年金被保険者について、第一項の規定を適用する場合には、同項中「その使用される事業所の事業主を経由して主務省令」とあるのは、「主務省令」とする。

(3) When the provisions of paragraph (1) are applied to a category II EPI insured or a category III EPI insured, the phrase "order of the competent ministry through the employer of the place of business at which the insured is employed" in that paragraph is deemed to be replaced with the phrase "order of the competent ministry".

(産前産後休業を終了した際の改定)

(Revision at the End of Maternity Leave)

第二十三条の三 実施機関は、産前産後休業（出産の日（出産の日が産定の予定日後であるときは、産定の予定日）以前四十二日（多胎妊娠の場合においては、九十八日）から出産の日後五十六日までの間において労務に従事しないこと（妊娠又は出産に関する事由を理由として労務に従事しない場合に限る。）をいい、船員（国家公務員共済組合の組合員たる船員及び地方公務員共済組合の組合員たる船員を除く。以下同じ。）たる被保険者にあつては、船員法第八十七条第一項又は第二項の規定により職務に服さないことをいう。以下同じ。）を終了した被保険者が、当該産前産後休業を終了した日（以下この条において「産前産後休業終了日」という。）において当該産前産後休業に係る子を養育する場合において、その使用される事業所の事業主を経由して主務省令で定めるところにより実施機関に申出をしたときは、第二十一条の規定にかかわらず、産前産後休業終了日の翌日が属する月以後三月間（産前産後休業終了日の翌日において使用される事業所で継続して使用された期間に限るものとし、かつ、報酬支払の基礎となつた日数が十七日未満である月があるときは、その月を除く。）に受けた報酬の総額をその期間の月数で除して得た額を報酬月額として、標準報酬月額を改定する。ただし、産前産後休業終了日の翌日に育児休業等を開始している被保険者は、この限りでない。

Article 23-3 (1) Notwithstanding the provisions of Article 21, if, on the day on which an insured's maternity leave (meaning non-engagement in work (but only if the insured is not working for reasons related to pregnancy or childbirth) for the period from 42 days (98 days in the case of a multiple pregnancy) before the day of childbirth (or before the due date, if the day of childbirth is after the due date) until 56 days following the date of childbirth; and, in the case of an insured who is a mariner (excluding a mariner who is a member of a national public service personnel mutual aid associations or a mutual aid association of local government officials; the same applies hereinafter), meaning not engaging in duties pursuant to the provisions of Article 87, paragraph (1) or paragraph (2) of the Mariners Act; the same applies hereinafter) ends (hereinafter referred to as the "maternity leave end

date" in this Article) the insured whose maternity leave has ended is raising the child for whom the insured was taking that maternity leave and files a request with an implementing organization as provided for by order of the competent ministry through the employer of the place of business at which the insured is employed, the implementing organization revises the insured's standard amount of remuneration by regarding the amount arrived at when the total amount of remuneration during the three-month period beginning from the month in which the day following the maternity leave end date falls (limited to a period during which the insured continues to be employed at the place of business at which the insured was employed on the day following the maternity leave end date, and excluding any month which has fewer than seventeen days which forms the basis for payment of remuneration) is divided by the number of months in that period, as the insured's monthly remuneration; provided, however, that this does not apply to an insured who starts childcare/parental leave on the day following the maternity leave end date.

2 前項の規定によつて改定された標準報酬月額は、産前産後休業終了日の翌日から起算して二月を経過した日の属する月の翌月からその年の八月（当該翌月が七月から十二月までのいずれかの月である場合は、翌年の八月）までの各月の標準報酬月額とする。

(2) A standardized monthly amount of remuneration that has been revised pursuant to the provisions of the preceding paragraph is the standardized monthly amount of remuneration for each month during the period from the month following the month that contains the day that is calculated as falling two months after the day after the maternity leave end date until August of that year (or until August of the following year, if the relevant following month is any month from July to December).

3 第二号厚生年金被保険者及び第三号厚生年金被保険者について、第一項の規定を適用する場合においては、同項中「その使用される事業所の事業主を経由して主務省令」とあるのは、「主務省令」とする。

(3) When the provisions of paragraph (1) are applied to a category II EPI insured or a category III EPI insured, the phrase "order of the competent ministry through the employer of the place of business at which the insured is employed" in that paragraph is deemed to be the phrase "order of the competent ministry".

(報酬月額の算定の特例)

(Special Provisions on the Calculation of the Amount of Monthly Remuneration)

第二十四条 被保険者の報酬月額が、第二十一条第一項、第二十二条第一項、第二十三条の二第一項若しくは前条第一項の規定によつて算定することが困難であるとき、又

は第二十一条第一項、第二十二条第一項、第二十三条第一項、第二十三条の二第一項若しくは前条第一項の規定によつて算定した額が著しく不当であるときは、これらの規定にかかわらず、実施機関が算定する額を当該被保険者の報酬月額とする。

Article 24 (1) If it is difficult to calculate an insured's amount of monthly remuneration pursuant to the provisions of Article 21, paragraph (1), Article 22, paragraph (1), Article 23-2, paragraph (1), or paragraph (1) of the preceding Article, or if the amount calculated pursuant to the provisions of Article 21, paragraph (1), Article 22, paragraph (1), Article 23, paragraph (1), Article 23-2, paragraph (1), or paragraph (1) of the preceding Article is extremely unreasonable, the amount calculated by the implementing organization is the insured's amount of monthly remuneration, notwithstanding those provisions.

2 同時に二以上の事業所で報酬を受ける被保険者について報酬月額を算定する場合には、各事業所について、第二十一条第一項、第二十二条第一項、第二十三条第一項、第二十三条の二第一項若しくは前条第一項又は前項の規定によつて算定した額の合算額をその者の報酬月額とする。

(2) To calculate the amount of monthly remuneration for an insured who receives remuneration from two or more places of business at the same time, the person's amount of monthly remuneration is the total sum of the amounts added together, each of which has been first calculated, for each place of business, pursuant to the provisions of Article 21, paragraph (1), Article 22, paragraph (1), Article 23, paragraph (1), Article 23-2, paragraph (1), or paragraph (1) of the preceding Article, or pursuant to the provisions of the preceding paragraph.

(船員たる被保険者の標準報酬月額)

(Standardized Monthly Amount of Remuneration of an Insured Who Is a Mariner)

第二十四条の二 船員たる被保険者の標準報酬月額の決定及び改定については、第二十一条から前条までの規定にかかわらず、船員保険法第十七条から第二十条まで及び第二十三条の規定の例による。

Article 24-2 Notwithstanding the provisions of Article 21 through the preceding Article, decisions on and revisions to the standardized monthly amount of remuneration of an insured who is a mariner are governed by the provisions of Articles 17 through 20 and Article 23 of the Mariners Insurance Act.

(政令への委任)

(Delegation to Cabinet Order)

第二十四条の三 第二十一条から第二十四条までに定めるもののほか、報酬月額の算定に関し必要な事項は、政令で定める。

Article 24-3 Beyond as provided for in Articles 21 through 24, Cabinet Order provides for the necessary particulars in connection with the calculation of the

standardized monthly remuneration.

(標準賞与額の決定)

(Decisions on the Standardized Amount of Bonuses)

第二十四条の四 実施機関は、被保険者が賞与を受けた月において、その月に当該被保険者が受けた賞与額に基づき、これに千円未満の端数を生じたときはこれを切り捨てて、その月における標準賞与額を決定する。この場合において、当該標準賞与額が百五十万円（第二十条第二項の規定による標準報酬月額等の等級区分の改定が行われたときは、政令で定める額。以下この項において同じ。）を超えるときは、これを百五十万円とする。

Article 24-4 (1) In months when an insured receives a bonus, the implementing organization decides the standardized amount of the bonus for that month based on the amount of the bonus that the relevant insured received that month, by rounding down to the nearest thousand. In such a case, if the standardized amount of the bonus exceeds 1,500,000 yen (or the amount specified by Cabinet Order, if the classification has been revised for the standardized monthly amount of remuneration pursuant to the provisions of Article 20, paragraph (2); the same applies hereinafter in this paragraph), the amount is 1,500,000 yen.

2 第二十四条の規定は、標準賞与額の算定について準用する。

(2) The provisions of Article 24 apply mutatis mutandis to the calculation of the standardized amount of a bonus.

(現物給与の価額)

(Value of Salaries in Kind)

第二十五条 報酬又は賞与の全部又は一部が、通貨以外のもので支払われる場合においては、その価額は、その地方の時価によつて、厚生労働大臣が定める。

Article 25 If the whole or a part of remuneration or bonuses are paid in anything other than money, the value thereof is established by the Minister of Health, Labour and Welfare according to the market value in the that locality.

(三歳に満たない子を養育する被保険者等の標準報酬月額の特例)

(Special Provisions on the Amount of Standard Monthly Remuneration for a Current or Former Insured Raising a Child under 3 Years of Age)

第二十六条 三歳に満たない子を養育し、又は養育していた被保険者又は被保険者であつた者が、主務省令で定めるところにより実施機関に申出（被保険者にあつては、その使用される事業所の事業主を経由して行うものとする。）をしたときは、当該子を養育することとなつた日（厚生労働省令で定める事実が生じた日にあつては、その日）の属する月から次の各号のいずれかに該当するに至つた日の翌日の属する月の前月までの各月のうち、その標準報酬月額が当該子を養育することとなつた日の属する月の前月（当該月において被保険者でない場合にあつては、当該月前一年以内におけ

る被保険者であつた月のうち直近の月。以下この条において「基準月」という。）の標準報酬月額（この項の規定により当該子以外の子に係る基準月の標準報酬月額が標準報酬月額とみなされている場合にあつては、当該みなされた基準月の標準報酬月額。以下この項において「従前標準報酬月額」という。）を下回る月（当該申出が行われた日の属する月前の月にあつては、当該申出が行われた日の属する月の前月までの二年間のうちにあるものに限る。）については、従前標準報酬月額を当該下回る月の第四十三条第一項に規定する平均標準報酬額の計算の基礎となる標準報酬月額とみなす。

Article 26 (1) If an insured or a former insured who is or was raising a child under 3 years of age files a request with the implementing organization (for a current insured, through the employer of the place of business at which the insured is employed) as specified by order of the competent ministry, the person's standardized monthly amount of remuneration for the month before the month that includes the day on which the person began to raise the child (or, if the person is not an insured in the month in question, the standardized monthly amount of remuneration for the most recent month in which the person was an insured within the one year prior to the month in question; either the month in question or this most recent month is hereinafter referred to in this Article as the "base month") is deemed to be the standardized monthly amount of remuneration that forms the basis for calculating the average standardized monthly amount of remuneration under Article 43, paragraph (1) for any month in which the person's standardized monthly amount of remuneration falls below the standardized monthly amount of remuneration for the base month (or below the standardized monthly amount of remuneration for the base month connected with a child other than the child in question, if that standardized monthly amount is deemed to be the standardized monthly amount of remuneration that forms the basis for the calculation mentioned above pursuant to the provisions of this paragraph; any standardized monthly amount deemed to be the standardized monthly amount of remuneration that forms the basis for the calculation mentioned above is referred to as the "previous standardized monthly amount of remuneration" in this paragraph), among the months during the period of time from the month that includes the day on which the person started to raise that child (or the day on which any fact provided for by Order of the Ministry of Health, Labour and Welfare has arisen) until the month before the month that includes the day following the date of an event that falls under one of the following items (if any of the months in which the standardized monthly amount of remuneration falls below the previous standardized monthly amount of remuneration are months preceding the month that includes the day on which the relevant request was filed, these are limited to months that fall within the two-year period before the month including the day on which the relevant request was filed).

一 当該子が三歳に達したとき。

- (i) the child in question reaches 3 years of age;  
二 第十四条各号のいずれかに該当するに至ったとき。
- (ii) the insured comes to fall under one of the items of Article 14;  
三 当該子以外の子についてこの条の規定の適用を受ける場合における当該子以外の子を養育することとなつたときその他これに準ずる事実として厚生労働省令で定めるものが生じたとき。
- (iii) the insured has begun to raise a child other than the child in question in a case in which the provisions of this Article are applied for a child other than the child in question, or any other event provided for by Order of the Ministry of Health, Labour and Welfare as a fact equivalent thereto arises;  
四 当該子が死亡したときその他当該被保険者が当該子を養育しないこととなつたとき。
- (iv) the child dies or the insured has otherwise ceased to raise the child; or  
五 当該被保険者に係る第八十一条の二第一項の規定の適用を受ける育児休業等を開始したとき。
- (v) the insured starts childcare/parental leave to which the provisions of Article 81-2, paragraph (1) apply; or  
六 当該被保険者に係る第八十一条の二の二第一項の規定の適用を受ける産前産後休業を開始したとき。
- (vi) the insured starts maternity leave to which the provisions of Article 81-2-2, paragraph (1) apply.
- 2 前項の規定の適用による年金たる保険給付の額の改定その他前項の規定の適用に関し必要な事項は、政令で定める。
- (2) Cabinet Order provides for revisions to the amount of pension insurance benefits based on application of the provisions of the preceding paragraph and provides for any other necessary particulars in connection with the application of the provisions of the preceding paragraph.
- 3 第一項第六号の規定に該当した者（同項の規定により当該子以外の子に係る基準月の標準報酬月額が基準月の標準報酬月額とみなされている場合を除く。）に対する同項の規定の適用については、同項中「この項の規定により当該子以外の子に係る基準月の標準報酬月額が標準報酬月額とみなされている場合にあつては、当該みなされた基準月の標準報酬月額」とあるのは、「第六号の規定の適用がなかつたとしたならば、この項の規定により当該子以外の子に係る基準月の標準報酬月額が標準報酬月額とみなされる場合にあつては、当該みなされることとなる基準月の標準報酬月額」とする。
- (3) To apply paragraph (1) to a person who falls under the provisions of paragraph (1), item (6) (other than if, pursuant to the provisions of that paragraph, the standardized monthly amount of remuneration in the base month connected with a child other than the relevant child is deemed to be the standardized monthly amount of remuneration), the phrase "or below the standardized monthly amount of remuneration for the base month connected with a child other than the child in question, if that standardized monthly

amount is deemed to be the standardized monthly amount of remuneration that forms the basis for the calculation mentioned above pursuant to the provisions of this paragraph; any standardized monthly amount deemed to be the standardized monthly amount of remuneration that forms the basis for the calculation mentioned above is referred to as the "previous standardized monthly amount of remuneration" in this paragraph" in that paragraph is deemed to be replaced with "or below the standardized monthly amount of remuneration for the month that would be the deemed base month if the standardized monthly amount of remuneration in the base month connected with a child other than the child in question would be deemed, pursuant to the provisions of this paragraph, to be the standardized monthly amount of remuneration for the calculation mentioned above in the event that the provisions of item (6) were not applied; any standardized monthly amount that is deemed, or would be deemed, to be the standardized monthly amount of remuneration that forms the basis for the calculation mentioned above is referred to as the "previous standardized monthly amount of remuneration" in this paragraph".

- 4 第二号厚生年金被保険者であり、若しくはあつた者又は第三号厚生年金被保険者であり、若しくはあつた者について、第一項の規定を適用する場合においては、同項中「申出（被保険者にあつては、その使用される事業所の事業主を経由して行うものとする。）」とあるのは、「申出」とする。

(4) When the provisions of paragraph (1) are applied to a person who is or was a category II EPI insured or a person who is or was a category III EPI insured, the phrase "a request with the implementing organization (for an insured, through the employer of the place of business at which the insured is employed)" in that paragraph is deemed to be the phrase "a request with the implementing organization".

#### 第四節 届出、記録等

#### Section 4 Filing of Notifications; Creation of Records; Related Matters

(届出)

(Filing of Notifications)

第二十七条 適用事業所の事業主又は第十条第二項の同意をした事業主（以下単に「事業主」という。）は、厚生労働省令で定めるところにより、被保険者（被保険者であつた七十歳以上の者であつて当該適用事業所に使用されるものとして厚生労働省令で定める要件に該当するもの（以下「七十歳以上の使用される者」という。）を含む。）の資格の取得及び喪失（七十歳以上の使用される者にあつては、厚生労働省令で定める要件に該当するに至つた日及び当該要件に該当しなくなつた日）並びに報酬月額及び賞与額に関する事項を厚生労働大臣に届け出なければならない。

Article 27 As prescribed by Order of the Ministry of Health, Labour and Welfare,

an employer with an applicable place of business or an employer who has given consent under Article 10, paragraph (2) (hereinafter simply referred to as the "employer") must file notifications with the Minister of Health, Labour and Welfare regarding the particulars of employees' acquisition and forfeiture of status as insureds (including former insureds ages 70 years and older who satisfy the requirements prescribed by Order of the Ministry of Health, Labour and Welfare as persons employed at that applicable place of business; hereinafter such a person is referred to as an "employed person age 70 or over") (for an employed person age 70 or over, acquisition refers to the date on which the requirements prescribed by Order of the Ministry of Health, Labour and Welfare came to be applicable, and forfeiture refers to the date on which the requirements ceased to be applicable), as well as their amounts of monthly remuneration and the amounts of their bonuses.

(記録)

(Creation of Records)

第二十八条 実施機関は、被保険者に関する原簿を備え、これに被保険者の氏名、資格の取得及び喪失の年月日、標準報酬（標準報酬月額及び標準賞与額をいう。以下同じ。）、基礎年金番号（国民年金法第十四条に規定する基礎年金番号をいう。）その他主務省令で定める事項を記録しなければならない。

Article 28 The implementing organization must prepare a register for insureds, and must record each insured's full name, dates of acquisition and forfeiture of the status as an insured, standardized remuneration (meaning the standardized monthly amount of remuneration and the standardized amounts of bonuses; the same applies hereinafter), basic pension number (meaning the national pension number provided for in Article 14 of the National Pension Act), and other particulars prescribed by order of the competent ministry.

(訂正の請求)

(Requesting Corrections)

第二十八条の二 第一号厚生年金被保険者であり、又はあつた者は、前条の原簿（以下「厚生年金保険原簿」という。）に記録された自己に係る特定厚生年金保険原簿記録（第一号厚生年金被保険者の資格の取得及び喪失の年月日、標準報酬その他厚生労働省令で定める事項の内容をいう。以下この項において同じ。）が事実でない、又は厚生年金保険原簿に自己に係る特定厚生年金保険原簿記録が記録されていないと思料するときは、厚生労働省令で定めるところにより、厚生労働大臣に対し、厚生年金保険原簿の訂正の請求をすることができる。

Article 28-2 (1) If a person who is or was a category I EPI insured considers a specific record regarding that person that has been recorded in the register referred to in the preceding Article (hereinafter referred to as the "EPI register") (a "specific EPI register record" means the substance of the dates of



acquisition and forfeiture of status as a category I EPI insured, standardized remuneration, or any other particular specified by Order of the Ministry of Health, Labour and Welfare; hereinafter the same applies in this paragraph) to be non-factual, or thinks that a specific EPI register record for that person has not been recorded in the EPI register, the person may request the Minister of Health, Labour and Welfare to correct the EPI register, pursuant to the provisions of Order of Ministry of Health, Labour and Welfare.

2 前項の規定は、第一号厚生年金被保険者であり、又はあつた者が死亡した場合において、次の表の上欄に掲げる者について準用する。この場合において、同項中「自己」とあるのは、同表の上欄に掲げる者の区分に応じ、同表の下欄に掲げる字句に読み替えるものとする。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the person set forth in the left-hand column of the following table if a person who is or was a category I EPI insured dies. In such a case, the phrase "that person" in the preceding paragraph is deemed to be replaced with the phrase indicated in the right-hand column of the same table for the category of person set forth in the left-hand column of that table.

第三十七条の規定により未支給の保険給付の支給を請求することができる者 a person who may request the payment of the unpaid insurance benefits pursuant to the provisions of Article 37	死亡した保険給付の受給権者 a deceased beneficiary of the insurance benefits
遺族厚生年金を受けすることができる遺族 a surviving family member that is eligible to receive employee's pension for surviving family	死亡した第一号厚生年金被保険者であり、又はあつた者 a deceased person who is, or was, a category I EPI insured

3 第一項の規定は、第七十八条の六第三項又は第七十八条の十四第四項の規定により被保険者期間であつたものとみなされた期間（第一号厚生年金被保険者期間に係るものに限る。）を有する者（第一号厚生年金被保険者であり、又はあつた者を除く。）について準用する。

(3) The provisions of paragraph (1) apply mutatis mutandis to a person who has a period that is deemed to be an insured period pursuant to the provisions of Article 78-6, paragraph (3) or Article 78-14, paragraph (4) (but only a period constituting a category I EPI insured period) (the person referred to here excludes a person who is or was a category I EPI insured).

(訂正に関する方針)

(Policies on Correction)

第二十八条の三 厚生労働大臣は、前条第一項（同条第二項及び第三項において準用す

る場合を含む。)の規定による請求(次条において「訂正請求」という。)に係る厚生年金保険原簿の訂正に関する方針を定めなければならない。

**Article 28-3 (1) The Minister of Health, Labour and Welfare must formulate a policy on correcting the EPI register as per requests under the provisions of paragraph (1) of the preceding Article (including as applied mutatis mutandis in paragraph (2) and paragraph (3) of that Article) (that request is referred to as a "correction request" in the following Article).**

2 厚生労働大臣は、前項の方針を定め、又は変更しようとするときは、あらかじめ、社会保障審議会に諮問しなければならない。

**(2) Before seeking to formulate or modify the policy referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must first consult with the Social Security Council.**

(訂正請求に対する措置)

(Measures for Correction Requests)

第二十八条の四 厚生労働大臣は、訂正請求に理由があると認めるときは、当該訂正請求に係る厚生年金保険原簿の訂正をする旨を決定しなければならない。

**Article 28-4 (1) On finding that there are grounds for a correction request, the Minister of Health, Labour and Welfare must reach the decision to make the correction to the EPI register to which the correction request pertains.**

2 厚生労働大臣は、前項の規定による決定をする場合を除き、訂正請求に係る厚生年金保険原簿の訂正をしない旨を決定しなければならない。

**(2) If not reaching the decision under the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare must reach the decision not to make the correction to the EPI register to which the correction request pertains.**

3 厚生労働大臣は、前二項の規定による決定をしようとするときは、あらかじめ、社会保障審議会に諮問しなければならない。

**(3) Before seeking to reach a decision under the provisions of the preceding two paragraphs, the Minister of Health, Labour and Welfare must first consult with the Social Security Council.**

(通知)

(Notifying the Relevant Persons)

第二十九条 厚生労働大臣は、第八条第一項、第十条第一項若しくは第十一条の規定による認可、第十八条第一項の規定による確認又は標準報酬の決定若しくは改定(第七十八条の六第一項及び第二項並びに第七十八条の十四第二項及び第三項の規定による標準報酬の改定又は決定を除く。)を行つたときは、その旨を当該事業主に通知しなければならない。

**Article 29 (1) If the Minister of Health, Labour and Welfare has given the approval under the provisions of Article 8, paragraph (1), Article 10, paragraph**

(1), or Article 11; made a confirmation under the provisions of Article 18, paragraph (1); or decided or revised standardized remuneration (but not a revision or decision on standardized remuneration under the provisions of Article 78-6, paragraphs (1) and (2), and Article 78-14, paragraphs (2) and (3)), the Minister must notify the employer of this.

2 事業主は、前項の通知があつたときは、すみやかに、これを被保険者又は被保険者であつた者に通知しなければならない。

(2) Having been notified as referred to in the preceding paragraph, an employer must promptly notify the insureds or former insureds.

3 被保険者が被保険者の資格を喪失した場合において、その者の所在が明らかでないため前項の通知をすることができないときは、事業主は、厚生労働大臣にその旨を届け出なければならない。

(3) If an insured has forfeited status as an insured but it is not possible to notify the person pursuant to the preceding paragraph because the person's whereabouts are unknown, the employer must file a notification of this with the Minister of Health, Labour and Welfare.

4 厚生労働大臣は、前項の届出があつたときは、所在が明らかでない者について第一項の規定により事業主に通知した事項を公告しなければならない。

(4) Having received a notification as referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must give public notice of the particulars of which the minister notified the employer pursuant to the provisions of paragraph (1) regarding the person whose whereabouts are unknown.

5 厚生労働大臣は、事業所が廃止された場合その他やむを得ない事情のため第一項の通知をすることができない場合においては、同項の通知に代えて、その通知すべき事項を公告しなければならない。

(5) If it is not possible to notify an employer pursuant to paragraph (1) because the place of business has been closed or due to other compelling reasons, the Minister of Health, Labour and Welfare must give public notice of the particulars of which the employer is to be notified, in lieu of notifying the employer as under that paragraph.

第三十条 厚生労働大臣は、第二十七条の規定による届出があつた場合において、その届出に係る事実がないと認めるときは、その旨をその届出をした事業主に通知しなければならない。

Article 30 (1) If a notification has been submitted pursuant to the provisions of Article 27, but the Minister of Health, Labour and Welfare finds that a thing to which the notification pertains is not a fact, the Minister must notify the employer that submitted the notification of this.

2 前条第二項から第五項までの規定は、前項の通知について準用する。

(2) The provisions of paragraphs (2) through (5) of the preceding Article apply

mutatis mutandis to the notice referred to in the preceding paragraph.

(確認の請求)

(Request for Confirmation)

第三十一条 被保険者又は被保険者であつた者は、いつでも、第十八条第一項の規定による確認を請求することができる。

Article 31 (1) An insured or former insured may, at any time, request a confirmation as under the provisions of Article 18, paragraph (1).

2 厚生労働大臣は、前項の規定による請求があつた場合において、その請求に係る事実がないと認めるときは、その請求を却下しなければならない。

(2) If a request under the provisions of the preceding paragraph has been made but the Minister of Health, Labour and Welfare finds that a thing to which the request pertains is not a fact, the Minister must dismiss that request.

(被保険者に対する情報の提供)

(Provision of Information to Insureds)

第三十一条の二 実施機関は、厚生年金保険制度に対する国民の理解を増進させ、及びその信頼を向上させるため、主務省令で定めるところにより、被保険者に対し、当該被保険者の保険料納付の実績及び将来の給付に関する必要な情報を分かりやすい形で通知するものとする。

Article 31-2 In order to promote the people's understanding of the employees' pension insurance system and enhance their trust in it, the implementing organization, as prescribed by order of the competent ministry, is to notify insureds of the necessary information regarding the insurance premiums they have actually paid and their future benefits in an easy-to-understand manner.

(適用除外)

(Exemptions)

第三十一条の三 第二号厚生年金被保険者であり、若しくはあつた者、第三号厚生年金被保険者であり、若しくはあつた者又は第四号厚生年金被保険者であり、若しくはあつた者及びこれらの者に係る事業主については、この節の規定（第二十八条及び前条を除く。）は、適用しない。

Article 31-3 The provisions of this Section (excluding Article 28 and the preceding Article) do not apply to a person who is or was a category II EPI insured, a person who is or was a category III EPI insured, or a person who is or was a category IV EPI insured, and any employer of these persons.

### 第三章 保険給付

#### Chapter III Insurance Benefits

##### 第一節 通則

##### Section 1 General Rules

(保険給付の種類)

**(Categories of Insurance Benefits)**

第三十二条 この法律による保険給付は、次のとおりとし、政府及び実施機関（厚生労働大臣を除く。第三十四条第一項、第四十条、第七十九条第一項及び第二項、第八十一条第一項、第八十四条の五第二項並びに第八十四条の六第二項並びに附則第二十三条の三において「政府等」という。）が行う。

Article 32 The insurance benefits under this Act are as follows; the government and the implementing organizations (excluding the Minister of Health, Labour and Welfare; referred to as "the government and the implementing organizations" in Article 34, paragraph (1), Article 40, Article 79, paragraph (1) and paragraph (2), Article 81, paragraph (1), Article 84-5, paragraph (2) and Article 84-6, paragraph (2), and in Article 23 of Supplementary Provisions) provide them:

一 老齢厚生年金

(i) employees' old-age pensions;

二 障害厚生年金及び障害手当金

(ii) employees' disability pensions and disability allowances;

三 遺族厚生年金

(iii) employees' pensions for surviving family.

(裁定)

**(Rulings)**

第三十三条 保険給付を受ける権利は、その権利を有する者（以下「受給権者」という。）の請求に基づいて、実施機関が裁定する。

Article 33 The implementing organization issues a ruling confirming a person's right to receive insurance benefits at the request of the person who has the right to receive that insurance benefit (hereinafter referred to as the "beneficiary").

(調整期間)

**(Term under Adjustment)**

第三十四条 政府は、第二条の四第一項の規定により財政の現況及び見通しを作成するに当たり、厚生年金保険事業の財政が、財政均衡期間の終了時に保険給付の支給に支障が生じないようにするために必要な積立金（年金特別会計の厚生年金勘定の積立金及び第七十九条の二に規定する実施機関積立金をいう。）を政府等が保有しつつ当該財政均衡期間にわたってその均衡を保つことができないと見込まれる場合には、保険給付の額を調整するものとし、政令で、保険給付の額を調整する期間（以下「調整期間」という。）の開始年度を定めるものとする。

Article 34 (1) If, in compiling the current budget status and projections report pursuant to the provisions of Article 2-4, paragraph (1), it is projected not to be

possible, over the course of the period subject to budget balancing, to maintain balance in the reserve funds being retained by the government or the implementing organizations in the budget for employees' pension insurance services as the reserve funds that are necessary for ensuring that no obstacles will arise in the payment of insurance benefits at the end of the period subject to budget balancing (meaning the reserve funds in the employees' pension section of the pension special account and the implementing organization reserves provided for in Article 79-2), the government is to adjust the amount of insurance benefits, and, by Cabinet Order, is to specify the fiscal year that will begin the period during which the amount of insurance benefits is subject to that adjustment (hereinafter referred to as the "term under adjustment").

2 財政の現況及び見通しにおいて、前項の調整を行う必要がなくなつたと認められるときは、政令で、調整期間の終了年度を定めるものとする。

(2) If, in the current budget status and projections report, it is found to be no longer necessary to implement the adjustment under the preceding paragraph, the government, by Cabinet Order, is to specify the fiscal year that will end the term under adjustment.

3 政府は、調整期間において財政の現況及び見通しを作成するときは、調整期間の終了年度の見通しについても作成し、併せて、これを公表しなければならない。

(3) If the government is compiling the current budget status and projections report during a term under adjustment, it must also compile a projection on the fiscal year in which the term under adjustment will end, and must publicly announce these together.

(端数処理)

(Numerical Rounding)

第三十五条 保険給付を受ける権利を裁定する場合又は保険給付の額を改定する場合において、保険給付の額に五十銭未満の端数が生じたときは、これを切り捨て、五十銭以上一円未満の端数が生じたときは、これを一円に切り上げるものとする。

Article 35 (1) When a ruling confirming a person's right to receive insurance benefits is issued or if the amount of insurance benefits is revised, amounts of insurance benefits are rounded to the nearest yen, with amounts under 50 sen being rounded down and amounts equal to or greater than 50 sen but less than one yen being rounded up.

2 前項に規定するもののほか、保険給付の額を計算する場合において生じる一円未満の端数の処理については、政令で定める。

(2) Beyond as provided for in the preceding paragraph, Cabinet Order prescribes numerical rounding for amounts of less than one yen that arise when amounts of insurance benefits are calculated.

(年金の支給期間及び支払期月)

(Term of Payment and Payment Months for Pensions)

第三十六条 年金の支給は、年金を支給すべき事由が生じた月の翌月から始め、権利が消滅した月で終るものとする。

Article 36 (1) The payment of a pension is to begin in the month following the month in which the reason that a pension is to be paid has occurred, and is to end in the month in which the right to payment ceases to exist.

2 年金は、その支給を停止すべき事由が生じたときは、その事由が生じた月の翌月からその事由が消滅した月までの間は、支給しない。

(2) If any reason for which payment is to be suspended has occurred, a pension is not paid during the period from the month following the month in which that reason has occurred until the month in which that reason ceases to exist.

3 年金は、毎年二月、四月、六月、八月、十月及び十二月の六期に、それぞれその前月分までを支払う。ただし、前支払期月に支払うべきであつた年金又は権利が消滅した場合若しくは年金の支給を停止した場合におけるその期の年金は、支払期月でない月であつても、支払うものとする。

(3) Pensions are paid six times every year, in February, April, June, August, October, and December, in the amount that is due up to the previous month on each of these occasions; provided, however, pension that should have been paid in the previous payment month as well as pension for a term during which the right to payment has ceased to exist or payment has been suspended is to be paid even if the month in question is not a payment month.

(二月期支払の年金の加算)

(Addition to Pension Paid in February)

第三十六条の二 前条第三項の規定による支払額に一円未満の端数が生じたときは、これを切り捨てるものとする。

Article 36-2 (1) Payment amounts under the provisions of paragraph (3) of the preceding Article are to be rounded down to the nearest yen.

2 毎年三月から翌年二月までの間において前項の規定により切り捨てた金額の合計額（一元未満の端数が生じたときは、これを切り捨てた額）については、これを当該二月の支払期月の年金額に加算するものとする。

(2) The total of all amounts discarded in the numerical rounding during the period from March of each year to February of the next year pursuant to the provisions of the preceding paragraph (rounded down to the nearest yen) is to be added to the amount of the pension paid in February.

(未支給の保険給付)

(Unpaid Insurance Benefits)

第三十七条 保険給付の受給権者が死亡した場合において、その死亡した者に支給すべき保険給付でまだその者に支給しなかつたものがあるときは、その者の配偶者、子、父母、孫、祖父母、兄弟姉妹又はこれらの者以外の三親等内の親族であつて、その者

の死亡の当時その者と生計を同じくしていたものは、自己の名で、その未支給の保険給付の支給を請求することができる。

Article 37 (1) If the beneficiary of insurance benefits has died and there are insurance benefits that should have been paid to the deceased but that had not yet been paid thereto, the deceased's spouse, child or children, father and mother, grandchild or grandchildren, grandfather and grandmother, brothers and sisters, or relative within the third degree of kinship other than the foregoing persons, who was living off the same financial resources as the beneficiary at the time of the beneficiary's death, may request payment of unpaid insurance benefits in their own name.

2 前項の場合において、死亡した者が遺族厚生年金の受給権者である妻であつたときは、その者の死亡の当時その者と生計を同じくしていた被保険者又は被保険者であつた者の子であつて、その者の死亡によつて遺族厚生年金の支給の停止が解除されたものは、同項に規定する子とみなす。

(2) In a case as referred to in the preceding paragraph, if the person who has died was a wife who was the beneficiary of an employees' pension for surviving family, any child of the insured or former insured who was living off the same financial resources as the deceased at the time of her death and for whom a suspension on the payment of an employees' pension for surviving family has been lifted by her death is deemed to be a child as prescribed in that paragraph.

3 第一項の場合において、死亡した受給権者が死亡前にその保険給付を請求していなかつたときは、同項に規定する者は、自己の名で、その保険給付を請求することができる。

(3) In a case as referred to in paragraph (1), if the deceased beneficiary had not claimed the insurance benefits prior to death, the person prescribed in that paragraph may claim insurance benefits in their own name.

4 未支給の保険給付を受けるべき者の順位は、政令で定める。

(4) Cabinet Order provides for the order in which persons are to receive unpaid insurance benefits.

5 未支給の保険給付を受けるべき同順位者が二人以上あるときは、その一人のした請求は、全員のためその全額につきしたものとみなし、その一人に対してした支給は、全員に対してしたものとみなす。

(5) If there are two or more persons who are in the same place in the order in which persons are to receive unpaid insurance benefits, any claim made by one of them is deemed to have been made for all of them with regard to the entire amount, and any payment made to one of them is deemed to have been made to all of them.

(併給の調整)

(Adjustment for Combined Benefits)

第三十八条 障害厚生年金は、その受給権者が他の年金たる保険給付又は国民年金法に



よる年金たる給付（当該障害厚生年金と同一の支給事由に基づいて支給される障害基礎年金を除く。）を受けるときは、その間、その支給を停止する。老齢厚生年金の受給権者が他の年金たる保険給付（遺族厚生年金を除く。）又は同法による年金たる給付（老齢基礎年金及び付加年金並びに障害基礎年金を除く。）を受けることができる場合における当該老齢厚生年金及び遺族厚生年金の受給権者が他の年金たる保険給付（老齢厚生年金を除く。）又は同法による年金たる給付（老齢基礎年金及び付加年金、障害基礎年金並びに当該遺族厚生年金と同一の支給事由に基づいて支給される遺族基礎年金を除く。）を受けることができる場合における当該遺族厚生年金についても、同様とする。

Article 38 (1) Payment of pension benefits from an employees' disability pension is suspended during a period in which a beneficiary is eligible to receive other pension insurance benefits, or pension benefits under the National Pension Act (other than a basic disability pension paid based on the same grounds for payment as the employees' disability pension). Similarly, payment of pension benefits from an employees' old-age pension is suspended during the period in which a beneficiary is eligible to receive other pension insurance benefits (other than an employees' pension for surviving family) or pension benefits under the National Pension Act (other than an old-age basic pension, additional pension, or basic disability pension), and the payment of pension benefits from an employees' pension for surviving family is suspended during the period in which a beneficiary is eligible to receive other pension insurance benefits (other than an employees' old-age pension) or pension benefits under that Act (other than an old-age basic pension and additional pension, a basic disability pension, or a basic pension for surviving family to be paid based on the same grounds for payment as the employees' pension for surviving family in question).

2 前項の規定によりその支給を停止するものとされた年金たる保険給付の受給権者は、同項の規定にかかわらず、その支給の停止の解除を申請することができる。ただし、その者に係る同項に規定する他の年金たる保険給付又は国民年金法による年金たる給付について、この項の本文若しくは次項又は他の法令の規定でこれらに相当するものとして政令で定めるものによりその支給の停止が解除されているときは、この限りでない。

(2) Notwithstanding the provisions of the preceding paragraph, a beneficiary of pension insurance benefits whose payment is to be suspended pursuant to the provisions of that paragraph may apply for the suspension of payment to be lifted; provided, however, that this does not apply with regard to that person's other pension insurance benefits or pension benefits under the National Pension Act as referred to in the preceding paragraph, if these have been lifted in accordance with the provisions of the main clause of this or the following paragraph or provisions of other laws and regulations prescribed by Cabinet Order as being equivalent thereto.

3 第一項の規定によりその支給を停止するものとされた年金たる保険給付について、その支給を停止すべき事由が生じた日の属する月分の支給が行われる場合は、その事由が生じたときにおいて、当該年金たる保険給付に係る前項の申請があつたものとみなす。

(3) If pension insurance benefits whose payment is to be suspended pursuant to the provisions of paragraph (1) will be paid for the month that includes the day on which the reason for the suspension of payment has occurred, an application as referred to in the preceding paragraph concerning those pension insurance benefits is deemed to have been filed at the time the reason occurred.

4 第二項の申請（前項の規定により第二項の申請があつたものとみなされた場合における当該申請を含む。）は、いつでも、将来に向かつて撤回することができる。

(4) An application as referred to in paragraph (2) (or an application as referred to in paragraph (2), if it is deemed, pursuant to the provisions of the preceding paragraph, that such an application has been filed) may be prospectively withdrawn at any time.

（受給権者の申出による支給停止）

(Suspension of Payment at the Beneficiary's Request)

第三十八条の二 年金たる保険給付（この法律の他の規定又は他の法令の規定によりその全額につき支給を停止されている年金たる保険給付を除く。）は、その受給権者の申出により、その全額の支給を停止する。ただし、この法律の他の規定又は他の法令の規定によりその額の一部につき支給を停止されているときは、停止されていない部分の額の支給を停止する。

Article 38-2 (1) At the request of the beneficiary, payment is suspended in full for pension insurance benefits (other than pension insurance benefits whose payment is suspended in full pursuant to other provisions of this Act or the provisions of other laws and regulations); provided, however, that if there is a partial suspension on payment of those benefits pursuant to other provisions of this Act or the provisions of other laws and regulations, payment of the amount not suspended thereby is suspended.

2 前項ただし書のその額の一部につき支給を停止されている年金たる保険給付について、この法律の他の規定又は他の法令の規定による支給停止が解除されたときは、前項本文の年金たる保険給付の全額の支給を停止する。

(2) If a suspension on payment under other provisions of this Act or the provisions of other laws and regulations has been lifted for pension insurance benefits that are subject to a partial suspension on payment as referred to in the proviso to the preceding paragraph, the payment of pension insurance benefits as referred to in the main clause of the preceding paragraph is suspended in full.

3 第一項の申出は、いつでも、将来に向かつて撤回することができる。

(3) The request under paragraph (1) may be prospectively withdrawn at any time.

4 第一項又は第二項の規定により支給を停止されている年金給付は、政令で定める法令の規定の適用については、その支給を停止されていないものとみなす。

(4) Pension benefits whose payment is suspended pursuant to the provisions of paragraph (1) or paragraph (2) are deemed not to be subject to a suspension of payment as it concerns the application of the provisions of laws and regulations as provided for by Cabinet Order.

5 第一項の規定による支給停止の方法その他前各項の規定の適用に関し必要な事項は、政令で定める。

(5) Cabinet Order provides for the means of suspending payment pursuant to the provisions of paragraph (1) and for other necessary particulars in connection with the application of the provisions of the preceding paragraphs.

(年金の支払の調整)

(Adjustment of Pension Payments)

第三十九条 乙年金の受給権者が甲年金の受給権を取得したため乙年金の受給権が消滅し、又は同一人に対して乙年金の支給を停止して甲年金を支給すべき場合において、乙年金の受給権が消滅し、又は乙年金の支給を停止すべき事由が生じた月の翌月以後の分として、乙年金の支払が行われたときは、その支払われた乙年金は、甲年金の内払とみなす。

Article 39 (1) If the right of the beneficiary of a first pension to receive benefits under the first pension is to cease to exist because the beneficiary has acquired a right to receive benefits under a second pension, but the first pension has been paid for any month following that in which the right to receive benefits under the first pension ceased to exist, the first pension that has been paid for that month is deemed to be a partial payment of the second pension; if the payment of benefits under a first pension is to be suspended and a second pension is to be paid to the same person, but a payment of monies from the first pension has been made for any month following that in which the right to receive benefits under the first pension ceased to exist or the reason to suspend payment of the first pension has occurred, the first pension that has been paid for that month is deemed to be a partial payment of the second pension.

2 年金の支給を停止すべき事由が生じたにもかかわらず、その停止すべき期間の分として年金が支払われたときは、その支払われた年金は、その後に支払うべき年金の内払とみなすことができる。年金を減額して改定すべき事由が生じたにもかかわらず、その事由が生じた月の翌月以後の分として減額しない額の年金が支払われた場合における当該年金の当該減額すべきであつた部分についても、同様とする。

(2) If, in spite of the occurrence of a reason for suspending the payment of a pension, a pension has been paid for any period for which payment was to be suspended, the pension paid in that manner may be deemed to be partial payment of the pension to be paid thereafter. If, in spite of the occurrence of a reason to revise a pension by reducing its amount, a pension has been paid in

an unreduced amount for any month following that in which the reason to reduce its amount occurred, the foregoing also applies to the part of the payment constituting the amount by which the pension was to have been reduced.

- 3 同一人に対して国民年金法による年金たる給付の支給を停止して年金たる保険給付（厚生労働大臣が支給するものに限る。以下この項において同じ。）を支給すべき場合において、年金たる保険給付を支給すべき事由が生じた月の翌月以後の分として同法による年金たる給付の支払が行われたときは、その支払われた同法による年金たる給付は、年金たる保険給付の内払とみなすことができる。

(3) If the payment of pension benefits under the National Pension Act is to be suspended and pension insurance benefits (limited to the benefits paid by the Minister of Health, Labour and Welfare; the same applies hereinafter in this paragraph) are to be paid to the same person, but pension benefits under that Act have been paid for any month following that in which the reason for paying pension insurance benefits has occurred, the pension benefits under that Act that have been paid may be deemed to be a partial payment of pension insurance benefits.

第三十九条の二 年金たる保険給付の受給権者が死亡したためその受給権が消滅したにもかかわらず、その死亡の日の属する月の翌月以後の分として当該年金たる保険給付の過誤払が行われた場合において、当該過誤払による返還金に係る債権（以下「返還金債権」という。）に係る債務の弁済をすべき者に支払うべき年金たる保険給付があるときは、厚生労働省令で定めるところにより、当該年金たる保険給付の支払金の金額を当該過誤払による返還金債権の金額に充当することができる。

Article 39-2 If, in spite of the right to receive benefits having ceased to exist due to the death of the beneficiary of pension insurance benefits, the pension insurance benefits were overpaid due to payment for any month following the month that includes the date of the beneficiary's death, but there are pension insurance benefits that are to be paid to the person who is to perform obligations under the claim for the return of monies that has resulted from the overpayment (hereinafter referred to as a "claim for the return of monies"), the amount of payment under the pension insurance benefits may be appropriated as the amount of the claim for the return of monies that resulted from the overpayment, pursuant to Order of the Ministry of Health, Labour and Welfare.

（損害賠償請求権）

(Right to Claim Compensation for Loss or Damage)

第四十条 政府等は、事故が第三者の行為によつて生じた場合において、保険給付をしたときは、その給付の価額の限度で、受給権者が第三者に対して有する損害賠償の請求権を取得する。

Article 40 (1) If an accident has been caused by the actions of a third party and

the government or an implementing organization has paid insurance benefits, it acquires the beneficiary's right to claim compensation for loss or damage against the third party, up to the value of those benefits.

2 前項の場合において、受給権者が、当該第三者から同一の事由について損害賠償を受けたときは、政府等は、その価額の限度で、保険給付をしないことができる。

(2) In a case as referred to in the preceding paragraph, if a beneficiary has been compensated for loss or damage by the third party for the same reason, the government or the implementing organization may withhold insurance benefits, up to the value of that compensation.

(不正利得の徴収)

(Collection of a Benefit Wrongfully Gained)

第四十条の二 偽りその他不正の手段により保険給付を受けた者があるときは、実施機関は、受給額に相当する金額の全部又は一部をその者から徴収することができる。

Article 40-2 If a person has received insurance benefits by deception or other wrongful means, the implementing organization may collect from that person an amount equal to all or part of the benefits that the person received.

(受給権の保護及び公課の禁止)

(Protection of Right to Receive Benefits and Prohibition of Imposition of Public Charges)

第四十一条 保険給付を受ける権利は、譲り渡し、担保に供し、又は差し押えることができない。ただし、年金たる保険給付を受ける権利を別に法律で定めるところにより担保に供する場合及び老齢厚生年金を受ける権利を国税滞納処分（その例による処分を含む。）により差し押える場合は、この限りでない。

Article 41 (1) The right to receive insurance benefits may not be assigned, provided as collateral, or attached; provided, however, that this does not apply if the right to receive pension insurance benefits is provided as collateral as otherwise prescribed by law, and if the right to receive the employees' old-age pension is attached in collection proceedings for delinquent national tax (including a procedure to be enforced pursuant to the provisions on collection proceedings for delinquent national tax).

2 租税その他の公課は、保険給付として支給を受けた金銭を標準として、課することができない。ただし、老齢厚生年金については、この限りでない。

(2) Taxes and other public charges may not be imposed upon money paid as insurance benefits; provided, however, that this does not apply to employees' old-age pensions.

## 第二節 老齢厚生年金

### Section 2 Employees' Old-Age Pension

(受給権者)

(Beneficiary)

第四十二条 老齢厚生年金は、被保険者期間を有する者が、次の各号のいずれにも該当するに至ったときに、その者に支給する。

Article 42 An employees' old-age pension is paid to a person with an insured period if that person has come to fall under both of the following items:

一 六十五歳以上であること。

(i) being 65 years of age or older; or

二 保険料納付済期間と保険料免除期間とを合算した期間が十年以上であること。

(ii) having a total premium-paid period and premium-exemption period of 10 years or longer.

(年金額)

(Amount of Pension)

第四十三条 老齢厚生年金の額は、被保険者であつた全期間の平均標準報酬額（被保険者期間の計算の基礎となる各月の標準報酬月額と標準賞与額に、別表各号に掲げる受給権者の区分に応じてそれぞれ当該各号に定める率（以下「再評価率」という。）を乗じて得た額の総額を、当該被保険者期間の月数で除して得た額をいう。附則第十七条の六第一項及び第二十九条第三項を除き、以下同じ。）の千分の五・四八一に相当する額に被保険者期間の月数を乗じて得た額とする。

Article 43 (1) The amount of employees' old-age pension is the amount arrived at when the number of months in the insured period is multiplied by an amount equal to 5.481/1000 of the average standardized amount of remuneration for the whole period during which the person was an insured (meaning the number arrived at when the standardized monthly amounts of remuneration and the standardized amounts of bonuses in each month that constitute a basis for calculation of the insured period are multiplied by the rates provided in the relevant items of the appended table for the category of beneficiary set forth in that item (hereinafter referred to as the "revaluation rate"), and the total is divided by the number of months in the insured period; the same applies hereinafter except for cases in Article 17-6, paragraph (1) and Article 29, paragraph (3) of the Supplementary Provisions).

2 老齢厚生年金の額については、受給権者がその権利を取得した月以後における被保険者であつた期間は、その計算の基礎としない。

(2) Any period in which the beneficiary was an insured after the month in which the beneficiary obtained the right to receive benefits is not a basis for the calculation of the amount of employees' old-age pension.

3 被保険者である受給権者がその被保険者の資格を喪失し、かつ、被保険者となることなくして被保険者の資格を喪失した日から起算して一月を経過したときは、前項の規定にかかわらず、その被保険者の資格を喪失した月前における被保険者であつた期間を老齢厚生年金の額の計算の基礎とするものとし、資格を喪失した日（第十四条第

二号から第四号までのいずれかに該当するに至つた日にあつては、その日) から起算して一月を経過した日の属する月から、年金の額を改定する。

- (3) Notwithstanding the provisions of the preceding paragraph, if a beneficiary who is an insured forfeits status as an insured and one month passes after the day on which the beneficiary forfeits status as an insured without the beneficiary's becoming an insured, the period during which the beneficiary was insured before the month in which the beneficiary forfeited status as an insured is to be the basis for the calculation of employees' old-age pension, and the amount of pension is revised as of the month that includes the day that is calculated as falling one month after the day on which the beneficiary forfeited that status (or the day falling under one of the items from item (ii) through item (iv) of Article 14, if applicable).

(再評価率の改定等)

(Revision of the Revaluation Rate; Related Matters)

第四十三条の二 再評価率については、毎年度、第一号に掲げる率（以下「物価変動率」という。）に第二号及び第三号に掲げる率を乗じて得た率（以下「名目手取り賃金変動率」という。）を基準として改定し、当該年度の四月以降の保険給付について適用する。

Article 43-2 (1) The revaluation rate is revised every year based on the rate arrived at when the rate specified in item (i) (hereinafter referred to as the "price fluctuation rate") is multiplied by the rates prescribed in item (ii) and (iii) (hereinafter the rate so arrived at is referred to as the "rate of fluctuation in nominal net wages"), and applied to insurance benefits in and after April of the relevant fiscal year:

一 当該年度の初日の属する年の前々年の物価指数（総務省において作成する年平均の全国消費者物価指数をいう。以下同じ。）に対する当該年度の初日の属する年の前年の物価指数の比率

(i) the rate of the price index (meaning the average annual national consumer price index compiled by the Ministry of Internal Affairs and Communications; the same applies hereinafter) for the year prior to the year that includes the first day of the relevant fiscal year, in comparison to the price index for the year two years prior to the year that includes the first day of the relevant fiscal year;

二 イに掲げる率をロに掲げる率で除して得た率の三乗根となる率

(ii) the rate that constitutes the cube root of the quotient arrived at when the rate set forth in (a) is divided by the rate set forth in (b):

イ 当該年度の初日の属する年の五年前の年の四月一日の属する年度における被保険者に係る標準報酬平均額（各年度における標準報酬の総額を各年度における被保険者の数で除して得た額を十二で除して得た額に相当する額として、被保険者の性別構成及び年齢別構成並びに標準報酬の分布状況の変動を参酌して政令で定

めるところにより算定した額をいう。以下この号において同じ。) に対する当該年度の前々年度における被保険者に係る標準報酬平均額の比率

(a) the rate of the average standardized amount of remuneration for insureds (meaning an amount calculated as specified by Cabinet Order in consideration of fluctuations in the statistical distribution of gender, age, and standardized monthly amounts of remuneration among insureds as an amount that is equivalent to the amount arrived at when the total standardized monthly amount of remuneration in each fiscal year is divided by the number of insureds in each fiscal year and the resulting quotient is divided by 12; the same applies hereinafter in this item) in the fiscal year two years prior to the relevant fiscal year, in comparison to the average standardized amount of remuneration for insureds in the fiscal year that included the April 1 of the year five years prior to the year that includes the first day of the relevant fiscal year;

ロ 当該年度の初日の属する年の五年前の年における物価指数に対する当該年度の初日の属する年の前々年における物価指数の比率

(b) the rate of the price index in the year two years prior to the year that includes the first day of the relevant fiscal year, in comparison to the price index in the year five years prior to the year that includes the first day of the relevant fiscal year.

三 イに掲げる率をロに掲げる率で除して得た率

(iii) the rate arrived at when the rate set forth in (a) is divided by the rate set forth in (b):

イ 〇・九一〇から当該年度の初日の属する年の三年前の年の九月一日におけるこの法律の規定による保険料率（以下「保険料率」という。）の二分の一に相当する率を控除して得た率

(a) the rate arrived at when a percentage equivalent to one-half of the rate of insurance premiums under the provisions of this Act (hereinafter referred to as the "insurance premium rate") as of September 1 of the year three years prior to the year that includes the first day of the relevant fiscal year is deducted from 0.910;

ロ 〇・九一〇から当該年度の初日の属する年の四年前の年の九月一日における保険料率の二分の一に相当する率を控除して得た率

(b) the rate arrived at when a percentage equivalent to one-half of the insurance premium rate as of September 1 of the year four years prior to the year that includes the first day of the relevant fiscal year is deducted from 0.910.

2 次の各号に掲げる再評価率の改定については、前項の規定にかかわらず、当該各号に定める率を基準とする。

(2) Notwithstanding the provisions of the preceding paragraph, the rates provided for in the following items are the basis for revision of the revaluation



rate set forth in those items:

- 一 当該年度の前年度に属する月の標準報酬（以下「前年度の標準報酬」という。）に係る再評価率 前項第三号に掲げる率（以下「可処分所得割合変化率」という。）
  - (i) the revaluation rate for the standardized monthly remuneration for months that fall in the fiscal year preceding the relevant fiscal year (hereinafter referred to as the "standardized remuneration in the previous fiscal year"): the rate set forth in item (iii) of the preceding paragraph (hereinafter referred to as the "rate of fluctuation in the proportion of disposable income");
  - 二 当該年度の前々年度又は当該年度の初日の属する年の三年前の年の四月一日の属する年度に属する月の標準報酬（以下「前々年度等の標準報酬」という。）に係る再評価率 物価変動率に可処分所得割合変化率を乗じて得た率
    - (ii) the revaluation rate for the standardized monthly remuneration for months that fall in the fiscal year two years prior to the relevant fiscal year or for months that fall in the fiscal year that includes the April 1 of the year three years prior to the year that includes the first day of the relevant fiscal year (hereinafter referred to as the "standardized remuneration two or three fiscal years prior"): the rate arrived at when the rate of fluctuation in the proportion of disposable income is multiplied by the price fluctuation rate.
- 3 名目手取り賃金変動率が一を下回り、かつ、物価変動率が名目手取り賃金変動率を上回る場合における再評価率（前項各号に掲げる再評価率を除く。）の改定については、第一項の規定にかかわらず、物価変動率を基準とする。ただし、物価変動率が一を上回る場合は、一を基準とする。
- (3) Notwithstanding the provisions of paragraph (1), if the rate of fluctuation in nominal net wages is less than 1 and the price fluctuation rate is greater than the rate of fluctuation in nominal net wages, the price fluctuation rate is the basis for the revision of the revaluation rate (but not the revaluation rates set forth in items of the preceding paragraph); provided, however, that if the price fluctuation rate is greater than 1, the revision is based on 1.
- 4 当該年度に属する月の標準報酬に係る再評価率については、当該年度の前年度におけるその年度に属する月の標準報酬に係る再評価率に可処分所得割合変化率を乗じて得た率を基準として設定する。
- (4) The revaluation rate for the standardized monthly amount of remuneration for months that fall in the relevant fiscal year is established based on the rate arrived at when the rate of fluctuation in the proportion of disposable income is multiplied by the revaluation rate for the standardized monthly amount of remuneration for months that fall in the fiscal year before the relevant fiscal year.
- 5 前各項の規定による再評価率の改定又は設定の措置は、政令で定める。
- (5) Cabinet Order provides for measures to revise and establish the revaluation

rate as under the provisions of each of the preceding paragraphs.

第四十三条の三 受給権者が六十五歳に達した日の属する年度の初日の属する年の三年後の年の四月一日の属する年度（第四十三条の五において「基準年度」という。）以後において適用される再評価率（以下「基準年度以後再評価率」という。）の改定については、前条の規定にかかわらず、物価変動率を基準とする。

Article 43-3 (1) Notwithstanding the provisions of preceding Article, the price fluctuation rate is the basis for the revision of the revaluation rate that applies in and after the fiscal year (referred to in Article 43-5 as the "base fiscal year") that includes the April 1 of the calendar year that falls three years after the calendar year which includes the first day of the fiscal year in which the day on which the beneficiary reaches 65 years of age falls (hereinafter referred to as the "post-base fiscal year revaluation rate").

2 前年度の標準報酬及び前々年度等の標準報酬に係る基準年度以後再評価率の改定については、前項の規定にかかわらず、前条第二項各号の規定を適用する。

(2) Notwithstanding the provisions of preceding paragraph, the provisions of the items under paragraph (2) of the preceding Article apply to the revision of the post-base fiscal year revaluation rate for the standardized remuneration in the previous fiscal year and the standardized remuneration two or three fiscal years prior.

3 次の各号に掲げる場合における基準年度以後再評価率（前項に規定する基準年度以後再評価率を除く。）の改定については、第一項の規定にかかわらず、当該各号に定める率を基準とする。

(3) Notwithstanding the provisions of paragraph (1), in a case as set forth in one of the following items, the rate provided for in that item is the basis for the revision of the post-base fiscal year revaluation rate (but not a post-base fiscal year revaluation rate provided for in the preceding paragraph):

一 物価変動率が名目手取り賃金変動率を上回り、かつ、名目手取り賃金変動率が一以上となるとき 名目手取り賃金変動率

(i) if the price fluctuation rate is greater than the rate of fluctuation in nominal net wages and the rate of fluctuation in nominal net wages is greater than 1: the rate of fluctuation in nominal net wages;

二 物価変動率が一を上回り、かつ、名目手取り賃金変動率が一を下回るとき 一

(ii) if the price fluctuation rate is greater than 1 and the rate of fluctuation in nominal net wages is less than 1: 1.

4 前三項の規定による基準年度以後再評価率の改定の措置は、政令で定める。

(4) Cabinet Order provides for measures to revise the post-base fiscal year revaluation rate under the provisions of preceding three paragraphs.

（調整期間における再評価率の改定等の特例）

(Special Provisions on Revision of the Revaluation Rate in a Term Under

Adjustment)

第四十三条の四 調整期間における再評価率の改定については、前二条の規定にかかわらず、名目手取り賃金変動率に、調整率（第一号に掲げる率に第二号に掲げる率を乗じて得た率（当該率が一を上回るときは、一）をいう。以下この条及び次条において同じ。）に当該年度の前年度の特別調整率を乗じて得た率を乗じて得た率（当該率が一を下回るときは、一。以下この条において「算出率」という。）を基準とする。

Article 43-4 (1) Notwithstanding the provisions of the preceding two Articles, the rate arrived at when the rate of fluctuation in nominal net wages is multiplied by the rate arrived at when the adjustment rate (meaning the rate arrived at when the rate set forth in item (i) is multiplied by the rate set forth in item (ii) (or 1, if the rate so arrived at exceeds 1); the same applies hereinafter in this Article and the following Article) is multiplied by the special adjustment rate for the year before the fiscal year in question (or the number 1, if the final product is lower than 1; hereinafter in this Article, this final product is referred to as the "calculation rate") is the basis for the revision of the revaluation rate in a term under adjustment:

一 当該年度の初日の属する年の五年前の年の四月一日の属する年度における公的年金の被保険者（この法律又は国民年金法の被保険者をいう。）の総数として政令で定めるところにより算定した数（以下この号において「公的年金被保険者総数」という。）に対する当該年度の前々年度における公的年金被保険者総数の比率の三乗根となる率

(i) the rate that constitutes the cube root of the percentage of the number calculated as specified by Cabinet Order as the total number of insureds covered by public pensions (meaning insureds under this Act or the National Pension Act) (hereinafter in this item referred to as the "total number of insureds covered by public pensions") in the fiscal year two years before the relevant fiscal year, in comparison to the total number of insureds covered by public pensions in the fiscal year that includes the April 1 of the calendar year five years before the calendar year in which the first day of the relevant fiscal year falls;

二 〇・九九七

(ii) 0.997

2 調整期間における次の各号に掲げる再評価率の改定については、前項の規定にかかわらず、当該各号に定める率を基準とする。

(2) Notwithstanding the provisions of the preceding paragraph, the rates provided for in the following items are the basis for the revision of the revaluation rates set forth in those items during a term under adjustment:

一 前年度の標準報酬に係る再評価率 イに掲げる率にロに掲げる率を乗じて得た率（算出率が一となる場合にあつては、当該乗じて得た率に、一をハに掲げる率にロに掲げる率を乗じて得た率で除して得た率を乗じて得た率）

(i) the revaluation rate for the standardized remuneration in the previous

fiscal year: the rate arrived at when the rate set forth in (a) is multiplied by the rate set forth in (b) (or, if the calculation rate is 1, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in (c) is multiplied by the rate set forth in (b)):

イ 可処分所得割合変化率

(a) the rate of fluctuation in the proportion of disposable income;

ロ 調整率に当該年度の前年度の特別調整率を乗じて得た率

(b) the rate arrived at when the adjustment rate is multiplied by the special adjustment rate in the year before the relevant fiscal year;

ハ 名目手取り賃金変動率

(c) the rate of fluctuation in nominal net wages;

二 前々年度等の標準報酬に係る再評価率 物価変動率に前号イに掲げる率及び同号ロに掲げる率を乗じて得た率（算出率が一となる場合にあつては、当該乗じて得た率に、一を同号ハに掲げる率に同号ロに掲げる率を乗じて得た率で除して得た率を乗じて得た率）

(ii) the revaluation rate for the standardized remuneration two or three fiscal years prior: the rate arrived at when the price fluctuation rate is multiplied by the rate set forth in (a) of the preceding item and in (b) of that item (or, if the calculation rate is 1, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in (c) of that item is multiplied by the rate set forth in (b) of that item).

3 調整期間における当該年度に属する月の標準報酬に係る再評価率の設定については、第四十三条の二第四項の規定にかかわらず、当該年度の前年度におけるその年度に属する月の標準報酬に係る再評価率に、第一号に掲げる率及び第二号に掲げる率を乗じて得た率（算出率が一となる場合にあつては、当該乗じて得た率に、一を第三号に掲げる率に第二号に掲げる率を乗じて得た率で除して得た率を乗じて得た率）を基準とする。

(3) Notwithstanding the provisions of Article 43-2, paragraph (4), the revaluation rate for the standardized monthly amount of remuneration for months that fall in the relevant fiscal year during a term under adjustment is established based on the rate arrived at when the revaluation rate for the standardized monthly amount of remuneration for months that fell in the fiscal year that preceded the relevant fiscal year is multiplied by the rate set forth in item (i) and the rate set forth in item (ii) (or, if the calculation rate is 1, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in item (iii) is

multiplied by the rate set forth in item (ii)):

一 可処分所得割合変化率

(i) the rate of fluctuation in the proportion of disposable income;

二 調整率に当該年度の前年度の特別調整率を乗じて得た率

(ii) the rate arrived at when the adjustment rate is multiplied by the special adjustment rate in the year before the relevant fiscal year;

三 名目手取り賃金変動率

(iii) the rate of fluctuation in nominal net wages.

4 名目手取り賃金変動率が一を下回る場合の調整期間における再評価率の改定又は設定については、前三項の規定にかかわらず、次の各号に掲げる場合の区分に応じ、当該各号に定める規定を適用する。

(4) Notwithstanding the provisions of the preceding three paragraphs, the revision or establishment of the revaluation rate in a case in which the rate of fluctuation in nominal net wages is less than 1 during a term under adjustment is subject to the provisions that the relevant of the following items prescribes for the category of case set forth in that item:

一 物価変動率が名目手取り賃金変動率以下となる時 第四十三条の二第一項、第二項及び第四項

(i) if the price fluctuation rate is not more than the rate of fluctuation in nominal net wages: Article 43-2, paragraphs (1), (2) and (4);

二 物価変動率が名目手取り賃金変動率を上回るとき 第四十三条の二第二項から第四項まで

(ii) if the price fluctuation rate is greater than the rate of fluctuation in nominal net wages: Article 43-2, paragraphs (2) through paragraph (4).

5 第一項から第三項までの特別調整率とは、第一号の規定により設定し、第二号の規定により改定した率をいう。

(5) The special adjustment rate referred to in paragraph (1) through paragraph (3) means the rate established pursuant to the provisions of item (i) and revised pursuant to the provisions of item (ii).

一 平成二十九年度における特別調整率は、一とする。

(i) the special adjustment rate in fiscal 2017 is 1.

二 特別調整率については、毎年度、名目手取り賃金変動率に調整率を乗じて得た率を算出率で除して得た率（名目手取り賃金変動率が一を下回るときは、調整率）を基準として改定する。

(ii) the special adjustment rate is revised every year based on the rate arrived at when the rate that is arrived at when the rate of fluctuation in nominal net wages is divided by the adjustment rate is multiplied by the calculation rate (or, if the rate of fluctuation in nominal net wages is lower than 1, the adjustment rate).

6 前各項の規定による再評価率の改定又は設定の措置は、政令で定める。

(6) Cabinet Order provides for measures to revise and establish the revaluation

rate under the provisions of each of the preceding paragraphs.

第四十三条の五 調整期間における基準年度以後再評価率の改定については、前条の規定にかかわらず、第一号に掲げる率に第二号に掲げる率を乗じて得た率（当該率が一を下回るときは、一。以下この条において「基準年度以後算出率」という。）を基準とする。

Article 43-5 (1) Notwithstanding the provisions of the preceding Article, the revision of the post-base fiscal year revaluation rate during a term under adjustment has as its basis the rate arrived at when the rate set forth in item (i) is multiplied by the rate set forth in item (ii) (or, if the relevant rate is lower than 1, 1; hereinafter in this Article referred to as "post-base fiscal year calculation rate"):

一 物価変動率（物価変動率が名目手取り賃金変動率を上回るときは、名目手取り賃金変動率）

(i) price fluctuation rate (or, if the price fluctuation rate exceeds the rate of fluctuation in nominal net wages, the rate of fluctuation in nominal net wages);

二 調整率に当該年度の前年度の基準年度以後特別調整率（当該年度が基準年度である場合にあつては、当該年度の前年度の前条第五項に規定する特別調整率。次項第一号ロ及び第三項第二号において同じ。）を乗じて得た率

(ii) the rate arrived at when the adjustment rate is multiplied by the post-base fiscal year special adjustment rate in the year before the relevant fiscal year (or, if the relevant fiscal year is the base fiscal year, the special adjustment rate provided for in paragraph (5) of the preceding Article in the year before the relevant fiscal year; the same applies in item (i), (b) of the following paragraph and item (ii) of paragraph 3).

2 調整期間における次の各号に掲げる基準年度以後再評価率の改定については、前項の規定にかかわらず、当該各号に定める率を基準とする。

(2) Notwithstanding the provisions of the preceding paragraph, the rate provided for in each of the following items is the basis for the revision of the post-base fiscal year revaluation rate set forth in each of those items in a term under adjustment:

一 前年度の標準報酬に係る基準年度以後再評価率 イに掲げる率にロに掲げる率を乗じて得た率（基準年度以後算出率が一となる場合にあつては、当該乗じて得た率に、一をハに掲げる率にロに掲げる率を乗じて得た率で除して得た率を乗じて得た率）

(i) the post-base fiscal year revaluation rate for the standardized remuneration in the previous fiscal year: the rate arrived at when the rate set forth in (a) is multiplied by the rate set forth in (b) (or, if the post-base fiscal year calculation rate is 1, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate

arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in (c) is multiplied by the rate set forth in (b)):

イ 可処分所得割合変化率

(a) the rate of fluctuation in the proportion of disposable income,

ロ 調整率に当該年度の前年度の基準年度以後特別調整率を乗じて得た率

(b) the rate arrived at when the adjustment rate is multiplied by the post-base fiscal year special adjustment rate in the previous fiscal year,

ハ 物価変動率（物価変動率が名目手取り賃金変動率を上回るときは、名目手取り賃金変動率）

(c) the price fluctuation rate (or, if the price fluctuation rate exceeds the rate of fluctuation in nominal net wages, the rate of fluctuation in nominal net wages);

二 前々年度等の標準報酬に係る基準年度以後再評価率 物価変動率に前号イに掲げる率及び同号ロに掲げる率を乗じて得た率（基準年度以後算出率が一となる場合にあっては、当該乗じて得た率に、一を同号ハに掲げる率に同号ロに掲げる率を乗じて得た率で除して得た率を乗じて得た率）

(ii) the post-base fiscal year revaluation rate for the standardized

remuneration two or three fiscal years prior: the rate arrived at when the price fluctuation rate is multiplied by the rate set forth in (a) of the preceding item and the rate set forth in (b) of that item (or, if the post-base fiscal year calculation rate is 1, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in (c) is multiplied by the rate set forth in (b)).

3 調整期間における当該年度に属する月の標準報酬に係る基準年度以後再評価率の設定については、前条第三項の規定にかかわらず、当該年度の前年度におけるその年度に属する月の標準報酬に係る基準年度以後再評価率（当該年度が基準年度である場合にあっては、再評価率）に、第一号に掲げる率及び第二号に掲げる率を乗じて得た率（基準年度以後算出率が一となる場合にあっては、当該乗じて得た率に、一を第三号に掲げる率に第二号に掲げる率を乗じて得た率で除して得た率を乗じて得た率）を基準とする。

(3) Notwithstanding the provisions of paragraph (3) of the preceding Article, the post-base fiscal year revaluation rate associated with the standardized monthly amount of remuneration for months that fall in the relevant fiscal year during a term under adjustment is established based on the rate arrived at when the post-base fiscal year revaluation rate associated with the standardized monthly amount of remuneration for months that fell in the fiscal year that preceded the relevant fiscal year (or, if the relevant fiscal year is the base fiscal year, the rate arrived at when the rate that has been arrived at as the product of the foregoing multiplication is multiplied by the rate arrived at when the number 1 is divided by the rate that is arrived at when the rate set forth in item (iii) is

multiplied by the rate set forth in item (ii)) is multiplied by the rate set forth in item (i) and the rate set forth in item (ii):

一 可処分所得割合変化率

(i) the rate of fluctuation in the proportion of disposable income;

二 調整率に当該年度の前年度の基準年度以後特別調整率を乗じて得た率

(ii) the rate arrived at when the adjustment rate is multiplied by the post-base fiscal year special adjustment rate in the year before the relevant fiscal year;

三 物価変動率（物価変動率が名目手取り賃金変動率を上回るときは、名目手取り賃金変動率）

(iii) the price fluctuation rate (or, if the price fluctuation rate exceeds the rate of fluctuation in nominal net wages, the rate of fluctuation in nominal net wages).

4 次の各号に掲げる場合の調整期間における基準年度以後再評価率の改定又は設定については、前三項の規定にかかわらず、当該各号に定める規定を適用する。

(4) Notwithstanding the provisions of the preceding three paragraphs, the revision or establishment of the post-base fiscal year revaluation rate in a case as set forth in the following items during the term under adjustment is subject to the provisions prescribed in each of the relevant items:

一 物価変動率が一を下回るとき 第四十三条の二第四項並びに第四十三条の三第一項及び第二項

(i) if the price fluctuation rate is less than 1: Article 43-2, paragraph (4) and Article 43-3, paragraphs (1) and (2);

二 物価変動率が一を上回り、かつ、名目手取り賃金変動率が一を下回るとき 第四十三条の二第二項、第三項ただし書及び第四項

(ii) if the price fluctuation rate is greater than 1 and the rate of fluctuation in nominal net wages is less than 1: Article 43-2, paragraph (2), the proviso of paragraph (3), and paragraph (4);

5 第一項から第三項までの基準年度以後特別調整率とは、第一号の規定により設定し、第二号の規定により改定した率をいう。

(5) The post-base fiscal year special adjustment rate referred to in paragraph (1) through paragraph (3) means the rate established pursuant to the provisions of item (i) and revised pursuant to the provisions of item (ii).

一 基準年度における基準年度以後特別調整率は、イに掲げる率にロに掲げる率を乗じて得た率とする。

(i) the post-base fiscal year special adjustment rate in the base fiscal year is the rate arrived at when the rate set forth in (a) is multiplied by the rate set forth in (b):

イ 基準年度の前年度の前条第五項に規定する特別調整率

(a) the special adjustment rate specified in the provisions of paragraph (5) of the preceding Article in the fiscal year before the base fiscal year;

ロ 物価変動率（物価変動率が名目手取り賃金変動率を上回るときは、名目手取り



賃金変動率) に調整率を乗じて得た率を基準年度以後算出率で除して得た率 (物価変動率又は名目手取り賃金変動率が一を下回るときは、調整率)

(b) the rate arrived at when the rate that is arrived at when the price fluctuation rate (or, if the price fluctuation rate is greater than the rate of fluctuation in nominal net wages, the rate of fluctuation in nominal net wages) is multiplied by the adjustment rate, is divided by the post-base fiscal year calculation rate (or, if the price fluctuation rate or the rate of fluctuation in nominal net wages is less than 1, the adjustment rate).

二 基準年度以後特別調整率については、毎年度、前号ロに掲げる率を基準として改定する。

(ii) the post-base fiscal year special adjustment rate is revised every fiscal year based on the rate set forth in (b) of the preceding item.

6 前各項の規定による基準年度以後再評価率の改定又は設定の措置は、政令で定める。

(6) Cabinet Order provides for measures to revise or establish the post-base fiscal year revaluation rate under the provisions of each of the preceding paragraphs.

(加給年金額)

(Additional Amounts of Pension)

第四十四条 老齢厚生年金 (その年金額の計算の基礎となる被保険者期間の月数が二百四十以上であるものに限る。) の額は、受給権者がその権利を取得した当時 (その権利を取得した当時、当該老齢厚生年金の額の計算の基礎となる被保険者期間の月数が二百四十未満であつたときは、第四十三条第三項の規定により当該月数が二百四十以上となるに至つた当時。第三項において同じ。) その者によつて生計を維持していたその者の六十五歳未満の配偶者又は子 (十八歳に達する日以後の最初の三月三十一日までの間にある子及び二十歳未満で第四十七条第二項に規定する障害等級 (以下この条において単に「障害等級」という。) の一級若しくは二級に該当する障害の状態にある子に限る。) があるときは、第四十三条の規定にかかわらず、同条に定める額に加給年金額を加算した額とする。ただし、国民年金法第三十三条の二第一項の規定により加算が行われている子があるとき (当該子について加算する額に相当する部分の全額につき支給を停止されているときを除く。) は、その間、当該子について加算する額に相当する部分の支給を停止する。

Article 44 (1) Notwithstanding the provisions of Article 43, if, at the time that the beneficiary acquired the right to receive benefits (or at the time that the insured period had reached 240 months pursuant to the provisions of Article 43, paragraph (3), if the insured period constituting the basis for the calculation of the amount of the employees' old-age pension was less than 240 months at the time that the beneficiary acquired the right to receive those benefits; the same applies in paragraph (3)), the beneficiary had a spouse under the age of 65 or a child (limited to children of ages from birth until the first March 31 after the child reaches the age of 18, and to children under the age of 20 with disabilities classified as Grade 1 or Grade 2 of the disability grades provided in Article 47,

paragraph (2) (hereinafter referred to simply as "disability grades" in this Article)) who was receiving financial support from the beneficiary, the amount of employees' old-age pension (limited to one calculated based on an insured period of 240 months or more) is calculated by adding an additional amount of pension to the amount provided for in that Article; provided, however, that if the beneficiary has a child to whose pension an amount is added pursuant to the provisions of Article 33-2, paragraph (1) of the National Pension Act (unless the payment is suspended for the entire portion that is equal to the additional amount to be paid for the child), the payment of the portion equal to the additional amount to be paid for the child is suspended during that period.

2 前項に規定する加給年金額は、同項に規定する配偶者については二十二万四千七百円に国民年金法第二十七条に規定する改定率であつて同法第二十七条の三及び第二十七条の五の規定の適用がないものとして改定したもの（以下この章において「改定率」という。）を乗じて得た額（その額に五十円未満の端数が生じたときは、これを切り捨て、五十円以上百円未満の端数が生じたときは、これを百円に切り上げるものとする。）とし、同項に規定する子については一人につき七万四千九百円に改定率を乗じて得た額（そのうち二人までについては、それぞれ二十二万四千七百円に改定率を乗じて得た額とし、それらの額に五十円未満の端数が生じたときは、これを切り捨て、五十円以上百円未満の端数が生じたときは、これを百円に切り上げるものとする。）とする。

(2) The additional amount of pension under the preceding paragraph for a spouse as provided in that paragraph is the amount arrived at when 224,700 yen is multiplied by the revision rate specified in Article 27 of the National Pension Act, revised as a rate to which the provisions of Article 27-3 and 27-5 of that Act do not apply (hereinafter referred to as the "revision rate" in this Chapter) (those amounts are to be rounded to the nearest hundred, with amounts less than 50 yen being rounded down, and amounts between 50 yen and 99 yen being rounded up); and the additional amount of pension under the preceding paragraph for children as specified in that paragraph is the amount arrived at when 74,900 yen per child is multiplied by the revision rate (but, for up to two of those children, the additional amount of pension under the preceding paragraph is the amount arrived at when 224,700 yen is multiplied by the revision rate for each of them, rounded to the nearest hundred, with amounts less than 50 yen being rounded down and amounts between 50 yen and 99 yen being rounded up).

3 受給権者がその権利を取得した当時胎児であつた子が出生したときは、第一項の規定の適用については、その子は、受給権者がその権利を取得した当時その者によつて生計を維持していた子とみなし、その出生の月の翌月から、年金の額を改定する。

(3) To apply the provisions of paragraph (1), once a child is born who was in utero at the time the beneficiary acquired the right to receive benefits, the child is deemed to have been receiving financial support from the beneficiary at the

time the beneficiary acquired the right to receive benefits, and the amount of pension is revised from the month following the month of that child's birth.

4 第一項の規定によりその額が加算された老齢厚生年金については、配偶者又は子が次の各号のいずれかに該当するに至ったときは、同項の規定にかかわらず、その者に係る同項の加給年金額を加算しないものとし、次の各号のいずれかに該当するに至った月の翌月から、年金の額を改定する。

(4) Notwithstanding the provisions of paragraph (1), for an employees' old-age pension that has had an amount added thereto pursuant to the provisions of that paragraph, if the spouse or a child comes to fall under one of the following items, the additional amount of pension associated with that person that is referred to in that paragraph is not added, and the amount of pension is revised from the month following the month in which the person comes to fall under one of the following items:

一 死亡したとき。

(i) the person has died;

二 受給権者による生計維持の状態がやんだとき。

(ii) the person has stopped receiving financial support from the beneficiary;

三 配偶者が、離婚又は婚姻の取消しをしたとき。

(iii) the spouse and the beneficiary have divorced or the marriage has been rescinded;

四 配偶者が、六十五歳に達したとき。

(iv) the spouse has reached the age of 65;

五 子が、養子縁組によつて受給権者の配偶者以外の者の養子となつたとき。

(v) the child is legally adopted by a person other than the spouse of the beneficiary;

六 養子縁組による子が、離縁をしたとき。

(vi) the adoptive relationship with a legally adopted child has been dissolved;

七 子が、婚姻をしたとき。

(vii) the child has married;

八 子（障害等級の一級又は二級に該当する障害の状態にある子を除く。）について、十八歳に達した日以後の最初の三月三十一日が終了したとき。

(viii) the first March 31 has passed after the day on which the child (excluding a child with a disability classified as Grade 1 or Grade 2 of the disability grades) has reached the age of 18;

九 障害等級の一級又は二級に該当する障害の状態にある子（十八歳に達する日以後の最初の三月三十一日までの間にある子を除く。）について、その事情がやんだとき。

(ix) a child with a disability classified as Grade 1 or Grade 2 of the disability grades (other than a child from birth until the first March 31 after the child reaches the age of 18) ceases to be in those circumstances; or

十 子が、二十歳に達したとき。

(x) the child has reached the age of 20.

5 第一項又は前項第二号の規定の適用上、老齢厚生年金の受給権者によつて生計を維持していたこと又はその者による生計維持の状態がやんだことの認定に関し必要な事項は、政令で定める。

(5) Cabinet Order provides for the necessary particulars in connection with certifying that a person was receiving financial support from the beneficiary of an employees' old-age pension in order to apply the provisions of paragraph (1), and provides for the necessary particulars in connection with certifying that a person has stopped receiving financial support from the beneficiary of an employees' old-age pension in order to apply the provisions of item (ii) of the preceding paragraph.

第四十四条の二 削除〔平成二五年六月法律六三号〕

Article 44-2 Deleted (Act No. 63 of June 2013)

(支給の繰下げ)

(Deferment of Payment)

第四十四条の三 老齢厚生年金の受給権を有する者であつてその受給権を取得した日から起算して一年を経過した日（以下この条において「一年を経過した日」という。）前に当該老齢厚生年金を請求していなかつたものは、実施機関に当該老齢厚生年金の支給繰下げの申出をすることができる。ただし、その者が当該老齢厚生年金の受給権を取得したときに、他の年金たる給付（他の年金たる保険給付又は国民年金法による年金たる給付（老齢基礎年金及び付加年金並びに障害基礎年金を除く。）をいう。以下この条において同じ。）の受給権者であつたとき、又は当該老齢厚生年金の受給権を取得した日から一年を経過した日までの間において他の年金たる給付の受給権者となつたときは、この限りでない。

Article 44-3 (1) A person with the right to receive benefits from an employees' old-age pension who has not claimed the employees' old-age pension before the day that marks the passage of one year's time since the day on which the person acquired the right to receive benefits under it (hereinafter referred to as the "day that marks one year's time" since acquisition of the right to receive benefits in this Article) may file a request with the implementing organization for deferred payment of that employees' old-age pension; provided, however, that this does not apply if, at the time that the person acquired the right to receive benefits from the relevant employees' old-age pension, the beneficiary was the beneficiary of other pension benefits (meaning other pension insurance benefits or pension benefits under the National Pension Act (other than an old-age basic pension, additional pension, or basic disability pension); the same applies hereinafter in this Article), or if, during the period up until the day that marks one year's time since the day on which the beneficiary acquired the right to receive benefits under the relevant employees' old-age pension, the

person has become the beneficiary of other pension insurance benefits.

2 一年を経過した日後に次の各号に掲げる者が前項の申出をしたときは、当該各号に定める日において、同項の申出があつたものとみなす。

(2) If a person as set forth in one of the following items makes the request referred to in the preceding paragraph after the day that marks one year's time since the acquisition of the right to receive benefits, the request referred to in that paragraph is deemed to have been made on the day specified in that item:

一 老齢厚生年金の受給権を取得した日から起算して五年を経過した日（次号において「五年を経過した日」という。）前に他の年金たる給付の受給権者となつた者他の年金たる給付を支給すべき事由が生じた日

(i) a person who has become a beneficiary of other pension benefits before the day that marks the passage of five years' time since the day on which the person acquired the right to receive benefits under an employees' old-age pension (referred to in the following item as the "day that marks five years' time" since acquisition of the right to receive benefits): the day on which grounds for payment of the other pension benefits arise; or

二 五年を経過した日後にある者（前号に該当する者を除く。） 五年を経過した日

(ii) a person who is in the time after the day that marks five years' time since acquisition of the right to receive benefits (other than a person who falls under the preceding item): the day that marks five years' time since acquisition of the right to receive benefits.

3 第一項の申出をした者に対する老齢厚生年金の支給は、第三十六条第一項の規定にかかわらず、当該申出のあつた月の翌月から始めるものとする。

(3) Notwithstanding the provisions of Article 36, paragraph (1), the payment of an employees' old-age pension to a person who has filed a request as referred to in paragraph (1) is to commence in the month following the month in which the request is filed.

4 第一項の申出をした者に支給する老齢厚生年金の額は、第四十三条第一項及び第四十四条の規定にかかわらず、これらの規定により計算した額に、老齢厚生年金の受給権を取得した日の属する月の前月までの被保険者期間を基礎として第四十三条第一項の規定の例により計算した額及び第四十六条第一項の規定の例により計算したその支給を停止するものとされた額を勘案して政令で定める額を加算した額とする。

(4) Notwithstanding the provisions of Article 43, paragraph (1) and Article 44, the amount of the employees' old-age pension to be paid to a person who has filed a request as referred to in paragraph (1) is the amount arrived at when the amount calculated in accordance with these provisions is added to the amount prescribed by Cabinet Order in consideration of the amount calculated pursuant to the provisions of Article 43, paragraph (1) based on the insured period up to the month before the month that includes the day on which the person acquires the right to receive benefits from the employees' old-age pension and the amount calculated pursuant to the provisions of Article 46,

paragraph (1) for the payment it has been decided to suspend.

(失権)

(Loss of Rights)

第四十五条 老齢厚生年金の受給権は、受給権者が死亡したときは、消滅する。

Article 45 The right to benefits from an employees' old-age pension ceases to exist when the beneficiary dies.

(支給停止)

(Suspension of Payment)

第四十六条 老齢厚生年金の受給権者が被保険者（前月以前の月に属する日から引き続き当該被保険者の資格を有する者に限る。）である日（厚生労働省令で定める日を除く。）、国会議員若しくは地方公共団体の議会の議員（前月以前の月に属する日から引き続き当該国会議員又は地方公共団体の議会の議員である者に限る。）である日又は七十歳以上の使用される者（前月以前の月に属する日から引き続き当該適用事業所において第二十七条の厚生労働省令で定める要件に該当する者に限る。）である日が属する月において、その者の標準報酬月額とその月以前の一年間の標準賞与額の総額を十二で除して得た額とを合算して得た額（国会議員又は地方公共団体の議会の議員については、その者の標準報酬月額に相当する額として政令で定める額とその月以前の一年間の標準賞与額及び標準賞与額に相当する額として政令で定める額の総額を十二で除して得た額とを合算して得た額とし、七十歳以上の使用される者（国会議員又は地方公共団体の議会の議員を除く。次項において同じ。）については、その者の標準報酬月額に相当する額とその月以前の一年間の標準賞与額及び標準賞与額に相当する額の総額を十二で除して得た額とを合算して得た額とする。以下「総報酬月額相当額」という。）及び老齢厚生年金の額（第四十四条第一項に規定する加給年金額及び第四十四条の三第四項に規定する加算額を除く。以下この項において同じ。）を十二で除して得た額（以下この項において「基本月額」という。）との合計額が支給停止調整額を超えるときは、その月の分の当該老齢厚生年金について、総報酬月額相当額と基本月額との合計額から支給停止調整額を控除して得た額の二分の一に相当する額に十二を乗じて得た額（以下この項において「支給停止基準額」という。）に相当する部分の支給を停止する。ただし、支給停止基準額が老齢厚生年金の額以上であるときは、老齢厚生年金の全部（同条第四項に規定する加算額を除く。）の支給を停止するものとする。

Article 46 (1) In a month that includes a day on which the beneficiary of the employees' old-age pension is an insured (limited to a person who has had the status of an insured continuously from a day that fell in the month before the previous month) (excluding a day specified by Order of the Ministry of Health, Labour and Welfare), a day on which the beneficiary is a member of the Diet or a member of the assembly of a local government (limited to a person who has been the member of the Diet or the assembly of a local government continuously from a day that fell in the month before the previous month), or a

day on which the beneficiary is an employed person age 70 or over (but only one meeting the requirements specified by Order of the Ministry of Health, Labour and Welfare that are referred to in Article 27 continuously from a day that falls in the month before the previous month at an applicable place of business), if the amount arrived at when first the total of the standardized amounts of bonuses for the one-year period prior to the relevant month, divided by 12, is added to the person's standardized monthly amount of remuneration (or, in the case of a member of the Diet or a member of the assembly of a local government, the amount arrived at when first the total of the amounts of bonuses for the one-year period prior to that month and amounts prescribed by Cabinet Order as being equivalent to the standardized amounts of bonuses for the one-year period prior to that month is divided by 12, and then the quotient is added to the amount prescribed by Cabinet Order as being equivalent to the person's standardized monthly amount of remuneration; or, in the case of an employed person age 70 or over (other than one who is also a member of the Diet or a member of the assembly of a local government; the same applies in the following paragraph), the amount arrived at when first the sum total of the standardized amounts of bonuses for the one-year period prior to that month and amounts equivalent to standardized amounts of bonuses for the one-year period prior to that month is divided by 12, and then the quotient is added to the amount equivalent to the standardized monthly amount of remuneration; the sum thus arrived at above is hereinafter referred to as the "amount equivalent to total monthly remuneration"), and this sum is added to the amount arrived at when the amount of employees' old-age pension (excluding the amount of additional pension provided for in Article 44, paragraph (1) and additional amounts provided for in Article 44-3, paragraph (4): the same applies hereinafter in this paragraph) is divided by 12 (hereinafter referred to in this paragraph as the "base monthly amount") exceeds the amount of the adjustment for the suspension of payment, payment is suspended on the portion of that month's employees' old-age pension that is equal to the amount arrived at when the amount equivalent to total monthly remuneration is added to the base monthly amount, the amount of the adjustment for the suspension of payment is subtracted from the sum, and the amount equivalent to one-half of the difference is multiplied by 12 (hereinafter referred to in this paragraph as the "standard amount for a payment suspension"); provided, however, that if the standard amount for a payment suspension is equal to or greater than the amount of the employees' old-age pension, the payment of employees' old-age pension (excluding the additional amount provided for in paragraph (4) of that Article) is suspended in its entirety.

- 2 第二十条から第二十五条までの規定は、前項の七十歳以上の使用される者の標準報酬月額に相当する額及び標準賞与額に相当する額を算定する場合に準用する。この場

合において、これらの規定に関し必要な技術的読替えは、政令で定める。

(2) The provisions of Articles 20 through 25 apply mutatis mutandis when the amount equal to the standardized monthly amount of remuneration and the standardized amount of bonuses of an employed person age 70 or over as referred to in the preceding paragraph are calculated. Cabinet Order provides for the necessary technical replacement of terms in connection with those provisions in such a case.

3 第一項の支給停止調整額は、四十八万円とする。ただし、四十八万円に平成十七年度以後の各年度の物価変動率に第四十三条の二第一項第二号に掲げる率を乗じて得た率をそれぞれ乗じて得た額（その額に五千円未満の端数が生じたときは、これを切り捨て、五千円以上一万円未満の端数が生じたときは、これを一万円に切り上げるものとする。以下この項において同じ。）が四十八万円（この項の規定による支給停止調整額の改定の措置が講ぜられたときは、直近の当該措置により改定した額）を超え、又は下るに至つた場合においては、当該年度の四月以後の支給停止調整額を当該乗じて得た額に改定する。

(3) The amount of the adjustment for the suspension of payment specified in paragraph (1) is 480,000 yen; provided, however, that if any of the amounts arrived at when the rate set forth in Article 43-2, paragraph (1), item (ii) is multiplied by the price fluctuation rate in each of the fiscal years in and after fiscal 2005, and each of those rates is multiplied by 480,000 yen (those amounts are rounded to the closest 10,000 yen, with amounts under 5,000 yen being rounded down and amounts between 5,000 yen and 9,999 yen being rounded up; the same applies hereinafter in this paragraph) exceeds or falls below 480,000 yen (or, if measures to revise the amount of the adjustment for the suspension of payment under the provisions of this paragraph are taken, the amount revised by the immediately preceding measures in question), the amount of the adjustment for the suspension of payment after April of the relevant fiscal year is revised to the amount arrived at through that multiplication.

4 前項ただし書の規定による支給停止調整額の改定の措置は、政令で定める。

(4) Cabinet Order provides for measures to revise the amount of the adjustment for the suspension of payment under the provisions of the proviso to the preceding paragraph.

5 第一項の規定により老齢厚生年金の全部又は一部の支給を停止する場合には、第三十六条第二項の規定は適用しない。

(5) The provisions of Article 36, paragraph (2) do not apply if the payment of an employees' old-age pension is suspended, in whole or in part, pursuant to the provisions of paragraph (1).

6 第四十四条第一項の規定によりその額が加算された老齢厚生年金については、同項の規定によりその者について加算が行われている配偶者が、老齢厚生年金（その年金額の計算の基礎となる被保険者期間の月数が二百四十以上であるものに限る。）、障



害厚生年金、国民年金法による障害基礎年金その他の年金たる給付のうち、老齢若しくは退職又は障害を支給事由とする給付であつて政令で定めるものの支給を受けることができるときは、その間、同項の規定により当該配偶者について加算する額に相当する部分の支給を停止する。

(6) The part of the payment of benefits under an employees' old-age pension to which an amount has been added pursuant to the provisions of Article 44, paragraph (1), that is equivalent to the amount added pursuant to the provisions of that paragraph for the spouse of a person to whose pension an amount is added pursuant to the provisions of that paragraph is suspended during the time that the spouse is eligible to receive payment of any benefits under an employees' old-age pension (limited to one calculated based on an insured period of 240 months or more), employees' disability pension, basic disability pension under the National Pension Act, or other such pension, that have old age or retirement or disability as the reason for payment and that are specified by Cabinet Order.

### 第三節 障害厚生年金及び障害手当金

#### Section 3 Employees' Disability Pensions and Disability Allowances

(障害厚生年金の受給権者)

(Beneficiary of Employees' Disability Pensions)

第四十七条 障害厚生年金は、疾病にかかり、又は負傷し、その疾病又は負傷及びこれらに起因する疾病（以下「傷病」という。）につき初めて医師又は歯科医師の診療を受けた日（以下「初診日」という。）において被保険者であつた者が、当該初診日から起算して一年六月を経過した日（その期間内にその傷病が治つた日（その症状が固定し治療の効果が期待できない状態に至つた日を含む。以下同じ。）があるときは、その日とし、以下「障害認定日」という。）において、その傷病により次項に規定する障害等級に該当する程度の障害の状態にある場合に、その障害の程度に応じて、その者に支給する。ただし、当該傷病に係る初診日の前日において、当該初診日の属する月の前々月までに国民年金の被保険者期間があり、かつ、当該被保険者期間に係る保険料納付済期間と保険料免除期間とを合算した期間が当該被保険者期間の三分の二に満たないときは、この限りでない。

Article 47 (1) If a person who has contracted an illness or suffered an injury and who was an insured on the day on which the person underwent the first medical examination with a doctor or dentist in connection for that illness, injury, or for an additional illness caused by that illness or injury (those illnesses or injuries are hereinafter referred to as "injury or illness") (that day is hereinafter referred to as the "day of initial examination") has a disability of a degree of severity that is classified as any of the disability grades provided for in the following paragraph due to that injury or illness, as of the day after the day calculated as marking the passage of 1 year and 6 months' time since

the day of initial examination (or, if the injury or illness has healed on any day within this period (including a day on which the symptoms thereof have stabilized and circumstances are such as that no curative effect is expected; the same applies hereinafter), as of that day; any day defined above is hereinafter referred to as the "day of disability assessment"), an employees' disability pension is paid to the person in accordance with the severity of the person's disability; provided, however, that this does not apply if, as of the day before the day of initial examination for the relevant injury or illness, the person had had an insured period under a National Pension that lasted up until the month two months before the month that includes the day of initial examination, and further, the total sum of the premium-paid period and the premium-exemption period does not comprise at least two-thirds of the relevant insured period.

2 障害等級は、障害の程度に応じて重度のものから一級、二級及び三級とし、各級の障害の状態は、政令で定める。

(2) The disability grade is classified in order of severity from Grade 1 to 3, with Grade 1 being the severest, and the description of the disability for each grade is provided by Cabinet Order.

第四十七条の二 疾病にかかり、又は負傷し、かつ、その傷病に係る初診日において被保険者であつた者であつて、障害認定日において前条第二項に規定する障害等級（以下単に「障害等級」という。）に該当する程度の障害の状態になかつたものが、同日後六十五歳に達する日の前日までの間において、その傷病により障害等級に該当する程度の障害の状態に該当するに至つたときは、その者は、その期間内に同条第一項の障害厚生年金の支給を請求することができる。

Article 47-2 (1) If a person who has contracted an illness or suffered an injury, who was an insured on the day of initial examination for that injury or illness, and who did not have a disability of a degree of severity that is classified as any of the disability grades provided for in paragraph (2) of the preceding Article (hereinafter simply referred to as the "disability grades") as of the day of disability assessment, has come to have a disability of a the degree of severity that is classified as any of the disability grades due to that injury or illness during the period from the day until the day before the day on which the person reaches the age of 65, the person is entitled to claim the payment of the employees' disability pension under paragraph (1) of that Article during that period.

2 前条第一項ただし書の規定は、前項の場合に準用する。

(2) The provisions of the proviso to paragraph (1) of the preceding Article apply mutatis mutandis to a case under the preceding paragraph.

3 第一項の請求があつたときは、前条第一項の規定にかかわらず、その請求をした者に同項の障害厚生年金を支給する。

(3) Notwithstanding the provisions of paragraph (1) of the preceding Article, if

the claim under paragraph (1) of this Article is made, employees' disability pension under paragraph (1) of the preceding Article is paid to the person who makes the claim.

第四十七条の三 疾病にかかり、又は負傷し、かつ、その傷病（以下この条において「基準傷病」という。）に係る初診日において被保険者であつた者であつて、基準傷病以外の傷病により障害の状態にあるものが、基準傷病に係る障害認定日以後六十五歳に達する日の前日までの間において、初めて、基準傷病による障害（以下この条において「基準障害」という。）と他の障害とを併合して障害等級の一級又は二級に該当する程度の障害の状態に該当するに至つたとき（基準傷病の初診日が、基準傷病以外の傷病（基準傷病以外の傷病が二以上ある場合は、基準傷病以外のすべての傷病）に係る初診日以降であるときに限る。）は、その者に基準障害と他の障害とを併合した障害の程度による障害厚生年金を支給する。

Article 47-3 (1) If a person has contracted an illness or suffered an injury, was an insured on the day of initial examination for that injury or illness (hereinafter referred to as the "base injury or illness" in this Article) and has a disability due to an injury or illness other than the base injury or illness, and if the severity of that person's disabilities stemming from a combination of the disability arising from the base injury or illness (hereinafter referred to as the "base disability" in this Article) and other disabilities (but only if the day of initial examination of the base injury or illness is on or after the day of initial examination for the injury or illness other than the base injury or illness (if there are two or more injuries or illnesses other than the base injury or illness, for all injuries or illnesses other than the base injury or illness)) comes to be classified as Grade 1 or Grade 2 of the disability grades for the first time during the period from the day of disability assessment for the base injury or illness until the day before the day on which the person reaches the age of 65, the person is paid employees' disability pension in accordance with the severity of the disabilities stemming from a combination of the base disability and other disabilities.

2 第四十七条第一項ただし書の規定は、前項の場合に準用する。この場合において、同条第一項ただし書中「当該傷病」とあるのは、「基準傷病」と読み替えるものとする。

(2) The provisions of the proviso to Article 47, paragraph (1) apply mutatis mutandis to a case under the preceding paragraph. In such a case, the phrase "that injury or illness" in the proviso to paragraph (1) of that Article is deemed to be replaced with "the base injury or illness".

3 第一項の障害厚生年金の支給は、第三十六条第一項の規定にかかわらず、当該障害厚生年金の請求があつた月の翌月から始めるものとする。

(3) Notwithstanding the provisions of Article 36 paragraph (1), payment of employees' disability pension under paragraph (1) of this Article commences

from the month that follows the month in which the claim for the employees' disability pension is made.

(障害厚生年金の併給の調整)

(Adjustment for Combined Benefits under Employees' Disability Pensions)

第四十八条 障害厚生年金（その権利を取得した当時から引き続き障害等級の一級又は二級に該当しない程度の障害の状態にある受給権者に係るものを除く。以下この条、次条、第五十二条第四項、第五十二条の二及び第五十四条第二項ただし書において同じ。）の受給権者に対して更に障害厚生年金を支給すべき事由が生じたときは、前後の障害を併合した障害の程度による障害厚生年金を支給する。

Article 48 (1) If grounds have occurred based on which the beneficiary of an employees' disability pension (excluding the employees' disability pension of a beneficiary who has continuously had a disability of a degree of severity that is not classified as Grade 1 or Grade 2 of the disability grades from the time when the person acquired the right to receive benefits; the same applies hereinafter in this and the following Article, Article 52, paragraph (4), Article 52-2, and the proviso to Article 54-2) is to be paid further employees' disability pension, the employees' disability pension is paid in accordance with the severity of the beneficiary's disabilities stemming from a combination of the beneficiary's previous and subsequent disabilities.

2 障害厚生年金の受給権者が前項の規定により前後の障害を併合した障害の程度による障害厚生年金の受給権を取得したときは、従前の障害厚生年金の受給権は、消滅する。

(2) If the beneficiary of an employees' disability pension has, pursuant to the provisions of the preceding paragraph, acquired a right to benefits under an employees' disability pension for the severity of the beneficiary's disabilities stemming from a combination of the beneficiary's previous and subsequent disabilities, the beneficiary's previous right to benefits under the employees' disability pension ceases to exist.

第四十九条 期間を定めて支給を停止されている障害厚生年金の受給権者に対して更に障害厚生年金を支給すべき事由が生じたときは、前条第一項の規定により支給する前後の障害を併合した障害の程度による障害厚生年金は、従前の障害厚生年金の支給を停止すべきであつた期間、その支給を停止するものとし、その間、その者に従前の障害を併合しない障害の程度による障害厚生年金を支給する。

Article 49 (1) If grounds have occurred based on which the beneficiary of an employees' disability pension whose payment has been suspended for a fixed period is to be paid further employees' disability pension, the employees' disability pension that is to be paid pursuant to the provisions of paragraph (1) of the preceding Article in accordance with the severity of the beneficiary's disabilities stemming from a combination of the beneficiary's previous and

subsequent disabilities, is to have its payment suspended for the period during which payment of the prior employees' disability pension is to be suspended, and employees' disability pension is paid to the person during that period in accordance with the severity of the beneficiary's disability when not combined with the previous disability.

2 障害厚生年金の受給権者が更に障害厚生年金の受給権を取得した場合において、新たに取得した障害厚生年金が第五十四条第一項の規定によりその支給を停止すべきものであるときは、前条第二項の規定にかかわらず、その停止すべき期間、その者に対して従前の障害厚生年金を支給する。

(2) Notwithstanding the provisions of paragraph (2) of the preceding Article, if the beneficiary of an employees' disability pension has acquired a further right to an employees' disability pension and the payment of the newly acquired employees' disability pension is to be suspended pursuant to the provisions of Article 54, paragraph (1), the prior employees' disability pension is paid during the period that the payment is to be suspended.

(障害厚生年金の額)

(Amount of an Employees' Disability Pension)

第五十条 障害厚生年金の額は、第四十三条第一項の規定の例により計算した額とする。この場合において、当該障害厚生年金の額の計算の基礎となる被保険者期間の月数が三百に満たないときは、これを三百とする。

Article 50 (1) The amount of an employees' disability pension is an amount calculated pursuant to the provisions of Article 43, paragraph (1). If the number of months in the insured period that constitutes the basis for calculating the amount of the employees' disability pension in such a case is under 300, it is regarded as 300.

2 障害の程度が障害等級の一級に該当する者に支給する障害厚生年金の額は、前項の規定にかかわらず、同項に定める額の百分の百二十五に相当する額とする。

(2) Notwithstanding the provisions of the preceding paragraph, the amount of employees' disability pension to be paid to a person who has a disability of a degree of severity that is classified as Grade 1 of the disability grades is an amount equal to 125/100 of the amount provided for in that paragraph.

3 障害厚生年金の給付事由となつた障害について国民年金法による障害基礎年金を受けることができない場合において、障害厚生年金の額が国民年金法第三十三条第一項に規定する障害基礎年金の額に四分の三を乗じて得た額（その額に五十円未満の端数が生じたときは、これを切り捨て、五十円以上百円未満の端数が生じたときは、これを百円に切り上げるものとする。）に満たないときは、前二項の規定にかかわらず、当該額をこれらの項に定める額とする。

(3) Notwithstanding the provisions of the preceding two paragraphs, if a disability constituting the grounds for benefits under an employees' disability pension is not one for which a basic disability pension under the National

Pension Act may be received, and the amount of the employees' disability pension is less than the amount arrived at when the amount of a basic disability pension provided for in Article 33, paragraph (1) of the National Pension Act is multiplied by three-quarters (3/4) (this amount is rounded to the nearest hundred, with amounts less than 50 yen being rounded down, and amounts between 50 yen and 99 yen being rounded up), the relevant amount is the amount provided for in these paragraphs.

4 第四十八条第一項の規定による障害厚生年金の額は、その額が同条第二項の規定により消滅した障害厚生年金の額より低額であるときは、第一項及び第二項の規定にかかわらず、従前の障害厚生年金の額に相当する額とする。

(4) Notwithstanding the provisions of paragraphs (1) and (2), if the amount of an employees' disability pension under the provisions of Article 48, paragraph (1) is lower than the amount of the employees' disability pension that has ceased to exist pursuant to the provisions of paragraph (2) of that Article, the amount of the employees' disability pension is an amount equal to the amount of the prior employees' disability pension.

第五十条の二 障害の程度が障害等級の一級又は二級に該当する者に支給する障害厚生年金の額は、受給権者によつて生計を維持しているその者の六十五歳未満の配偶者があるときは、前条の規定にかかわらず、同条に定める額に加給年金額を加算した額とする。

Article 50-2 (1) Notwithstanding the provisions of the preceding Article, if the beneficiary has a spouse under 65 years old who is receiving financial support from the beneficiary, the amount of employees' disability pension paid to a person who has a disability of a degree of severity that is classified as Grade 1 or Grade 2 of the disability grades is the amount that is calculated when an additional amount of pension is added to the amount provided for in the preceding Article.

2 前項に規定する加給年金額は、二十二万四千七百円に改定率を乗じて得た額（その額に五十円未満の端数が生じたときは、これを切り捨て、五十円以上百円未満の端数が生じたときは、これを百円に切り上げるものとする。）とする。

(2) The additional amount of pension provided for in the preceding paragraph is the amount arrived at when the revision rate is multiplied by 224,700 yen (such an amount is rounded to the nearest hundred, with amounts less than 50 yen being rounded down, and amounts between 50 yen and 99 yen being rounded up).

3 受給権者がその権利を取得した日の翌日以後にその者によつて生計を維持しているその者の六十五歳未満の配偶者を有するに至つたことにより第一項に規定する加給年金額を加算することとなつたときは、当該配偶者を有するに至つた日の属する月の翌月から、障害厚生年金の額を改定する。

(3) If an additional amount of pension provided for in paragraph (1) will be added

due to the fact that on or after the day following the date on which the beneficiary acquired the right to receive benefits, the beneficiary has come to have a spouse under 65 years old who is receiving financial support from the beneficiary, the amount of employees' disability pension is revised from the month following the month that includes the day on which the beneficiary came to have that spouse.

4 第四十四条第四項（第五号から第十号までを除く。）の規定は、第一項の規定によりその額が加算された障害厚生年金について準用する。

(4) The provisions of Article 44, paragraph (4) (excluding items (v) through (x)) apply mutatis mutandis to an employees' disability pension whose amount has been added to pursuant to the provisions of paragraph (1).

5 第一項又は前項において準用する第四十四条第四項第二号の規定の適用上、障害厚生年金の受給権者によつて生計を維持していること又はその者による生計維持の状態がやんだことの認定に関し必要な事項は、政令で定める。

(5) Cabinet Order provides for the necessary particulars in connection with certifying that a person is receiving financial support from the beneficiary of an employees' disability pension in order to apply the provisions of paragraph (1), and provides for the necessary particulars in connection with certifying that a person has stopped receiving financial support from the beneficiary of an employees' disability pension in order to apply the provisions of Article 44, paragraph (4), item (ii) as applied mutatis mutandis pursuant to the preceding paragraph.

第五十一条 第五十条第一項に定める障害厚生年金の額については、当該障害厚生年金の支給事由となつた障害に係る障害認定日（第四十七条の三第一項の規定による障害厚生年金については同項に規定する基準傷病に係る障害認定日とし、第四十八条第一項の規定による障害厚生年金については併合されたそれぞれの障害に係る障害認定日（第四十七条の三第一項に規定する障害については、同項に規定する基準障害に係る障害認定日）のうちいずれか遅い日とする。）の属する月後における被保険者であつた期間は、その計算の基礎としない。

Article 51 With respect to the amount of an employees' disability pension provided for in Article 50, paragraph (1), the period during which a person was an insured after the month that includes the day of disability assessment for the disability that constitutes the grounds for payment of the relevant employees' disability pension (or, for the employees' disability pension under the provisions of Article 47-3, paragraph (1), the day of disability assessment for the base injury or illness provided for in that paragraph; or, for the employees' disability pension under the provisions of Article 48, paragraph (1), whichever is the latest day among the days of disability assessment for each of the combined disabilities (or, for a disability provided for in Article 47-3, paragraph (1), the day of disability assessment for the base disability provided

for in that paragraph)) is not a basis for its calculation.

第五十二条 実施機関は、障害厚生年金の受給権者について、その障害の程度を診査し、その程度が従前の障害等級以外の障害等級に該当すると認めるときは、その程度に応じて、障害厚生年金の額を改定することができる。

Article 52 (1) If the implementing organization examines the severity of the disability of a beneficiary of the employees' disability pension and finds its degree of severity to be classified as any disability grade other than the previous one, the Minister may revise the amount of the employees' disability pension in accordance with its severity.

2 障害厚生年金の受給権者は、実施機関に対し、障害の程度が増進したことによる障害厚生年金の額の改定を請求することができる。

(2) A beneficiary of an employees' disability pension may request the implementing organization to revise the amount of employees' disability pension on account that the severity of disability has worsen.

3 前項の請求は、障害厚生年金の受給権者の障害の程度が増進したことが明らかである場合として厚生労働省令で定める場合を除き、当該障害厚生年金の受給権を取得した日又は第一項の規定による実施機関の診査を受けた日から起算して一年を経過した日後でなければ行うことができない。

(3) A request under the preceding paragraph may only be made after one year has passed since the day on which the beneficiary acquired a right to benefits under an employees' disability pension or underwent an examination by the implementing organization pursuant to the provisions of paragraph (1), except in a case specified by Order of the Ministry of Health, Labour and Welfare as one in which it is clear that the severity of disability of the beneficiary of the employees' disability pension has worsen.

4 障害厚生年金の受給権者であつて、疾病にかかり、又は負傷し、かつ、その傷病（当該障害厚生年金の支給事由となつた障害に係る傷病の初診日後に初診日があるものに限る。以下この項及び第五十四条第二項ただし書において同じ。）に係る当該初診日において被保険者であつたものが、当該傷病により障害（障害等級の一級又は二級に該当しない程度のものに限る。以下この項及び同条第二項ただし書において「その他障害」という。）の状態にあり、かつ、当該傷病に係る障害認定日以後六十五歳に達する日の前日までの間において、当該障害厚生年金の支給事由となつた障害とその他障害（その他障害が二以上ある場合は、全てのその他障害を併合した障害）とを併合した障害の程度が当該障害厚生年金の支給事由となつた障害の程度より増進したときは、その者は、実施機関に対し、その期間内に障害厚生年金の額の改定を請求することができる。

(4) If a beneficiary of an employees' disability pension who has contracted an illness or suffered an injury and who was an insured on the day of initial examination for that injury or illness (limited to an injury or illness for which the day of initial examination comes after the day of initial examination for the



injury or illness that constitutes the grounds for payment of the relevant employees' disability pension; the same applies hereinafter in this paragraph and the proviso to Article 54, paragraph (2)), has a disability (limited to a disability of a the degree of severity that is not classified as Grade 1 or Grade 2 of the disability grades; hereinafter referred to as "another disability" in this paragraph and the proviso of paragraph (2) of that Article) due to that injury or illness, and if the severity of the beneficiary's disabilities stemming from a combination of the disability constituting the grounds for payment of the relevant employees' disability pension and the other disability (or all other disabilities, if there are two or more other disabilities) has become worse than that of the disability constituting the grounds for payment of that pension during the period from the day of disability assessment for that injury or illness until the day on which the beneficiary reaches 65 years of age, the beneficiary may request the implementing organization to revise the amount of employees' disability pension within that period.

5 第四十七条第一項ただし書の規定は、前項の場合に準用する。

(5) The provisions under the proviso to Article 47 paragraph (1) apply mutatis mutandis to a case under the preceding paragraph.

6 第一項の規定により障害厚生年金の額が改定されたときは、改定後の額による障害厚生年金の支給は、改定が行われた月の翌月から始めるものとする。

(6) If the amount of an employees' disability pension has been revised pursuant to the provisions of paragraph (1), the payment of the revised amount of employees' disability pension is to commence from the month following the month of the revision.

7 第一項から第三項まで及び前項の規定は、六十五歳以上の者であつて、かつ、障害厚生年金の受給権者（当該障害厚生年金と同一の支給事由に基づく国民年金法による障害基礎年金の受給権を有しないものに限る。）については、適用しない。

(7) The provisions of paragraphs (1) through (3) and the preceding paragraph do not apply to a person who is 65 years of age or older and also the beneficiary of an employees' disability pension (limited to a person who has no right to receive benefits from a basic disability pension under the National Pension Act based on the same grounds for payment of the relevant employees' disability pension).

第五十二条の二 障害厚生年金の受給権者が、国民年金法による障害基礎年金（当該障害厚生年金と同一の支給事由に基づいて支給されるものを除く。）の受給権を有するに至つたときは、当該障害厚生年金の支給事由となつた障害と当該障害基礎年金の支給事由となつた障害とを併合した障害の程度に応じて、当該障害厚生年金の額を改定する。

Article 52-2 (1) If the beneficiary of an employees' disability pension has come to have a right to receive benefits from a basic disability pension (excluding one

that is paid based on the same grounds as the employees' disability pension) under the National Pension Act, the amount of the employees' disability pension in question is revised according to the severity of the beneficiary's disabilities stemming from a combination of the disability constituting the grounds for payment of the employees' disability pension and the disability constituting the grounds for payment of the basic disability pension.

2 障害厚生年金の受給権者が、国民年金法による障害基礎年金の受給権を有する場合において、同法第三十四条第四項及び第三十六条第二項ただし書の規定により併合された障害の程度が当該障害基礎年金の支給事由となつた障害の程度より増進したときは、これらの規定により併合された障害の程度に応じて、当該障害厚生年金の額を改定する。

(2) If the beneficiary of an employees' disability pension has a right to receive benefits from a basic disability pension under the National Pension Act, and the severity of the disabilities stemming from a combination under the provisions of Article 34, paragraph (4) and the proviso to paragraph (2) of Article 36 of that Act has become worse than that of the disability that constitutes the grounds for payment of the relevant basic disability pension, the amount of the relevant employees' disability pension is revised according to the severity of the disabilities stemming from a combination under these provisions.

(失権)

(Loss of Rights)

第五十三条 障害厚生年金の受給権は、第四十八条第二項の規定によつて消滅するほか、受給権者が次の各号のいずれかに該当するに至つたときは、消滅する。

Article 53 In addition to the right to receive benefits from an employees' disability pension ceasing to exist pursuant to the provisions of Article 48, paragraph (2), this right ceases to exist if the beneficiary comes to fall under any of the following items:

一 死亡したとき。

(i) the beneficiary has died;

二 障害等級に該当する程度の障害の状態にない者が、六十五歳に達したとき。ただし、六十五歳に達した日において、障害等級に該当する程度の障害の状態に該当しなくなつた日から起算して障害等級に該当する程度の障害の状態に該当することなく三年を経過していないときを除く。

(ii) the beneficiary who does not have a disability of a degree of severity that is classified as any disability grade has reached the age of 65; provided, however, that this is excluded if, as of the day on which the beneficiary has reached the age of 65, the beneficiary has not gone three years without having a disability of a degree of severity that is classified as any disability grade, counting from the day on which the person ceased to have a disability

of a degree of severity that is classified as any disability grade; or  
三 障害等級に該当する程度の障害の状態に該当しなくなつた日から起算して障害等級に該当する程度の障害の状態に該当することなく三年を経過したとき。ただし、三年を経過した日において、当該受給権者が六十五歳未満であるときを除く。

(iii) the beneficiary has gone three years, counting from the day on which the beneficiary ceased to have a disability of a degree of severity that is classified as any disability grade, without having a disability of a degree of severity that is classified as any disability grade; provided, however, that this is excluded if the relevant beneficiary is not yet 65 years of age on the day that marks the passage of three years' time without a disability of that degree of severity.

(支給停止)

(Suspension of Payment)

第五十四条 障害厚生年金は、その受給権者が当該傷病について労働基準法（昭和二十二年法律第四十九号）第七十七条の規定による障害補償を受ける権利を取得したときは、六年間、その支給を停止する。

Article 54 (1) Payment of an employees' disability pension is suspended for a period of six years if the beneficiary acquires the right to receive disability compensation pursuant to the provisions of Article 77 of the Labor Standards Act (Act No. 49 of 1947) with regard to the relevant injury or illness.

2 障害厚生年金は、受給権者が障害等級に該当する程度の障害の状態に該当しなくなつたときは、その障害の状態に該当しない間、その支給を停止する。ただし、その支給を停止された障害厚生年金の受給権者が疾病にかかり、又は負傷し、かつ、その傷病に係る初診日において被保険者であつた場合であつて、当該傷病によりその他障害の状態にあり、かつ、当該傷病に係る障害認定日以後六十五歳に達する日の前日までの間において、当該障害厚生年金の支給事由となつた障害とその他障害（その他障害が二以上ある場合は、すべてのその他障害を併合した障害）とを併合した障害の程度が障害等級の一級又は二級に該当するに至つたときは、この限りでない。

(2) If a beneficiary has ceased to have a disability of a degree of severity that is classified as any disability grade, payment of an employees' disability pension is suspended during the period of time in which the beneficiary does not have that disability; provided, however, that this does not apply if the beneficiary of an employees' disability pension has contracted an illness or suffered an injury and was an insured on the day of initial examination for that injury or illness, the beneficiary has other disabilities caused by that injury or illness, and, during the period after the day of disability assessment for the relevant injury or illness up to the day before the date on which the beneficiary reaches the age of 65, the degree of severity of the disabilities stemming from a combination of the disability constituting the grounds for payment of the relevant employees' disability pension and the other disability (or, if there are

two or more other disabilities, the disability combined with all other disabilities) is classified as Grade 1 or Grade 2 of the disability grades.

3 第四十六条第六項の規定は、障害厚生年金について、第四十七条第一項ただし書の規定は、前項ただし書の場合について準用する。

(3) The provisions of Article 46, paragraph (6) apply mutatis mutandis to the employees' disability pension, and the provisions of the proviso to Article 47, paragraph (1) apply mutatis mutandis to a case under the proviso to the preceding paragraph.

(障害手当金の受給権者)

(Beneficiary of a Disability Allowance)

第五十五条 障害手当金は、疾病にかかり、又は負傷し、その傷病に係る初診日において被保険者であつた者が、当該初診日から起算して五年を経過する日までの間におけるその傷病の治つた日において、その傷病により政令で定める程度の障害の状態にある場合に、その者に支給する。

Article 55 (1) If a person who has contracted an illness or suffered an injury and who was an insured on the day of initial examination for the injury or illness has a disability of the degree of severity prescribed by Cabinet Order as a result of that injury or illness as of the day on which the injury or illness has healed, within the period from the relevant day of initial examination until the day that marks the passage of five years' time since that day, a disability allowance is paid to that person.

2 第四十七条第一項ただし書の規定は、前項の場合に準用する。

(2) The provisions of the proviso of Article 47, paragraph (1) apply mutatis mutandis to a case under the preceding paragraph.

第五十六条 前条の規定により障害の程度を定めるべき日において次の各号のいずれかに該当する者には、同条の規定にかかわらず、障害手当金を支給しない。

Article 56 Notwithstanding the provisions of the preceding Article, a disability allowance is not paid to a person who falls under any of the following items on the day on which the degree of severity of the person's disability is determined pursuant to the provisions of that Article:

一 年金たる保険給付の受給権者（最後に障害等級に該当する程度の障害の状態（以下この条において「障害状態」という。）に該当しなくなつた日から起算して障害状態に該当することなく三年を経過した障害厚生年金の受給権者（現に障害状態に該当しない者に限る。）を除く。）

(i) a beneficiary of pension insurance benefits (excluding the beneficiary of an employees' disability pension who has gone three years, counting from the last day on which the beneficiary ceased to have a disability of a degree of severity that is classified as any disability grade (having that disability is hereinafter referred to in this Article as "having a disability"), without being

classified as having a disability (but only a beneficiary who does not have a disability at the time in question));

二 国民年金法による年金たる給付の受給権者（最後に障害状態に該当しなくなつた日から起算して障害状態に該当することなく三年を経過した障害基礎年金の受給権者（現に障害状態に該当しない者に限る。）その他の政令で定める者を除く。）

(ii) a beneficiary of pension benefits under the National Pension Act (excluding the beneficiary of a basic disability pension who has gone three years, counting from the last day on which the beneficiary ceased have a disability, without being classified as having a disability (but only a beneficiary who does not have a disability at the time in question), and other persons specified by Cabinet Order); or

三 当該傷病について国家公務員災害補償法（昭和二十六年法律第百九十一号。他の法律において準用する場合を含む。）、地方公務員災害補償法（昭和四十二年法律第百二十一号）若しくは同法に基づく条例、公立学校の学校医、学校歯科医及び学校薬剤師の公務災害補償に関する法律（昭和三十二年法律第百四十三号）若しくは労働基準法第七十七条の規定による障害補償、労働者災害補償保険法（昭和二十二年法律第五十号）の規定による障害補償給付若しくは障害給付又は船員保険法による障害を支給事由とする給付を受ける権利を有する者

(iii) persons who have the right to receive, for the relevant injury or illness, disability compensation pursuant to the provisions of the National Public Officers' Accident Compensation Act (Act No. 191 of 1951; including as applied mutatis mutandis pursuant to other Acts) or Local Public Officers' Accident Compensation Act (Act No. 121 of 1967) or the prefectural ordinances issued under that Act, the Act on Occupational Accident Compensation for Public School Physicians, Dentists, and Pharmacists (Act No. 143 of 1957) or Article 77 of the Labor Standards Act, disability compensation benefits or disability benefits pursuant to the provisions of the Workmen's Accident Compensation Insurance Act (Act No. 50 of 1947), or benefits to be paid due to a disability pursuant to the provisions of the Mariners Insurance Act.

(障害手当金の額)

(Amount of Disability Allowance)

第五十七条 障害手当金の額は、第五十条第一項の規定の例により計算した額の百分の二百に相当する額とする。ただし、その額が同条第三項に定める額に二を乗じて得た額に満たないときは、当該額とする。

Article 57 The amount of a disability allowance is an amount equal to 200/100 of the amount calculated pursuant to the provisions of Article 50, paragraph (1); provided, however, that if this amount is less than the amount arrived at when the number 2 is multiplied by the amount specified in paragraph (3) of that Article, the amount thus arrived at is paid.

#### 第四節 遺族厚生年金

#### Section 4 Employees' Pension for Surviving Family

(受給権者)

(Beneficiary)

第五十八条 遺族厚生年金は、被保険者又は被保険者であつた者が次の各号のいずれかに該当する場合に、その者の遺族に支給する。ただし、第一号又は第二号に該当する場合にあつては、死亡した者につき、死亡日の前日において、死亡日の属する月の前々月までに国民年金の被保険者期間があり、かつ、当該被保険者期間に係る保険料納付済期間と保険料免除期間とを合算した期間が当該被保険者期間の三分の二に満たないときは、この限りでない。

Article 58 (1) If the insured or former insured falls under any one of the following items, an employees' pension for surviving family is paid to the surviving family of the insured or former insured; provided, however, that this does not apply, in a case that falls under item (i) or (ii) if, as of the day before the day of death, the deceased person had had an insured period under National Pension that lasted up until the month two months before the month that includes the day of death, and further, the total sum of the premium-paid period and the premium-exemption period does not comprise at least two-thirds of the relevant insured period:

一 被保険者（失踪の宣告を受けた被保険者であつた者であつて、行方不明となつた当時被保険者であつたものを含む。）が、死亡したとき。

(i) the insured (including a former insured who was subject to an adjudication of disappearance and who was insured at the time that the whereabouts of the person became unknown) has died;

二 被保険者であつた者が、被保険者の資格を喪失した後に、被保険者であつた間に初診日がある傷病により当該初診日から起算して五年を経過する日前に死亡したとき。

(ii) a former insured has, after forfeiting status as an insured, died of an injury or illness for which the day of initial examination was within the period during which the person was an insured, prior to the day on which five years have elapsed counting from the relevant day of initial examination;

三 障害等級の一級又は二級に該当する障害の状態にある障害厚生年金の受給権者が、死亡したとき。

(iii) the beneficiary of an employees' disability pension who had a disability classified as the Grade 1 or Grade 2 of the disability grades has died; or

四 老齢厚生年金の受給権者（保険料納付済期間と保険料免除期間とを合算した期間が二十五年以上である者に限る。）又は保険料納付済期間と保険料免除期間とを合算した期間が二十五年以上である者が、死亡したとき。

(iv) the beneficiary of an employees' old-age pension (limited to a person whose

total sum of the premium-paid period and the premium-exemption period is no less than twenty-five years) or a person whose total sum of the premium-paid period and the premium-exemption period is no less than twenty-five years has died.

2 前項の場合において、死亡した被保険者又は被保険者であつた者が同項第一号から第三号までのいずれかに該当し、かつ、同項第四号にも該当するときは、その遺族が遺族厚生年金を請求したときに別段の申出をした場合を除き、同項第一号から第三号までのいずれかのみ該当し、同項第四号には該当しないものとみなす。

(2) In a case as referred to in the preceding paragraph, if an insured or former insured who has died falls under any one of items (i) through (iii) of that paragraph, and also falls under item (iv) of that paragraph, the person is deemed to fall only under any one of the items (i) through (iii), and not to fall under item (iv) of that paragraph, unless otherwise specifically requested by the surviving family member of that person if that surviving family member claims the employees' pension for surviving family.

(遺族)

(Surviving Family)

第五十九条 遺族厚生年金を受けることができる遺族は、被保険者又は被保険者であつた者の配偶者、子、父母、孫又は祖父母（以下単に「配偶者」、「子」、「父母」、「孫」又は「祖父母」という。）であつて、被保険者又は被保険者であつた者の死亡の当時（失踪の宣告を受けた被保険者であつた者にあつては、行方不明となつた当時。以下この条において同じ。）その者によつて生計を維持したものとする。ただし、妻以外の者にあつては、次に掲げる要件に該当した場合に限るものとする。

Article 59 (1) The surviving family members who may receive an employees' pension for surviving family are the spouse, child, parent, grandchild, or grandparent of an insured or former insured (hereinafter simply referred to as the "spouse", "child", "parent", "grandchild", and "grandparent"), who was receiving financial support from the person at the time of the person's death (in the case of a former insured who was subject to an adjudication of disappearance, at the time that the whereabouts of the person became unknown; the same applies hereinafter in this Article); provided, however, that for persons other than a wife, this is limited to a case in which that person satisfies the following requirements:

一 夫、父母又は祖父母については、五十五歳以上であること。

(i) if the person is the husband, parent, or grandparent of the insured or former insured, the requirement of being 55 years of age or older; and

二 子又は孫については、十八歳に達する日以後の最初の三月三十一日までの間にあるか、又は二十歳未満で障害等級の一級若しくは二級に該当する障害の状態にあり、かつ、現に婚姻をしていないこと。

(ii) if the person is the child or grandchild of the insured or former insured, the

requirement of either being within the period from birth until the first March 31 after the day on which the person reaches the age of 18, or of being under the age of 20 and having a disability classified as Grade 1 or Grade 2 of the disability grades; and also, the requirement of not being married at the time in question, in either case.

2 前項の規定にかかわらず、父母は、配偶者又は子が、孫は、配偶者、子又は父母が、祖父母は、配偶者、子、父母又は孫が遺族厚生年金の受給権を取得したときは、それぞれ遺族厚生年金を受けることができる遺族としない。

(2) Notwithstanding the provisions of the preceding paragraph, if the person's spouse or child has acquired the right to receive benefits from an employees' pension for surviving family, the person's parent does not constitute a surviving family member who may receive an employees' pension for surviving family; if the spouse, child, or parent has acquired the right to receive those benefits, the person's grandchild does not constitute a surviving family member who may receive that pension; and if the person's spouse, child, parent, or grandchild has acquired the right to receive those benefits, the person's grandparent does not constitute a surviving family member who may receive that pension.

3 被保険者又は被保険者であつた者の死亡の当時胎児であつた子が出生したときは、第一項の規定の適用については、将来に向つて、その子は、被保険者又は被保険者であつた者の死亡の当時その者によつて生計を維持していた子とみなす。

(3) To apply the provisions of paragraph (1) when a child is born who was in utero at the time of the insured's or former insured's death, the child is deemed, prospectively, to have been receiving financial support from the insured or former insured at the time of death thereof.

4 第一項の規定の適用上、被保険者又は被保険者であつた者によつて生計を維持していたことの認定に関し必要な事項は、政令で定める。

(4) Cabinet Order provides for the necessary particulars in connection with certifying that a person was receiving financial support from the insured or former insured in order to apply the provisions of paragraph (1).

(死亡の推定)

(Presumption of Death)

第五十九条の二 船舶が沈没し、転覆し、滅失し、若しくは行方不明となつた際現にその船舶に乗つていた被保険者若しくは被保険者であつた者若しくは船舶に乗つていてその船舶の航行中に行方不明となつた被保険者若しくは被保険者であつた者の生死が三月間わからない場合又はこれらの者の死亡が三月以内に明らかとなり、かつ、その死亡の時期がわからない場合には、遺族厚生年金の支給に関する規定の適用については、その船舶が沈没し、転覆し、滅失し、若しくは行方不明となつた日又はその者が行方不明となつた日に、その者は、死亡したものと推定する。航空機が墜落し、滅失し、若しくは行方不明となつた際現にその航空機に乗つていた被保険者若しくは被保



険者であつた者若しくは航空機に乗つていてその航空機の航行中に行方不明となつた被保険者若しくは被保険者であつた者の生死が三月間わからない場合又はこれらの者の死亡が三月以内に明らかとなり、かつ、その死亡の時期がわからない場合にも、同様とする。

Article 59-2 To apply the provisions related to the payment of employees' pension for surviving family to a case in which it is not known for a period of three months whether an insured or former insured who was on board a ship at the time it sank, capsized, was destroyed, or went missing is alive or dead; to a case in which it is not known for a period of three months whether an insured or former insured who was on board a ship and went missing while the ship was sailing is alive or dead; or to a case in which it becomes clear within three months that such a person has died but the time of death is unknown; that person is presumed to have died on the day on which the ship sank, capsized, was destroyed, or went missing or on the day on which a person went missing. The same applies if it is not known for a period of three months whether an insured or former insured who was on board an airplane at the time the airplane crashed, was destroyed, or went missing is alive or dead; if it is not known for a period of three months whether an insured or former insured who was on board an airplane and went missing while the airplane was flying is alive or dead; or if it becomes clear within three months that such a person has died but the time of death is unknown.

(年金額)

(Amount of Pension)

第六十条 遺族厚生年金の額は、次の各号に掲げる区分に応じ、当該各号に定める額とする。ただし、遺族厚生年金の受給権者が当該遺族厚生年金と同一の支給事由に基づく国民年金法による遺族基礎年金の支給を受けるときは、第一号に定める額とする。

Article 60 (1) The amount of an employees' pension for surviving family is the amount provided for in each of the following items in accordance with the classification prescribed in the relevant item; provided, however, that this means the amount prescribed in item (i), if a beneficiary of an employees' pension for surviving family receives a basic pension for surviving family under the National Pension Act based on the same grounds as those for the relevant employees' pension for surviving family:

一 第五十九条第一項に規定する遺族（次号に掲げる遺族を除く。）が遺族厚生年金の受給権を取得したとき 死亡した被保険者又は被保険者であつた者の被保険者期間を基礎として第四十三条第一項の規定の例により計算した額の四分の三に相当する額。ただし、第五十八条第一項第一号から第三号までのいずれかに該当することにより支給される遺族厚生年金については、その額の計算の基礎となる被保険者期間の月数が三百に満たないときは、これを三百として計算した額とする。

(i) if a surviving family member provided for in Article 59, paragraph (1) (other

than one who is set forth in the following item) has acquired the right to receive benefits from an employees' pension for surviving family: an amount equal to three-quarters of the amount calculated pursuant to the provisions of Article 43, paragraph (1) based on the insured period of the insured or former insured who has died; provided, however, that if the number of months in the insured period is below 300, the amount for an employees' pension for surviving family that is paid due to the relevant person falling under any of items (i) through (iii) of Article 58, paragraph (1), is the amount calculated when the number of months in the insured period is treated as having been 300;

二 第五十九条第一項に規定する遺族のうち、老齢厚生年金の受給権を有する配偶者が遺族厚生年金の受給権を取得したとき 前号に定める額又は次のイ及びロに掲げる額を合算した額のうちいずれか多い額

(ii) if, among surviving family members provided for in Article 59, paragraph (1), the spouse who has the right to receive any of the pension benefits from the employees' old-age pension has acquired the right to receive benefits from the employees' pension for surviving family: the amount prescribed in the preceding item or the sum total of the amounts under the following (a) and (b), whichever is higher:

イ 前号に定める額に三分の二を乗じて得た額

(a) the amount arrived at when the amount prescribed in the preceding item is multiplied by two-thirds;

ロ 当該遺族厚生年金の受給権者の老齢厚生年金の額（第四十四条第一項の規定により加給年金額が加算された老齢厚生年金にあつては、同項の規定を適用しない額とする。次条第三項及び第六十四条の二において同じ。）に二分の一を乗じて得た額

(b) the amount arrived at when the amount of the employees' old-age pension of the beneficiary of the relevant employees' pension for surviving family (or, for an employees' old-age pension to which an amount of additional pension has been added pursuant to the provisions of Article 44, paragraph (1), the amount to which those provisions do not apply; the same applies in paragraph (3) of the following Article and item (ii) of Article 64) is multiplied by one-half.

2 配偶者以外の者に遺族厚生年金を支給する場合において、受給権者が二人以上であるときは、それぞれの遺族厚生年金の額は、前項第一号の規定にかかわらず、受給権者ごとに同号の規定により算定した額を受給権者の数で除して得た額とする。

(2) Notwithstanding the provisions of item (i) of the preceding paragraph, if the employees' pension for surviving family is paid to a person other than the spouse and there are two or more beneficiaries, the amount of the employees' pension for surviving family is the amount arrived at when the amount that was computed pursuant to the provisions of that item for each of the

beneficiaries is divided by the number of beneficiaries.

3 前二項に定めるもののほか、遺族厚生年金の額の計算について必要な事項は、政令で定める。

(3) Beyond as specified in the preceding two paragraphs, Cabinet Order provides for the necessary particulars of the calculation of the amount of an employees' pension for surviving family.

第六十一条 配偶者以外の者に遺族厚生年金を支給する場合において、受給権者の数に増減を生じたときは、増減を生じた月の翌月から、年金の額を改定する。

Article 61 (1) If an employees' pension for surviving family is paid to a person other than the spouse and there is any increase or decrease in the number of beneficiaries, the amount of the employees' pension for surviving family is revised from the month following the month in which the number increased or decreased.

2 前条第一項第一号の規定によりその額が計算される遺族厚生年金（配偶者に対するものに限る。）の受給権者が老齢厚生年金の受給権を取得した日において、同項第二号イ及びロに掲げる額を合算した額が同項第一号に定める額を上回るときは、当該合算した額に、当該老齢厚生年金の受給権を取得した日の属する月の翌月から、年金の額を改定する。

(2) If, as of the day on which the beneficiary of an employees' pension for surviving family of an amount calculated pursuant to the provisions of paragraph (1), item (i) of the preceding Article (limited to one for the spouse) acquired the right to receive benefits from an employees' old-age pension, the amount arrived at when the amounts specified in item (ii), (a) and (b) of that paragraph are added together exceeds the amount prescribed in item (i) of that paragraph, amount of pension is revised to the relevant sum total of the amounts under paragraph (1), item (ii), (a) and (b) from the month following the month that includes the day on which the person acquired the right to receive benefits from the employees' old-age pension.

3 前条第一項第二号の規定によりその額が計算される遺族厚生年金は、その額の算定の基礎となる老齢厚生年金の額が第四十三条第三項の規定により改定されたときは、当該老齢厚生年金の額が改定された月から当該遺族厚生年金の額を改定する。ただし、前条第一項第一号の規定により計算される額が、当該改定後の老齢厚生年金の額を基礎として算定した同項第二号イ及びロに掲げる額を合算した額以上であるときは、この限りでない。

(3) If the amount of the employees' old-age pension that forms the basis for calculating the amount of an employees' pension for surviving family that is calculated pursuant to the provisions of paragraph (1), item (ii) of the preceding Article is revised pursuant to the provisions of Article 43, paragraph (3), the amount of the employees' pension for surviving family is revised from the month of the revision of the employees' old-age pension; provided, however,

that this does not apply if the amount calculated pursuant to the provisions of paragraph (1), item (i) of the preceding Article exceeds the total amount under item (ii), (a) and (b) of that paragraph which is computed based on the revised amount of the relevant employees' old-age pension.

第六十二条 遺族厚生年金（第五十八条第一項第四号に該当することにより支給されるものであつて、その額の計算の基礎となる被保険者期間の月数が二百四十未満であるものを除く。）の受給権者である妻であつてその権利を取得した当時四十歳以上六十五歳未満であつたもの又は四十歳に達した当時当該被保険者若しくは被保険者であつた者の子で国民年金法第三十七条の二第一項に規定する要件に該当するもの（当該被保険者又は被保険者であつた者の死亡後に同法第三十九条第三項第二号から第八号までのいずれかに該当したことがあるものを除く。）と生計を同じくしていたものが六十五歳未満であるときは、第六十条第一項第一号の遺族厚生年金の額に同法第三十八条に規定する遺族基礎年金の額に四分の三を乗じて得た額（その額に五十円未満の端数が生じたときは、これを切り捨て、五十円以上百円未満の端数が生じたときは、これを百円に切り上げるものとする。）を加算する。

Article 62 (1) If the wife who is the beneficiary of an employees' pension for surviving family (excluding one that is paid due to the relevant person falling under Article 58, paragraph (1), item (iv), and is calculated based on an insured period of 240 months or less), and who was at least 40 but below 65 years of age at the time that she acquired the right to receive those benefits, or was living off the same financial resources as an insured's or former insured's child falling under the requirements provided for in Article 37-2 paragraph (1) of the National Pension Act (excluding a child who came to fall under items (ii) through (viii) of Article 39, paragraph (3) of that Act after the death of the insured or former insured) at the time that she reached the age of 40, is under 65 years of age, the amount arrived at when the amount of the basic pension for surviving family provided for in Article 38 of that Act is multiplied by three-quarters (those amounts are rounded to the nearest hundred, with amounts less than 50 yen be rounded down, and amounts between 50 yen and 99 yen being rounded up) is added to the employees' pension for surviving family under Article 60, paragraph (1), item (i).

2 前項の加算を開始すべき事由又は同項の加算を廃止すべき事由が生じた場合における年金の額の改定は、それぞれ当該事由が生じた月の翌月から行う。

(2) The revision of the amount of a pension as the result of the occurrence of grounds for instituting an addition under the preceding paragraph or for discontinuing the addition under that paragraph is effected from the month following the month in which the grounds occurred.

(失権)

(Loss of Rights)

第六十三条 遺族厚生年金の受給権は、受給権者が次の各号のいずれかに該当するに至つたときは、消滅する。

Article 63 (1) The right to receive benefits from an employees' pension for surviving family ceases to exist if a beneficiary comes to fall under any of the following items:

一 死亡したとき。

(i) the beneficiary dies;

二 婚姻（届出をしていないが、事実上婚姻関係と同様の事情にある場合を含む。）をしたとき。

(ii) the beneficiary marries (or if, although the beneficiary has not registered a marriage, the beneficiary's circumstances come to be, de facto, the same as those of a person in a marital relationship);

三 直系血族及び直系姻族以外の者の養子（届出をしていないが、事実上養子縁組関係と同様の事情にある者を含む。）となつたとき。

(iii) the beneficiary is legally adopted by a person other than a lineal relative by blood or a lineal relative by affinity (this includes a person whose adoption has not been registered but whose circumstances come to be, de facto, the same as those of a person in an adoptive relationship);

四 離縁によつて、死亡した被保険者又は被保険者であつた者との親族関係が終了したとき。

(iv) the beneficiary's familial relationship with the deceased insured or former insured ends due to the dissolution of the adoptive relationship; or

五 次のイ又はロに掲げる区分に応じ、当該イ又はロに定める日から起算して五年を経過したとき。

(v) for the categories set forth in (a) and (b), below, once five years have passed, as calculated beginning on the day specified in whichever is relevant of (a) or (b);

イ 遺族厚生年金の受給権を取得した当時三十歳未満である妻が当該遺族厚生年金と同一の支給事由に基づく国民年金法による遺族基礎年金の受給権を取得しないとき 当該遺族厚生年金の受給権を取得した日

(a) if a wife who was younger than 30 years of age at the time that she acquired the right to receive benefits from the employees' pension for surviving family failed to acquire the right to receive benefits from a basic pension for surviving family under the National Pension Act based on the same grounds for payment as those for that employees' pension for surviving family: the day on which the wife acquired the right to receive benefits from the employees' pension for surviving family;

ロ 遺族厚生年金と当該遺族厚生年金と同一の支給事由に基づく国民年金法による遺族基礎年金の受給権を有する妻が三十歳に到達する日前に当該遺族基礎年金の受給権が消滅したとき 当該遺族基礎年金の受給権が消滅した日

(b) if, before a wife with the right to receive benefits from the employees'

pension for surviving family and from a basic pension for surviving family under the National Pension Act based on the same grounds for payment as those for that employees' pension for surviving family has reached 30 years of age, her right to receive benefits from that basic pension for surviving family ceases to exist: the day on which the right to receive benefits from the basic pension for surviving family ceased to exist.

2 子又は孫の有する遺族厚生年金の受給権は、次の各号のいずれかに該当するに至つたときは、消滅する。

(2) The right to receive benefits from an employees' pension for surviving family that is held by a child or grandchild ceases to exist if the child or grandchild comes to fall under one of the following items:

一 子又は孫について、十八歳に達した日以後の最初の三月三十一日が終了したとき。ただし、子又は孫が障害等級の一級又は二級に該当する障害の状態にあるときを除く。

(i) for a child or grandchild, once the first March 31 has passed after the day on which the person reached the age of 18; provided, however, that this does not apply to a child or grandchild who has a disability classified as the Grade 1 or Grade 2 of the disability grades;

二 障害等級の一級又は二級に該当する障害の状態にある子又は孫について、その事情がやんだとき。ただし、子又は孫が十八歳に達する日以後の最初の三月三十一日までの間にあるときを除く。

(ii) for a child or grandchild who has a disability classified as the Grade 1 or Grade 2 of the disability grades, if those circumstances end; provided, however, that this does not apply to a child or grandchild who is within the period from birth until the first March 31 after the day on which the child or grandchild reaches the age of 18; or

三 子又は孫が、二十歳に達したとき。

(iii) once the child or grandchild reaches the age of 20.

3 父母、孫又は祖父母の有する遺族厚生年金の受給権は、被保険者又は被保険者であつた者の死亡の当時胎児であつた子が出生したときは、消滅する。

(3) The right to receive benefits from an employees' pension for surviving family that is held by a parent, grandchild, or grandparent ceases to exist if a child who was in utero at the time of the insured or former insured's death is born.

(支給停止)

(Suspension of Payment)

第六十四条 遺族厚生年金は、当該被保険者又は被保険者であつた者の死亡について労働基準法第七十九条の規定による遺族補償の支給が行われるべきものであるときは、死亡の日から六年間、その支給を停止する。

Article 64 If the compensation for surviving family under the provisions of Article 79 of the Labor Standards Act is to be paid for the death of an insured

or former insured, the payment of the employees' pension for surviving family is suspended during the six-year period after the day of death.

第六十四条の二 遺族厚生年金（その受給権者が六十五歳に達しているものに限る。）は、その受給権者が老齢厚生年金の受給権を有するときは、当該老齢厚生年金の額に相当する部分の支給を停止する。

Article 64-2 If the beneficiary of an employees' pension for surviving family (but only one with a beneficiary who has reached the age of 65) has the right to receive an employees' old-age pension, payment of the part of the employees' pension for surviving family that is equivalent to the amount of the beneficiary's employees' old-age pension is suspended.

第六十五条 第六十二条第一項の規定によりその額が加算された遺族厚生年金は、その受給権者である妻が当該被保険者又は被保険者であつた者の死亡について国民年金法による遺族基礎年金の支給を受けることができるときは、その間、同項の規定により加算する額に相当する部分の支給を停止する。

Article 65 If the beneficiary of an employees' pension for surviving family to which an additional amount has been added pursuant to the provisions of Article 62 paragraph (1) is the wife, and if she is entitled to receive a basic pension for surviving family under the National Pension Act in connection with the death of the relevant insured or former insured, during that time, payment is suspended on the portion of the relevant employees' pension for surviving family that is equal to the additional amount provided for in that paragraph.

第六十五条の二 夫、父母又は祖父母に対する遺族厚生年金は、受給権者が六十歳に達するまでの期間、その支給を停止する。ただし、夫に対する遺族厚生年金については、当該被保険者又は被保険者であつた者の死亡について、夫が国民年金法による遺族基礎年金の受給権を有するときは、この限りでない。

Article 65-2 Payment of an employees' pension for surviving family to the husband, parents, or grandparents is suspended during the period until the beneficiary reaches the age of 60; provided, however, that this does not apply to an employees' pension for surviving family to be paid to the husband, if the husband has the right to receive benefits from a basic pension for surviving family under the National Pension Act in connection with the death of that insured or former insured.

第六十六条 子に対する遺族厚生年金は、配偶者が遺族厚生年金の受給権を有する期間、その支給を停止する。ただし、配偶者に対する遺族厚生年金が前条本文、次項本文又は次条の規定によりその支給を停止されている間は、この限りでない。

Article 66 (1) Payment of an employees' pension for surviving family to a child is suspended for the period during which the spouse holds the right to receive

benefits from the employees' pension for surviving family; provided, however, that this does not apply during a period in which the payment of an employees' pension for surviving family to the spouse is suspended pursuant to the provisions of the main clause of the preceding Article, the main clause of the following paragraph, or the following Article.

2 配偶者に対する遺族厚生年金は、当該被保険者又は被保険者であつた者の死亡について、配偶者が国民年金法による遺族基礎年金の受給権を有しない場合であつて子が当該遺族基礎年金の受給権を有するときは、その間、その支給を停止する。ただし、子に対する遺族厚生年金が次条の規定によりその支給を停止されている間は、この限りでない。

(2) If, with regard to the death of the insured or former insured, the spouse does not hold the right to receive benefits from a basic pension for surviving family under the National Pension Act but the child does hold the right to receive benefits from the basic pension for surviving family, payment of any employees' pension for surviving family to the spouse is suspended during that period; provided, however, that this does not apply during a period in which the payment of the employees' pension for surviving family to the child is suspended pursuant to the provisions of the following Article.

第六十七条 配偶者又は子に対する遺族厚生年金は、その配偶者又は子の所在が一年以上明らかでないときは、遺族厚生年金の受給権を有する子又は配偶者の申請によつて、その所在が明らかでなくなつた時にさかのぼつて、その支給を停止する。

Article 67 (1) If the whereabouts of the spouse or a child remain unknown for one year or longer, the payment of an employees' pension for surviving family to that spouse or child is suspended retroactively to the time at which the whereabouts of the spouse or child became unknown, upon the application of a child or spouse who holds the right to receive benefits from the employees' pension for surviving family.

2 配偶者又は子は、いつでも、前項の規定による支給の停止の解除を申請することができる。

(2) The spouse or child may, at any time, apply to have a suspension of payment under the provisions of the preceding paragraph lifted.

第六十八条 配偶者以外の者に対する遺族厚生年金の受給権者が二人以上である場合において、受給権者のうち一人以上の者の所在が一年以上明らかでないときは、その者に対する遺族厚生年金は、他の受給権者の申請によつて、その所在が明らかでなくなつた時にさかのぼつて、その支給を停止する。

Article 68 (1) If there are two or more beneficiaries of an employees' pension for surviving family who are not the spouse, and the whereabouts of one or more of the beneficiaries remain unknown for one year or longer, the payment of the employees' pension for surviving family to that person is suspended



retroactively to the time at which the whereabouts of the person or persons became unknown, upon the application of another beneficiary.

2 前項の規定によつて遺族厚生年金の支給を停止された者は、いつでも、その支給の停止の解除を申請することができる。

(2) A person who has had their payment of an employees' pension for surviving family suspended pursuant to the provisions of the preceding paragraph may, at any time, apply to have the suspension of payment lifted.

3 第六十一条第一項の規定は、第一項の規定により遺族厚生年金の支給が停止され、又は前項の規定によりその停止が解除された場合に準用する。この場合において、同条第一項中「増減を生じた月」とあるのは、「支給が停止され、又はその停止が解除された月」と読み替えるものとする。

(3) The provisions of Article 61, paragraph (1) apply mutatis mutandis if the payment of the employees' pension for surviving family is suspended pursuant to the provisions of paragraph (1) or if the suspension is lifted pursuant to the provisions of the preceding paragraph. In such a case, the phrase "the month in which the number increased or decreased" in paragraph (1) of that Article is deemed to be replaced with "the month in which the payment is suspended or the suspension is lifted".

第六十九条から第七十二条まで 削除〔平成二四年八月法律六三号〕

Article 69 to Article 72 Deleted (Act No. 63 of August 2012)

#### 第五節 保険給付の制限

#### Section 5 Restrictions on Insurance Benefits

第七十三条 被保険者又は被保険者であつた者が、故意に、障害又はその直接の原因となつた事故を生ぜしめたときは、当該障害を支給事由とする障害厚生年金又は障害手当金は、支給しない。

Article 73 If an insured or former insured person has intentionally brought about their disability or an accident constituting the direct cause thereof, no employees' disability pension or disability allowance that has that disability as the grounds for payment is paid.

第七十三条の二 被保険者又は被保険者であつた者が、自己の故意の犯罪行為若しくは重大な過失により、又は正当な理由がなく療養に関する指示に従わないことにより、障害若しくは死亡若しくはこれらの原因となつた事故を生ぜしめ、若しくはその障害の程度を増進させ、又はその回復を妨げたときは、保険給付の全部又は一部を行なわないことができる。

Article 73-2 If an insured or former insured has brought about their disability, death, or an accident constituting the direct cause thereof, or has worsen the severity of their disability or hindered the recovery thereof, through an

intentional criminal act, gross negligence, or a failure to comply with medical instructions that is without reasonable grounds, it is permissible not to pay insurance benefits in whole or in part.

第七十四条 障害厚生年金の受給権者が、故意若しくは重大な過失により、又は正当な理由がなくて療養に関する指示に従わないことにより、その障害の程度を増進させ、又はその回復を妨げたときは、第五十二条第一項の規定による改定を行わず、又はその者の障害の程度が現に該当する障害等級以下の障害等級に該当するものとして、同項の規定による改定を行うことができる。

Article 74 If the beneficiary of an employees' disability pension has worsened the severity of their disability or hindered the recovery thereof, intentionally, through gross negligence, or due to a failure to comply with medical instructions that is without reasonable grounds, it is permissible not to effect the revision under the provisions of Article 52 paragraph (1); and it is permissible to consider the degree of severity of that person's disability to be classified as a lower disability grade than the disability grade it is actually classified as in effecting a revision under that paragraph.

第七十五条 保険料を徴収する権利が時効によつて消滅したときは、当該保険料に係る被保険者であつた期間に基づく保険給付は、行わない。ただし、当該被保険者であつた期間に係る被保険者の資格の取得について第二十七条の規定による届出若しくは第三十一条第一項の規定による確認の請求又は第二十八条の二第一項（同条第二項及び第三項において準用する場合を含む。）の規定による訂正の請求があつた後に、保険料を徴収する権利が時効によつて消滅したものであるときは、この限りでない。

Article 75 If the right to collect insurance premiums is extinguished by prescription, no insurance benefits are paid based on any period during which an insured was subject to the insurance premiums; provided, however, that this does not apply if the right to collect insurance premiums has been extinguished by prescription after the filing of a notification under the provisions of Article 27 or a request for confirmation under the provisions of Article 31, paragraph (1), or a request for correction under the provisions of Article 28-2, paragraph (1) (including as applied mutatis mutandis in paragraph (2) and paragraph (3) of that Article) in connection with the relevant period for the insured with regard to the person's acquisition of the status of an insured.

第七十六条 遺族厚生年金は、被保険者又は被保険者であつた者を故意に死亡させた者には、支給しない。被保険者又は被保険者であつた者の死亡前に、その者の死亡によつて遺族厚生年金の受給権者となるべき者を故意に死亡させた者についても、同様とする。

Article 76 (1) An employees' pension for surviving family is not paid to a person

who has intentionally caused the death of an insured or former insured. The same applies with regard to a person who, prior to the death of an insured or former insured, has intentionally caused the death of a person who would have become the beneficiary of an employees' pension for surviving family upon the death of the insured or former insured.

2 遺族厚生年金の受給権は、受給権者が他の受給権者を故意に死亡させたときは、消滅する。

(2) The right to receive benefits from an employees' pension for surviving family ceases to exist if a beneficiary intentionally causes the death of another beneficiary.

第七十七条 年金たる保険給付は、次の各号のいずれかに該当する場合には、その額の全部又は一部につき、その支給を停止することができる。

Article 77 Payment of pension insurance benefits may be suspended in whole or in part in a case that falls under one of the following items:

一 受給権者が、正当な理由がなくて、第九十六条第一項の規定による命令に従わず、又は同項の規定による当該職員の質問に応じなかつたとき。

(i) if a beneficiary has failed to comply with an order under the provisions of Article 96, paragraph (1) or has refused to answer the questions of the relevant official under the provisions of that paragraph, without reasonable grounds;

二 障害等級に該当する程度の障害の状態にあることにより、年金たる保険給付の受給権を有し、又は第四十四条第一項の規定によりその者について加算が行われている子が、正当な理由がなくて、第九十七条第一項の規定による命令に従わず、又は同項の規定による診断を拒んだとき。

(ii) if a child who has the right to receive pension insurance benefits due to having a disability of a degree of severity that is classified as any disability grade, or to whose pension an amount is added pursuant to the provisions of Article 44, paragraph (1), due to the child having a disability of a degree of severity that is classified as any disability grade, fails to comply with an order under the provisions of Article 97, paragraph (1) or refuses diagnosis under the provisions of that paragraph, without reasonable grounds; or

三 前号に規定する者が、故意若しくは重大な過失により、又は正当な理由がなくて療養に関する指示に従わないことにより、その障害の回復を妨げたとき。

(iii) if the person provided for in the preceding item has hindered the recovery of their disability, intentionally, through gross negligence, or due to a failure to comply with medical instructions that is without reasonable grounds.

第七十八条 受給権者が、正当な理由がなくて、第九十八条第三項の規定による届出をせず、又は書類その他の物件を提出しないときは、保険給付の支払を一時差し止めることができる。

Article 78 (1) If a beneficiary fails to make a notification or submit documents or other items under the provisions of Article 98, paragraph (3), without reasonable grounds, the payment of the insurance benefits may be suspended temporarily.

2 第二号厚生年金被保険者期間、第三号厚生年金被保険者期間又は第四号厚生年金被保険者期間に基づく保険給付については、前項の規定は、適用しない。

(2) The provisions of the preceding paragraph do not apply to insurance benefits based on the category II EPI insured period, category III EPI insured period, or category IV EPI insured period.

### 第三章の二 離婚等をした場合における特例

#### Chapter III-2 Special Provisions for Divorce and Similar Circumstances

(離婚等をした場合における標準報酬の改定の特例)

(Special Provisions on Revision to Standardized Remuneration in Case of Divorce or Similar Circumstances)

第七十八条の二 第一号改定者（被保険者又は被保険者であつた者であつて、第七十八条の六第一項第一号及び第二項第一号の規定により標準報酬が改定されるものをいう。以下同じ。）又は第二号改定者（第一号改定者の配偶者であつた者であつて、同条第一項第二号及び第二項第二号の規定により標準報酬が改定され、又は決定されるものをいう。以下同じ。）は、離婚等（離婚（婚姻の届出をしていないが事実上婚姻関係と同様の事情にあつた者について、当該事情が解消した場合を除く。）、婚姻の取消しその他厚生労働省令で定める事由をいう。以下この章において同じ。）をした場合であつて、次の各号のいずれかに該当するときは、実施機関に対し、当該離婚等について対象期間（婚姻期間その他の厚生労働省令で定める期間をいう。以下同じ。）に係る被保険者期間の標準報酬（第一号改定者及び第二号改定者（以下これらの者を「当事者」という。）の標準報酬をいう。以下この章において同じ。）の改定又は決定を請求することができる。ただし、当該離婚等をしたときから二年を経過したときその他の厚生労働省令で定める場合に該当するときは、この限りでない。

Article 78-2 (1) If a person subject to a class I revision (meaning an insured or former insured whose standardized remuneration is revised pursuant to the provisions of Article 78-6, paragraph (1), item (i) and paragraph (2), item (i); the same applies hereinafter) or a person subject to a class II revision (meaning the spouse of a person subject to a class I revision, whose standardized remuneration is revised or decided pursuant to the provisions of paragraph (1), item (ii) and paragraph (2), item (ii) of that Article; the same applies hereinafter) has gone through a divorce or similar circumstances (meaning a divorce (this excludes the dissolution of the circumstances in question, regarding persons who have not registered a marriage but whose circumstances are, de facto, the same as those of a person in a marital relationship), an annulment of marriage, or other grounds specified by Order of

the Ministry of Health, Labour and Welfare; the same applies hereinafter in this Chapter) and falls under any of the following items, that person may file a request with the implementing organization for the standardized remuneration to be revised or decided (meaning the standardized remuneration of the person subject to a class I revision and the person subject to a class II revision (each of whom is hereinafter referred to as a "party")); the same applies hereinafter in this Chapter) for the insured period that falls under the subject period (meaning the period of the marriage and other periods specified by Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter) connected with the divorce or similar circumstances; provided, however, that this does not apply once two years have passed since the relevant divorce or similar circumstances or in a situation otherwise falling under one of the cases specified by Order of the Ministry of Health, Labour and Welfare:

一 当事者が標準報酬の改定又は決定の請求をすること及び請求すべき按分割合（当該改定又は決定後の当事者の次条第一項に規定する対象期間標準報酬総額の合計額に対する第二号改定者の対象期間標準報酬総額の割合をいう。以下同じ。）について合意しているとき。

(i) if the parties agree to request that the standardized remuneration be revised or decided and agree on the allocation percentage that they are to request (meaning the percentage, following the relevant revision or decision, that will constitute the person subject to a class II revision's aggregate amount of standard remuneration for the subject period provided for in paragraph (1) of the following Article, in proportion to the sum total of both parties' aggregate amounts of standardized remuneration during the subject period, as provided for in paragraph (1) of the following Article; the same applies hereinafter);

二 次項の規定により家庭裁判所が請求すべき按分割合を定めたとき。

(ii) if the family court has set the allocation percentage that the parties are to request pursuant to the provisions of the following paragraph.

2 前項の規定による標準報酬の改定又は決定の請求（以下「標準報酬改定請求」という。）について、同項第一号の当事者の合意のための協議が調わないとき、又は協議をすることができないときは、当事者の一方の申立てにより、家庭裁判所は、当該対象期間における保険料納付に対する当事者の寄与の程度その他一切の事情を考慮して、請求すべき按分割合を定めることができる。

(2) With respect to a request for the standardized remuneration to be revised or decided pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "request for standardized remuneration to be revised or decided"), if consultations toward an agreement by the parties under item (i) of that paragraph have failed to produce an agreement, or if consultations cannot take place, the family court may, based on a motion filed by one of the parties, set the allocation percentage that the parties are to request, by taking into

account the degree of the parties' contributions to the payment of insurance premiums during the subject period and any other circumstances.

3 標準報酬改定請求は、当事者が標準報酬の改定又は決定の請求をすること及び請求すべき按分割合について合意している旨が記載された公正証書の添付その他の厚生労働省令で定める方法によりしなければならない。

(3) The request for standardized remuneration to be revised or decided must be submitted attached by a notarized document to the effect that the parties have agreed to request that the standardized remuneration to be revised or decided and have agreed on the allocation percentage that the parties are to request, or must be submitted in other ways prescribed by Order of the Ministry of Health, Labour and Welfare.

(請求すべき按分割合)

(Allocation Percentage that the Parties are to Request)

第七十八条の三 請求すべき按分割合は、当事者それぞれの対象期間標準報酬総額（対象期間に係る被保険者期間の各月の標準報酬月額（第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額）と標準賞与額に当事者を受給権者とみなして対象期間の末日において適用される再評価率を乗じて得た額の総額をいう。以下同じ。）の合計額に対する第二号改定者の対象期間標準報酬総額の割合を超え二分の一以下の範囲（以下「按分割合の範囲」という。）内で定められなければならない。

Article 78-3 (1) The allocation percentage that the parties are to request must be determined so as to fall within the range between at least the percentage that constitutes the person subject to a class II revision's aggregate amount of standardized remuneration for the subject period (meaning the amount arrived at when first the parties are deemed to be the beneficiaries, then each of the standardized monthly amounts of remuneration and the standardized amounts of bonuses for each month of the insured period falling under the subject period (the previous standardized monthly amount of remuneration specified in Article 26, paragraph (1) is substituted for that standardized monthly amount of remuneration, for each month in which the previous standardized monthly amount of remuneration is deemed to be the standardized monthly amount of remuneration for the relevant month pursuant to the provisions of that paragraph) is multiplied by the revaluation rate that is applicable on the last day of the subject period, and finally all of the products thus calculated are added; the same applies hereinafter) in proportion to the sum total of both parties' aggregate amounts of standardized remuneration for the subject period and 50%, at most (that range is hereinafter referred to as the "allocation percentage range").

2 次条第一項の規定により按分割合の範囲について情報の提供（第七十八条の五の規定により裁判所又は受命裁判官若しくは受託裁判官が受けた資料の提供を含み、これ

が複数あるときは、その最後のもの。以下この項において同じ。) を受けた日が対象期間の末日前であつて対象期間の末日までの間が一年を超えない場合その他の厚生労働省令で定める場合における標準報酬改定請求については、前項の規定にかかわらず、当該情報の提供を受けた按分割合の範囲を、同項の按分割合の範囲とすることができる。

(2) Notwithstanding the provisions of the preceding paragraph, with respect to a request for standardized remuneration to be revised or decided, if the day on which information concerning the allocation percentage range has been received pursuant to the provisions of paragraph (1) of the following Article (including materials received by the court, or an authorized judge or commissioned judge pursuant to the provisions of Article 78-5 and, if more than one material exists, the last one; the same applies in this paragraph) is before the last day of the subject period and the period of time until the last day of the subject period is shorter than one year, or in other cases specified by Order of the Ministry of Health, Labour and Welfare, the allocation percentage range with regard to which that information has been received may be set as the allocation percentage range under that paragraph.

(当事者等への情報の提供等)

(Provision of Information to the Parties and Others; Related Matters)

第七十八条の四 当事者又はその一方は、実施機関に対し、主務省令で定めるところにより、標準報酬改定請求を行うために必要な情報であつて次項に規定するものの提供を請求することができる。ただし、当該請求が標準報酬改定請求後に行われた場合又は第七十八条の二第一項ただし書に該当する場合その他厚生労働省令で定める場合においては、この限りでない。

Article 78-4 (1) As provided by order of the competent ministry, both of the parties or either one of them may request the implementing organization to provide the information specified in the following paragraph that they need in order to file a request for standardized remuneration to be revised or decided; provided, however, that this does not apply if that request is made after the filing of the request for standardized remuneration to be revised or decided, if that request falls under the proviso to Article 78-2, paragraph (1), or in other cases provided for by Order of the Ministry of Health, Labour and Welfare.

2 前項の情報は、対象期間標準報酬総額、按分割合の範囲、これらの算定の基礎となる期間その他厚生労働省令で定めるものとし、同項の請求があつた日において対象期間の末日が到来していないときは、同項の請求があつた日を対象期間の末日とみなして算定したものとする。

(2) The information referred to in the preceding paragraph is the aggregate amount of standardized remuneration for the subject period, the allocation percentage range, periods constituting the basis for calculating these, and any other information specified by Order of the Ministry of Health, Labour and

Welfare; and if the last day of the subject period had not yet arrived as of the day on which the request under that paragraph was made, the foregoing information is that which is calculated when the day on which the request under that paragraph was made is deemed to be the last day of the subject period.

第七十八条の五 実施機関は、裁判所又は受命裁判官若しくは受託裁判官に対し、その求めに応じて、第七十八条の二第二項の規定による請求すべき按分割合に関する処分を行うために必要な資料を提供しなければならない。

Article 78-5 At the request of the court, the authorized judge, or the commissioned judge, the implementing organization must provide them with the materials necessary for them to dispose on the allocation percentage that the parties are to request pursuant to the provisions of Article 78-2, paragraph (2).

(標準報酬の改定又は決定)

(Revising and Deciding Standardized Remuneration)

第七十八条の六 実施機関は、標準報酬改定請求があつた場合において、第一号改定者が標準報酬月額を有する対象期間に係る被保険者期間の各月ごとに、当事者の標準報酬月額をそれぞれ次の各号に定める額に改定し、又は決定することができる。

Article 78-6 (1) If a request for standardized remuneration to be revised or decided has been filed, the implementing organization may revise or decide the parties' standardized monthly amounts of remuneration to be the amounts specified in each of the following items for each month of an insured period falling under the subject period in which the person subject to a class I revision has a standardized monthly amount of remuneration:

一 第一号改定者 改定前の標準報酬月額（第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額。次号において同じ。）に一から改定割合（按分割合を基礎として厚生労働省令で定めるところにより算定した率をいう。以下同じ。）を控除して得た率を乗じて得た額

(i) person subject to a class I revision: the amount arrived at when the revision percentage (meaning the rate calculated as specified by Order of the Ministry of Health, Labour and Welfare, based on the allocation percentage; the same applies hereafter) is deducted from the number 1 and the resulting rate is multiplied by the standardized monthly amount of remuneration (or by the previous standardized monthly amount of remuneration specified in Article 26, paragraph (1), for a month in which the previous standardized monthly amount of remuneration is deemed to be the standardized monthly amount of remuneration pursuant to that paragraph; the same applies in the following item) prior to the revision;



二 第二号改定者 改定前の標準報酬月額（標準報酬月額を有しない月にあつては、零）に、第一号改定者の改定前の標準報酬月額に改定割合を乗じて得た額を加えて得た額

(ii) person subject to a class II revision: the amount arrived at when the person's standardized monthly amount of remuneration prior to the revision (or 0 for a month without a standardized monthly amount of remuneration) is added to the amount arrived at when the revision percentage is multiplied by the person subject to a class I revision's standardized monthly amount of remuneration prior to the revision.

2 実施機関は、標準報酬改定請求があつた場合において、第一号改定者が標準賞与額を有する対象期間に係る被保険者期間の各月ごとに、当事者の標準賞与額をそれぞれ次の各号に定める額に改定し、又は決定することができる。

(2) If a request for standardized remuneration to be revised or decided has been filed, the implementing organization may revise or decide the parties' standardized amounts of bonuses to be the amounts specified in each of the following items for each month of an insured period falling under the subject period in which the person subject to a class I revision has a standardized amount of bonus:

一 第一号改定者 改定前の標準賞与額に一から改定割合を控除して得た率を乗じて得た額

(i) person subject to a class I revision: the amount arrived at when the revision percentage is deducted from 1 and the resulting rate is multiplied by the standardized amount of the bonus prior to the revision;

二 第二号改定者 改定前の標準賞与額（標準賞与額を有しない月にあつては、零）に、第一号改定者の改定前の標準賞与額に改定割合を乗じて得た額を加えて得た額

(ii) person subject to a class II revision: the amount arrived at when the person's standardized amount of bonus prior to the revision (or 0 for a month without a standardized bonus) is added to the amount arrived at when the revision percentage is multiplied by the person subject to a class I revision's standardized amount of bonus prior to the revision.

3 前二項の場合において、対象期間のうち第一号改定者の被保険者期間であつて第二号改定者の被保険者期間でない期間については、第二号改定者の被保険者期間であつたものとみなす。

(3) In a case as referred to in the preceding two paragraphs, a period falling under the subject period that is an insured period for the person subject to a class I revision but not an insured period for the person subject to a class II revision is deemed to be an insured period for the person subject to a class II revision.

4 第一項及び第二項の規定により改定され、又は決定された標準報酬は、当該標準報酬改定請求のあつた日から将来に向かつてのみその効力を有する。

(4) The standardized remuneration revised or decided pursuant to the provisions

of paragraph (1) and paragraph (2) is effective only prospectively, starting from the day of the relevant request for standardized remuneration to be revised or decided.

(記録)

(Records)

第七十八条の七 実施機関は、厚生年金保険原簿に前条第三項の規定により被保険者期間であつたものとみなされた期間（以下「離婚時みなし被保険者期間」という。）を有する者の氏名、離婚時みなし被保険者期間、離婚時みなし被保険者期間に係る標準報酬その他主務省令で定める事項を記録しなければならない。

Article 78-7 The implementing organization must record, in the EPI register, the names of any persons who have a period that is deemed to be an insured period pursuant to the provisions of paragraph (3) of the preceding Article (hereinafter referred to as the "deemed insured period at divorce"), the deemed insured period at divorce, the standardized remuneration connected with the deemed insured period at divorce, and other particulars specified by order of the competent ministry.

(通知)

(Notifying the Parties)

第七十八条の八 実施機関は、第七十八条の六第一項及び第二項の規定により標準報酬の改定又は決定を行つたときは、その旨を当事者に通知しなければならない。

Article 78-8 If the implementing organization has revised or decided the standardized remuneration pursuant to the provisions of Article 78-6, paragraph (1) and paragraph (2), the implementing organization must notify the parties to that effect.

(省令への委任)

(Delegation to Ministerial Order)

第七十八条の九 第七十八条の二から前条までに定めるもののほか、標準報酬改定請求及び標準報酬の改定又は決定の手續に関し必要な事項は、主務省令で定める。

Article 78-9 Beyond as provided in Article 78-2 to the preceding Article, order of the competent ministry provides for the necessary particulars in connection with the procedures for a request for standardized remuneration to be revised or decided and for the standardized remuneration to be revised or decided.

(老齢厚生年金等の額の改定)

(Revising the Amounts of Employees' Old-Age Pensions and Employees' Disability Pensions)

第七十八条の十 老齢厚生年金の受給権者について、第七十八条の六第一項及び第二項の規定により標準報酬の改定又は決定が行われたときは、第四十三条第一項及び第二

項の規定にかかわらず、対象期間に係る被保険者期間の最後の月以前における被保険者期間（対象期間の末日後に当該老齢厚生年金を支給すべき事由が生じた場合その他の政令で定める場合にあつては、政令で定める期間）及び改定又は決定後の標準報酬を老齢厚生年金の額の計算の基礎とするものとし、当該標準報酬改定請求のあつた日の属する月の翌月から、年金の額を改定する。

Article 78-10 (1) Notwithstanding the provisions of Article 43, paragraph (1) and paragraph (2), if the standardized remuneration of the beneficiary of an employees' old-age pension has been revised or decided pursuant to the provisions of Article 78-6, paragraph (1) and paragraph (2), the insured period that fell prior to the last month of the insured period falling under the subject period (or the period prescribed by Cabinet Order, if the grounds for payment of the relevant employees' old-age pension occur after the last day of the subject period or in other cases specified by Cabinet Order) and the standardized remuneration after its revision or after it has been decided are the basis for calculating the employees' old-age pension, and the pension amount is revised from the month following the month that includes the day on which the relevant request for standardized remuneration to be revised or decided was made.

2 障害厚生年金の受給権者について、当該障害厚生年金の額の計算の基礎となる被保険者期間に係る標準報酬が第七十八条の六第一項及び第二項の規定により改定され、又は決定されたときは、改定又は決定後の標準報酬を基礎として、当該標準報酬改定請求のあつた日の属する月の翌月から、年金の額を改定する。ただし、第五十条第一項後段の規定が適用されている障害厚生年金については、離婚時みなし被保険者期間は、その計算の基礎としない。

(2) If the standardized remuneration of the beneficiary of an employees' disability pension has been revised or decided pursuant to the provisions of Article 78-6, paragraph (1) and paragraph (2) for an insured period that constitutes a basis for calculating the amount of the relevant employees' disability pension, the amount of the pension is revised from the month following the month that includes the day on which the request for standardized remuneration to be revised or decided was filed, based on the standardized remuneration after its revision or after it has been decided; provided, however, that the deemed insured period at divorce does not constitute a basis for calculating the employees' disability pension to which the provisions of the second sentence of Article 50, paragraph (1) apply.

(標準報酬が改定され、又は決定された者に対する保険給付の特例)

(Special Provisions on Insurance Benefits for a Person Whose Standardized Remuneration Has Been Revised or Decided)

第七十八条の十一 第七十八条の六第一項及び第二項の規定により標準報酬が改定され、又は決定された者に対する保険給付についてこの法律を適用する場合においては、次

の表の上欄に掲げる規定（他の法令において、これらの規定を引用し、準用し、又はその例による場合を含む。）中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとするほか、当該保険給付の額の計算及びその支給停止に関する規定その他政令で定める規定の適用に関し必要な読替えは、政令で定める。

Article 78-11 If this Act is applied with respect to the insurance benefits of a person whose standardized remuneration has been revised or decided pursuant to the provisions of Article 78-6, paragraph (1) and paragraph (2), each of the terms set forth in the middle column of the following table, under the provisions prescribed in the left-hand column of that table (including when these are cited in other laws and regulations, are applied mutatis mutandis to other laws and regulations, or govern other laws and regulations), is deemed to be replaced with the terms set forth in the right-hand column of that table; and Cabinet Order prescribes the necessary technical replacements of terms connected with the application of provisions on the calculation of the amount of those insurance benefits, of provisions on suspension of their payment, and of any other provisions that Cabinet Order prescribes.

<p>第四十四条第一項 Article 44, paragraph (1)</p>	<p>被保険者期間の月数が二百四十以上 an insured period of 240 months or more</p>	<p>被保険者期間（第七十八条の七に規定する離婚時みなし被保険者期間（以下「離婚時みなし被保険者期間」という。）を除く。以下この項において同じ。）の月数が二百四十以上 an insured period (excluding the deemed insured period at divorce provided for in Article 78-7; (hereinafter referred to as the "deemed insured period at divorce"); the same applies hereinafter in this paragraph) of 240 months or more</p>
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<p>第四十六条第一項 Article 46, paragraph (1)</p>	<p>の標準賞与額 the standardized amount of the bonuses for</p>	<p>の標準賞与額（第七十八条の六第二項の規定による改定前の標準賞与額とし、同項の規定により決定された標準賞与額を除く。） the standardized amount of the bonuses (meaning the standardized amount of bonuses before the revision under the provisions of Article 78-6, paragraph (2), and excluding the standardized amount of bonuses decided pursuant to the provisions of that paragraph) for</p>
<p>第五十八条第一項 Article 58, paragraph (1)</p>	<p>被保険者であつた者が次の former insured</p>	<p>被保険者であつた者（第四号に該当する場合にあつては、離婚時みなし被保険者期間を有する者を含む。）が次の former insured (in a case that falls under item (iv), including a person who has a deemed insured period at divorce)</p>

(政令への委任)

(Delegation to Cabinet Order)

第七十八条の十二 この章に定めるもののほか、離婚等をした場合における特例に関し必要な事項は、政令で定める。

Article 78-12 Beyond as provided in this Chapter, Cabinet Order provides for the necessary particulars in connection with the special provisions for divorce and similar circumstances.

### 第三章の三 被扶養配偶者である期間についての特例

#### Chapter III-3 Special Provisions on the Period during Which a Person is a Dependent Spouse

(被扶養配偶者に対する年金たる保険給付の基本的認識)

(Fundamental Recognition behind the Provision of Pension Insurance Benefits)

to a Dependent Spouse)

第七十八条の十三 被扶養配偶者に対する年金たる保険給付に関しては、第三章に定めるもののほか、被扶養配偶者を有する被保険者が負担した保険料について、当該被扶養配偶者が共同して負担したものであるという基本的認識の下に、この章の定めるところによる。

Article 78-13 In addition to what is prescribed in Chapter III, the provision of pension insurance benefits to a dependent spouse is as prescribed in this Chapter, based on the fundamental recognition that the insurance premiums borne by an insured who has a dependent spouse are insurance premiums that the dependent spouse has borne jointly with the insured.

(特定被保険者及び被扶養配偶者についての標準報酬の特例)

(Special Provisions on the Standardized Remuneration of a Specific Insured and a Dependent Spouse)

第七十八条の十四 被保険者（被保険者であつた者を含む。以下「特定被保険者」という。）が被保険者であつた期間中に被扶養配偶者（当該特定被保険者の配偶者として国民年金法第七条第一項第三号に該当していたものをいう。以下同じ。）を有する場合において、当該特定被保険者の被扶養配偶者は、当該特定被保険者と離婚又は婚姻の取消しをしたときその他これに準ずるものとして厚生労働省令で定めるときは、実施機関に対し、特定期間（当該特定被保険者が被保険者であつた期間であり、かつ、その被扶養配偶者が当該特定被保険者の配偶者として同号に規定する第三号被保険者であつた期間をいう。以下同じ。）に係る被保険者期間（次項及び第三項の規定により既に標準報酬が改定され、及び決定された被保険者期間を除く。以下この条において同じ。）の標準報酬（特定被保険者及び被扶養配偶者の標準報酬をいう。以下この章において同じ。）の改定及び決定を請求することができる。ただし、当該請求をした日において当該特定被保険者が障害厚生年金（当該特定期間の全部又は一部をその額の計算の基礎とするものに限る。第七十八条の二十において同じ。）の受給権者であるときその他の厚生労働省令で定めるときは、この限りでない。

Article 78-14 (1) If an insured (including a former insured; hereinafter referred to as a "specific insured") had a dependent spouse (meaning a person who fell under Article 7, paragraph (1), item (iii) of the National Pension Act as the spouse of the specific insured; the same applies hereinafter) during the time that the person was an insured, but the specific insured and the dependent spouse thereof have divorced or annulled their marriage or have come to fall under any other circumstances specified by Order of the Ministry of Health, Labour and Welfare as equivalent thereto, the dependent spouse may file a request with the implementing organization for the standardized remuneration to be revised or decided (meaning the standardized remuneration of the specific insured and the dependent spouse thereof; the same applies hereinafter in this Chapter) for the insured period (excluding an insured period for which the standardized remuneration was already revised or decided pursuant to the

provisions of the following paragraph and paragraph (3); the same applies hereinafter in this Article) that fell under the specific period (meaning the period during which the specific insured was an insured and the dependent spouse thereof was a class III insured who is as specified in Article 7, paragraph (1), item (iii) of the National Pension Act as a spouse of that specific insured; the same applies hereinafter); provided, however, that this does not apply if, as of the day of the request, the relevant specific insured is the beneficiary of an employees' disability pension (limited to one in an amount that is calculated based in whole or in part on the relevant specific period; the same applies to Article 78-20), or in other cases specified by Order of the Ministry of Health, Labour and Welfare.

2 実施機関は、前項の請求があつた場合において、特定期間に係る被保険者期間の各月ごとに、当該特定被保険者及び被扶養配偶者の標準報酬月額を当該特定被保険者の標準報酬月額（第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額）に二分の一を乗じて得た額にそれぞれ改定し、及び決定することができる。

(2) If the request referred to in the preceding paragraph has been filed, the implementing organization may revise or decide the standardized monthly amount of remuneration of the relevant specific insured and the relevant dependent spouse to be the amount arrived at when the specific insured's standardized monthly amount of remuneration is multiplied by 50%, for each month of the insured period that falls during the specific period (or the amount arrived at when the previous standardized monthly amount of remuneration specified in Article 26, paragraph (1) is multiplied by 50%, for each month in which the previous standardized monthly amount of remuneration is deemed to be the standardized monthly amount of remuneration pursuant to the provisions of that paragraph).

3 実施機関は、第一項の請求があつた場合において、当該特定被保険者が標準賞与額を有する特定期間に係る被保険者期間の各月ごとに、当該特定被保険者及び被扶養配偶者の標準賞与額を当該特定被保険者の標準賞与額に二分の一を乗じて得た額にそれぞれ改定し、及び決定することができる。

(3) If the request under paragraph (1) has been filed, the implementing organization may revise or decide the standardized amount of bonuses of the specific insured and the dependent spouse to be the amount arrived at when the specific insured standardized amount of bonus is multiplied by 50%, for each month of the insured period that falls during the specific period for which the specific insured in question had a standardized amount of bonus.

4 前二項の場合において、特定期間に係る被保険者期間については、被扶養配偶者の被保険者期間であつたものとみなす。

(4) In a case as referred to in the preceding two paragraphs, an insured period that falls during the specific period is deemed to be an insured period for the

dependent spouse.

5 第二項及び第三項の規定により改定され、及び決定された標準報酬は、第一項の請求のあつた日から将来に向かつてのみその効力を有する。

(5) The standardized remuneration as revised or decided pursuant to the provisions of paragraph (2) and paragraph (3) is effective only prospectively, starting from the day on which the request under paragraph (1) was filed.

(記録)

(Records)

第七十八条の十五 実施機関は、厚生年金保険原簿に前条第四項の規定により被保険者期間であつたものとみなされた期間（以下「被扶養配偶者みなし被保険者期間」という。）を有する者の氏名、被扶養配偶者みなし被保険者期間、被扶養配偶者みなし被保険者期間に係る標準報酬その他主務省令で定める事項を記録しなければならない。

Article 78-15 The implementing organization must record, in the EPI register, the name of persons who have a period that is deemed to be an insured period pursuant to the provisions of paragraph (4) of the preceding Article (hereinafter referred to as the "deemed insured period of a dependent spouse"), the deemed insured period of the dependent spouse, the standardized remuneration connected with the deemed insured period of the dependent spouse, and any other particulars specified by order of the competent ministry.

(通知)

(Notifying the Relevant Persons)

第七十八条の十六 実施機関は、第七十八条の十四第二項及び第三項の規定により標準報酬の改定及び決定を行つたときは、その旨を特定被保険者及び被扶養配偶者に通知しなければならない。

Article 78-16 If the implementing organization has revised or decided the standardized remuneration pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3), the Organization must notify the specific insured and the dependent spouse to that effect.

(省令への委任)

(Delegation to Ministerial Order)

第七十八条の十七 前三条に定めるもののほか、第七十八条の十四第一項の規定による請求並びに同条第二項及び第三項の規定による標準報酬の改定及び決定の手續に関し必要な事項は、主務省令で定める。

Article 78-17 Beyond as provided in the preceding three Articles, order of the competent ministry provides for the necessary particulars in connection with the procedures for the request under the provisions of Article 78-14, paragraph (1) and for the standardized remuneration to be revised or decided pursuant to the provisions of paragraph (2) and paragraph (3) of that Article.



(老齢厚生年金等の額の改定の特例)

**(Special Provisions on Revising the Amounts of Employees' Old-Age Pensions and Employees Disability Pensions)**

第七十八条の十八 老齢厚生年金の受給権者について、第七十八条の十四第二項及び第三項の規定により標準報酬の改定又は決定が行われたときは、第四十三条第一項の規定にかかわらず、改定又は決定後の標準報酬を老齢厚生年金の額の計算の基礎とするものとし、第七十八条の十四第一項の請求のあつた日の属する月の翌月から、年金の額を改定する。

Article 78-18 (1) Notwithstanding the provisions of Article 43, paragraph (1), if the standardized remuneration of the beneficiary of an employees' old-age pension has been revised or decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3), the standardized remuneration after its revision or after it has been decided is the basis for calculating the employees' old-age pension, and the pension amount is revised from the month following the month that includes the day on which the request under Article 78-14, paragraph (1) was filed.

2 第七十八条の十第二項の規定は、障害厚生年金の受給権者である被扶養配偶者について第七十八条の十四第二項及び第三項の規定により標準報酬の決定が行われた場合に準用する。この場合において、必要な読替えは、政令で定める。

(2) The provisions of Article 78-10, paragraph (2) apply mutatis mutandis to a case in which the standardized remuneration for a dependent spouse who is the beneficiary of an employees' disability pension has been decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3). Cabinet Order provides for the necessary technical replacement of terms in such a case.

(標準報酬が改定され、及び決定された者に対する保険給付の特例)

**(Special Provisions on Providing Insurance Benefits to a Person Whose Standardized Remuneration Has Been Revised or Decided)**

第七十八条の十九 第七十八条の十四第二項及び第三項の規定により標準報酬が改定され、及び決定された者に対する保険給付についてこの法律を適用する場合には、次の表の上欄に掲げる規定（他の法令において、これらの規定を引用し、準用し、又はその例による場合を含む。）中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句に読み替えるものとするほか、当該保険給付の額の計算及びその支給停止に関する規定その他政令で定める規定の適用に関し必要な読替えは、政令で定める。

Article 78-19 If this Act is applied to the insurance benefits of a person whose standardized remuneration has been revised or decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3), each of the terms set forth in the middle column of the following table, under the provisions prescribed in the left-hand column of that table (including when these are cited in other laws and regulations, are applied mutatis mutandis to other laws and

regulations, or govern other laws and regulations), is deemed to be replaced with the terms set forth in the right-hand column of that table, and Cabinet Order prescribes the necessary technical replacement of terms in connection with the application of provisions on the calculation of the amount of the insurance benefits, of provisions on the suspension of their payment, and on any other provisions that Cabinet Order prescribes.

<p>第四十四条第一項 Article 44, paragraph (1)</p>	<p>被保険者期間の月数が二百四十以上 an insured period of 240 months or more</p>	<p>被保険者期間（第七十八条の十五に規定する被扶養配偶者みなし被保険者期間（以下「被扶養配偶者みなし被保険者期間」という。）を除く。以下この項において同じ。）の月数が二百四十以上 an insured period (excluding a deemed insured period of a dependent spouse provided for in Article 78-15 (hereinafter referred to as the "deemed insured period of a dependent spouse"); the same applies hereinafter in this paragraph) of 240 months or more</p>
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<p>第四十六条第一項 Article 46, paragraph (1)</p>	<p>の標準賞与額 the standardized amount of the bonuses for</p>	<p>の標準賞与額（第七十八条の十四第三項の規定による改定前の標準賞与額とし、同項の規定により決定された標準賞与額を除く。） the standardized amount of the bonuses (meaning the standardized amount of bonuses before the revision under the provisions of Article 78-14, paragraph (3), and excluding the standardized amount of bonuses decided pursuant to the provisions of that paragraph) for</p>
<p>第五十八条第一項 Article 58, paragraph (1)</p>	<p>被保険者であつた者が次の former insured</p>	<p>被保険者であつた者（第四号に該当する場合にあつては、被扶養配偶者みなし被保険者期間を有する者を含む。）が次の former insured (in case that falls under item (iv)4, including a person who has a deemed insured period of a dependent spouse)</p>

(標準報酬改定請求を行う場合の特例)

(Special Provisions for When Filing a Request for Standardized Remuneration to Be Revised or Decided)

第七十八条の二十 特定被保険者又は被扶養配偶者が、離婚等（第七十八条の二第一項に規定する離婚等をいう。）をした場合において、第七十八条の十四第二項及び第三項の規定による標準報酬の改定及び決定が行われていない特定期間の全部又は一部を対象期間として第七十八条の二第一項の規定による標準報酬の改定又は決定の請求をしたときは、当該請求をしたときに、第七十八条の十四第一項の請求があつたものとみなす。ただし、当該請求をした日において当該特定被保険者が障害厚生年金の受給権者であるときは、この限りでない。

Article 78-20 (1) If a specific insured and the dependent spouse thereof have gone through a divorce or similar circumstances (meaning the divorce or similar circumstances provided for in Article 78-2, paragraph (1)), and a request for a revision or decision under the provisions of Article 78-2,

paragraph (1) has been filed that has, as the subject period, the whole or a part of a specific period for which the standardized remuneration has not been revised or decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3), the request under Article 78-14, paragraph (1) is deemed to have been filed at the time that the request for a revision or decision under the provisions of Article 78-2, paragraph (1) was filed; provided, however, that this does not apply if the specific insured is the beneficiary of an employees' disability pension as of the day of the relevant request.

2 前項の場合において、第七十八条の三第一項の対象期間標準報酬総額の基礎となる当該特定期間に係る被保険者期間の標準報酬（標準報酬月額について、第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額）並びに第七十八条の六第一項及び第二項の当該特定期間に係る被保険者期間の改定前の標準報酬（標準報酬月額について、第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額）については、第七十八条の十四第二項及び第三項の規定による改定及び決定後の標準報酬とする。

(2) In a case as referred to in the preceding paragraph, the standardized remuneration for the insured period that falls under the specific period, that constitutes the aggregate amount of standardized remuneration for the subject period referred to in Article 78-3, paragraph (1) (or, for the standardized monthly amount of remuneration for a month for which the previous standardized monthly amount of remuneration specified in that paragraph is deemed to be the standardized monthly amount of remuneration pursuant to the provisions of Article 26, paragraph (1), the previous standardized monthly amount of remuneration) and the standardized remuneration for the insured period that falls under the specific period referred to in Article 78-6, paragraph (1) and paragraph (2) (or, for the standardized monthly amount of remuneration of a month for which the previous standardized monthly amount of remuneration specified in that paragraph is deemed to be the standardized monthly amount of remuneration pursuant to the provisions of Article 26, paragraph (1), the previous standardized monthly amount of remuneration) is the standardized remuneration after the revision or decision under the provisions of Article 78-14, paragraph (2) and paragraph (3).

3 第七十八条の十四第二項及び第三項の規定による標準報酬の改定及び決定が行われていない特定期間の全部又は一部を対象期間として第七十八条の四第一項の請求があつた場合において、同項の請求があつた日に特定被保険者が障害厚生年金の受給権を有しないときは、同条第二項に規定する情報は、第七十八条の十四第二項及び第三項の規定により当該対象期間中の特定期間に係る被保険者期間の標準報酬の改定及び決定が行われたとみなして算定したものとする。

(3) If a request under Article 78-4, paragraph (1) has been filed that has, as the subject period, the whole or a part of the specific period for which the

standardized remuneration has not been not revised or decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3), and the specific insured has no right to receive benefits from the employees' disability pension as of the day on which the request under that paragraph was filed, the information provided for in paragraph (2) of that Article is that which is calculated when the standardized remuneration for the insured period in the specific period that fell under the subject period is deemed to have been revised or decided pursuant to the provisions of Article 78-14, paragraph (2) and paragraph (3).

4 前項の規定は、第七十八条の五の求めがあつた場合に準用する。

(4) The provisions of the preceding paragraph apply mutatis mutandis if a request under Article 78-5 has been filed.

5 第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月の標準報酬月額について第七十八条の十四第二項の規定により改定された場合における第七十八条の三第一項及び第七十八条の六第一項の規定の適用については、第七十八条の三第一項中「標準報酬月額（第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額）」とあるのは「標準報酬月額」と、第七十八条の六第一項第一号中「標準報酬月額（第二十六条第一項の規定により同項に規定する従前標準報酬月額が当該月の標準報酬月額とみなされた月にあつては、従前標準報酬月額。次号において同じ。））」とあるのは「標準報酬月額」とする。

(5) To apply the provisions of Article 78-3, paragraph (1) and Article 78-6, paragraph (1) to a case in which the standardized monthly amount of remuneration is revised pursuant to the provisions of Article 78-14, paragraph (2) for a month in which the previous standardized monthly amount of remuneration specified in Article 26, paragraph (1) has been deemed to be the standardized monthly amount of remuneration pursuant to the provisions of that paragraph, the phrase "the standardized monthly amounts of remuneration and the standardized amounts of bonuses for each month of the insured period falling under the subject period ( the previous standardized monthly amount of remuneration specified in Article 26, paragraph (1) is substituted for that standardized monthly amount of remuneration, for each month in which the previous standardized monthly amount of remuneration is deemed to be the standardized monthly amount of remuneration for the relevant month pursuant to the provisions of that paragraph" in Article 78-3, paragraph (1) is deemed to be replaced with " the standardized monthly amounts of remuneration and the standardized amounts of bonuses for each month of the insured period falling under the subject period" and the phrase "the standardized monthly amount of remuneration (for months in which, pursuant to the provisions of Article 26, paragraph (1), the previous standardized monthly amount of remuneration specified in that paragraph is

deemed to be the standardized monthly amount of remuneration, the previous standardized monthly amount of remuneration; the same applies in the following item)" in Article 78-6, paragraph (1), item (i) is deemed to be replaced with "the standardized monthly amount of remuneration".

(政令への委任)

(Delegation to Cabinet Order)

第七十八条の二十一 この章に定めるもののほか、被扶養配偶者である期間についての特例に関し必要な事項は、政令で定める。

Article 78-21 Beyond as provided for in this Chapter, Cabinet Order provides for the necessary particulars in connection with the special provisions on the period during which a person is a dependent spouse.

### 第三章の四 二以上の種別の被保険者であつた期間を有する者の特例

#### Chapter III-4 Special Provisions for a Person Who Has Spent Time as an Insured in Two or More Categories

(年金たる保険給付の併給の調整の特例)

(Special Provisions on Adjustment for Combined Benefits under Pension Insurance Benefits)

第七十八条の二十二 第一号厚生年金被保険者期間、第二号厚生年金被保険者期間、第三号厚生年金被保険者期間又は第四号厚生年金被保険者期間（以下「各号の厚生年金被保険者期間」という。）のうち二以上の被保険者の種別に係る被保険者であつた期間を有する者（以下「二以上の種別の被保険者であつた期間を有する者」という。）であつて、一の被保険者の種別に係る被保険者であつた期間（以下「一の期間」という。）に基づく年金たる保険給付と同一の支給事由に基づく当該一の被保険者の種別と異なる他の被保険者の種別に係る被保険者であつた期間（以下「他の期間」という。）に基づく年金たる保険給付を受けることができるものについて、第三十八条の規定を適用する場合においては、同条第一項中「遺族厚生年金を除く」とあるのは「当該老齢厚生年金と同一の支給事由に基づいて支給される老齢厚生年金及び遺族厚生年金を除く」と、「老齢厚生年金を除く」とあるのは「老齢厚生年金及び当該遺族厚生年金と同一の支給事由に基づいて支給される遺族厚生年金を除く」とする。

Article 78-22 In applying the provisions of Article 38 to a person who has spent time as an insured under two or more insured categories corresponding to a category I EPI insured period, category II EPI insured period, category III EPI insured period, or category IV EPI insured period (hereinafter each of these is referred to as a "category of EPI insured period") (hereinafter such a person is referred to as a "person who has spent time as an insured in two or more categories"); and who is eligible to receive pension insurance benefits based on the time that the person spent as an insured under a single insured category (referred to as the person's "time in one category" hereinafter) and is also

eligible to receive pension insurance benefits due to the same grounds for payment based on the time that the person spent as an insured under another insured category that differs from the single insured category in question (hereinafter referred to as the person's "time in another category"); the phrase "other than an employees' pension for surviving family" in paragraph (1) of that Article is deemed to be the phrase "other than an employees' old-age pension paid based on the same grounds for payment as the employees' old-age pension in question or an employees' pension for surviving family" and the phrase " other than an employees' old-age pension" in that paragraph is deemed to be the phrase " other than an employees' old-age pension or an employees' pension for surviving family paid based on the same grounds for payment as the employees' pension for surviving family in question".

(年金たる保険給付の申出による支給停止の特例)

(Special Provisions on Suspending Payments of Pension Insurance Benefits Upon Request)

第七十八条の二十三 二以上の種別の被保険者であつた期間を有する者に係る年金たる保険給付の受給権者について、一の期間に基づく第三十八条の二第一項に規定する年金たる保険給付についての同項の規定による申出又は同条第三項の規定による撤回は、当該一の期間に基づく年金たる保険給付と同一の支給事由に基づく他の期間に基づく年金たる保険給付についての当該申出又は当該撤回と同時に行為を行わなければならない。

Article 78-23 A beneficiary of the pension insurance benefits of a person who has spent time as an insured in two or more categories must file a request under the provisions of Article 38-2, paragraph (1) or withdrawing it as under the provisions of paragraph (3) of that Article regarding pension insurance benefits as prescribed in paragraph (1) of that Article that are based on the person's time in one category at the same time as filing such a request or withdrawing it regarding pension insurance benefits that are based on the person's time in another category and on the same grounds for payment as the grounds for payment of the pension insurance benefits that are based on the person's time in that one category.

(年金の支払の調整の特例)

(Special Provisions on Adjustment of Pension Payments)

第七十八条の二十四 二以上の種別の被保険者であつた期間を有する者に係る保険給付の受給権者について、第三十九条第一項及び第二項の規定を適用する場合には、同条第一項中「乙年金の受給権者」とあるのは「第七十八条の二十二に規定する各号の厚生年金被保険者期間（以下この条において「各号の厚生年金被保険者期間」という。）のうち第七十八条の二十二に規定する一の期間（以下この条において「一の期間」という。）に基づく乙年金（以下この項において「乙年金」という。）の受給権者」と、「甲年金の受給権」とあるのは「当該一の期間に基づく甲年金（以下この項

において「甲年金」という。)の受給権」と、同条第二項中「年金の支給」とあるのは「各号の厚生年金被保険者期間のうち一の期間に基づく年金の支給」と、「年金が支払われたとき」とあるのは「当該年金が支払われたとき」と、「年金の内払」とあるのは「当該一の期間に基づく年金の内払」と、「年金を減額して」とあるのは「各号の厚生年金被保険者期間のうち一の期間に基づく年金を減額して」と、「年金が支払われた場合」とあるのは「当該一の期間に基づく年金が支払われた場合」とする。

**Article 78-24** When the provisions of Article 39, paragraph (1) and paragraph (2) are applied to a person who has spent time as an insured in two or more categories, the phrase "beneficiary of a first pension" in paragraph (1) of that Article is deemed to be the phrases "beneficiary of a first pension (hereinafter referred to in this Article as the 'first pension') based on the person's time in one category as provided for in Article 78-22 (hereinafter referred to in this Article as the person's 'time in one category'), among the categories of EPI insured period provided for in Article 78-22 (hereinafter each of these is referred to in this Article as a 'category of EPI insured period')"; the phrase "right to receive benefits under a second pension" in that paragraph is deemed to be the phrase "right to receive benefits under a second pension based on the relevant time in one category (hereinafter referred to in this paragraph as 'a second pension')"; the phrase "the payment of a pension" in paragraph (2) of that Article is deemed to be the phrase "the payment of a pension based on the time in one category among the categories of EPI insured period"; the phrase "If... a pension has been paid" in that paragraph is deemed to be the phrase "If... the relevant pension has been paid"; the phrase "partial payment of the pension" in that paragraph is deemed to be the phrase "partial payment of the pension based on the relevant time in one category"; the phrase "by reducing its amount" in that paragraph is deemed to be the phrase "by reducing the amount of the pension based on the time in one category, among the categories of EPI insured period"; the phrase "if... a pension has been paid" in that paragraph is deemed to be the phrase "if... a pension based on the relevant time in one category has been paid".

(損害賠償請求権の特例)

(Special Provisions on Right to Demand Compensation for Loss or Damage)

第七十八条の二十五 二以上の種別の被保険者であつた期間を有する者に係る保険給付について、第四十条第二項の規定を適用する場合には、同項中「その価額」とあるのは、「その価額をそれぞれの保険給付の価額に応じて按分した価額」とする。

**Article 78-25** When the provisions of Article 40, paragraph (2) are applied to the insurance benefits of a person who has spent time as an insured in two or more categories, the phrase "the value of that compensation" in that paragraph is deemed to be the phrase "the value arrived at when the value of that compensation is allocated in proportion to the value of each insurance benefit".



(老齡厚生年金の受給権者及び年金額の特例)

(Special Provisions on the Beneficiaries of Employees' Old-Age Pensions and Amounts of Pension Benefits)

第七十八条の二十六 二以上の種別の被保険者であつた期間を有する者に係る老齡厚生年金について、第四十二条（この法律及び他の法令において、引用し、準用し、又はその例による場合を含む。）の規定を適用する場合においては、各号の厚生年金被保険者期間に係る被保険者期間ごとに適用する。

Article 78-26 (1) When the provisions of Article 42 are applied (including when these are cited in this Act and other laws and regulations, are applied mutatis mutandis to this Act and other laws and regulations, or govern this Act and other laws and regulations) to the employees' old-age pension of a person who has spent time as an insured in two or more categories, those provisions apply to each insured period that constitutes a category of EPI insured period.

2 二以上の種別の被保険者であつた期間を有する者に係る老齡厚生年金について、第四十三条（この法律及び他の法令において、引用し、準用し、又はその例による場合を含む。）の規定を適用する場合においては、同条第一項に規定する被保険者であつた全期間並びに同条第二項及び第三項に規定する被保険者であつた期間は、各号の厚生年金被保険者期間ごとに適用し、同条第一項に規定する被保険者期間は、各号の厚生年金被保険者期間に係る被保険者期間ごとに適用し、同条第三項に規定する被保険者の資格は、被保険者の種別ごとに適用する。

(2) When the provisions of Article 43 (including when these are cited in this Act and other laws and regulations, are applied applicable mutatis mutandis to this Act and other laws and regulations, or govern this Act and other laws and regulations) are applied to the employees' old-age pension of a person who has spent time as an insured in two or more categories, the whole period during which the person was an insured as provided in paragraph (1) of that Article and the periods during which the person was an insured as provided for in paragraphs (2) and (3) of that Article are applied in each category of EPI insured period; the insured period as provided in paragraph (1) of that Article is applied in each insured period that constitutes a category of EPI insured period; and the person's status as an insured as provided in paragraph (3) of that Article is applied in each insured category.

(老齡厚生年金に係る加給年金額の特例)

(Special Provisions on Additional Amounts of Pension Associated with Employees' Old-Age Pensions)

第七十八条の二十七 二以上の種別の被保険者であつた期間を有する者に係る老齡厚生年金の額については、その者の二以上の被保険者の種別に係る被保険者であつた期間に係る被保険者期間を合算し、一の期間に係る被保険者期間のみを有するものとみなして第四十四条（この法律及び他の法令において、引用し、準用し、又はその例によ

る場合を含む。)の規定を適用する。この場合において、同条第一項に規定する加給年金額は、政令で定めるところにより、各号の厚生年金被保険者期間のうち一の期間に係る被保険者期間を計算の基礎とする老齢厚生年金の額に加算するものとする。

**Article 78-27** For a person who has spent time as an insured in two or more categories, the insured periods associated with the time that the person spent as an insured under two or more insured categories are added together, the person is deemed to have only the insured period associated with the time in one category, and the provisions of Article 44 (including when these are cited in this Act and other laws and regulations, are applied mutatis mutandis to this Act and other laws and regulations, or govern this Act and other laws and regulations) apply to the amount of employees' old-age pension associated with that person. In such a case, the amount of additional pension as provided for in paragraph (1) of that Article is, as specified by Cabinet Order, added to the amount of the employees' old-age pension calculated based on the insured period associated with the person's time in one category, among the categories of EPI insured period.

(老齢厚生年金の支給の繰下げの特例)

(Special Provisions on Deferring Payment of Employees' Old-Age Pensions)

第七十八条の二十八 二以上の種別の被保険者であつた期間を有する者に係る老齢厚生年金について、第四十四条の三の規定を適用する場合においては、一の期間に基づく老齢厚生年金についての同条第一項の規定による申出は、他の期間に基づく老齢厚生年金についての当該申出と同時にしなければならない。この場合において、同項ただし書中「他の年金たる保険給付」とあるのは「他の年金たる保険給付（当該老齢厚生年金と同一の支給事由に基づいて支給される老齢厚生年金を除く。）」と、同条第四項中「第四十六条第一項」とあるのは「第七十八条の二十九の規定により読み替えて適用する第四十六条第一項」とするほか、同条の規定の適用に関し必要な読替えその他必要な事項は、政令で定める。

**Article 78-28** When the provisions of Article 44-3 are applied to the employees' old-age pension associated with a person who has spent time as an insured in two or more categories, the request under the provisions of paragraph (1) of that Article concerning an employees' old-age pension based on the person's time in one category must be made at the same time as that request concerning an employees' old-age pension based on the person's time in another category. In such a case, the phrase "other pension benefits" in the proviso of that paragraph is deemed to be replaced with "other pension insurance benefits (excluding an employees' old-age pension paid based on the same grounds for payment as the relevant employees' old-age pension)"; the phrase "Article 46, paragraph (1)" in paragraph (4) of that Article is deemed to be replaced with "Article 46, paragraph (1) as applied following a deemed replacement of terms pursuant to the provisions of Article 78-29"; and Cabinet Order provides for the

necessary technical replacement of terms and other necessary particulars in connection with the application of the provisions of that Article.

(老齢厚生年金の支給停止の特例)

**(Special Provisions on Suspending Payment of Employees' Old-Age Pensions)**

第七十八条の二十九 二以上の種別の被保険者であつた期間を有する者について、第四十六条の規定を適用する場合においては、同条第一項中「老齢厚生年金の受給権者」とあるのは「第七十八条の二十二に規定する各号の厚生年金被保険者期間（以下この項において「各号の厚生年金被保険者期間」という。）のうち同条に規定する一の期間（第六項において「一の期間」という。）に係る被保険者期間を計算の基礎とする老齢厚生年金の受給権者」と、「及び老齢厚生年金の額」とあるのは「及び各号の厚生年金被保険者期間に係る被保険者期間を計算の基礎とする老齢厚生年金の額を合算して得た額」と、「第四十四条の三第四項に規定する加算額を除く。以下この項において同じ」とあるのは「各号の厚生年金被保険者期間に係る被保険者期間を計算の基礎とする第四十四条の三第四項に規定する加算額を合算して得た額を除く」と、「当該老齢厚生年金」とあるのは「当該一の期間に係る被保険者期間を計算の基礎とする老齢厚生年金」と、「控除して得た額」とあるのは「控除して得た額に当該一の期間に係る被保険者期間を計算の基礎とする老齢厚生年金の額（第四十四条第一項に規定する加給年金額及び第四十四条の三第四項に規定する加算額を除く。以下この項において同じ。）を十二で除して得た額を基本月額で除して得た数を乗じて得た額」と、「老齢厚生年金の額以上」とあるのは「当該一の期間に係る被保険者期間を計算の基礎とする老齢厚生年金の額以上」と、「老齢厚生年金の全部」とあるのは「当該一の期間に係る被保険者期間を計算の基礎とする老齢厚生年金の全部」と、同条第六項中「被保険者期間の月数」とあるのは「被保険者期間の月数（その者の二以上の被保険者の種別に係る被保険者であつた期間に係る被保険者期間を合算し、一の期間に係る被保険者期間のみを有するものとみなした場合における当該被保険者期間の月数とする。）」とするほか、同条の規定の適用に関し必要な読替えその他必要な事項は、政令で定める。

Article 78-29 When the provisions of Article 46 are applied to a person who has spent time as an insured in two or more categories, the phrase "beneficiary of the employees' old-age pension" in paragraph (1) of that Article is deemed to be the phrase "beneficiary of the employees' old-age pension calculated based on the insured period associated with the person's time in one category as provided for in Article 78-22 (referred to in paragraph (6) as 'the person's time in one category') among each of the categories of EPI insured period as provided for in that Article (hereinafter each of these is referred to in this paragraph as a 'category of EPI insured period')"; the phrase "the amount of employees' old-age pension" is deemed to be the phrase "the amount arrived at when the amount of employees' old-age pension calculated based on the insured periods that constitute the categories of EPI insured periods is added up"; the phrase "excluding... additional amounts provided for in Article 44-3, paragraph

(4); the same applies hereinafter in this paragraph" is deemed to be the phrase "excluding... the amount arrived at when the additional amounts provided for in Article 44-3, paragraph (4) calculated based on the insured periods that constitute the categories of EPI insured periods are added up"; the phrase "the employees' old-age pension" is deemed to be the phrase "the employees' old-age pension calculated based on the insured period associated with the person's time in one category"; the phrase "the amount equivalent to total monthly remuneration is added to the base monthly amount, the amount of the adjustment for the suspension of payment is subtracted from the sum, and the amount equivalent to one-half of the difference is multiplied by 12 (hereinafter referred to in this paragraph as the "standard amount for a payment suspension");" in that paragraph is deemed to be the phrase " the amount equivalent to total monthly remuneration is added to the base monthly amount; the amount of the adjustment for the suspension of payment is subtracted from the sum; the difference is multiplied by the number that is arrived at when, first, the amount of an employees' old-age pension calculated based on the insured period associated with the person's time in one category (excluding the amount of additional pension provided for in Article 44, paragraph (1) and additional amounts provided for in Article 44-3, paragraph (4); the same applies hereinafter in this paragraph) is divided by 12, and then the quotient is divided by the base monthly amount; and the amount equivalent to one-half of the production thus calculated is multiplied by 12 (hereinafter referred to in this paragraph as the "standard amount for a payment suspension)":"; the phrase "equal to or greater than the amount of the employees' old-age pension" is deemed to be the phrase "equal to or greater than the amount of the employees' old-age pension calculated based on the insured period associated with the person's time in one category"; the phrase "employees' old-age pension" in that paragraph is deemed to be the phrase "the employees' old-age pension calculated based on the insured period associated with the person's time in one category"; and, in paragraph (6) of that Article, the phrase "limited to one calculated based on an insured period of 240 months or more" is deemed to be the phrase "limited to one calculated based on an insured period of 240 months or more (the number of months counted into that insured period is the number of months that constitute the relevant person's insured period associated with the time in one category if the insured periods associated with the time that the relevant person has spent as an insured under two or more insured categories are added together and that person is deemed to have had only the insured period associated with the time in one category"; and Cabinet Order provides for the necessary technical replacement of terms and other necessary particulars in connection with the application of the provisions of that Article.

(障害厚生年金の額の特例)

**(Special Provisions on the Amount of Employees' Disability Pension)**

第七十八条の三十 障害厚生年金の受給権者であつて、当該障害に係る障害認定日において二以上の種別の被保険者であつた期間を有する者に係る当該障害厚生年金の額については、その者の二以上の被保険者の種別に係る被保険者であつた期間を合算し、一の期間に係る被保険者期間のみを有するものとみなして、障害厚生年金の額の計算及びその支給停止に関する規定その他政令で定める規定を適用する。この場合において、必要な読替えその他必要な事項は、政令で定める。

**Article 78-30** For a person who is a beneficiary of an employees' disability pension and who has spent time as an insured in two or more categories as of the day of disability assessment associated with the relevant disability, the time that person spent as an insured under two or more insured categories is added up, the person is deemed to have only the insured period that is associated with the person's time in one category, and the provisions concerning the calculation of the amount of an employees' disability pension, the suspension of payment thereof, and any other provisions specified by Cabinet Order apply to the amount of employees' disability pension associated with that person.

(障害手当金の額の特例)

**(Special Provisions on the Amount of Disability Allowance)**

第七十八条の三十一 障害手当金の受給権者であつて、当該障害に係る障害認定日において二以上の種別の被保険者であつた期間を有する者に係る当該障害手当金の額については、前条の規定を準用する。この場合において、必要な読替えその他必要な事項は、政令で定める。

**Article 78-31** The provisions of the preceding Article apply mutatis mutandis to the amount of disability allowance of a person who is a beneficiary of an employees' disability pension and who has spent time as an insured in two or more categories as of the day of disability assessment for the disability in question. Cabinet Order provides for the necessary technical replacement of terms and other necessary particulars in such a case.

(遺族厚生年金の額の特例)

**(Special Provisions on the Amount of Employees' Pension for Surviving Family)**

第七十八条の三十二 二以上の種別の被保険者であつた期間を有する者の遺族に係る遺族厚生年金（第五十八条第一項第一号から第三号までのいずれかに該当することにより支給されるものに限る。）の額については、死亡した者に係る二以上の被保険者の種別に係る被保険者であつた期間を合算し、一の期間に係る被保険者期間のみを有するものとみなして、遺族厚生年金の額の計算及びその支給停止に関する規定その他政令で定める規定を適用する。この場合において、必要な読替えその他必要な事項は、

政令で定める。

Article 78-32 (1) For the surviving family of a person who has spent time as an insured in two or more categories, the time that the deceased spent as an insured under two or more insured categories is added up, the deceased is deemed to have only the insured period that is associated with the time in one category, and the provisions concerning the calculation of the amount of an employees' pension for surviving family and the suspension of payment thereof and any other provisions specified by Cabinet Order apply to the amount of the employees' pension for surviving family associated with the deceased's surviving family (limited to one that is paid due to the relevant person falling under any of items (i) through (iii) of Article 58, paragraph (1)). Cabinet Order provides for the necessary replacement of terms and other necessary particulars in such a case.

2 二以上の種別の被保険者であつた期間を有する者の遺族に係る遺族厚生年金（第五十八条第一項第四号に該当することにより支給されるものに限る。）については、各号の厚生年金被保険者期間に係る被保険者期間ごとに支給するものとし、そのそれぞれの額は、死亡した者に係る二以上の被保険者の種別に係る被保険者であつた期間を合算し、一の期間に係る被保険者期間のみを有するものとみなして、遺族厚生年金の額の計算に関する規定により計算した額をそれぞれ一の期間に係る被保険者期間を計算の基礎として第六十条第一項第一号の規定の例により計算した額に応じて按分した額とする。この場合において、必要な読替えその他必要な事項は、政令で定める。

(2) The employees' pension for surviving family associated with the surviving family of a person who has spent time as an insured in two or more categories (that pension is limited to one that is paid due to the relevant person falling under item (iv) of Article 58 paragraph (1)) is paid for each insured period that constitutes a category of EPI insured period, and for each amount thereof; the time that the deceased spent as an insured under two or more insured categories is added up; the deceased is deemed to have only the insured period that is associated with the time in one category; and each of their amounts is the amount arrived at when the amount calculated in accordance with the provisions concerning the calculation of the amount of employees' pension for surviving family is allocated in proportion to the value calculated pursuant to the provisions of Article 60, paragraph (1), item (i) based on the insured periods associated with each of the periods of time in one category. Cabinet Order provides for the necessary replacement of terms and other necessary particulars in such a case.

3 前項の場合において、第六十二条第一項の規定による加算額は、政令で定めるところにより、各号の厚生年金被保険者期間のうち一の期間に係る被保険者期間を計算の基礎とする遺族厚生年金の額に加算するものとする。

(3) In a case as referred to in the preceding paragraph, the additional amount under the provisions of Article 62, paragraph (1) is to be added, as specified by

Cabinet Order, to the amount of the employees' pension for surviving family calculated based on the insured period associated with the person's time in one category among the categories of EPI insured periods.

4 前三項に定めるもののほか、遺族厚生年金の額の計算及びその支給の停止に関し必要な事項は、政令で定める。

(4) Beyond as specified in the preceding three paragraphs, Cabinet Order provides for the necessary particulars in connection with calculating the amounts of employees' pensions for surviving family and suspending payment.

(障害厚生年金等に関する事務の特例)

(Special Provisions on Administrative Functions Connected with Employees' Disability Pensions and Employees' Pensions for Surviving Family)

第七十八条の三十三 第七十八条の三十の規定による障害厚生年金及び第七十八条の三十一の規定による障害手当金の支給に関する事務は、政令で定めるところにより、当該障害に係る初診日における被保険者の種別に応じて、第二条の五第一項各号に定める者が行う。

Article 78-33 (1) Pursuant to Cabinet Order, the person specified in the items of Article 2-5, paragraph (1) for the insured category of the insured on the day of initial examination for the disability in question carries out the administrative functions connected with the payment of an employees' disability pension under the provisions of Article 78-30 and an employees' disability allowance under the provisions of Article 78-31.

2 前項の規定は、前条第一項の規定による遺族厚生年金の支給に関する事務について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the administrative functions connected with the payment of the employees' pension for surviving family pursuant to the provisions of paragraph (1) of the preceding Article.

(遺族厚生年金の支給停止に係る申請の特例)

(Special Provisions on Applications to Suspend Payment of Employees' Pensions for Surviving Family)

第七十八条の三十四 二以上の種別の被保険者であつた期間を有する者の遺族について、二以上の被保険者の種別に係る被保険者であつた期間に基づく遺族厚生年金を受けることができる場合には、一の期間に基づく遺族厚生年金についての第六十七条又は第六十八条第一項若しくは第二項の規定による申請は、当該一の期間に基づく遺族厚生年金と同一の支給事由に基づく他の期間に基づく遺族厚生年金についての当該申請と同時にしなければならない。

Article 78-34 If a surviving family member of a person who has spent time as an insured in two or more categories is eligible to receive an employees' pension for surviving family based on the time that the relevant person spent as an

insured under two or more insured categories, the surviving family member must file an application under the provisions of Article 67, or Article 68, paragraph (1) or (2) for the employees' pension for surviving family based on the person's time in one category at the same time as filing any application for the employees' pension for surviving family based on the person's time in another category that is based on the same grounds for payment as the grounds for payment of the employees' pension for surviving family based on the person's time in that one category.

(離婚等をした場合の特例)

(Special Provisions for Divorce and Similar Circumstances)

第七十八条の三十五 二以上の種別の被保険者であつた期間を有する者について、第七十八条の二第一項の規定を適用する場合には、各号の厚生年金被保険者期間のうち一の期間に係る標準報酬についての同項の規定による請求は、他の期間に係る標準報酬についての当該請求と同時にに行わなければならない。

Article 78-35 (1) When the provisions of Article 78-2, paragraph (1) are applied to a person who has spent time as an insured in two or more categories, a request under the provisions of that paragraph concerning the standardized remuneration for the person's time in one category of the categories of EPI insured period must be made at the same time as the relevant request concerning the standardized remuneration for time in another category.

2 前項の場合においては、その者の二以上の被保険者の種別に係る被保険者であつた期間を合算し、一の期間に係る被保険者期間のみを有する者とみなして第七十八条の二及び第七十八条の三の規定を適用し、各号の厚生年金被保険者期間に係る被保険者期間ごとに第七十八条の六及び附則第十七条の十の規定を適用する。この場合において、必要な読替えその他必要な事項は、政令で定める。

(2) In a case as referred to in the preceding paragraph, the time that the person spent as an insured under two or more insured categories is added up, the person is deemed to be a person who has only the insured period associated with the time in one category, and the provisions of Article 78-2 and Article 78-3 apply; the provisions of Article 78-6, and Article 17-10 of the Supplementary Provisions apply to each insured period that constitutes a category of EPI insured period. Cabinet Order provides for the necessary technical replacement of terms and other necessary particulars in such a case.

(被扶養配偶者である期間についての特例)

(Special Provisions on the Period during Which a Person is a Dependent Spouse)

第七十八条の三十六 二以上の種別の被保険者であつた期間を有する者について、第七十八条の十四第一項の規定を適用する場合には、各号の厚生年金被保険者期間のうち一の期間に係る標準報酬についての同項の規定による請求は、他の期間に係る



標準報酬についての当該請求と同時に行わなければならない。

Article 78-36 (1) When the provisions of Article 78-14, paragraph (1) are applied to a person who has spent time as an insured in two or more categories, a request under the provisions of that paragraph concerning the standardized remuneration for the time in one category, among the categories of EPI insured period, must be made at the same time as the relevant request concerning the standardized remuneration for time in another category.

2 前項の場合においては、その者の二以上の被保険者の種別に係る被保険者であつた期間を合算し、一の期間又は当該一の期間に係る被保険者期間のみを有する者とみなして第七十八条の十四第一項及び第七十八条の二十第一項の規定を適用し、各号の厚生年金被保険者期間に係る被保険者期間ごとに第七十八条の十四第二項及び第三項、第七十八条の二十第二項及び第五項並びに附則第十七条の十一から第十七条の十三までの規定を適用する。この場合において、必要な読替えその他必要な事項は、政令で定める。

(2) In a case as referred to in the preceding paragraph, the time that the person spent as an insured under two or more insured categories is added up, the person is deemed to be either a person who has spent time in one category only or a person who has only the insured period associated with that time in one category, and the provisions of Article 78-14, paragraph (1) and Article 78-20, paragraph (1) apply; the provisions of Article 78-14, paragraph (2) and paragraph (3), and Article 78-20, paragraph (2) and paragraph (5), and the provisions of Article 17-11 through Article 17-13 of the Supplementary Provisions apply to each insured period constituting a category of EPI insured period. Cabinet Order provides for the necessary technical replacement of terms and other necessary particulars in such a case.

(政令への委任)

(Delegation to Cabinet Order)

第七十八条の三十七 この章に定めるもののほか、二以上の種別の被保険者であつた期間を有する者に係る保険給付の額の計算及びその支給停止その他この法律の規定の適用に関し必要な事項は、政令で定める。

Article 78-37 Beyond as provided for in this Chapter, Cabinet Order provides for the necessary particulars in connection with calculating the amount of insurance benefits associated with a person who has spent time as an insured in two or more categories, suspending payment of those benefits, and otherwise applying this Act.

#### 第四章 厚生年金保険事業の円滑な実施を図るための措置

#### Chapter IV Measures for Ensuring the Smooth Operation of Employees' Pension Insurance Services

第七十九条 政府等は、厚生年金保険事業の円滑な実施を図るため、厚生年金保険に関し、次に掲げる事業を行うことができる。

Article 79 (1) For the purpose of ensuring the smooth operation of employees' pension insurance services, the government and the implementing organizations may engage in the following services in relation to employees' pension insurance:

一 教育及び広報を行うこと。

(i) implementing education and public relations;

二 被保険者、受給権者その他の関係者（以下この条及び第百条の三の二第一項において「被保険者等」という。）に対し、相談その他の援助を行うこと。

(ii) providing insureds, beneficiaries, and other concerned persons (hereinafter referred to as "insureds, beneficiaries, and other such persons" in this Article and Article 100-3-2, paragraph (1)) with consultation or other assistance;

三 被保険者等に対し、被保険者等が行う手続に関する情報その他の被保険者等の利便の向上に資する情報を提供すること。

(iii) providing insureds, beneficiaries, and other such persons with information related to procedures that insureds, beneficiaries, and other such persons carry out or other information that contributes to enhanced convenience for insureds, beneficiaries, and other such persons.

2 政府等は、厚生年金保険事業の実施に必要な事務（国民年金法第九十四条の二第一項及び第二項の規定による基礎年金拠出金（以下「基礎年金拠出金」という。）の負担及び納付に伴う事務を含む。）を円滑に処理し、被保険者等の利便の向上に資するため、電子情報処理組織の運用を行うものとする。

(2) The government and the implementing organizations are to smoothly handle the administrative functions that are necessary to implement employees' pension insurance services (including administrative functions involved in bearing monetary contributions to basic pensions and the payment thereof under the provisions of Article 94-2, paragraph (1) and paragraph (2) of the National Pension Act (hereinafter referred to as "basic pension contributions")) and operate an electronic data processing system in order to contribute to enhanced convenience for insureds, beneficiaries, and other such persons.

3 政府は、第一項各号に掲げる事業及び前項に規定する運用の全部又は一部を日本年金機構（以下「機構」という。）に行わせることができる。

(3) The government may entrust the services set forth in each of the items of paragraph (1) and the operations provided for in the preceding paragraph, in whole or in part, to the Japan Pension Service (hereinafter referred to as "JPS").

4 政府は、独立行政法人福祉医療機構法（平成十四年法律第百六十六号）第十二条第一項第十二号に規定する小口の資金の貸付けを、独立行政法人福祉医療機構に行わせるものとする。

(4) The government is to have the Welfare and Medical Service Agency, IAA,

finance the small fund provided for in Article 12, paragraph (1), item (xii) of the Act on the Welfare and Medical Service Agency, Incorporated Administrative Agency (Act No. 166 of 2002).

#### 第四章の二 積立金の運用

#### Chapter IV-2 Investment of Reserves

(運用の目的)

(Purpose of Investment)

第七十九条の二 積立金（年金特別会計の厚生年金勘定の積立金（以下この章において「特別会計積立金」という。）及び実施機関（厚生労働大臣を除く。次条第三項において同じ。）の積立金のうち厚生年金保険事業（基礎年金拠出金の納付を含む。）に係る部分に相当する部分として政令で定める部分（以下「実施機関積立金」という。）をいう。以下この章において同じ。）の運用は、積立金が厚生年金保険の被保険者から徴収された保険料の一部であり、かつ、将来の保険給付の貴重な財源となるものであることに特に留意し、専ら厚生年金保険の被保険者の利益のために、長期的な観点から、安全かつ効率的に行うことにより、将来にわたって、厚生年金保険事業の運営の安定に資することを目的として行うものとする。

Article 79-2 Any investment of the reserves (meaning the reserves of the employees' pension account under the pension special account (hereinafter referred to as "special account reserves" in this Chapter) and the part of the reserves of an implementing organization (excluding the Minister of Health, Labour and Welfare: the same applies in paragraph (3) of the following Article) that is specified by Cabinet Order as the part that is equivalent to the part with the employees' pension insurance services (including the payment of the basic pension contributions) (hereinafter referred to as "implementing organization reserves"); the same applies hereinafter in this Chapter), is to be undertaken with particular mindfulness of the fact that the reserves are a part of the insurance premiums collected from insureds covered under employees' pension insurance and that they are a valuable source of future pension benefits payments; all investment of those reserves is to be undertaken with the purpose of contributing to the sound management of employees' pension insurance services for years to come, and is to be undertaken safely, efficiently, from a long term perspective, and for the sole benefit of insureds covered under employees' pension insurance.

(積立金の運用)

(Investment of Reserves)

第七十九条の三 特別会計積立金の運用は、厚生労働大臣が、前条の目的に沿った運用に基づく納付金の納付を目的として、年金積立金管理運用独立行政法人に対し、特別会計積立金を寄託することにより行うものとする。

Article 79-3 (1) Any investment of special account reserves is to be carried out by the Minister of Health, Labour and Welfare by making a bailment of special account reserves to the Government Pension Investment Fund, IAA, with the objective of making payments based on investment that is in line with the purpose of the preceding Article.

2 厚生労働大臣は、前項の規定にかかわらず、同項の規定に基づく寄託をするまでの間、財政融資資金に特別会計積立金を預託することができる。

(2) Notwithstanding of the preceding paragraph, the Minister of Health, Labour and Welfare may deposit the special account reserves with the fiscal loan fund until making a bailment of the special account reserves under the provisions of that paragraph.

3 実施機関積立金の運用は、前条の目的に沿って、実施機関が行うものとする。ただし、実施機関積立金の一部については、政令で定めるところにより、国家公務員共済組合法（昭和三十三年法律第二百二十八号）、地方公務員等共済組合法（昭和三十七年法律第百五十二号）又は私立学校教職員共済法（以下「共済各法」という。）の目的に沿って運用することができるものとし、この場合における同条の規定の適用については、同条中「専ら厚生年金保険」とあるのは、「厚生年金保険」とする。

(3) Any investment of implementing organization reserves is carried out by the implementing organization in line with the purposes referred to in the preceding Article; provided, however, that the investment of a part of the implementing organization reserves may be, as specified by Cabinet Order, carried out in line with the purposes of the National Public Officers Mutual Aid Association Act (Act No.128 of 1958), the Local Public Officers, etc. Mutual Aid Association Act (Act No. 152 of 1962), or the Private School Personnel Mutual Aid Association Act (hereinafter referred to as the "Acts on mutual aid"), and to apply the provisions of that Article, the phrase "for the sole benefit of insureds covered under employees' pension insurance" in that Article is deemed to be the phrase "for the benefit of insureds covered under employees' pension insurance".

（積立金基本指針）

(Basic Policy of Reserves)

第七十九条の四 主務大臣は、積立金の管理及び運用が長期的な観点から安全かつ効率的に行われるようにするための基本的な指針（以下「積立金基本指針」という。）を定めるものとする。

Article 79-4 (1) The competent ministers are to establish the basic policy that is meant to ensure that the reserves are managed and invested safely and efficiently from a long-term perspective (hereinafter referred to as the "basic policy for reserves").

2 積立金基本指針においては、次に掲げる事項を定めるものとする。

(2) The competent ministers are to prescribe the following particulars in the

basic policy for reserves:

一 積立金の管理及び運用に関する基本的な方針

(i) basic policy concerning management and investment of reserves;

二 積立金の資産の構成の目標に関する基本的な事項

(ii) basic particulars of the target of the asset structure of reserves;

三 積立金の管理及び運用に関し管理運用主体（年金積立金管理運用独立行政法人、国家公務員共済組合連合会、地方公務員共済組合連合会及び日本私立学校振興・共済事業団をいう。以下同じ。）が遵守すべき基本的な事項

(iii) basic rules to be observed by the management and investment entities (meaning the Government Pension Investment Fund, IAA; the Federation of National Public Service Personnel Mutual Aid Associations; the Pension Fund Association for Local Government Officials; and the Promotion and Mutual Aid Corporation for Private Schools of Japan; the same applies hereinafter) concerning management and investment of reserves; and

四 その他積立金の管理及び運用に関する重要事項

(iv) other important particulars concerning the management and investment of reserves.

3 主務大臣は、財政の現況及び見通しが作成されたときその他必要があると認めるときは、積立金基本指針に検討を加え、必要に応じ、これを変更するものとする。

(3) When the current budget status and projections report has been prepared or upon otherwise finding that it is necessary to do so, the competent ministers are to review the basic policy for reserves and revise it as needed.

4 積立金基本指針を定め、又は変更しようとするときは、厚生労働大臣は、あらかじめ、積立金基本指針の案又はその変更の案を作成し、財務大臣、総務大臣及び文部科学大臣に協議するものとする。

(4) Before seeking to establish or revise the basic policy for reserves, the Minister of Health, Labour and Welfare is to first prepare a draft of the basic policy for reserves or a draft of its revision and consult with the Minister of Finance, the Minister of Internal Affairs and Communications, and the Minister of Education, Culture, Sports, Science and Technology.

5 財務大臣、総務大臣及び文部科学大臣は、必要があると認めるときは、厚生労働大臣に対し、積立金基本指針の変更の案の作成を求めることができる。

(5) The Minister of Finance, the Minister of Internal Affairs and Communications, and the Minister of Education, Culture, Sports, Science and Technology, on finding it to be necessary to do so, may request the Minister of Health, Labour and Welfare to prepare a draft of a revision to the basic policy for reserves.

6 主務大臣は、積立金基本指針を定め、又は変更したときは、速やかに、これを公表するものとする。

(6) Having established or revised the basic policy for reserves, the competent ministers are to promptly make this public.

(積立金の資産の構成の目標)

**(Target of the Asset Structure of Reserves)**

第七十九条の五 管理運用主体は、積立金基本指針に適合するよう、共同して、次条第一項に規定する管理運用の方針において同条第二項第三号の資産の構成を定めるに当たって参酌すべき積立金の資産の構成の目標を定めなければならない。

**Article 79-5 (1) The management and investment entities must jointly establish the target asset structure for reserves to be considered when they prescribe the asset structure referred to in paragraph (2), item (iii) of that Article in the management/investment guidelines provided for in the provisions of paragraph (1) of the following Article, so that the target asset structure conforms to the basic policy for reserves.**

2 管理運用主体は、財政の現況及び見通しが作成されたときその他必要があると認めるときは、共同して、前項に規定する積立金の資産の構成の目標に検討を加え、必要に応じ、これを変更しなければならない。

**(2) When a current budget status and projections report has been prepared or if the management and investment entities find it to be necessary to do so, they must jointly review the target asset structure for the reserves provided for in the preceding paragraph and revise this as needed.**

3 管理運用主体は、第一項に規定する積立金の資産の構成の目標を定め、又は変更したときは、遅滞なく、共同して、これを公表するとともに、主務大臣に送付しなければならない。

**(3) The management and investment entities, having prescribed or revised the target asset structure for reserves provided for in paragraph (1), must jointly make this public without delay and send this to the competent ministers.**

4 主務大臣は、第一項に規定する積立金の資産の構成の目標が積立金基本指針に適合しないと認めるときは、管理運用主体に対し、当該目標の変更を命ずることができる。

**(4) If a competent minister finds that the target asset structure for reserves provided for in paragraph (1) does not conform to the basic policy for reserves, the minister may order the management and investment entities to revise the target.**

5 前項の規定による命令をしようとするときは、厚生労働大臣は、あらかじめ、積立金基本指針に適合するよう変更させるべき内容の案を作成し、財務大臣、総務大臣及び文部科学大臣に協議するものとする。

**(5) Before seeking to issue an order under the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare must first prepare a draft of the content to be revised to conform to the basic policy for reserves, and consult with the Minister of Finance, the Minister of Internal Affairs and Communications, and the Minister of Education, Culture, Sports, Science and Technology.**

(管理運用の方針)

(Management/Investment Guidelines)

第七十九条の六 管理運用主体は、その管理する積立金（地方公務員共済組合連合会にあつては、地方公務員共済組合連合会が運用状況を管理する実施機関の実施機関積立金を含む。以下この章において「管理積立金」という。）の管理及び運用（地方公務員共済組合連合会にあつては、管理積立金の運用状況の管理を含む。以下この章において同じ。）を適切に行うため、積立金基本指針に適合するように、かつ、前条第一項に規定する積立金の資産の構成の目標に即して、管理及び運用の方針（以下この章において「管理運用の方針」という。）を定めなければならない。

Article 79-6 (1) A management and investment entity must establish guidelines on management and investment (hereinafter referred to in this Chapter as "management/investment guidelines") for the purpose of carrying out appropriate management and investment (for the Pension Fund Association for Local Government Officials, this includes managing the circumstances of investment of the reserves under its management; the same applies hereinafter in this Chapter) of the reserves under its management (for the Pension Fund Association for Local Government Officials, this includes the implementing organization reserves of the implementing organization whose investment circumstances the Pension Fund Association for Local Government Officials manages; hereinafter in this Chapter referred to as "managed reserves") so as to conform to the basic policy for reserves and in line with the target asset structure for reserves provided for in the provisions of paragraph (1) of the preceding Article.

2 管理運用の方針においては、次に掲げる事項を定めるものとする。

(2) The following particulars are to be prescribed in the management/investment guidelines:

一 管理積立金の管理及び運用の基本的な方針

(i) the basic guidelines for the management and investment of managed reserves;

二 管理積立金の管理及び運用に関し遵守すべき事項

(ii) rules to be observed concerning the management and investment of managed reserves;

三 管理積立金の管理及び運用における長期的な観点からの資産の構成に関する事項

(iii) the particulars of the asset structure from a long-term perspective in the management and investment of managed reserves; and

四 その他管理積立金の適切な管理及び運用に関し必要な事項

(iv) other necessary particulars related to the appropriate management and investment of the managed reserves.

3 管理運用主体は、積立金基本指針が変更されたときその他必要があると認めるときは、管理運用の方針に検討を加え、必要に応じ、これを変更しなければならない。

(3) If the basic policy for reserves has been revised or on otherwise finding that it is necessary to do so, a management and investment entity must review the

management/investment guidelines and revise these as needed.

4 管理運用主体は、管理運用の方針を定め、又は変更しようとするときは、あらかじめ、当該管理運用主体を所管する大臣（以下この章並びに第百条の三の三第二項第一号及び第三項において「所管大臣」という。）の承認を得なければならない。

(4) Before seeking to establish or revise management/investment guidelines, a management and investment entity must first obtain approval of the minister with administrative jurisdiction over it (hereinafter referred to in this Chapter and Article 100-3-3, paragraph (2), item (i) and paragraph (3) as "the minister with jurisdiction").

5 管理運用主体は、管理運用の方針を定め、又は変更したときは、遅滞なく、これを公表しなければならない。

(5) Having established or revised management/investment guidelines, a management and investment entity must make this public without delay.

6 管理運用主体は、積立金基本指針及び管理運用の方針に従つて管理積立金の管理及び運用を行わなければならない。

(6) A management and investment entity must manage and invest managed reserves in accordance with the basic policy for reserves and management/investment guidelines.

7 所管大臣は、その所管する管理運用主体の管理運用の方針が積立金基本指針に適合しなくなつたと認めるときは、当該管理運用主体に対し、その管理運用の方針の変更を命ずることができる。

(7) The minister with jurisdiction, on finding that the management/investment guidelines of a management and investment entity under the jurisdiction thereof no longer conform to the basic policy for reserves, may order the management and investment entity to revise its management/investment guidelines.

(管理運用主体に対する措置命令)

(Ordering Management and Investment Entities to Take Measures)

第七十九条の七 所管大臣は、その所管する管理運用主体が、管理積立金の管理及び運用に係る業務に関しこの法律の規定若しくはこれに基づく命令の規定に違反し、又は当該管理運用主体の管理積立金の管理及び運用の状況が、積立金基本指針若しくは当該管理運用主体の管理運用の方針に適合しないと認めるときは、当該管理運用主体に対し、当該業務の運営を改善するために必要な措置又は当該管理積立金の管理及び運用の状況を積立金基本指針若しくは当該管理運用の方針に適合させるために必要な措置をとることを命ずることができる。

Article 79-7 If the minister with jurisdiction finds a management and investment entity under the jurisdiction thereof to be in violation of the provisions of this Act or the provisions of any order based on this Act, or finds that the circumstances of the management or investment of managed reserves by such a management and investment entity do not conform to the basic policy



for reserves or to the management and investment entity's management/investment guidelines, the minister may order the management and investment entity to take the necessary measures for improving its business operations or the necessary measures to cause the circumstances of the management and investment of managed reserves to conform to the basic policy for reserves or the management/investment guidelines.

(管理積立金の管理及び運用の状況に関する公表及び評価)

(Disclosure and Evaluation of the Circumstances of the Management and Investment of Managed Reserves)

第七十九条の八 管理運用主体は、各事業年度の決算完結後、遅滞なく、当該事業年度における管理積立金の資産の額、その構成割合、運用収入の額その他の主務省令で定める事項を記載した業務概況書を作成し、これを公表するとともに、所管大臣に送付しなければならない。

Article 79-8 (1) After completion of the settlement of accounts for each business year, a management and investment entity must prepare, without delay, an outline of its business operations stating the asset amount, asset structure proportion, amount of investment income from managed reserves in the relevant business year, and any other particulars specified by order of the competent ministry, and must disclose this to the public and send it to the minister with jurisdiction.

2 所管大臣は、その所管する管理運用主体の業務概況書の送付を受けたときは、速やかに、当該管理運用主体について、管理積立金の管理及び運用の状況（第七十九条の三第三項ただし書の規定による運用の状況を含む。）その他の管理積立金の管理及び運用に関する主務省令で定める事項について評価を行い、その結果を公表するものとする。

(2) Having received the outline of the business operations of a management and investment entity under the jurisdiction thereof, the minister with jurisdiction is to evaluate the circumstances of management and investment (including the conditions of investment under the provisions referred to in the proviso of Article 79-3, paragraph (3)) of managed reserves and other particulars of management and investment of managed reserves specified by order of the competent ministry with regard to that management and investment entity, and is to disclose the results of this to the public, promptly.

3 所管大臣は、第一項の規定による業務概況書の送付を受けたときは、前項の規定による評価の結果を添えて、当該業務概況書を主務大臣に送付するものとする。

(3) Having received an outline of business operations under the provisions of paragraph (1), the minister with jurisdiction is to send that outline of business operations to the competent ministers accompanied by the result of the evaluation under the provisions of the preceding paragraph.

4 年金積立金管理運用独立行政法人について第一項の規定を適用する場合には、

同項中「決算完結後」とあるのは、「独立行政法人通則法（平成十一年法律第百三十三号）第三十八条第一項の規定による同項に規定する財務諸表の提出後」とする。

(4) When the provisions of paragraph (1) are applied to the Government Pension Investment Fund, IAA, the phrase "After completion of the settlement of accounts" in that paragraph is deemed to be the phrase "After the submission of the Financial Statements prescribed in Article 38, paragraph (1) of the Act on General Rules for Incorporated Administrative Agencies (Act No. 103 of 1999) under the provisions of that paragraph".

(積立金の管理及び運用の状況に関する公表及び評価)

(Disclosure and Evaluation of the Circumstances of Management and Investment of Reserves)

第七十九条の九 主務大臣は、毎年度、主務省令で定めるところにより、積立金の資産の額、その構成割合、運用収入の額、積立金の運用の状況の評価その他の積立金の管理及び運用に関する事項を記載した報告書を作成し、これを公表するものとする。

Article 79-9 (1) The competent ministers are to prepare and disclose to the public, each fiscal year, a written report stating the asset amount, asset structure proportion, amount of investment income of the reserves, evaluation of the circumstances of the investment of reserves, and other particulars of the management and investment of reserves.

2 前項の報告書を作成しようとするときは、厚生労働大臣は、あらかじめ、その案を作成し、財務大臣、総務大臣及び文部科学大臣に協議するものとする。

(2) Before seeking to prepare the written report referred to in the preceding paragraph, the Minister of Health, Labour and Welfare is to first prepare a draft of this and consult with the Minister of Finance, the Minister of Internal Affairs and Communications and the Minister of Education, Culture, Sports, Science and Technology.

3 主務大臣は、第一項の報告書における評価の結果に基づき、管理運用主体の管理積立金の管理及び運用の状況が積立金基本指針に適合しないと認めるときは、当該管理運用主体の所管大臣に対し、当該管理運用主体の管理積立金の管理及び運用の状況を積立金基本指針に適合させるために必要な措置をとるよう求めることができる。

(3) A competent minister, on finding based on the results of the evaluation concerning the written report referred to in paragraph (1) that the circumstances of a management and investment entity's management and investment of managed reserves do not conform to the basic policy for reserves, may request the minister with jurisdiction over that management and investment entity to take the necessary measures to cause the circumstances of the management and investment entity's management and investment of managed reserves to conform to the basic policy for reserves.

4 前項の規定による措置を求めようとするときは、厚生労働大臣は、あらかじめ、積立金基本指針に適合させるために必要な措置の案を作成し、財務大臣、総務大臣及び

文部科学大臣に協議するものとする。

(4) Before seeking to make a request for measures under the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare is to first prepare a draft of the necessary measures to cause the circumstances to conform to the basic policy for reserves, and is to consult with the Minister of Finance, the Minister of Internal Affairs and Communications, and the Minister of Education, Culture, Sports, Science and Technology.

(運用職員の責務)

(Responsibilities of investment officials)

第七十九条の十 積立金の運用に係る行政事務に従事する厚生労働省、財務省、総務省及び文部科学省の職員（政令で定める者に限る。以下「運用職員」という。）は、積立金の運用の目的に沿って、慎重かつ細心の注意を払い、全力を挙げてその職務を遂行しなければならない。

Article 79-10 Officials of the Ministry of Health, Labour and Welfare, the Ministry of Finance; the Ministry of Internal Affairs and Communications; and the Minister of Education, Culture, Sports, Science and Technology who are engaged in administrative functions associated with the investment of reserves (limited to those specified by Cabinet Order; hereinafter referred to as an "investment official") must pay the most prudent and meticulous attention and put forth their utmost efforts in the execution of their duties, in accordance with the purpose of the investment of the reserves.

(秘密保持義務)

(Duty of Confidentiality)

第七十九条の十一 運用職員は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 79-11 It is prohibited for an investment official to divulge or misappropriate any secret learned in the course of duty.

(懲戒処分)

(Disciplinary Action)

第七十九条の十二 運用職員が前条の規定に違反したと認めるときは、その職員の任命権者は、その職員に対し国家公務員法（昭和二十二年法律第二百十号）に基づく懲戒処分をしなければならない。

Article 79-12 Upon finding that an investment official has violated the provisions of the preceding Article, the person with the power to appoint that investment official must take disciplinary action against that official based on the provisions of the National Civil Service Act (Act No. 120 of 1947).

(年金積立金管理運用独立行政法人法等との関係)

(Relationship to the Act on the Government Pension Investment Fund, IAA and Other Acts)

第七十九条の十三 積立金の運用については、この法律に定めるもののほか、年金積立金管理運用独立行政法人法（平成十六年法律第百五号）、国家公務員共済組合法、地方公務員等共済組合法又は日本私立学校振興・共済事業団法（平成九年法律第四十八号）の定めるところによる。

Article 79-13 Beyond what is provided for in this Act, the Act on the Government Pension Investment Fund, Independent Administrative Agency (Act No. 105 of 2004), the National Public Officers Mutual Aid Association Act, the Pension Fund Association for Local Government Officials, and the Act on the Promotion and Mutual Aid Corporation for Private Schools of Japan (Act No. 48 of 1997) govern the investment of reserves.

(政令への委任)

(Delegation to Cabinet Order)

第七十九条の十四 この章に定めるもののほか、積立金の運用に関し必要な事項は、政令で定める。

Article 79-14 Beyond as provided in this Chapter, Cabinet Order provides for the necessary particulars in connection with the investment of reserves.

## 第五章 費用の負担

### Chapter V Bearing of Expenses

(国庫負担等)

(Bearing of Expenses by the National Treasury; Related Matters)

第八十条 国庫は、毎年度、厚生年金保険の実施者たる政府が負担する基礎年金拠出金の額の二分の一に相当する額を負担する。

Article 80 (1) In each fiscal year, the national treasury bears an amount equal to one-half of the amount of basic pension contributions that is to be borne by the government as an executor of employees' pension insurance.

2 国庫は、前項に規定する費用のほか、毎年度、予算の範囲内で、厚生年金保険事業の事務（基礎年金拠出金の負担に関する事務を含む。次項において同じ。）の執行（実施機関（厚生労働大臣を除く。）によるものを除く。）に要する費用を負担する。

(2) In addition to the expenses prescribed in the preceding paragraph, in each fiscal year, the national treasury bears the required expenses for the performance (excluding performance by the implementing organizations (other than the Minister of Health, Labour and Welfare)) of administrative functions related to employees' pension insurance services (including administrative functions connected with the bearing of basic pension contributions; the same applies in the following paragraph) within the limit of budget.

3 実施機関（厚生労働大臣を除く。以下この項において同じ。）が納付する基礎年金

拠出金及び実施機関による厚生年金保険事業の事務の執行に要する費用の負担については、この法律に定めるもののほか、共済各法の定めるところによる。

- (3) Beyond as provided in this Act, the burden of basic pension contributions to be paid by the implementing organizations (other than the Minister of Health, Labour and Welfare; hereinafter the same applies in this paragraph) and the expenses needed for the performance of administrative functions by the implementing organizations are governed by the Acts on mutual aid.

(保険料)

(Insurance Premiums)

第八十一条 政府等は、厚生年金保険事業に要する費用（基礎年金拠出金を含む。）に充てるため、保険料を徴収する。

Article 81 (1) The government and the implementing organizations collect insurance premiums for allocation to the expenses needed for employees' pension insurance services (including basic pension contributions).

2 保険料は、被保険者期間の計算の基礎となる各月につき、徴収するものとする。

(2) The government and the implementing organizations are to collect insurance premiums for each month that forms a basis for calculating an insured period.

3 保険料額は、標準報酬月額及び標準賞与額にそれぞれ保険料率を乗じて得た額とする。

(3) The amount of insurance premiums is the amount arrived at when the insurance premium rate is multiplied by the standardized monthly amount of remuneration and by the standardized amount of bonuses.

4 保険料率は、次の表の上欄に掲げる月分の保険料について、それぞれ同表の下欄に定める率とする。

(4) For insurance premiums in the months set forth in the left-hand column of the following table, the insurance premium rate is the corresponding rate shown in the right-hand column of that table:

平成十六年十月から平成十七年八月までの月分 For months from October 2004 to August 2005	千分の百三十九・三四 139.34/1000
平成十七年九月から平成十八年八月までの月分 For months from September 2005 to August 2006	千分の百四十二・八八 142.88/1000
平成十八年九月から平成十九年八月までの月分 For months from September 2006 to August 2007	千分の百四十六・四二 146.42/1000

平成十九年九月から平成二十年八月までの月分 For months from September 2007 to August 2008	千分の百四十九・九六 149.96/1000
平成二十年九月から平成二十一年八月までの月分 For months from September 2008 to August 2009	千分の百五十三・五〇 153.50/1000
平成二十一年九月から平成二十二年八月までの月分 For months from September 2009 to August 2010	千分の百五十七・〇四 157.04/1000
平成二十二年九月から平成二十三年八月までの月分 For months from September 2010 to August 2011	千分の百六十・五八 160.58/1000
平成二十三年九月から平成二十四年八月までの月分 For months from September 2011 to August 2012	千分の百六十四・一二 164.12/1000
平成二十四年九月から平成二十五年八月までの月分 For months from September 2012 to August 2013	千分の百六十七・六六 167.66/1000
平成二十五年九月から平成二十六年八月までの月分 For months from September 2013 to August 2014	千分の百七十一・二〇 171.20/1000
平成二十六年九月から平成二十七年八月までの月分 For months from September 2014 to August 2015	千分の百七十四・七四 174.74/1000
平成二十七年九月から平成二十八年八月までの月分 For months from September 2015 to August 2016	千分の百七十八・二八 178.28/1000
平成二十八年九月から平成二十九年八月までの月分 For months from September 2016 to August 2017	千分の百八十一・八二 181.82/1000
平成二十九年九月以後の月分 For the month of September 2017 and months thereafter	千分の百八十三・〇〇 183.00/1000

(育児休業期間中の保険料の徴収の特例)  
(Special Provisions on the Collection of Insurance Premiums during Childcare Leave)

第八十一条の二 育児休業等をしている被保険者（次条の規定の適用を受けている被保険者を除く。）が使用される事業所の事業主が、主務省令で定めるところにより実施機関に申出をしたときは、前条第二項の規定にかかわらず、当該被保険者に係る保険料であつてその育児休業等を開始した日の属する月からその育児休業等が終了する日の翌日が属する月の前月までの期間に係るものの徴収は行わない。

Article 81-2 (1) Notwithstanding the provisions of paragraph (2) of the preceding Article, if the employer of a place of business at which an insured on childcare/parental leave (excluding an insured to whom the provisions of the following Article are applicable) is employed has filed a request with the implementing organization as specified by order of the competent ministry, the insured's insurance premiums are not collected during the period from the month that includes the day on which the insured's childcare/parental leave begins until the month before the month that includes the day after the insured's childcare/parental leave end date.

2 第二号厚生年金被保険者又は第三号厚生年金被保険者に係る保険料について、前項の規定を適用する場合においては、同項中「除く。）が使用される事業所の事業主」とあるのは、「除く。）」とする。

(2) When the provisions of the preceding paragraph are applied to a category II EPI insured or a category III EPI insured, the phrase "the employer of a place of business at which an insured on childcare/parental leave (excluding an insured to whom the provisions of the following Article are applicable) is employed" in that paragraph is deemed to be the phrase "an insured on childcare/parental leave (excluding an insured to whom the provisions of the following Article are applicable)".

（産前産後休業期間中の保険料の徴収の特例）

(Special Provisions on Collection of Insurance Premiums during Maternity Leave)

第八十一条の二の二 産前産後休業をしている被保険者が使用される事業所の事業主が、主務省令で定めるところにより実施機関に申出をしたときは、第八十一条第二項の規定にかかわらず、当該被保険者に係る保険料であつてその産前産後休業を開始した日の属する月からその産前産後休業が終了する日の翌日が属する月の前月までの期間に係るものの徴収は行わない。

Article 81-2-2 (1) Notwithstanding the provisions of Article 81, paragraph (2), if the employer of the place of business at which an insured on maternity leave is employed has filed a request with the implementing organization as specified in the order of the competent ministry, the insured's insurance premiums are not collected during the period from the month that includes the day on which the maternity leave begins until the month before the month that includes the day after the maternity leave end date.

2 第二号厚生年金被保険者又は第三号厚生年金被保険者に係る保険料について、前項

の規定を適用する場合においては、同項中「被保険者が使用される事業所の事業主」とあるのは、「被保険者」とする。

- (2) When the provisions of the preceding paragraph are applied to a category II EPI insured or a category III EPI insured, the phrase "the employer of a place of business at which an insured on maternity leave is employed" in that paragraph is deemed to be the phrase "an insured on maternity leave".

第八十一条の三 削除〔平成二五年六月法律六三号〕

Article 81-3 Deleted (Act No. 63 of June 2013)

(保険料の負担及び納付義務)

(Burden of Insurance Premiums and Obligation to Pay)

第八十二条 被保険者及び被保険者を使用する事業主は、それぞれ保険料の半額を負担する。

Article 82 (1) The insured and the employer employing the insured each bear half the cost of the insurance premiums.

2 事業主は、その使用する被保険者及び自己の負担する保険料を納付する義務を負う。

(2) An employer has the obligation to pay the insurance premiums borne by the insureds it employs and those that it bears itself.

3 被保険者が同時に二以上の事業所又は船舶に使用される場合における各事業主の負担すべき保険料の額及び保険料の納付義務については、政令の定めるところによる。

(3) If an insured is employed by two or more places of business or ships at the same time, the amount of insurance premiums that is to be borne by each employer and the obligation to pay insurance premiums is as prescribed by Cabinet Order.

4 第二号厚生年金被保険者についての第一項の規定の適用については、同項中「事業主は」とあるのは、「事業主（国家公務員共済組合法第九十九条第六項に規定する職員団体その他政令で定める者を含む。）は、政令で定めるところにより」とする。

(4) When the provisions of paragraph (1) are applied to a category II EPI insured, the phrase "the employer employing the insured each bear half the cost of the insurance premiums" in that paragraph is deemed to be the phrase "the employer (including an employee organization as provided for in Article 99 paragraph (6) of the National Public Officers Mutual Aid Association Act and other persons specified by Cabinet Order) employing the insured each bear half the cost of the insurance premiums, as specified by Cabinet Order".

5 第三号厚生年金被保険者についての第一項の規定の適用については、同項中「事業主は」とあるのは、「事業主（市町村立学校職員給与負担法（昭和二十三年法律第百三十五号）第一条又は第二条の規定により給与を負担する都道府県その他政令で定める者を含む。）は、政令で定めるところにより」とする。

(5) When the provisions of paragraph (1) are applied to a category III EPI insured, the phrase "the employer employing the insured each bear half the



cost of the insurance premiums" in that paragraph is deemed to be the phrase "the employer (including a prefecture who bears the salary pursuant to the provisions of Article 1 or Article 2 of the Act on Sharing of Salaries for Personnel of Municipal Schools (Act No. 135 of 1948)) employing the insured each bear half the cost of the insurance premiums, as specified by Cabinet Order".

(保険料の納付)

(Payment of Insurance Premiums)

第八十三条 毎月の保険料は、翌月末日までに、納付しなければならない。

Article 83 (1) The insurance premiums for each month must be paid by the last day of the following month.

2 厚生労働大臣は、納入の告知をした保険料額が当該納付義務者が納付すべき保険料額をこえていることを知つたとき、又は納付した保険料額が当該納付義務者が納付すべき保険料額をこえていることを知つたときは、そのこえている部分に関する納入の告知又は納付を、その納入の告知又は納付の日の翌日から六箇月以内の期日に納付されるべき保険料について納期を繰り上げてしたものとみなすことができる。

(2) If the Minister of Health, Labour and Welfare has learned that the amount of insurance premiums for which a payment notice has been issued exceeds the amount of insurance premiums that the person obligated to pay is to pay, or has learned that an amount of insurance premiums that was paid exceeds the amount of insurance premiums that the person obligated to pay was to pay, the payment notice for the portion in excess may be deemed to have been issued with a payment due date that was moved forward, or the payment of the portion in excess may be deemed to have been made for a payment due date that was moved forward, for any insurance premiums that are to be paid by a due date within the six months after the day following the date of the payment notice or the date of the payment.

3 前項の規定によつて、納期を繰り上げて納入の告知又は納付をしたものとみなしたときは、厚生労働大臣は、その旨を当該納付義務者に通知しなければならない。

(3) If it is deemed pursuant to the provisions of the preceding paragraph that a payment notice has been issued or a payment has been made for a payment due date that was moved forward, the Minister of Health, Labour and Welfare must notify the person obligated to pay to that effect.

(口座振替による納付)

(Payment by Bank Account Transfer)

第八十三条の二 厚生労働大臣は、納付義務者から、預金又は貯金の払出しとその払い出した金銭による保険料の納付をその預金口座又は貯金口座のある金融機関に委託して行うことを希望する旨の申出があつた場合には、その納付が確実と認められ、かつ、その申出を承認することが保険料の徴収上有利と認められるときに限り、その申出を

承認することができる。

Article 83-2 If a person obligated to pay files a request indicating that the person wishes to entrust insurance premium payments made by withdrawing cash from the person's deposits or savings to the financial institution with which the person has a deposit or savings account, the Minister of Health, Labour and Welfare may approve the request only if it is found that payments will be reliable and that the approval of the request will be beneficial to the collection of insurance premiums.

(保険料の源泉控除)

(Withholding of Insurance Premiums)

第八十四条 事業主は、被保険者に対して通貨をもって報酬を支払う場合においては、被保険者の負担すべき前月の標準報酬月額に係る保険料（被保険者がその事業所又は船舶に使用されなくなつた場合においては、前月及びその月の標準報酬月額に係る保険料）を報酬から控除することができる。

Article 84 (1) If remuneration is paid to an insured in currency, the employer may deduct the insurance premiums that the insured is to bear in connection with the previous month's standardized monthly amount of remuneration (or, if the insured ceased to be employed by that place of business or ship, the insurance premiums that the insured is to bear in connection with the previous and current months' standardized monthly amounts of remuneration) from the insured's remuneration.

2 事業主は、被保険者に対して通貨をもって賞与を支払う場合においては、被保険者の負担すべき標準賞与額に係る保険料に相当する額を当該賞与から控除することができる。

(2) If a bonus is paid to an insured in currency, the employer may deduct from the relevant bonus the amount equal to the insurance premiums that the insured is to bear in connection with the standardized amount of the bonus.

3 事業主は、前二項の規定によつて保険料を控除したときは、保険料の控除に関する計算書を作成し、その控除額を被保険者に通知しなければならない。

(3) If an employer deducts insurance premiums pursuant to the preceding two paragraphs, it must prepare a calculation sheet concerning the deduction of the insurance premiums and notify the relevant insured of the amount deducted.

(保険料の徴収等の特例)

(Special Provisions on Collection of Insurance Premiums)

第八十四条の二 第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者に係る保険料の徴収、納付及び源泉控除については、第八十一条の二第一項、第八十一条の二の二第一項、第八十二条第二項及び第三項並びに前三条の規定にかかわらず、共済各法の定めるところによる。

Article 84-2 Notwithstanding the provisions of Article 81-2, paragraph (1),

Article 81-2-2, paragraph (1), Article 82, paragraph (2) and paragraph (3), and the provisions of the preceding three Articles, the collection, payment, and deduction of insurance premiums associated with a category II EPI insured, a category III EPI insured, or a category IV EPI insured is as prescribed by the Acts on mutual aid.

(交付金)

(Subsidy)

第八十四条の三 政府は、政令で定めるところにより、毎年度、実施機関（厚生労働大臣を除く。以下この条、第八十四条の五、第八十四条の六、第八十四条の八及び第八十四条の九において同じ。）ごとに実施機関に係るこの法律の規定による保険給付に要する費用として政令で定めるものその他これに相当する給付として政令で定めるものに要する費用（以下「厚生年金保険給付費等」という。）として算定した金額を、当該実施機関に対して交付金として交付する。

Article 84-3 Pursuant to Cabinet Order, every fiscal year, the government delivers as a subsidy to the relevant implementing organization (other than the Minister of Health, Labour and Welfare; the same applies hereinafter in this Article, in Article 84-5, Article 84-6, Article 84-8, and Article 84-9) an amount calculated as constituting the things that Cabinet Order specifies as the needed expenses for the insurance benefits under the provisions of this Act for each implementing organization and the expenses for the things that Cabinet Order prescribes as benefits that are equivalent to these for each implementing organization (hereinafter referred to as "expenses for EPI benefits and their equivalent").

第八十四条の四 地方公務員共済組合連合会は、政令で定めるところにより、毎年度、地方公務員共済組合（指定都市職員共済組合、市町村職員共済組合及び都市職員共済組合にあつては、全国市町村職員共済組合連合会。以下この条及び第八十四条の七において同じ。）ごとに地方公務員共済組合に係る厚生年金保険給付費等として算定した金額を、当該地方公務員共済組合に対して交付する。

Article 84-4 Pursuant to Cabinet Order, every fiscal year, the Pension Fund Association for Local Government Officials delivers as a subsidy to the relevant mutual aid association of prefectural government employees an amount calculated as constituting the expenses for EPI benefits and their equivalent for each mutual aid association of local government officials (or, for the National Federation of Mutual Aid Associations for Municipal Personnel, in the case of mutual aid associations for designated city personnel, mutual aid associations for municipal personnel, and mutual aid associations for city personnel; the same applies hereinafter in this Article and Article 84-7).

(拠出金及び政府の負担)

(Contributions; What Is Borne by the Government)

第八十四条の五 実施機関は、毎年度、拠出金を納付する。

Article 84-5 (1) An implementing organization pays contributions every fiscal year.

2 次条第一項に規定する拠出金算定対象額から前項の規定により実施機関が納付する拠出金の合計額及び政府等が負担し、又は納付する基礎年金拠出金保険料相当分（基礎年金拠出金から第八十条第一項、国家公務員共済組合法第九十九条第四項第二号、地方公務員等共済組合法第一百三十四条第四項第二号又は私立学校教職員共済法第三十五条第一項に規定する基礎年金拠出金の額の二分の一に相当する額を控除した額をいう。次条第一項及び第二項並びに附則第二十三条第二項第一号において同じ。）の合計額を控除した額については、厚生年金保険の実施者たる政府の負担とする。

(2) The amount arrived at when the total amount of contributions paid by implementing organizations pursuant to the provisions of the preceding paragraph and the total amount constituting the part of basic pension contributions that represents insurance premiums (meaning the amount calculated when an amount equivalent to one-half the amount of basic pension contributions provided for in Article 80, paragraph (1), Article 99, paragraph (4), item (ii) of the National Public Officers Mutual Aid Association Act, Article 113, paragraph (4), item (ii) of the Local Public Officers, etc. Mutual Aid Association Act, or Article 135, paragraph (1) of the Private School Personnel Mutual Aid Association Act is deducted from the basic pension contributions; the same applies in paragraph (1) and paragraph (2) of the following Article and Article 23, paragraph (2), item (i) of Supplementary Provisions) borne or paid by the government and the implementing organizations are deducted from the amount used to calculate contributions prescribed in paragraph (1) of the following Article is borne by the national government which is an executor of employees' pension insurance.

3 財政の現況及び見通しが作成されるときは、厚生労働大臣は、第一項の規定による実施機関が納付すべき拠出金及び前項の規定による政府の負担について、その将来にわたる予想額を算定するものとする。

(3) When the current budget status and projections report is compiled, the Minister of Health, Labour and Welfare is to calculate the estimated amount in the future with regard to the contributions to be paid by implementing organizations pursuant to the provisions of paragraph (1) and the burden of the national government under the provisions of the preceding paragraph.

(拠出金の額)

(Amount of Contributions)

第八十四条の六 前条第一項の規定により実施機関が納付する拠出金の額は、当該年度における拠出金算定対象額に、それぞれ次に掲げる率を乗じて得た額の合計額から、当該実施機関が納付する基礎年金拠出金保険料相当分の額を控除した額とする。

Article 84-6 (1) The amount of contributions paid by an implementing organization pursuant to the provisions of paragraph (1) of the preceding Article is the amount calculated when the amount constituting the part of basic pension contributions that represents insurance premiums that the implementing organization pays is deducted from the sum total of the amounts arrived at when the amount used to calculate contributions for the relevant fiscal year is multiplied by each of the rates set forth in the following items:

一 標準報酬按分率

(i) standardized remuneration allocation rate;

二 積立金按分率

(ii) reserves allocation rate.

2 前項の拠出金算定対象額は、当該年度における厚生年金保険給付費等の総額に、当該年度において政府等が負担し、又は納付する基礎年金拠出金保険料相当分の合計額を加えた額とする。

(2) The amount used to calculate contributions referred to in the preceding paragraph is the amount calculated when the total amount constituting the part of basic pension contributions that represents insurance premiums borne or paid by the government and the implementing organizations in the relevant fiscal year is added to the total amount of expenses for EPI benefits and their equivalent in the relevant fiscal year.

3 第一項第一号の標準報酬按分率は、第一号に掲げる率に第二号に掲げる率を乗じて得た率とする。

(3) The standardized remuneration allocation rate referred to in paragraph (1), item (i) is the rate arrived at when the rate set forth in item (i) is multiplied by the rate set forth in item (ii).

一 実施機関ごとに、当該年度における当該実施機関の組合員（国家公務員共済組合連合会及び地方公務員共済組合連合会にあつては、当該連合会を組織する共済組合の組合員）たる被保険者又は私立学校教職員共済制度の加入者たる被保険者に係る標準報酬の総額として政令で定めるところにより算定した額（第八十四条の八第一項において「実施機関における標準報酬の総額」という。）を、当該年度における厚生年金保険の被保険者に係る標準報酬の総額として政令で定めるところにより算定した額で除して得た率を基準として、厚生労働省令で定めるところにより、実施機関ごとに算定した率

(i) the rate calculated for each implementing organization as prescribed by Order of the Ministry of Health, Labour and Welfare based on the rate arrived at when the amount calculated as specified by Cabinet Order as the total amount of standardized remuneration of insureds who are members of the relevant implementing organization or of insureds who are members of the relevant mutual aid system for private school personnel (in the case of Federation of National Public Service Personnel Mutual Aid Associations and Pension Fund Association for Local Government Officials, a member of a

mutual aid association organizing the relevant federation) in the relevant fiscal year (referred to in Article 84-8, paragraph (1) as "total amount of standardized remuneration at the implementing organization") is divided by the amount calculated as specified by Cabinet Order as the total amount of standardized remuneration of insureds covered by employees' pension insurance in the relevant fiscal year;

二 当該年度以前の直近の財政の現況及び見通しにおける財政均衡期間における各年度の拠出金算定対象額の合計額の予想額に対する保険料、この法律に定める徴収金その他政令で定めるものの合計額の予想額の占める割合を平均したものと厚生労働省令で定めるところにより算定した率（次項第二号において「保険料財源比率」という。）

(ii) the rate calculated as specified by Order of the Ministry of Health, Labour and Welfare as the average of the percentages, in each fiscal year during the period subject to budget balancing in the most recent current budget status and projections report before the relevant fiscal year, that the estimated sum totals of insurance premiums, monies to be collected provided for in this Act, and other amounts specified by Cabinet Order account for of the estimated sum totals of amounts used to calculate contributions (referred to in item (ii) of the following paragraph as the "percent of revenue from insurance premiums").

4 第一項第二号の積立金按分率は、第一号に掲げる率に第二号に掲げる率を乗じて得た率とする。

(4) The reserves allocation rate referred to in paragraph (1), item (ii) is the rate arrived at when the rate set forth in item (i) is multiplied by the rate set forth in item (ii).

一 実施機関ごとに、当該年度の前年度における実施機関積立金の額及びこれに相当するものとして政令で定めるものの額の合計額（以下この号において「実施機関の積立金額」という。）を、当該年度の前年度における年金特別会計の厚生年金勘定の積立金の額及びこれに相当するものとして政令で定めるものの額の合計額（以下「厚生年金勘定の積立金額」という。）と実施機関の積立金額との合計額で除して得た率を基準として、厚生労働省令で定めるところにより、実施機関ごとに算定した率

(i) the rate calculated for each implementing organization as prescribed by Order of the Ministry of Health, Labour and Welfare based on the rate arrived at when the sum total of the amount of implementing organization reserves in the fiscal year preceding the relevant fiscal year and the amount of the things specified by Cabinet Order as equivalent to this (hereinafter referred to in this item as the "amount of implementing organization reserves") is divided by the sum total calculated when the total of the amount of reserve funds in the employees' pension section of the pension special account and the amount of the things specified by Cabinet Order as

equivalent to this (hereinafter referred as the "amount of employees' pension account reserves") and the amount of implementing organization reserves are added together.

二 一から保険料財源比率を控除した率

(ii) the rate arrived at when the percent of revenue from insurance premiums is deducted from the number 1.

5 厚生労働大臣は、第三項各号及び前項第一号に規定する厚生労働省令を定めるときは、実施機関を所管する大臣に協議しなければならない。

(5) Before establishing the Order of the Ministry of Health, Labour and Welfare prescribed in the item of paragraph (3) and item (i) of the preceding paragraph, the Minister of Health, Labour and Welfare must consult with the minister with administrative jurisdiction over the implementing organization.

第八十四条の七 地方公務員共済組合は、政令で定めるところにより、毎年度、地方公務員共済組合連合会が納付すべき拠出金の額のうち、前条の規定により算定した額に準ずるものとして政令で定めるところにより算定した額を負担する。

Article 84-7 Pursuant to Cabinet Order, every fiscal year, a mutual aid association of local government officials bears the part of the amount of the contributions to be paid by the Pension Fund Association for Local Government Officials that constitutes the amount calculated as specified by Cabinet Order as equivalent to the amount calculated pursuant to the provisions of the preceding Article.

(報告等)

(Reports; Related Matters)

第八十四条の八 厚生労働大臣は、実施機関に対し、当該実施機関を所管する大臣を経由して、当該実施機関における標準報酬の総額その他の厚生労働省令で定める事項について報告を求めることができる。

Article 84-8 (1) The Minister of Health, Labour and Welfare may request, through the minister with administrative jurisdiction over an implementing organization, that the implementing organization report the total amount of standardized remuneration at the implementing organization and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

2 実施機関は、厚生労働省令で定めるところにより、当該実施機関を所管する大臣を経由して、前項の報告を行うものとする。

(2) An implementing organization, as specified by Order of the Ministry of Health, Labour and Welfare, is to report as referred to in the preceding paragraph through the minister with administrative jurisdiction over that implementing organization.

3 実施機関は、厚生労働省令で定めるところにより、当該実施機関を所管する大臣を経由して、第八十四条の五第三項に規定する予想額の算定のために必要な事項として

厚生労働省令で定める事項について厚生労働大臣に報告を行うものとする。

(3) As prescribed by Order of the Ministry of Health, Labour and Welfare, an implementing organization is to report to the Minister of Health, Labour and Welfare through the minister with administrative jurisdiction over that implementing organization with regard to the particulars that Order of the Ministry of Health, Labour and Welfare prescribes as being necessary for the purpose of calculation of the estimated amount set forth in Article 84-5, paragraph (3).

4 厚生労働大臣は、厚生労働省令で定めるところにより、第八十四条の五第三項に規定する予想額その他これに関連する事項で厚生労働省令で定めるものについて、実施機関を所管する大臣に報告を行うものとする。

(4) The Minister of Health, Labour and Welfare, as prescribed by Order of the Ministry of Health, Labour and Welfare, is to report to the minister with administrative jurisdiction over the implementing organization with regard to the estimated amount set forth in Article 84-5, paragraph (3) and the particulars prescribed by Order of the Ministry of Health, Labour and Welfare in relation to this.

5 厚生労働大臣は、前各項に規定する厚生労働省令を定めるときは、実施機関を所管する大臣に協議しなければならない。

(5) The Minister of Health, Labour and Welfare, when establishing the Order set forth in each of the preceding paragraphs, must consult with the minister with administrative jurisdiction over the implementing organization.

第八十四条の九 厚生労働大臣は、第八十四条の三から前条までの規定の適用に関し必要があると認めるときは、実施機関を所管する大臣に対し、当該実施機関に係る同条第一項の報告に関し監督上必要な命令を発し、又は当該職員に当該実施機関の業務の状況を監査させることを求めることができる。

Article 84-9 The Minister of Health, Labour and Welfare, on finding it to be necessary to do so with regard to the application of the provisions of Article 84-3 through the preceding Article, may request that the minister with administrative jurisdiction over an implementing organization issue the necessary supervisory orders in connection with the reports referred to in paragraph (1) of that Article for that implementing organization, or have the relevant official audit the business status of the relevant implementing organization.

(政令への委任)

(Delegation to Cabinet Order)

第八十四条の十 第八十四条の三から前条までに定めるもののほか、交付金の交付及び拠出金の納付に関し必要な事項は、政令で定める。

Article 84-10 Beyond as provided in Article 84-3 through the preceding Article,



Cabinet Order provides for the necessary particulars in connection with the delivery of subsidies and the payment of contributions.

(保険料の繰上徴収)

(Advance Collection of Insurance Premiums)

第八十五条 保険料は、次の各号に掲げる場合においては、納期前であつても、すべて徴収することができる。

Article 85 In the cases set forth in the following items, insurance premiums may be collected even before the payment due date:

一 納付義務者が、次のいずれかに該当する場合

(i) if the person obligated to pay insurance premiums falls under one of the following:

イ 国税、地方税その他の公課の滞納によつて、滞納処分を受けるとき。

(a) if the person is subject to measures to collect arrears because of arrears in national taxes, local taxes or other public charges;

ロ 強制執行を受けるとき。

(b) if the person is subject to a compulsory execution;

ハ 破産手続開始の決定を受けたとき。

(c) if the person has become subject to an order commencing bankruptcy proceedings;

ニ 企業担保権の実行手続の開始があつたとき。

(d) if procedures have begun to enforce a security interest in an enterprise; or

ホ 競売の開始があつたとき。

(e) if a compulsory auction has commenced.

二 法人たる納付義務者が、解散をした場合

(ii) if the corporation that is obligated to pay the insurance premiums is dissolved;

三 被保険者の使用される事業所が、廃止された場合

(iii) if the place of business at which the insured is employed is closed;

四 被保険者の使用される船舶について船舶所有者の変更があつた場合、又は当該船舶が滅失し、沈没し、若しくは全く運航に堪えなくなるに至つた場合

(iv) if the owner of the ship by which the insured is employed changes, or if the ship is destroyed, sinks, or has become unseaworthy.

(保険料等の督促及び滞納処分)

(Demands for Insurance Premiums and Other Monies; Measures to Collect Arrears)

第八十六条 保険料その他この法律の規定による徴収金を滞納する者があるときは、厚生労働大臣は、期限を指定して、これを督促しなければならない。ただし、前条の規定により保険料を徴収するときは、この限りでない。

Article 86 (1) If a person has failed to pay insurance premiums or other monies

to be collected under the provisions of this Act, the Minister of Health, Labour and Welfare must designate a due date and demand that those monies be paid; provided, however, that this does not apply if insurance premiums are collected pursuant to the provisions of the preceding Article.

2 前項の規定によつて督促をしようとするときは、厚生労働大臣は、納付義務者に対して、督促状を發する。

(2) When seeking to issue a demand pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare issues a written demand to the person obligated to pay.

3 前項の規定による督促状は、納付義務者が、健康保険法第一百八十条の規定によつて督促を受ける者であるときは、同法同条の規定による督促状に併記して、發することができる。

(3) If the person obligated to pay is a person being issued a demand pursuant to the provisions of Article 180 of the Health Insurance Act, the written demand under the provisions of the preceding paragraph may be issued by inclusion in a written demand under the provisions of that Article of that Act.

4 第二項の督促状により指定する期限は、督促状を發する日から起算して十日以上を経過した日でなければならない。ただし、前条各号のいずれかに該当する場合は、この限りでない。

(4) The due date designated in a written demand as referred to in paragraph (2) must be a day that falls at least 10 days after the date of issuance of the written demand; provided, however, that this does not apply in a case that falls under one of the items of the preceding Article.

5 厚生労働大臣は、納付義務者が次の各号のいずれかに該当する場合には、国税滞納処分の例によつてこれを処分し、又は納付義務者の居住地若しくはその者の財産所在地の市町村（特別区を含むものとし、地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市にあつては、区又は総合区とする。以下同じ。）に対して、その処分を請求することができる。

(5) If a person obligated to pay falls under one of the following items, the Minister of Health, Labour and Welfare may dispose of this as per the rules on measures to collect national tax arrears, or may request that the municipality (including a special ward, and in the case of a designated city under Article 252-19 paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), the ward or administratively consolidated ward; the same applies hereinafter) in which the place of residence or the assets of the person obligated to pay are located, so dispose:

一 第二項の規定による督促を受けた者がその指定の期限までに保険料その他この法律の規定による徴収金を納付しないとき。

(i) if a person who has been issued a demand for payment under the provisions of paragraph (2) fails to pay the insurance premiums or other monies to be collected pursuant to the provisions of this Act by the designated due date;

二 前条各号のいずれかに該当したことにより納期を繰り上げて保険料納入の告知を受けた者がその指定の期限までに保険料を納付しないとき。

(ii) if a person who has been issued a payment notice for insurance premiums with a due date for payment that has been moved forward due to the person's falling under one of the items of the preceding Article fails to pay the insurance premiums by the designated due date.

6 市町村は、前項の規定による処分 of 請求を受けたときは、市町村税の例によつてこれを処分することができる。この場合においては、厚生労働大臣は、徴収金の百分の四に相当する額を当該市町村に交付しなければならない。

(6) If a municipality has been requested to carry out a disposition under the provisions of the preceding paragraph, the municipality may dispose of this as per the rules on municipal taxes. In such a case, the Minister of Health, Labour and Welfare must deliver an amount equal to 4 percent of the monies collected to the municipality in question.

(延滞金)

(Delinquency Charges)

第八十七条 前条第二項の規定によつて督促をしたときは、厚生労働大臣は、保険料額に、納期限の翌日から保険料完納又は財産差押の日の前日までの期間の日数に応じ、年十四・六パーセント（当該納期限の翌日から三月を経過する日までの期間については、年七・三パーセント）の割合を乗じて計算した延滞金を徴収する。ただし、次の各号のいずれかに該当する場合又は滞納につきやむを得ない事情があると認められる場合は、この限りでない。

Article 87 (1) Having issued a demand for payment pursuant to the provisions of paragraph (2) of the preceding Article, the Minister of Health, Labour and Welfare collects delinquency charges calculated by multiplying the amount of insurance premiums by an interest rate of 14.6% per annum (or 7.3% per annum for the period from the day after the due date until the last day in the three-month period thereafter), depending on the number of days in the period from the day after the due date until the day before insurance premiums are paid in full or the day before assets are seized; provided, however, that this does not apply in a case as referred to in one of the following items or if there are acknowledged to be compelling grounds for the arrears:

一 保険料額が千円未満であるとき。

(i) if the amount of insurance premiums is less than 1,000 yen;

二 納期を繰り上げて徴収するとき。

(ii) if insurance premiums are being collected in advance of the payment date;

or

三 納付義務者の住所若しくは居所が国内にないため、又はその住所及び居所がともに明らかでないため、公示送達の方法によつて督促したとき。

(iii) if the demand for payment is made through service by publication because

the domicile or residence of the person obligated to pay is not in Japan or because both the domicile and residence thereof are unknown.

2 前項の場合において、保険料額の一部につき納付があつたときは、その納付の日以後の期間に係る延滞金の計算の基礎となる保険料は、その納付のあつた保険料額を控除した金額による。

(2) In a case as referred to in the preceding paragraph, if a part of the amount of insurance premiums has been paid, the amount of insurance premiums that forms the basis for calculating delinquency charges for the period on and after the day of the partial payment is the original amount of the insurance premiums minus the amount thus paid.

3 延滞金を計算するにあたり、保険料額に千円未満の端数があるときは、その端数は、切り捨てる。

(3) In calculating delinquency charges, the amount of insurance premiums are rounded down to the nearest thousand yen.

4 督促状に指定した期限までに保険料を完納したとき、又は前三項の規定によつて計算した金額が百円未満であるときは、延滞金は、徴収しない。

(4) If insurance premiums are paid in full by the due date designated in the demand letter, or if the amount calculated pursuant to the provisions of the preceding three paragraphs is less than 100 yen, delinquency charges are not collected.

5 延滞金の金額に百円未満の端数があるときは、その端数は、切り捨てる。

(5) Delinquency charges are rounded down to the nearest hundred yen.

6 第四十条の二の規定による徴収金は、前各項の規定の適用については、保険料とみなす。この場合において、第一項中「年十四・六パーセント（当該納期限の翌日から三月を経過する日までの期間については、年七・三パーセント）」とあるのは、「年十四・六パーセント」とする。

(6) The monies to be collected under the provisions of Article 40-2 are deemed to be insurance premiums for the purpose of the application of the provisions of the preceding paragraphs. This being the case, the phrase "14.6% per annum (or 7.3% per annum for the period from the day after the due date until the last day in the three-month period thereafter)" in paragraph (1) is deemed to be replaced with "14.6% per annum".

(保険料の滞納処分等の特例)

(Special Provisions on Measures to Collect Arrears of Insurance Premiums and Other Dispositions)

第八十七条の二 第二号厚生年金被保険者、第三号厚生年金被保険者及び第四号厚生年金被保険者に係る保険料の繰上徴収、保険料その他この法律の規定による徴収金の督促及び滞納処分並びに延滞金の徴収については、前三条の規定にかかわらず、共済各法の定めるところによる。

Article 87-2 Notwithstanding the provisions of the preceding three Articles,

advance collection of insurance premiums, demands for insurance premiums or other monies to be collected pursuant to the provisions of this Act, measures to collect arrears, and collection of delinquency charges from a category II EPI insured, category III EPI insured, or category IV EPI insured are governed by the Acts on mutual aid.

(先取特権の順位)

(Ordinal Position among Statutory Liens)

第八十八条 保険料その他この法律の規定による徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

Article 88 The ordinal position among statutory liens of insurance premiums and other monies to be collected under the provisions of this Act is following national taxes and local taxes.

(徴収に関する通則)

(General Rules for Collection)

第八十九条 保険料その他この法律の規定による徴収金は、この法律に別段の規定があるものを除き、国税徴収の例により徴収する。

Article 89 Unless otherwise provided for in this Act, insurance premiums and other monies to be collected under the provisions of this Act are collected as per the rules for the collection of national taxes.

(適用除外)

(Exemptions)

第八十九条の二 第二号厚生年金被保険者、第三号厚生年金被保険者及び第四号厚生年金被保険者に係る保険料その他この法律の規定による徴収金については、前二条の規定は、適用しない。

Article 89-2 The provisions of the preceding two Articles do not apply to the insurance premiums and other monies to be collected under the provisions of this Act for a category II EPI insured, category III EPI insured, or category IV EPI insured.

## 第六章 不服申立て

### Chapter VI Appeals

(審査請求及び再審査請求)

(Requests for Administrative Review; Requests for Re-examination)

第九十条 厚生労働大臣による被保険者の資格、標準報酬又は保険給付に関する処分に不服がある者は、社会保険審査官に対して審査請求をし、その決定に不服がある者は、社会保険審査会に対して再審査請求をすることができる。ただし、第二十八条の四第一項又は第二項の規定による決定については、この限りでない。

Article 90 (1) A person objecting to a disposition taken by the Minister of Health, Labour and Welfare concerning status as an insured, standardized remuneration, or insurance benefits may file a request for administrative review with a social insurance examiner and, if the person objects to the decision thereby, may file a request for re-examination with the Social Insurance Examination Committee; provided, however, that this does not apply to a decision under the provisions of Article 28-4, paragraph (1) or paragraph (2).

2 次の各号に掲げる者による被保険者の資格又は保険給付に関する処分に不服がある者は、当該各号に定める者に対して審査請求をすることができる。

(2) A person objecting to a disposition taken by a person as set forth in one of the following items concerning status as an insured or insurance benefits may file a request for administrative review with the person prescribed in that item:

一 第二条の五第一項第二号に定める者 国家公務員共済組合法に規定する国家公務員共済組合審査会

(i) a person specified in Article 2-5, paragraph (1), item (ii): the National Public Officers Mutual Aid Association Examination Committee provided for in the National Public Officers Mutual Aid Association Act.

二 第二条の五第一項第三号に定める者 地方公務員等共済組合法に規定する地方公務員共済組合審査会

(ii) a person specified in Article 2-5, paragraph (1), item (iii): the Local Public Officers Mutual Aid Association Examination Committee provided for in the Local Public Officers, etc. Mutual Aid Association Act.

三 第二条の五第一項第四号に定める者 私立学校教職員共済法に規定する日本私立学校振興・共済事業団の共済審査会

(iii) a person specified in Article 2-5, paragraph (1), item (iv): the Mutual Aid Examination Committee of the Promotion and Mutual Aid Corporation for Private Schools of Japan provided for in the Private School Personnel Mutual Aid Association Act.

3 第一項の審査請求をした日から二月以内に決定がないときは、審査請求人は、社会保険審査官が審査請求を棄却したものとみなすことができる。

(3) If no decision has been reached within the two months after the date on which a person has filed a request for administrative review as referred to in paragraph (1), the requester may deem the social insurance examiner to have denied the request for administrative review.

4 第一項及び第二項の審査請求並びに第一項の再審査請求は、時効の中断に関しては、裁判上の請求とみなす。

(4) Requests for administrative review as referred to in paragraph (1) and paragraph (2) and requests for re-examination as referred to in paragraph (1) are deemed to constitute legal claims, as it concerns the renewal of prescription.

5 被保険者の資格又は標準報酬に関する処分が確定したときは、その処分についての

不服を当該処分に基づく保険給付に関する処分についての不服の理由とすることができない。

- (5) Once a disposition concerning a person's status as an insured or standardized remuneration has become final and binding, an objection to that disposition may not be used as the grounds for an objection to a disposition concerning insurance benefits that is based thereupon.
- 6 第二項、第四項及び前項に定めるもののほか、第二項に規定する処分についての審査請求については、共済各法の定めるところによる。
- (6) Beyond what is specified in paragraph (2), paragraph (4), and the preceding paragraph, requests for administrative review of dispositions provided for in paragraph (2) are as prescribed by the Acts on mutual aid.

第九十一条 厚生労働大臣による保険料その他この法律の規定による徴収金の賦課若しくは徴収の処分又は第八十六条の規定による処分に不服がある者は、社会保険審査会に対して審査請求をすることができる。

Article 91 (1) A person objecting to a disposition taken by the Minister of Health, Labour and Welfare in the imposition or collection of insurance premiums or other monies to be collected under the provisions of this Act or objecting to a disposition under the provisions of Article 86, may file a request for administrative review with the Social Insurance Examination Committee.

2 前条第二項第一号及び第二号に掲げる者による保険料その他この法律の規定による徴収金の賦課又は徴収の処分に不服がある者は、当該各号に定める者に対して審査請求をすることができる。

(2) A person objecting to a disposition taken by a person as set forth in paragraph (2), item (i) or item (ii) of the preceding Article in the imposition or collection of insurance premiums or other monies to be collected under the provisions of this Act may file a request for administrative review with the person provided for in that item.

3 前条第二項第三号に掲げる者による保険料その他この法律の規定による徴収金の賦課若しくは徴収の処分又は督促若しくは国税滞納処分の例による処分に不服がある者は、同号に定める者に対して審査請求をすることができる。

(3) A person objecting to a disposition taken by a person as set forth in paragraph (2), item (iii) of the preceding Article in the imposition or collection of insurance premiums or other monies to be collected under the provisions of this Act or objecting to a demand for payment or a disposition as per the rules on measures to collect national tax arrears may file a request for administrative review with the person provided for in that item.

4 前二項に定めるもののほか、前二項の審査請求については、共済各法の定めるところによる。

(4) Beyond as specified in the preceding two paragraphs, requests for administrative review as referred to in the preceding two paragraphs are as

prescribed by the Acts on mutual aid.

(行政不服審査法の適用関係)

(Application of the Administrative Appeals Act)

第九十一条の二 第九十条第一項及び前条第一項に規定する処分についての前二条の審査請求及び第九十条第一項の再審査請求については、行政不服審査法（平成二十六年法律第六十八号）第二章（第二十二条を除く。）及び第四章の規定は、適用しない。

Article 91-2 The provisions of Chapter II (excluding Article 22) and Chapter IV of the Administrative Appeals Act (Act No. 68 of 2014) do not apply to a request for administrative review as referred to in the preceding two Articles or to a request for re-examination as referred to in Article 90, paragraph (1) concerning a disposition provided for in Article 90, paragraph (1) or in paragraph (1) of the preceding Article.

(審査請求と訴訟との関係)

(Relationship between Requests for Administrative Review and Civil Litigation)

第九十一条の三 第九十条第一項に規定する処分の取消しの訴えは、当該処分についての審査請求に対する社会保険審査官の決定を経た後でなければ、提起することができない。

Article 91-3 A person may not bring an action to rescind a disposition provided for in Article 90, paragraph (1) until after a decision has been rendered by the Social Insurance Examination Committee on a request for administrative review of the disposition.

## 第七章 雑則

### Chapter VII Miscellaneous Provisions

(時効)

(Prescription)

第九十二条 保険料その他この法律の規定による徴収金を徴収し、又はその還付を受ける権利は、二年を経過したとき、保険給付を受ける権利（当該権利に基づき支払期月ごとに又は一時金として支払うものとされる保険給付の支給を受ける権利を含む。第四項において同じ。）は、五年を経過したときは、時効によつて、消滅する。

Article 92 (1) The right to collect insurance premiums and other monies to be collected under the provisions of this Act and the right to receive a refund thereof are extinguished by prescription once two years have passed, and the right to receive insurance benefits (including the right to receive insurance benefits that are paid, based on the relevant right, in each payment month or as a lump sum; the same applies in paragraph (4)) is extinguished by prescription once five years have passed.



2 年金たる保険給付を受ける権利の時効は、当該年金たる保険給付がその全額につき支給を停止されている間は、進行しない。

(2) The period of prescription of the right to receive pension insurance benefits does not run during any time in which the payment of the entire amount of pension insurance benefits has been suspended.

3 保険料その他この法律の規定による徴収金の納入の告知又は第八十六条第一項の規定による督促は、民法（明治二十九年法律第八十九号）第百五十三条の規定にかかわらず、時効中断の効力を有する。

(3) Notwithstanding the provisions of Article 153 of the Civil Code (Act No. 89 of 1896), payment notices for insurance premiums and other monies to be collected under the provisions of this Act and demands for payment under the provisions of Article 86, paragraph (1) have the effect of renewing prescription.

4 保険給付を受ける権利については、会計法（昭和二十二年法律第三十五号）第三十一条の規定を適用しない。

(4) The provisions of Article 31 of the Public Accounting Act (Act No. 35 of 1947) do not apply to the right to receive pension insurance benefits.

（期間の計算）

(Calculation of Periods of Time)

第九十三条 この法律又はこの法律に基く命令に規定する期間の計算については、この法律に別段の規定がある場合を除くほか、民法の期間に関する規定を準用する。

Article 93 Unless otherwise provided for in this Act, the provisions of the Civil Code concerning periods of time apply mutatis mutandis to the calculation of periods of time provided for in this Act and orders issued hereunder.

第九十四条 削除〔昭和四二年五月法律二三号〕

Article 94 Deleted.

（戸籍事項の無料証明）

(Free Certification of Entries in a Family Register)

第九十五条 市町村長は、実施機関又は受給権者に対して、当該市町村の条例の定めるところにより、被保険者、被保険者であつた者又は受給権者の戸籍に関し、無料で証明を行うことができる。

Article 95 A mayor of municipality may provide free certification to the implementing organization or to the beneficiary, in connection with the family register of an insured, former insured, or a beneficiary, as prescribed by the relevant municipal ordinance.

（受給権者に関する調査）

(Investigation of the Beneficiary)

第九十六条 実施機関は、必要があると認めるときは、年金たる保険給付の受給権者に

対して、その者の身分関係、障害の状態その他受給権の消滅、年金額の改定若しくは支給の停止に係る事項に関する書類その他の物件の提出を命じ、又は当該職員をしてこれらの事項に関し受給権者に質問させることができる。

Article 96 (1) On finding it to be necessary to do so, an implementing organization may order a beneficiary of pension insurance benefits to submit documents or other items in connection with the particulars related to the beneficiary's family relationships, severity of a disability, extinguishment of a right to benefits, revision of the amount of pension, or the suspension of its payment, and may have a competent official question the beneficiary regarding those particulars.

2 前項の規定によつて質問を行なう当該職員は、その身分を示す証票を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) The competent official who carries out questioning pursuant to the provisions of the preceding paragraph must carry identification and present it if requested by the person concerned.

(診断)

(Diagnosis)

第九十七条 実施機関は、必要があると認めるときは、障害等級に該当する程度の障害の状態にあることにより、年金たる保険給付の受給権を有し、又は第四十四条第一項の規定によりその者について加算が行われている子に対して、その指定する医師の診断を受けるべきことを命じ、又は当該職員をしてこれらの者の障害の状態を診断させることができる。

Article 97 (1) On finding that it is necessary to do so, an implementing organization may order that a child who has the right to receive pension insurance benefits due to having a disability of a degree of severity that is classified as any disability grade or to whose pension an amount is added pursuant to the provisions of Article 44, paragraph (1) due to the child having a disability of a degree of severity that is classified as any disability grade be diagnosed by a medical doctor designated by the Minister, and may have a competent official diagnose the severity of the disability of the child.

2 前条第二項の規定は、前項の規定による当該職員の診断について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to diagnosis by a competent official under the provisions of the preceding paragraph.

(届出等)

(Notifications; Related Matters)

第九十八条 事業主は、厚生労働省令の定めるところにより、第二十七条に規定する事項を除くほか、厚生労働省令の定める事項を厚生労働大臣に届け出なければならない。

Article 98 (1) As prescribed by Order of the Ministry of Health, Labour, and

Welfare, an employer must file a notification with the Minister of Health, Labour, and Welfare of the particulars prescribed by Order of the Ministry of Health, Labour and Welfare, beyond those that are otherwise provided for in Article 27.

2 被保険者は、厚生労働省令の定めるところにより、厚生労働省令の定める事項を厚生労働大臣に届け出、又は事業主に申し出なければならない。

(2) As prescribed by Order of the Ministry of Health, Labour and Welfare, an insured must file a notification with the Minister of Health, Labour, and Welfare of, or report to the employer thereof, the particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

3 受給権者又は受給権者の属する世帯の世帯主その他その世帯に属する者は、厚生労働省令の定めるところにより、厚生労働大臣に対し、厚生労働省令の定める事項を届け出、かつ、厚生労働省令の定める書類その他の物件を提出しなければならない。

(3) As prescribed by Order of the Ministry of Health, Labour and Welfare, a beneficiary or the householder or any other member of the family to which the beneficiary belongs must file a notification with the Minister of Health, Labour, and Welfare of the particulars prescribed by Order of the Ministry of Health, Labour and Welfare, and must submit thereto the documents and other items prescribed by Order of the Ministry of Health, Labour and Welfare.

4 受給権者が死亡したときは、戸籍法（昭和二十二年法律第二百二十四号）の規定による死亡の届出義務者は、十日以内に、その旨を厚生労働大臣に届け出なければならない。ただし、厚生労働省令で定める受給権者の死亡について、同法の規定による死亡の届出をした場合（厚生労働省令で定める場合に限る。）は、この限りでない。

(4) If a beneficiary has died, the person obligated to report the beneficiary's death pursuant to the provisions of the Family Registration Act (Act No. 224 of 1947) must file a notification of this with the Minister of Health, Labour, and Welfare within 10 days; provided, however, that this does not apply if that person has filed a death notification under the provisions of that Act for the death of a beneficiary as provided by Order of the Ministry of Health, Labour and Welfare (limited to the cases provided for by Order of the Ministry of Health, Labour and Welfare).

5 第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者、これらの者に係る事業主及び第二号厚生年金被保険者期間、第三号厚生年金被保険者期間又は第四号厚生年金被保険者期間に基づく保険給付の受給権者については、前各項の規定は、適用しない。

(5) The provisions of each of the preceding paragraphs do not apply to a category II EPI insured, category III EPI insured, or category IV EPI insured; the employer of any such person; or a beneficiary of insurance benefits based on a category II EPI insured period, category III EPI insured period, or category IV EPI insured period.

(事業主の事務)

(Administrative Functions of Employers)

第九十九条 厚生年金保険の施行に必要な事務は、厚生労働省令の定めるところにより、その一部を事業主に行わせることができる。

Article 99 (1) The relevant person, pursuant to Order of the Ministry of Health, Labour and Welfare, may have an employer carry out part of the administrative functions that are necessary for the implementation of employees' pension insurance.

2 第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者に係る事業主については、前項の規定は、適用しない。

(2) The provisions of the preceding paragraph do not apply to the employer of a category II EPI insured, category III EPI insured, or category IV EPI insured.

(立入検査等)

(Site Inspections; Related Matters)

第百条 厚生労働大臣は、被保険者の資格、標準報酬、保険料又は保険給付に関する決定に関し、必要があると認めるときは、事業主に対して、文書その他の物件を提出すべきことを命じ、又は当該職員をして事業所に立ち入つて関係者に質問し、若しくは帳簿、書類その他の物件を検査させることができる。

Article 100 (1) On finding it to be necessary to do so in connection with a decision on a person's status as an insured, standardized remuneration, insurance premiums, or insurance benefits, the Minister of Health, Labour and Welfare may order the employer to submit documents and other items or may have a competent official enter into the place of business and question those concerned or inspect books, documents and other items.

2 第九十六条第二項の規定は、前項の規定による質問及び検査について準用する。

(2) The provisions of Article 96, paragraph (2) apply mutatis mutandis to questioning and inspection under the provisions of the preceding paragraph.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under the provisions of paragraph (1) must not be interpreted as being conferred for a criminal investigation.

4 第二号厚生年金被保険者、第三号厚生年金被保険者又は第四号厚生年金被保険者及びこれらの者に係る事業主については、前三項の規定は、適用しない。

(4) The provisions of the preceding three paragraphs do not apply to a category II EPI insured, category III EPI insured, or category IV EPI insured; nor do they apply to the employer of such a person.

(資料の提供)

(Provision of Materials)

第百条の二 実施機関は、相互に、被保険者の資格に関する事項、標準報酬に関する事

項、受給権者に対する保険給付の支給状況その他実施機関の業務の実施に関して必要な情報の提供を行うものとする。

Article 100-2 (1) Implementing organizations are to provide one another with the particulars of persons' statuses as insureds, the particulars of standardized remuneration, the payment status of insurance benefits to insureds, and other information necessary for conducting the business of the implementing organizations.

2 実施機関は、被保険者の資格、標準報酬又は保険料に関し必要があると認めるときは、官公署（実施機関を除く。）に対し、法人の事業所の名称、所在地その他の事項につき、必要な資料の提供を求めることができる。

(2) On finding it to be necessary to do so in connection with a person's status as an insured, standardized remuneration, or insurance premiums, an implementing organization may request a public agency (other than an implementing organization) to provide necessary materials on the name and address of a corporation's place of business and other particulars.

3 実施機関は、年金たる保険給付に関する処分に関し必要があると認めるときは、受給権者に対する国民年金法による年金たる給付又は受給権者の配偶者に対する第四十六条第六項に規定する政令で定める給付の支給状況につき、これらの給付に係る制度の管掌機関に対し、必要な資料の提供を求めることができる。

(3) On finding it to be necessary to do so in connection with a disposition involving pension insurance benefits, an implementing organization may request the agency in charge of the system of these benefits to submit the necessary materials concerning the payment status of pension insurance benefits under the National Pension Act that are to be paid to a beneficiary, or concerning the payment status of benefits set forth in the Cabinet Order as prescribed in Article 46, paragraph (6) that are to be paid to the spouse of the beneficiary.

4 実施機関は、年金たる保険給付に関する処分に関し必要があると認めるときは、衆議院議長、参議院議長又は地方公共団体の議会の議長に対し、必要な資料の提供を求めることができる。

(4) On finding it to be necessary to do so in connection with a disposition involving pension insurance benefits, an implementing organization may request the Chairperson of the House of Representatives, the Chairperson of the House of Councillors, or the chairperson of the assembly of the local governments to submit the necessary materials.

5 厚生労働大臣は、第一号厚生年金被保険者の資格、標準報酬又は保険料に関し必要があると認めるときは、第一号厚生年金被保険者であり、若しくはあつた者（以下この項において「被保険者等」という。）又は健康保険若しくは国民健康保険の被保険者若しくは被保険者であつた者の氏名及び住所、個人番号（行政手続における特定の個人を識別するための番号の利用等に関する法律（平成二十五年法律第二十七号）第二条第五項に規定する個人番号をいう。）、資格の取得及び喪失の年月日、被保険者

等の勤務又は収入の状況その他の事項につき、官公署、健康保険組合若しくは国民健康保険組合に対し必要な資料の提供を求め、又は銀行、信託会社その他の機関若しくは事業主その他の関係者に報告を求めることができる。

(5) On finding it to be necessary to do so in connection with a person's status as a category I EPI insured or in connection with the standardized remuneration or insurance premiums of a category I EPI insured, the Minister of Health, Labour and Welfare may ask a public agency, the Health Insurance Society, or the National Health Insurance Society to submit the necessary materials on the name and address, individual number (meaning the individual number provided for in Article 2, paragraph (5) of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013)), dates of acquisition and forfeiture of status, employment status, or income status of a person who is or was a category I EPI insured (hereinafter in this paragraph referred to as a "current or former insured") or of a person who is or was an insured covered by health insurance or national health insurance, or other particulars; or may ask a bank, trust company, or other such institution, or the employer or other relevant person to report those particulars.

(報告)

(Reports)

第百条の三 実施機関（厚生労働大臣を除く。以下この条において同じ。）は、厚生労働省令で定めるところにより、当該実施機関を所管する大臣を経由して、第四十三条の二第一項第二号イに規定する標準報酬平均額の算定のために必要な事項として厚生労働省令で定める事項について厚生労働大臣に報告を行うものとする。

Article 100-3 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, an implementing organization (excluding the Minister of Health, Labour and Welfare; the same applies hereinafter in this Article), through the minister with administrative jurisdiction over that implementing organization, is to report to the Minister of Health, Labour and Welfare the particulars specified by Order of the Ministry the Minister of Health, Labour and Welfare as necessary for the calculation of the average standardized amount of remuneration provided for in Article 43-2, paragraph (1), item (ii), (a).

2 厚生労働大臣は、厚生労働省令で定めるところにより、前項に規定する標準報酬平均額その他これに関連する事項で厚生労働省令で定めるものについて、実施機関を所管する大臣に報告を行うものとする。

(2) Pursuant to Order of the Ministry of Health, Labour and Welfare, the Minister of Health, Labour and Welfare is to report the average standardized amount of remuneration provided for in the preceding paragraph and the particulars related to this that are specified by Order of the Ministry of Health, Labour and Welfare, to the minister with administrative jurisdiction over an

implementing organization.

(実施機関相互間の連絡調整)

(Liaison and Coordination among Implementing Agencies)

第百条の三の二 実施機関は、被保険者等の利便の向上に資するため、政令で定めるところにより、他の実施機関の処理する事務の一部を行うものとする。

Article 100-3-2 (1) Pursuant to Cabinet Order, an implementing organization is to conduct a part of the administrative functions to be handled by another implementing organization, for the purpose of contributing to the enhanced convenience of insureds, beneficiaries, and other such persons.

2 前項の場合において、実施機関相互間の連絡及び調整に関し必要な事項は、主務省令で定める。

(2) Order of the competent ministry provides for the necessary particulars in connection with the liaison and coordination among implementing organizations in a case as referred to in the preceding paragraph.

(主務大臣等)

(Competent Ministers; Related Matters)

第百条の三の三 第四章の二及び第三項における主務大臣は、厚生労働大臣、財務大臣、総務大臣及び文部科学大臣とする。

Article 100-3-3 (1) The competent ministers referred to in Chapter IV-II and paragraph (3) of this Article are the Minister of Health, Labour and Welfare; the Minister of Finance; the Minister of Internal Affairs and Communications; and the Minister of Education, Culture, Sports, Science and Technology.

2 この法律における主務省令は、政令で定めるところにより、厚生労働大臣、財務大臣、文部科学大臣又は地方公務員等共済組合法第百四十四条の二十九第一項の規定による主務大臣の発する命令とする。ただし、次の各号に掲げる主務省令については、当該各号に定めるとおりとする。

(2) In this Act, order of the competent ministry means an order that the Minister of Health, Labour and Welfare; the Minister of Finance; the Minister of Education, Culture, Sports, Science and Technology; or a competent minister under the provisions of Article 144-29, paragraph (1) of the Local Public Officers, etc. Mutual Aid Association Act issues pursuant to Cabinet Order; provided, however, that the orders of the competent ministry set forth in the following items are as prescribed respectively in those items:

一 第七十九条の八第一項及び第二項の主務省令 所管大臣の発する命令

(i) order of the competent ministry referred to in Article 79-8, paragraph (1) and paragraph (2): orders issued by the minister with jurisdiction.

二 第七十九条の九第一項の主務省令 厚生労働大臣、財務大臣、総務大臣及び文部科学大臣の発する命令

(ii) order of the competent ministry referred to in Article 79-9, paragraph (1):

orders issued by the Ministry of Health, Labour and Welfare, the Minister of Finance, the Minister of Internal Affairs and Communications, and the Minister of Education, Culture, Sports, Science and Technology.

3 所管大臣は、前項第一号に掲げる主務省令を制定し、又は改廃する場合においては、あらかじめ、主務大臣に協議するものとする。

(3) Before establishing, amending, or repealing an order of the competent ministry set forth in item (i) of the preceding paragraph the minister with jurisdiction is to consult with the competent ministers in advance.

(国家公務員法及び地方公務員法との関係)

(Relationship to National Civil Service Act and Local Public Service Act)

第百条の三の四 厚生年金保険は、国家公務員法第二条に規定する一般職に属する国家公務員又は地方公務員法（昭和二十五年法律第二百六十一号）第三条に規定する一般職に属する地方公務員については、それぞれ国家公務員法第一百七条に規定する年金制度又は地方公務員法第四十三条に規定する共済制度の一部とする。

Article 100-3-4 For national public officers in regular service provided for in Article 2 of the National Public Service Act, employees' pension insurance is a part of the pension system provided for in Article 107 of the National Public Service Act; for local civil servants in regular government service provided for in Article 3 of the Local Public Service Act (Act No. 261 of 1950), employees' pension insurance is a part of the mutual aid system provided for in Article 43 of the Local Public Service Act.

(機構への厚生労働大臣の権限に係る事務の委任)

(Delegation of Administrative Functions Associated with the Authority of the Minister of Health, Labour and Welfare to JPS)

第百条の四 次に掲げる厚生労働大臣の権限に係る事務は、機構に行わせるものとする。ただし、第三十二号から第三十四号まで及び第三十六号から第三十八号までに掲げる権限は、厚生労働大臣が自ら行うことを妨げない。

Article 100-4 (1) The administrative functions associated with the following authorities of the Minister of Health, Labour and Welfare are entrusted to JPS; provided, however, that this does not prevent the Minister of Health, Labour and Welfare from being the one to exercise the authority under items (xxxii) through (xxxiv) and items (xxxvi) through (xxxviii):

一 第六条第三項及び第八条第一項の規定による認可、第八条の二第一項の規定による承認並びに第六条第四項及び第八条第二項の規定による申請の受理

(i) approval under the provisions of Article 6, paragraph (3) and Article 8, paragraph (1), authorization under the provisions of Article 8-2, paragraph (1), and acceptance of applications under the provisions of Article 6, paragraph (4) and Article 8, paragraph (2);

二 第十条第一項、第十一条（附則第四条の五第一項において準用する場合を含



- む。)及び附則第四条の五第一項の規定による認可
- (ii) approval under the provisions of Article 10, paragraph (1), Article 11 (including as applied mutatis mutandis pursuant to Article 4-5, paragraph (1) of the Supplementary Provisions), and Article 4-5, paragraph (1) of the Supplementary Provisions;
- 三 第十八条第一項の規定による確認
- (iii) confirmation under the provisions of Article 18, paragraph (1);
- 四 第二十一条第一項、第二十二条第一項、第二十三条第一項、第二十三条の二第一項及び第二十三条の三第一項（これらの規定を第四十六条第二項において準用する場合を含む。）の規定による標準報酬月額の設定又は改定（第二十三条の二第一項、第二十三条の三第一項及び第二十六条第一項の規定による申出の受理を含み、第二十四条第一項（第四十六条第二項において準用する場合を含む。）の規定により算定する額を報酬月額として決定又は改定する場合を含む。）
- (iv) decision and revision of standardized monthly amounts of remuneration under the provisions of Article 21, paragraph (1), Article 22, paragraph (1), Article 23, paragraph (1), Article 23-2, paragraph (1), and Article 23-3, paragraph (1) (including as applied mutatis mutandis pursuant to Article 46, paragraph (2)) (this includes acceptance of requests under the provisions of Article 23-2, paragraph (1), Article 23-3, paragraph (1), and Article 26, paragraph (1) and also includes cases in which the amount calculated pursuant to the provisions of Article 24, paragraph (1) (including as applied mutatis mutandis pursuant to Article 46, paragraph (2)) is decided or revised as the monthly amount of remuneration);
- 五 第二十四条の二（第四十六条第二項において準用する場合を含む。）の規定によりその例によるものとされる船員保険法第十七条から第二十条まで及び第二十三条の規定による標準報酬月額の設定又は改定（同法第十九条第一項の規定による申出の受理を含み、同法第二十条第二項の規定により算定する額を報酬月額として決定又は改定する場合を含む。）
- (v) decision and revision of standardized monthly amounts of remuneration under the provisions of Articles 17 through 20 and Article 23 of the Mariners Insurance Act, which is to govern pursuant to the provisions of Article 24-2 of this Act (including as applied mutatis mutandis pursuant to the provisions of Article 46, paragraph (2) of this Act) (this decision and revision includes acceptance of requests under the provisions of Article 19, paragraph (1) of the Mariners Insurance Act and also includes cases in which the amount calculated pursuant to the provisions of Article 20, paragraph (2) of this Act is decided or revised as the monthly amount of remuneration);
- 六 第二十四条の四第一項（第四十六条第二項において準用する場合を含む。）の規定による標準賞与額の設定（第二十四条の四第二項において準用する第二十四条第一項の規定により算定する額を標準賞与額として決定する場合を含む。）
- (vi) decision of standardized amounts of bonuses under the provisions of Article

- 24-4, paragraph (1) (including as applied mutatis mutandis pursuant to Article 46, paragraph (2)) (this includes cases in which the amount calculated pursuant to the provisions of Article 24, paragraph (1), which applies mutatis mutandis pursuant to Article 24-4, paragraph (2), is decided as the standardized amount of a bonus);
- 七 第二十七条（附則第四条の五第一項において準用する場合を含む。）の規定による届出の受理及び第三十条第一項（附則第四条の五第一項において準用する場合を含む。）の規定による通知
- (vii) acceptance of notifications under the provisions of Article 27 (including as applied mutatis mutandis pursuant to Article 4-5, paragraph (1) of the Supplementary Provisions) and issuance of notices under the provisions of Article 30, paragraph (1) (including as applied mutatis mutandis pursuant to Article 4-5, paragraph (1) of the Supplementary Provisions);
- 七の二 第二十八条の二第一項（同条第二項及び第三項において準用する場合を含む。）の規定による請求の受理
- (vii)-2 acceptance of requests under the provisions of Article 28-2, paragraph (1) (including as applied mutatis mutandis in paragraph (2) and paragraph (3) of that Article);
- 八 第二十九条第一項（附則第四条の五第一項において準用する場合を含む。）の規定による通知、第二十九条第三項（第三十条第二項（附則第四条の五第一項において準用する場合を含む。以下この号において同じ。）及び附則第四条の五第一項において準用する場合を含む。）の規定による届出の受理並びに第二十九条第四項及び第五項（これらの規定を第三十条第二項及び附則第四条の五第一項において準用する場合を含む。）の規定による公告
- (viii) issuance of notices under the provisions of Article 29, paragraph (1) (including as applied mutatis mutandis pursuant to Article 4-5, paragraph (1) of the Supplementary Provisions), acceptance of notifications under the provisions of Article 29, paragraph (3) (including as applied mutatis mutandis pursuant to Article 30, paragraph (2) (this includes cases in which these provisions apply mutatis mutandis to Article 4-5, paragraph (1) of the Supplementary Provisions; the same applies hereinafter in this item) and Article 4-5, paragraph (1) of the Supplementary Provisions), and the making of public notice under the provisions of Article 29, paragraph (4) and paragraph (5) (including as applied mutatis mutandis pursuant to Article 30, paragraph (2) and Article 4-5, paragraph (1) of the Supplementary Provisions);
- 九 第三十一条第一項の規定による請求の受理及び同条第二項の規定による請求の却下
- (ix) acceptance of requests under the provisions of Article 31, paragraph (1) and dismissal of requests under the provisions of paragraph (2) of that Article;

- 十 第三十三条の規定による請求の受理  
(x) acceptance of claims under the provisions of Article 33;
- 十一 第三十八条第二項の規定による申請の受理  
(xi) acceptance of applications under the provisions of Article 38, paragraph (2);
- 十二 第三十八条の二第一項の規定による申出の受理  
(xii) acceptance of requests under the provisions of Article 38-2, paragraph (1);
- 十三 第四十四条第五項の規定による認定  
(xiii) certification under the provisions of Article 44, paragraph (5);
- 十四 第四十四条の三第一項の規定による申出の受理並びに附則第七条の三第一項及び第十三条の四第一項の規定による請求の受理  
(xiv) acceptance of requests under the provisions of Article 44-3, paragraph (1) and acceptance of claims under the provisions of Article 7-3, paragraph (1) and Article 13-4, paragraph (1) of the Supplementary Provisions;
- 十五 第四十七条の二第一項の規定による請求の受理  
(xv) acceptance of claims under the provisions of Article 47-2, paragraph (1);
- 十五の二 第五十条の二第五項の規定による認定  
(xv)-2 certification under the provisions of Article 50-2, paragraph (5);
- 十六 第五十二条第二項及び第四項の規定による請求の受理  
(xvi) acceptance of requests under the provisions of Article 52, paragraph (2) and paragraph (4);
- 十七 第五十八条第二項の規定による申出の受理  
(xvii) acceptance of requests under the provisions of Article 58, paragraph (2);
- 十八 第五十九条第四項の規定による認定  
(xviii) certification under the provisions of Article 59, paragraph (4);
- 十九 第六十七条並びに第六十八条第一項及び第二項の規定による申請の受理  
(xix) acceptance of applications under the provisions of Article 67 and Article 68, paragraph (1) and paragraph (2);
- 二十 削除  
(xx) deleted;
- 二十一 第七十八条の二第一項及び第七十八条の四第一項の規定による請求の受理  
(xxi) acceptance of requests under the provisions of Article 78-2, paragraph (1) and Article 78-4, paragraph (1);
- 二十二 第七十八条の五の規定による資料の提供  
(xxii) provision of materials under the provisions of Article 78-5;
- 二十三 第七十八条の六第一項の規定による標準報酬月額の設定又は決定及び同条第二項の規定による標準賞与額の設定又は決定  
(xxiii) revision and decision on standardized monthly amounts of remuneration under the provisions of Article 78-6, paragraph (1) and revision and decision on the standardized amounts of bonuses under the provisions of paragraph (2) of that Article;

二十四 第七十八条の八の規定による通知

(xxiv) notifying the relevant persons under the provisions of Article 78-8;

二十五 第七十八条の十四第一項の規定による請求の受理、同条第二項の規定による標準報酬月額の設定及び決定並びに同条第三項の規定による標準賞与額の設定及び決定

(xxv) acceptance of requests under the provisions of Article 78-14, paragraph (1); revision and decision of standardized monthly amounts of remuneration under the provisions of paragraph (2) of that Article; and revision and decision of standardized amounts of bonuses under the provisions of paragraph (3) of that Article;

二十六 第七十八条の十六の規定による通知

(xxvi) notifying the relevant persons under the provisions of Article 78-16;

二十七 第八十一条の二第一項及び第八十一条の二の二第一項の規定による申出の受理

(xxvii) acceptance of requests under the provisions of Article 81-2, paragraph (1) and Article 81-2-2, paragraph (1);

二十八 第八十三条の二の規定による申出の受理及び承認

(xxviii) acceptance and approval of requests under the provisions of Article 83-2;

二十九 第八十六条第五項の規定による国税滞納処分の例による処分及び同項の規定による市町村に対する処分の請求

(xxix) dispositions as per the rules on measures to collect national tax arrears under the provisions of Article 86, paragraph (5), and requests to municipalities for dispositions under the provisions of that paragraph;

三十 第八十九条の規定により国税徴収の例によるものとされる徴収に係る権限（国税通則法（昭和三十七年法律第六十六号）第三十六条第一項の規定の例による納入の告知、同法第四十二条において準用する民法第四百二十三条第一項の規定の例による納付義務者に属する権利の行使、国税通則法第四十六条の規定の例による納付の猶予その他の厚生労働省令で定める権限並びに次号に掲げる質問及び検査並びに搜索を除く。）

(xxx) authority connected with collection that is to be carried out as per the rules on measures to collect national tax arrears pursuant to the provisions of Article 89 (excluding payment notices governed by the provisions of Article 36, paragraph (1) of the Act on General Rules for National Taxes (Act No. 66 of 1962); the exercise, as per the provisions of Article 423, paragraph (1) of the Civil Code as applied mutatis mutandis pursuant to Article 42 of the Act on General Rules for National Taxes, of rights held by persons who are obligated to pay; grace periods for payment governed by the provisions of Article 46 of the Act on General Rules for National Taxes and other authority prescribed by Order of Health, Labor and Welfare; and questioning, inspections, and searches set forth in the following item);

三十一 第八十九条の規定によりその例によるものとされる国税徴収法（昭和三十四年法律第百四十七号）第百四十一条の規定による質問及び検査並びに同法第百四十二条の規定による搜索

(xxxix) questioning and inspections under the provisions of Article 141 of the National Tax Collection Act (Act No. 147 of 1959) and searches under the provisions of Article 142 of that Act, which is to govern pursuant to the provisions of Article 89 of this Act;

三十二 第九十五条の規定による戸籍事項に関する証明書を受領

(xxxix) receipt of certificates related to the entries on a family register under the provisions of Article 95;

三十三 第九十六条第一項（附則第二十九条第九項において準用する場合を含む。）の規定による命令及び質問

(xxxix) orders and questioning under the provisions of Article 96, paragraph (1) (including as applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions);

三十四 第九十七条第一項の規定による命令及び診断

(xxxix) orders and diagnoses under the provisions of Article 97, paragraph (1);

三十五 第九十八条第一項から第四項まで（同項を附則第二十九条第九項において準用する場合を含む。）の規定による届出の受理及び第九十八条第三項の規定による書類その他の物件の受領

(xxxix) acceptance of notifications under the provisions of Article 98, paragraphs (1) through (4) (including when those paragraphs are applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions) and receipt of documents and other items under the provisions of Article 98, paragraph (3);

三十六 第百条第一項（附則第二十九条第九項において準用する場合を含む。）の規定による命令並びに質問及び検査

(xxxix) orders, questioning, and inspections under the provisions of Article 100, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 29, paragraph (9) of the Supplementary Provisions);

三十七 第百条の二第二項から第四項までの規定による資料の提供の求め（第三十二号に掲げる証明書を受領を除く。）

(xxxix) requests to provide materials under the provisions of Article 100-2, paragraphs (2) through (4) (excluding the receipt of certificates set forth in item (xxxix));

三十八 次条第二項の規定による報告の受理

(xxxix) acceptance of reports under the provisions of paragraph (2) of the following Article;

三十九 附則第四条の三第一項及び第四項の規定による申出の受理

(xxxix) acceptance of requests under the provisions of Article 4-3, paragraphs (1) and (4) of the Supplementary Provisions;

四十 附則第七条の二第一項及び第二項の規定による確認

(xl) confirmation under the provisions of Article 7-2, paragraph (1) and paragraph (2) of the Supplementary Provisions;

四十一 附則第九条の二第一項の規定による請求の受理

(xli) acceptance of requests under the provisions of Article 9-2, paragraph (1) of the Supplementary Provisions;

四十二 附則第二十九条第一項の規定による請求の受理

(xlii) acceptance of requests under the provisions of Article 29, paragraph (1) of the Supplementary Provisions; and

四十三 前各号に掲げるもののほか、厚生労働省令で定める権限

(xliii) in addition to what is provided for in each of the preceding items, any other authority prescribed by Order of Ministry of Health, Labour and Welfare.

2 機構は、前項第二十九号に掲げる国税滞納処分の例による処分及び同項第三十一号に掲げる権限（以下「滞納処分等」という。）その他同項各号に掲げる権限のうち厚生労働省令で定める権限に係る事務を効果的に行うため必要があると認めるときは、厚生労働省令で定めるところにより、厚生労働大臣に当該権限の行使に必要な情報を提供するとともに、厚生労働大臣自らその権限を行うよう求めることができる。

(2) If JPS finds it to be necessary to do so in order to effectively undertaking the administrative functions associated with dispositions as per the rules on measures to collect national tax arrears provided for in item (xxix) of the preceding paragraph or the authority provided for in item (xxxii) of that paragraph (hereinafter referred to as "measures to collect arrears and related authority") or other authority provided for in the items of that paragraph and prescribed by Order of the Ministry of Health, Labour and Welfare, JPS may provide the Minister of Health, Labour and Welfare with the information necessary to exercise that authority and ask that the Minister be the one to exercise that authority, as prescribed by Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣は、前項の規定による求めがあつた場合において必要があると認めるとき、又は機構が天災その他の事由により第一項各号に掲げる権限に係る事務の全部若しくは一部を行うことが困難若しくは不適當となつたと認めるときは、同項各号に掲げる権限の全部又は一部を自ら行うものとする。

(3) If a request is made pursuant to the preceding paragraph and the Minister of Health, Labour and Welfare finds it to be necessary to do so, or if the Minister of Health, Labour and Welfare finds it to be difficult or inappropriate for JPS to carry out the whole or a part of the administrative functions associated with the authority provided for in the items of paragraph (1) due to a natural disaster or other reasons, the Minister is to be the one to exercise the whole or a part of the authority provided for in the items of that paragraph.

4 厚生労働大臣は、前項の規定により第一項各号に掲げる権限の全部若しくは一部を

自ら行うこととし、又は前項の規定により自ら行っている第一項各号に掲げる権限の全部若しくは一部を行わないこととするとき（次項に規定する場合を除く。）は、あらかじめ、その旨を公示しなければならない。

(4) Before the Minister of Health, Labour and Welfare either decides to be the one to exercise the whole or a part of the authority provided for in the items of paragraph (1), pursuant to the provisions of the preceding paragraph, or decides not to exercise the whole or a part of the authority provided for in the items of paragraph (1) that the Minister has been the one exercising pursuant to the provisions of the preceding paragraph (other than in cases provided for in the following paragraph), the Minister of Health, Labour and Welfare must first issue public notice of this.

5 厚生労働大臣は、第三項の規定により自ら行うこととした滞納処分等について、機構から引き継いだ当該滞納処分等の対象となる者が特定されている場合には、当該者に対し、厚生労働大臣が当該者に係る滞納処分等を行うこととなる旨その他の厚生労働省令で定める事項を通知しなければならない。

(5) With regard to measures to collect arrears and related authority that the Minister of Health, Labour and Welfare has decided to be the one to carry out pursuant to the provisions of paragraph (3), if the person who will be the subject of measures to collect arrears and related authority that the Minister of Health, Labour and Welfare has taken over from JPS has been specified, the Minister of Health, Labour and Welfare must notify that person that the Minister of Health, Labour and Welfare will undertake the measures to collect arrears and related authority involving that person and of any other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

6 厚生労働大臣が、第三項の規定により第一項各号に掲げる権限の全部若しくは一部を自ら行うこととし、又は第三項の規定により自ら行っている第一項各号に掲げる権限の全部若しくは一部を行わないこととする場合における同項各号に掲げる権限に係る事務の引継ぎその他の必要な事項は、厚生労働省令で定める。

(6) Order of the Ministry of Health, Labour and Welfare provides for the handing over of the administrative functions associated with the authority set forth in the items of paragraph (1) and any other necessary particulars for cases in which the Minister of Health, Labour and Welfare either decides to be the one to exercise the whole or a part of the authority provided for in the items of paragraph (1), pursuant to the provisions of paragraph (3), or decides not to exercise the whole or a part of the authority provided for in the items of paragraph (1) that the Minister has been the one exercising pursuant to the provisions of paragraph (3).

7 前各項に定めるもののほか、機構による第一項各号に掲げる権限に係る事務の実施又は厚生労働大臣による同項各号に掲げる権限の行使に関し必要な事項は、厚生労働省令で定める。

(7) Beyond as provided in each of the preceding paragraphs, Order of the

Ministry of Health, Labour and Welfare provides for the necessary particulars in connection with JPS's implementation of the administrative functions associated with the authority provided for in the items of paragraph (1) and in connection with the exercise, by the Minister of Health, Labour and Welfare, of the authority provided for in the items of that paragraph.

(財務大臣への権限の委任)

(Delegation of Authority to the Minister of Finance)

第百条の五 厚生労働大臣は、前条第三項の規定により滞納処分等及び同条第一項第三十号に掲げる権限の全部又は一部を自らが行うこととした場合におけるこれらの権限並びに同号に規定する厚生労働省令で定める権限のうち厚生労働省令で定めるもの

(以下この条において「滞納処分等その他の処分」という。)に係る納付義務者が滞納処分等その他の処分の執行を免れる目的でその財産について隠ぺいしているおそれがあることその他の政令で定める事情があるため保険料その他この法律の規定による徴収金の効果的な徴収を行う上で必要があると認めるときは、政令で定めるところにより、財務大臣に、当該納付義務者に関する情報その他必要な情報を提供するとともに、当該納付義務者に係る滞納処分等その他の処分の権限の全部又は一部を委任することができる。

Article 100-5 (1) If, pursuant to paragraph (3) of the preceding Article, the Minister of Health, Labour and Welfare has decided to be the one to undertake the whole or apart of the measures to collect arrears and related authority and the authority set forth in paragraph (1), item (xxx) of that Article, but, because it is likely that a person obligated to pay in connection with what is prescribed by Order of the Ministry of Health, Labour and Welfare among the authority in question and the authorities prescribed by Order of the Ministry of Health, Labour and Welfare provided for in that item (hereinafter referred to in this Article as a "measures to collect arrears, related authority, and other such dispositions"), has concealed assets with the purpose of evading the execution of the measures to collect arrears, related authority, and other such dispositions or because of the existence of any other circumstances prescribed by Cabinet Order, the Minister of Health, Labour and Welfare finds it to be necessary to do so in order to effectively carry out the collection of insurance premiums or any other monies to be collected under the provisions of this Act, the Minister of Health, Labour and Welfare, as prescribed by Cabinet Order, may provide the Minister of Finance with information on the person obligated to pay and with any other necessary information, and delegate the whole or a part of the authority for the measures to collect arrears, related authority, and other such dispositions involving the person obligated to pay to the Minister of Finance.

2 財務大臣は、前項の委任に基づき、滞納処分等その他の処分の権限の全部又は一部を行つたときは、厚生労働省令で定めるところにより、滞納処分等その他の処分の執



行の状況及びその結果を厚生労働大臣に報告するものとする。

(2) If the Minister of Finance has exercised the whole or a part of the authority for measures to collect arrears, related authority, and other such dispositions under the delegation referred to in the preceding paragraph, the minister is to report the status of execution and the results of the measures to collect arrears, related authority, and other such dispositions to the Minister of Health, Labour and Welfare as prescribed by Order of the Ministry of Health, Labour and Welfare.

3 前条第五項の規定は、第一項の委任に基づき、財務大臣が滞納処分等その他の処分の権限の全部又は一部を行う場合の財務大臣による通知について準用する。この場合において、必要な技術的読替えその他滞納処分等その他の処分の対象となる者に対する通知に関し必要な事項は、厚生労働省令で定める。

(3) The provisions of paragraph (5) of the preceding Article apply mutatis mutandis to notices issued by the Minister of Finance if the Minister exercises the whole or a part of the authority in measures to collect arrears, related authority, and other such dispositions under the delegation referred to in paragraph (1). Order of the Ministry of Health, Labour and Welfare provides for the necessary technical replacement of terms in such a case and for any other necessary particulars in connection with notices issued to the person who will be the subject of the measures to collect arrears, related authority, and other such dispositions in such a case.

4 財務大臣が、第一項の委任に基づき、滞納処分等その他の処分の権限の全部若しくは一部を行うこととし、又は同項の委任に基づき行っている滞納処分等その他の処分の権限の全部若しくは一部を行わないこととする場合における滞納処分等その他の処分の権限に係る事務の引継ぎその他の必要な事項は、厚生労働省令で定める。

(4) Order of the Ministry of Health, Labour and Welfare provides for the handing over of the administrative functions associated with the authority for measures to collect arrears, related authority, and other such dispositions and for any other necessary particulars for cases in which the Minister of Finance either decides to exercise the whole or a part of the authority in measures to collect arrears, related authority, and other such dispositions under the delegation referred to in paragraph (1), or decides not to exercise the whole or a part of the authority in measures to collect arrears, related authority, and other such dispositions that the Minister has been exercising under the delegation referred to that paragraph.

5 財務大臣は、第一項の規定により委任された権限、第二項の規定による権限及び第三項において準用する前条第五項の規定による権限を国税庁長官に委任する。

(5) The Minister of Finance delegates authority that has been delegated thereto pursuant to the provisions of paragraph (1), authority under paragraph (2), and authority under the provisions of paragraph (5) of the preceding Article as applied mutatis mutandis pursuant to paragraph (3), to the Commissioner of

the National Tax Agency.

6 国税庁長官は、政令で定めるところにより、前項の規定により委任された権限の全部又は一部を納付義務者の事業所又は事務所の所在地を管轄する国税局長に委任することができる。

(6) The Commissioner of the National Tax Agency, as prescribed by Cabinet Order, may delegate the whole or a part of the authority that has been delegated thereto pursuant to the provisions of the preceding paragraph to the commissioner of the regional taxation bureau with jurisdiction over the locality of the place of business or office of a person obligated to pay.

7 国税局長は、政令で定めるところにより、前項の規定により委任された権限の全部又は一部を納付義務者の事業所又は事務所の所在地を管轄する税務署長に委任することができる。

(7) The commissioner of a regional taxation bureau, as prescribed by Cabinet Order, may delegate the whole or a part of the authority that has been delegated thereto pursuant to the provisions of the preceding paragraph to the district director of the tax office with jurisdiction over the locality of the place of business or office of a person obligated to pay.

(機構が行う滞納処分等に係る認可等)

(Authorization for the Measures to Collect Arrears and Related Authority That JPS Undertakes; Related Matters)

第百条の六 機構は、滞納処分等を行う場合には、あらかじめ、厚生労働大臣の認可を受けるとともに、次条第一項に規定する滞納処分等実施規程に従い、徴収職員に行わせなければならない。

Article 100-6 (1) When JPS undertakes measures to collect arrears and related authority, in addition to obtaining the authorization of the Minister of Health, Labour and Welfare in advance, it must have collection officials undertake measures to collect arrears and related authority in accordance with the operative regulations for measures to collect arrears and related authority provided for in paragraph (1) of the following Article.

2 前項の徴収職員は、滞納処分等に係る法令に関する知識並びに実務に必要な知識及び能力を有する機構の職員のうちから、厚生労働大臣の認可を受けて、機構の理事長が任命する。

(2) The collection officials referred to in the preceding paragraph are appointed by the president of JPS with the authorization of the Minister of Health, Labour and Welfare, from among JPS officials with knowledge in the laws and regulations concerning measures to collect arrears and related authority, and with the necessary knowledge and abilities for practical operations.

3 機構は、滞納処分等をしたときは、厚生労働省令で定めるところにより、速やかに、その結果を厚生労働大臣に報告しなければならない。

(3) Having undertaken measures to collect arrears and related authority, JPS

must report the results to the Minister of Health, Labour and Welfare without delay, pursuant to Order of the Ministry of Health, Labour and Welfare.

(滞納処分等実施規程の認可等)

(Authorization of Operative Regulations for Measures to Collect Arrears and Related Authority; Related Matters)

第百条の七 機構は、滞納処分等の実施に関する規程（以下この条において「滞納処分等実施規程」という。）を定め、厚生労働大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 100-7 (1) JPS must establish regulations for implementing measures to collect arrears and related authority (hereinafter referred to in this Article as "operative regulations for measures to collect arrears and related authority") and have them authorized by the Minister of Health, Labour and Welfare. The same applies if it seeks to revise them.

2 滞納処分等実施規程には、差押えを行う時期、差押えに係る財産の選定方法その他の滞納処分等の公正かつ確実な実施を確保するために必要なものとして厚生労働省令で定める事項を記載しなければならない。

(2) In the operative regulations for measures to collect arrears and related authority, JPS must specify the timing of seizures, the way of selecting assets to seize, and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare as being necessary for ensuring fair and reliable execution of measures to collect arrears and related authority.

3 厚生労働大臣は、第一項の認可をした滞納処分等実施規程が滞納処分等の公正かつ確実な実施上不相当となつたと認めるときは、機構に対し、その滞納処分等実施規程を変更すべきことを命ずることができる。

(3) If the Minister of Health, Labour and Welfare finds that the operative regulations for measures to collect arrears and related authority authorized thereby as referred to in paragraph (1) have become inappropriate in terms of the fair and reliable execution of measures to collect arrears and related authority, the Minister of Health, Labour and Welfare may order JPS to revise its operative regulations for measures to collect arrears and related authority.

(機構が行う立入検査等に係る認可等)

(Authorization for Site Inspections and Other Actions That JPS Carries Out; Related Matters)

第百条の八 機構は、第百条の四第一項第三十三号、第三十四号又は第三十六号に掲げる権限に係る事務を行う場合には、あらかじめ、厚生労働大臣の認可を受けなければならない。

Article 100-8 (1) Before carrying out administrative functions associated with the authority provided for in Article 100-4, paragraph (1), item (xxxiii), item (xxxiv) or item (xxxvi), JPS must first obtain the authorization of the Minister

of Health, Labour and Welfare.

2 機構が第百条の四第一項第三十三号、第三十四号又は第三十六号に掲げる権限に係る事務を行う場合における第七十七条第一号、第九十六条、第九十七条及び第百条第一項の規定の適用については、これらの規定中「当該職員」とあるのは、「機構の職員」とする。

(2) To apply the provisions of Article 77, item (i), Article 96, Article 97, and Article 100, paragraph (1) to a case in which JPS carries out administrative functions associated with the authority provided for in Article 100-4, paragraph (1), item (xxxiii), item (xxxiv), or item (xxxvi), the phrase "competent official" in these provisions is deemed to be replaced with "JPS official".

(地方厚生局長等への権限の委任)

(Delegation of Authority to Directors-General of Regional Bureaus of Health and Welfare)

第百条の九 この法律に規定する厚生労働大臣の権限（第百条の五第一項及び第二項に規定する厚生労働大臣の権限を除く。）は、厚生労働省令（第二十八条の四に規定する厚生労働大臣の権限にあつては、政令）で定めるところにより、地方厚生局長に委任することができる。

Article 100-9 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act (excluding the authority of the Minister of Health, Labour and Welfare provided for in Article 100-5, paragraph (1) and paragraph (2)) may be delegated to the director-general of a regional bureau of health and welfare pursuant to Order of the Ministry of Health, Labour and Welfare (or pursuant to Cabinet Order, in the case of the authority of the Minister of Health, Labour and Welfare provided for in Article 28-4).

2 前項の規定により地方厚生局長に委任された権限は、厚生労働省令（第二十八条の四に規定する厚生労働大臣の権限にあつては、政令）で定めるところにより、地方厚生支局長に委任することができる。

(2) The authority delegated to the director-general of a regional bureau of health and welfare pursuant to the provisions of the preceding paragraph may be delegated to the director-general of a regional branch bureau of health and welfare pursuant to Order of the Ministry of Health, Labour and Welfare (or pursuant to Cabinet Order, in the case of the authority of the Minister of Health, Labour and Welfare provided for in Article 28-4).

3 第一項の規定により第二十八条の四に規定する厚生労働大臣の権限が地方厚生局長に委任された場合（前項の規定により同条に規定する厚生労働大臣の権限が地方厚生支局長に委任された場合を含む。）には、同条第三項中「社会保障審議会」とあるのは、「地方厚生局に置かれる政令で定める審議会」とする。

(3) If, pursuant to the provisions of paragraph (1), the authority of the Minister of Health, Labour and Welfare provided for in Article 28-4 has been delegated

to the director-general of a regional bureau of health and welfare (or if, pursuant to the provisions of the preceding paragraph, the authority of the Minister of Health, Labour and Welfare provided for in that Article has been delegated to the director-general of a regional branch bureau of health and welfare), the phrase "the Social Security Council" in paragraph (3) of that Article is deemed to be the phrase "the council specified by Cabinet Order which is established in the regional bureau of health and welfare".

(機構への事務の委託)

(Entrustment of Administrative Functions to JPS)

第百条の十 厚生労働大臣は、機構に、次に掲げる事務を行わせるものとする。

Article 100-10 (1) The Minister of Health, Labour and Welfare is to have JPS carry out the following administrative functions:

一 第二十五条の規定による価額の決定に係る事務（当該決定を除く。）

(i) administrative functions related to decisions on the value under the provisions of Article 25 (other than the decisions themselves);

二 第二十八条の規定による記録に係る事務（当該記録を除く。）

(ii) administrative functions related to recording pursuant to the provisions of Article 28 (other than the recording itself);

三 第三十一条の二の規定による情報の通知に係る事務（当該通知を除く。）

(iii) administrative functions related to notifying the relevant persons of information pursuant to the provisions of Article 31-2 (other than the notifying itself);

四 第三十三条（附則第二十九条第九項において準用する場合を含む。）の規定による裁定に係る事務（第百条の四第一項第十号に掲げる請求の受理及び当該裁定を除く。）

(iv) administrative functions related to rulings as under the provisions of Article 33 (including as applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions) (other than the acceptance of claims provided for in Article 100-4, paragraph (1), item (x) and the rulings themselves);

五 第三十七条第一項（附則第二十九条第九項において準用する場合を含む。）及び第三十七条第三項の規定による請求の内容の確認に係る事務

(v) administrative functions related to confirming the details of claims pursuant to the provisions of Article 37, paragraph (1) (including as applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions) and Article 37, paragraph (3);

六 第三十八条第一項及び第二項の規定による年金たる保険給付の支給の停止に係る事務（第百条の四第一項第十一号に掲げる申請の受理及び当該支給の停止に係る決定を除く。）

(vi) administrative functions related to suspension of the payment of pension

- insurance benefits under the provisions of Article 38, paragraph (1) and paragraph (2) (other than the acceptance of applications provided for in Article 100-4, paragraph (1), item (xi) and decisions related to the suspension of the payments);
- 七 第三十八条の二第一項及び第二項の規定による年金たる保険給付の支給の停止に係る事務（第百条の四第一項第十二号に掲げる申出の受理及び当該支給の停止に係る決定を除く。）
- (vii) administrative functions related to suspension of the payment of pension insurance benefits under the provisions of Article 38-2, paragraph (1) and paragraph (2) (other than the acceptance of requests provided for in Article 100-4, paragraph (1), item (xii) and decisions related to the suspension of the payments);
- 八 第四十条の二（附則第二十九条第九項において準用する場合を含む。）の規定による不正利得の徴収に係る事務（第百条の四第一項第二十九号から第三十一号までに掲げる権限を行使する事務及び次条第一項の規定により機構が行う収納、第八十六条第一項の規定による督促その他の厚生労働省令で定める権限を行使する事務並びに第三十一号及び第三十三号に掲げる事務を除く。）
- (viii) administrative functions related to the collection of a wrongfully gained benefit under the provisions of Article 40-2 (including as applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions) (other than administrative functions that involve exercising the authority provided for in Article 100-4, paragraph (1), items (xxix) through (xxxi), the receipt of monies paid over that JPS undertakes pursuant to the provisions of paragraph (1) of the following Article, demands for payment under the provisions of Article 86, paragraph (1), administrative functions that involve exercising other authority prescribed by Order of the Ministry of Health, Labour and Welfare, and administrative functions provided for in item (xxxi) and item (xxxiii));
- 九 第四十二条並びに附則第七条の三第三項、第八条及び第十三条の四第三項の規定による老齢厚生年金の支給に係る事務（第百条の四第一項第十四号に掲げる申出及び請求の受理並びに当該老齢厚生年金の裁定を除く。）
- (ix) administrative functions related to payment of employees' old-age pensions under the provisions of Article 42 of this Act and the provisions of Article 7-3, paragraph (3), Article 8 and Article 13-4, paragraph (3) of the Supplementary Provisions (other than the acceptance of requests and claims provided for in Article 100-4, paragraph (1), item (xiv) and rulings confirming employees' old-age pensions);
- 十 第四十三条第三項、第四十四条第三項及び第四項（これらの規定を附則第九条の二第三項、第九条の三第二項及び第四項並びに第九条の四第三項及び第五項において準用する場合を含む。）並びに附則第七条の三第五項、第九条の二第二項及び第四項、第九条の三第三項及び第五項、第九条の四第四項及び第六項、第十三条の四

第五項及び第六項並びに第十三条の五第三項、第四項及び第九項の規定による老齢厚生年金の額の改定に係る事務（第百条の四第一項第十四号に掲げる申出及び請求の受理並びに同項第四十一号に掲げる請求の受理並びに当該改定に係る決定を除く。）

(x) administrative functions related to revisions to the amounts of employees' old-age pensions under the provisions of Article 43, paragraph (3), Article 44, paragraph (3) and paragraph (4) of this Act (this includes as applied mutatis mutandis pursuant to Article 9-2, paragraph (3), Article 9-3, paragraph (2) and paragraph (4) and Article 9-4, paragraph (3) and paragraph (5) of the Supplementary Provisions) as well as the provisions of Article 7-3, paragraph (5), Article 9-2, paragraph (2) and paragraph (4), Article 9-3, paragraph (3) and paragraph (5), Article 9-4, paragraph (4) and paragraph (6), Article 13-4, paragraph (5) and paragraph (6), and Article 13-5, paragraph (3), paragraph (4), and paragraph (9) of the Supplementary Provisions (other than the acceptance of requests and claims provided for in Article 100-4, paragraph (1), item (xiv), the acceptance of claims provided for in item (xxxxi) of that paragraph, and decisions related to the revisions);

十一 第四十四条第一項ただし書（附則第九条の二第三項、第九条の三第二項及び第四項並びに第九条の四第三項及び第五項において準用する場合を含む。以下この号において同じ。）の規定による第四十四条第一項ただし書に規定する当該子について加算する額に相当する部分の支給の停止に係る事務（当該支給の停止に係る決定を除く。）並びに第四十六条第一項及び第六項並びに附則第七条の四第一項及び第四項（これらの規定を附則第十一条の五及び第十三条の六第三項において準用する場合を含む。）、第七条の五第一項及び第二項（これらの規定を同条第五項において準用する場合を含む。）、第十一条第一項、第十一条の二第一項及び第二項、第十一条の三第一項、第十一条の四第一項及び第二項、第十一条の六第一項、第二項及び第四項（これらの規定を同条第八項において準用する場合を含む。）、第十三条の四第八項、第十三条の五第五項及び第六項並びに第十三条の六第一項及び第四項（同条第八項において準用する場合を含む。）の規定による老齢厚生年金の支給の停止に係る事務（当該支給の停止に係る決定を除く。）

(xi) administrative functions related to suspension of the payment of a portion equal to the additional amount to be paid for the child set forth in the proviso of Article 44, paragraph (1), under the proviso of Article 44, paragraph (1) (this includes as applied mutatis mutandis pursuant to Article 9-2, paragraph (3), Article 9-3, paragraph (2) and paragraph (4), and Article 9-4, paragraph (3) and paragraph (5) of the Supplementary Provisions; the same applies hereinafter in this item) (other than decisions related to the suspension of these payments) and administrative functions related to suspension of the payment of employees' old-age pensions under the provisions of Article 46, paragraph (1) and paragraph (6) of this Act, and the provisions of Article 7-4, paragraph (1) and paragraph (4) (this includes as

applied mutatis mutandis pursuant to Article 11-5 and Article 13-6, paragraph (3) of the Supplementary Provisions), Article 7-5, paragraph (1) and paragraph (2) (this includes as applied mutatis mutandis pursuant to paragraph (5) of that Article), Article 11, paragraph (1), Article 11-2, paragraph (1) and paragraph (2), Article 11-3, paragraph (1), Article 11-4, paragraph (1) and paragraph (2), Article 11-6, paragraph (1), paragraph (2), and paragraph (4) (this includes as applied mutatis mutandis pursuant to paragraph (8) of that Article), Article 13-4, paragraph (8), Article 13-5, paragraph (5) and paragraph (6) and Article 13-6, paragraph (1) and paragraph (4) of the Supplementary Provisions (this includes as applied mutatis mutandis pursuant to paragraph (8) of that Article) (excluding decisions related to the suspension of the payments);

十二 第四十七条第一項、第四十七条の二第三項、第四十七条の三第一項、第四十八条第一項及び第四十九条の規定による障害厚生年金の支給に係る事務（第百条の四第一項第十五号に掲げる請求の受理及び当該障害厚生年金の裁定を除く。）

(xii) administrative functions related to payment of employees' disability pensions under the provisions of Article 47, paragraph (1), Article 47-2, paragraph (3), Article 47-3, paragraph (1), Article 48, paragraph (1), and Article 49 (other than the acceptance of claims provided for in Article 100-4, paragraph (1), item (xv) and rulings confirming employees' disability pensions);

十三 第四十九条第一項、第五十四条第一項及び第二項並びに同条第三項において準用する第四十六条第六項の規定による障害厚生年金の支給の停止に係る事務（第百条の四第一項第十一号に掲げる申請の受理及び当該支給の停止に係る決定を除く。）

(xiii) administrative functions related to suspension of the payment of employees' disability pensions under the provisions of Article 49, paragraph (1) and Article 54, paragraph (1) and paragraph (2), and the provisions of Article 46, paragraph (6) as applied mutatis mutandis pursuant to paragraph (3) of Article 54 (other than the acceptance of applications provided for in Article 100-4, paragraph (1), item (xi) and decisions related to the suspension of those payments);

十四 第五十条の二第三項、同条第四項において準用する第四十四条第四項、第五十二条第一項及び第五十二条の二の規定による障害厚生年金の額の改定に係る事務（第百条の四第一項第十五号の二に掲げる認定及び同項第十六号に掲げる請求の受理並びに当該改定に係る決定を除く。）

(xiv) administrative functions related to revisions to the amounts of employees' disability pensions under the provisions of Article 50-2, paragraph (3), Article 44, paragraph (4) as applied mutatis mutandis pursuant to paragraph (4) of Article 50-2, Article 52, paragraph (1), and Article 52-2 (other than the certification provided for in Article 100-4, paragraph (1), item (xv)-2, the



- acceptance of claims provided for in item (xvi) of that paragraph, and decisions related to those revisions);
- 十五 第五十五条第一項及び第五十六条の規定による障害手当金の支給に係る事務（当該障害手当金の裁定を除く。）
- (xv) administrative functions related to payment of disability allowances under the provisions of Article 55, paragraph (1) and Article 56 (other than rulings confirming disability allowances);
- 十六 第五十八条第一項の規定による遺族厚生年金の支給に係る事務（当該遺族厚生年金の裁定を除く。）
- (xvi) administrative functions related to payment of employees' pensions for surviving family under the provisions of Article 58, paragraph (1) (other than rulings confirming employees' pensions for surviving family);
- 十七 第六十一条（同条第一項を第六十八条第三項において準用する場合を含む。）の規定による遺族厚生年金の額の改定に係る事務（当該改定に係る決定を除く。）
- (xvii) administrative functions related to revisions to the amounts of employees' pensions for surviving family under the provisions of Article 61 (this includes when paragraph (1) of that Article is applied mutatis mutandis pursuant to Article 68, paragraph (3)) (other than the decisions related to the revisions);
- 十八 第六十四条から第六十七条まで並びに第六十八条第一項及び第二項の規定による遺族厚生年金の支給の停止に係る事務（第百条の四第一項第十一号及び第十九号に掲げる申請の受理並びに当該支給の停止に係る決定を除く。）
- (xviii) administrative functions related to suspension of the payment of employees' pensions for surviving family under the provisions of Articles 64 through 67 and Article 68, paragraph (1) and paragraph (2) (other than the acceptance of applications provided for in Article 100-4, paragraph (1), item (xi) and item (xix) and decisions related to the suspension of those payments);
- 十九 第七十三条の規定による障害厚生年金又は障害手当金の支給に係る事務（当該障害厚生年金又は障害手当金の裁定を除く。）
- (xix) administrative functions related to payment of employees' disability pensions and disability allowances under the provisions of Article 73 (other than rulings confirming employees' disability pensions and disability allowances);
- 二十 第七十三条の二及び第七十五条（附則第二十九条第九項において準用する場合を含む。）の規定による保険給付の支給に係る事務（当該保険給付の裁定を除く。）
- (xx) administrative functions related to payment of insurance benefits under the provisions of Article 73-2 and Article 75 (including as applied mutatis mutandis pursuant to Article 29, paragraph (9) of the Supplementary Provisions) (other than rulings confirming insurance benefits);

二十一 第七十四条の規定による障害厚生年金の額の改定に係る事務（当該改定に係る決定を除く。）

(xxi) administrative functions related to revisions to the amounts of employees' disability pensions under the provisions of Article 74 (other than decisions related to those revisions);

二十二 第七十六条第一項の規定による遺族厚生年金の支給に係る事務（当該遺族厚生年金の裁定を除く。）

(xxii) administrative functions related to payment of employees' pensions for surviving family under the provisions of Article 76, paragraph (1) (other than rulings confirming employees' pensions for surviving family);

二十三 第七十七条の規定による年金たる保険給付の支給の停止に係る事務（当該支給の停止に係る決定を除く。）

(xxiii) administrative functions related to suspension of the payment of pension insurance benefits under the provisions of Article 77 (other than decisions related to the suspension of those payments);

二十四 第七十八条第一項の規定による保険給付の支払の一時差止めに係る事務（当該支払の一時差止めに係る決定を除く。）

(xxiv) administrative functions related to temporary suspension of the payment of insurance benefits under the provisions of Article 78, paragraph (1) (other than decisions related to the temporary suspension of those payments);

二十五 第七十八条の七の規定による記録に係る事務（当該記録を除く。）

(xxv) administrative functions related to recording under the provisions of Article 78-7 (other than the recording itself);

二十六 第七十八条の十第一項の規定による老齢厚生年金及び同条第二項の規定による障害厚生年金の額の改定に係る事務（当該改定に係る決定を除く。）

(xxvi) administrative functions related to revisions to the amounts of employees' old-age pensions under the provisions of Article 78-10, paragraph (1) and revisions to the amounts of employees' disability pensions under paragraph (2) of that Article (other than decisions related to those revisions);

二十七 第七十八条の十五の規定による記録に係る事務（当該記録を除く。）

(xxvii) administrative functions related to recording under the provisions of Article 78-15 (other than the recording itself);

二十八 第七十八条の十八第一項の規定による老齢厚生年金及び同条第二項において準用する第七十八条の十第二項の規定による障害厚生年金の額の改定に係る事務（当該改定に係る決定を除く。）

(xxviii) administrative functions related to revisions to the amounts of employees' old-age pensions under the provisions of Article 78-18, paragraph (1) and revisions to the amounts of employees' disability pensions under the provisions of Article 78-10, paragraph (2), as applied mutatis mutandis pursuant to paragraph (2) of Article 78-18 (other than decisions related to those revisions);

二十九 第八十一条第一項、第八十一条の二第一項、第八十一条の二の二第一項及び第八十五条の規定による保険料の徴収に係る事務（第百条の四第一項第二十七号から第三十一号までに掲げる権限を行使する事務及び次条第一項の規定により機構が行う収納、第八十六条第一項の規定による督促その他の厚生労働省令で定める権限を行使する事務並びに次号、第三十一号及び第三十三号に掲げる事務を除く。）

(xxix) administrative functions related to the collection of insurance premiums under the provisions of Article 81, paragraph (1), Article 81-2, paragraph (1), Article 81-2-2, paragraph (1), and Article 85 (other than administrative functions that involve exercising the authority provided for in Article 100-4, paragraph (1), items (xxvii) through (xxxi), the receipt of monies paid over that JPS undertakes pursuant to the provisions of paragraph (1) of the following Article, demands for payment under the provisions of Article 86, paragraph (1), administrative functions that involve exercising other authority prescribed by Order of the Ministry of Health, Labour and Welfare, and administrative functions provided for in the following item, item (xxxi) and item (xxxiii));

三十 第八十三条第二項及び第三項の規定による納付に係る事務（納期を繰り上げて納入の告知又は納付をしたものとみなす決定及びその旨の通知を除く。）

(xxx) administrative functions related to payments under the provisions of Article 83, paragraph (2) and paragraph (3) (other than decisions in which a payment notice is deemed to have been issued with a payment due date that was moved forward or a payment is deemed to have been made for a payment due date that was moved forward);

三十一 第八十六条第一項及び第二項の規定による督促に係る事務（当該督促及び督促状を發すること（督促状の發送に係る事務を除く。）を除く。）

(xxxi) administrative functions related to demands for payment under the provisions of Article 86, paragraphs (1) and (2) (other than the demands themselves and the issuance of demand letters (but not administrative functions related to sending demand letters));

三十二 第八十七条第一項及び第四項の規定による延滞金（同条第六項の規定により保険料とみなされた第四十条の二の規定による徴収金に係るものを含む。）の徴収に係る事務（第百条の四第一項第二十九号から第三十一号までに掲げる権限を行使する事務及び次条第一項の規定により機構が行う収納、第八十六条第一項の規定による督促その他の厚生労働省令で定める権限を行使する事務並びに前号及び第三十三号に掲げる事務を除く。）

(xxxii) administrative functions related to the collection of delinquency charges under the provisions of Article 87, paragraph (1) and paragraph (4) (including charges related to monies to be collected under the provisions of Article 40-2 that are deemed to be insurance premiums pursuant to the provisions of paragraph (6) of Article 87) (other than administrative functions that involve exercising the authority provided for in Article 100-4,

paragraph (1), items (xxix) through (xxxi), the receipt of monies paid over that JPS undertakes pursuant to the provisions of paragraph (1) of the following Article, demands for payment under the provisions of Article 86, paragraph (1), administrative functions that involve exercising other authority prescribed by Order of the Ministry of Health, Labour and Welfare, and administrative functions provided for in the preceding item and item (xxxiii);

三十二の二 第百条の二第一項の規定による情報の提供に係る事務（当該情報の提供を除く。）

(xxxii)-2 administrative functions related to provision of information under the provisions of Article 100-2, paragraph (1) (other than the provision of information itself);

三十三 第百条の四第一項第三十号に規定する厚生労働省令で定める権限に係る事務（当該権限を行使する事務を除く。）

(xxxiii) administrative functions associated with the authority prescribed by Order of the Ministry of Health, Labour and Welfare that is provided for in Article 100-4, paragraph (1), item (xxx) (other than administrative functions that involve exercising that authority itself);

三十四 削除

(xxxiv) deleted;

三十五 附則第二十八条の三第一項の規定による特例老齢年金の支給に係る事務（当該特例老齢年金の裁定を除く。）

(xxxv) administrative functions related to payment of special old-age pensions under the provisions of Article 28-3, paragraph (1) of the Supplementary Provisions (other than rulings confirming special old-age pensions);

三十六 附則第二十八条の四第一項の規定による特例遺族年金の支給に係る事務（当該特例遺族年金の裁定を除く。）

(xxxvi) administrative functions related to payment of special pensions for surviving family under the provisions of Article 28-4, paragraph (1) of the Supplementary Provisions (other than rulings confirming special pensions for surviving family);

三十七 附則第二十九条第二項の規定による脱退一時金の支給に係る事務（第百条の四第一項第四十二号に掲げる請求の受理及び当該脱退一時金の裁定を除く。）

(xxxvii) administrative functions related to payment of lump-sum withdrawal payments under the provisions of Article 29-2, paragraph (2) of the Supplementary Provisions (other than the acceptance of requests provided for in Article 100-4, paragraph (1), item (xxxii) and rulings confirming those lump-sum withdrawal payments);

三十八 介護保険法（平成九年法律第百二十三号）第二百三条その他の厚生労働省令で定める法律の規定による求めに応じたこの法律の実施に関し厚生労働大臣が保有する情報の提供に係る事務（当該情報の提供及び厚生労働省令で定める事務を除く。）

く。)

(xxxviii) administrative functions related to the provision of information held by the Minister of Health, Labour and Welfare in connection with the implementation of this Act in response to requests under the provisions of Article 203 of the Long-Term Care Insurance Act (Act No. 123 of 1997) and any other Acts prescribed by Order of the Ministry of Health, Labour and Welfare (other than the provision of information itself and administrative functions prescribed by Order of the Ministry of Health, Labour and Welfare); and

三十九 前各号に掲げるもののほか、厚生労働省令で定める事務

(xxxix) administrative functions prescribed by Order of the Ministry of Health, Labour and Welfare, beyond what is provided for in each of the preceding items.

2 厚生労働大臣は、機構が天災その他の事由により前項各号に掲げる事務の全部又は一部を実施することが困難又は不適當となつたと認めるときは、同項各号に掲げる事務の全部又は一部を自ら行うものとする。

(2) If the Minister of Health, Labour and Welfare finds that it has become difficult or inappropriate for JPS to implement the whole or a part of the administrative functions set forth in one of the items of the preceding paragraph due to a natural disaster or for any other reason, the Minister of Health, Labour and Welfare is to be the one to carry out the whole or a part of the administrative functions set forth in the items of that paragraph.

3 前二項に定めるもののほか、機構又は厚生労働大臣による第一項各号に掲げる事務の実施に関し必要な事項は、厚生労働省令で定める。

(3) Beyond as provided for in the preceding two paragraphs, Order of the Ministry of Health, Labour and Welfare provides for any other necessary particulars in connection with JPS's or the Minister of Health, Labour and Welfare's implementation of the administrative functions provided for in the items of paragraph (1).

(機構が行う収納)

(The Receipt of Monies Paid Over That JPS Undertakes)

第百条の十一 厚生労働大臣は、会計法（昭和二十二年法律第三十五号）第七条第一項の規定にかかわらず、政令で定める場合における保険料その他この法律の規定による徴収金、年金たる保険給付の過誤払による返還金その他の厚生労働省令で定めるもの（以下この条において「保険料等」という。）の収納を、政令で定めるところにより、機構に行わせることができる。

Article 100-11 (1) Notwithstanding the provisions of Article 7, paragraph (1) of the Public Accounting Act (Act No. 35 of 1947), the Minister of Health, Labour and Welfare, pursuant to Cabinet Order, may have JPS undertake the receipt, in the cases provided for by Cabinet Order, of insurance premiums and other

monies to be collected under the provisions of this Act, monies returned due to overpayment of pension insurance benefits, and any other monies prescribed by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to in this Article as "insurance premiums and other such monies").

- 2 前項の収納を行う機構の職員は、収納に係る法令に関する知識並びに実務に必要な知識及び能力を有する機構の職員のうちから、厚生労働大臣の認可を受けて、機構の理事長が任命する。
- (2) The JPS officials undertaking the receipt of monies paid over as referred to in the preceding paragraph are appointed by the President of JPS with the authorization of the Minister of Health, Labour and Welfare, from among JPS officials with knowledge in the laws and regulations concerning the receipt of monies paid over and the knowledge and abilities necessary for practical operations.
- 3 機構は、第一項の規定により保険料等の収納をしたときは、遅滞なく、これを日本銀行に送付しなければならない。
- (3) Having received insurance premiums or other such monies pursuant to the provisions of paragraph (1), JPS must send these to the Bank of Japan without delay.
- 4 機構は、厚生労働省令で定めるところにより、収納に係る事務の実施状況及びその結果を厚生労働大臣に報告するものとする。
- (4) JPS is to report the implementation status of administrative functions related to the receipt of monies paid over and the results thereof to the Minister of Health, Labour and Welfare as prescribed by Order of the Ministry of Health, Labour and Welfare.
- 5 機構は、前二項に定めるもののほか、厚生労働大臣が定める収納に係る事務の実施に関する規程に従って収納を行わなければならない。
- (5) Beyond as provided for in the preceding two paragraphs, JPS must undertake the receipt of monies paid over in accordance with the regulations on implementation of administrative functions related to receipt of monies paid over that are established by the Minister of Health, Labour and Welfare.
- 6 前各項に定めるもののほか、第一項の規定による保険料等の収納について必要な事項は、政令で定める。
- (6) Beyond as provided in each of the preceding paragraphs, Cabinet Order provides for the necessary particulars regarding receipt of insurance premiums and other such monies.

(情報の提供)

(Provision of Information)

第百条の十二 機構は、厚生労働大臣に対し、厚生労働省令で定めるところにより、被保険者の資格に関する事項、標準報酬に関する事項その他厚生労働大臣の権限の行使に関して必要な情報の提供を行うものとする。

Article 100-12 Pursuant to Order of the Ministry of Health, Labour and Welfare, JPS is to provide the Minister of Health, Labour and Welfare with the particulars of persons' statuses as insureds, the particulars of standardized remuneration, and other necessary information related to the exercise of the authority of the Minister of Health, Labour and Welfare.

(厚生労働大臣と機構の密接な連携)

(Close Cooperation between the Minister of Health, Labour and Welfare and JPS)

第百条の十三 厚生労働大臣及び機構は、厚生年金保険事業が、適正かつ円滑に行われるよう、必要な情報交換を行うことその他相互の密接な連携を確保しなければならない。

Article 100-13 The Minister of Health, Labour and Welfare and JPS must undertake the necessary exchanges of information and otherwise ensure close coordination between themselves so that employees' pension insurance services are performed properly and smoothly.

(研修)

(Training)

第百条の十四 厚生労働大臣は、機構の協力の下に、厚生年金保険事業に関する事務に従事する厚生労働省の職員に対し、当該事務を適正かつ円滑に行うために必要な知識及び技能を習得させ、及び向上させるために必要な研修を行うものとする。

Article 100-14 With the cooperation of JPS, the Minister of Health, Labour and Welfare is to provide the officials of the Ministry of Health, Labour and Welfare who are engaged in the administrative functions connected with employees' pension insurance services with the necessary training to acquire and improve knowledge and skills necessary to ensure appropriate and smooth operation of the those functions.

(経過措置)

(Transitional Measures)

第百条の十五 この法律に基づき政令を制定し、又は改廃する場合においては、政令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置を定めることができる。

Article 100-15 When a Cabinet Order is enacted, amended, or repealed based on this Act, any necessary transitional measures may be prescribed by Cabinet Order to the extent judged to be reasonably necessary for its enactment, amendment, or repeal.

(実施規定)

(Provisions on Implementation)

第百一条 この法律に特別の規定があるものを除くほか、この法律の実施のための手続その他その執行について必要な細則は、厚生労働省令又は主務省令で定める。

Article 101 Except as otherwise provided for in this Act, Order of the Ministry of Health, Labour and Welfare, or order of the competent ministry prescribes the procedures for implementing this Act and other necessary detailed rules regarding its enforcement.

## 第八章 罰則

### Chapter VIII Penal Provisions

第百二条 事業主が、正当な理由がなく次各号のいずれかに該当するときは、六月以下の懲役又は五十万円以下の罰金に処する。

Article 102 If an employer falls under one of the following items without a legitimate reason therefor, the employer is subject to imprisonment for a period of not more than six months or a fine of not more than 500,000 yen:

一 第二十七条の規定に違反して、届出をせず、又は虚偽の届出をしたとき。

(i) if, in violation of the provisions of Article 27, an employer has failed to submit a notification, or has submitted a false notification;

二 第二十九条第二項（第三十条第二項において準用する場合を含む。）の規定に違反して、通知をしないとき。

(ii) if, in violation of the provisions of Article 29, paragraph (2) (including as applied mutatis mutandis pursuant to Article 30, paragraph (2)) an employer has failed to notify the relevant person;

三 第八十二条第二項の規定に違反して、督促状に指定する期限までに保険料を納付しないとき。

(iii) if, in violation of the provisions of Article 82, paragraph (2), an employer has failed to pay insurance premiums by the due date designated in the demand letter; or

四 第百条第一項の規定に違反して、文書その他の物件を提出せず、又は当該職員（第百条の八第二項において読み替えて適用される第百条第一項に規定する機構の職員を含む。次条において同じ。）の質問に対して答弁せず、若しくは虚偽の陳述をし、若しくは検査を拒み、妨げ、若しくは忌避したとき。

(iv) if, in violation of Article 100, paragraph (1), an employer has failed to submit documents or other items, has failed to answer the questions of the competent official (including the official of JPS provided for in Article 100, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of Article 100-8, paragraph (2); the same applies in the following Article) or has given a false statement to that official, or has refused, disrupted or evaded an inspection of that official.

第百三条 事業主以外の者が、第百条第一項の規定に違反して、当該職員の質問に対し



て答弁せず、若しくは虚偽の陳述をし、又は検査を拒み、妨げ、若しくは忌避したときは、六月以下の懲役又は三十万円以下の罰金に処する。

Article 103 If, in violation of the provisions of Article 100, paragraph (1), a person other than an employer has failed to answer the questions of a competent official or has given a false statement to that official, or has refused, disrupted, or evaded that official's inspection, the person is subject to imprisonment for a period of not more than six months or a fine of not more than 300,000 yen.

第百三条の二 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 103-2 A person falling under one of the following items is subject to a fine of not more than 500,000 yen:

一 第八十九条の規定によりその例によるものとされる国税徴収法第百四十一条の規定による徴収職員の質問に対して答弁をせず、又は偽りの陳述をした者

(i) a person who has failed to answer the questions of a collection official under the provisions of Article 141 of the National Tax Collection Act (Act No. 147 of 1959), which is to govern pursuant to the provisions of Article 89 of this Act, or who has given a false statement to that official; or

二 第八十九条の規定によりその例によるものとされる国税徴収法第百四十一条の規定による検査を拒み、妨げ、若しくは忌避し、又は当該検査に関し偽りの記載若しくは記録をした帳簿書類を提示した者

(ii) a person who has refused, disrupted, or evaded, or who has given a false statement or presented books and documents with false records in, an inspection under the provisions of Article 141 of the National Tax Collection Act, which is to govern pursuant to the provisions of Article 89 of this Act.

第百四条 法人（法人でない社団又は財団で代表者又は管理人の定めがあるもの（以下この条において「人格のない社団等」という。）を含む。以下この項において同じ。）の代表者（人格のない社団等の管理人を含む。）又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務又は財産に関して、第百二条から前条までの違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 104 (1) If the representative of a corporation (this includes an association or foundation that is not a corporation but that has a designated representative or administrator; hereinafter in this Article referred to as an "association or foundation without legal personality"; hereinafter the same applies in this paragraph) (that representative may be an administrator of an association or foundation without legal personality) or the agent, employee, or other worker of a corporation or individual has violated one of the provisions from Article 102 through the preceding Article in connection with the business or assets of the corporation or individual, in addition to the offender being

subject to punishment, the corporation or individual is also subject to the fine set forth in the relevant Article.

2 人格のない社団等について前項の規定の適用がある場合においては、その代表者又は管理人がその訴訟行為につき当該人格のない社団等を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) When the provisions of the preceding paragraph apply to an association or foundation without legal personality, its representative or administrator represents it in any judicial proceedings, and legal provisions concerning criminal proceedings in which a corporation is the defendant or the suspect apply mutatis mutandis.

第百四条の二 次の各号のいずれかに該当する場合には、その違反行為をした管理運用主体の役員又は職員は、二十万円以下の過料に処する。

Article 104-2 In a case falling under one of the following items, the management and investment entity officer or employee who committed the violation is subject to a fine not exceeding 200,000 yen:

一 第七十九条の五第三項、第七十九条の六第五項又は第七十九条の八第一項の規定により公表をしなければならない場合において、その公表をせず、又は虚偽の公表をしたとき。

(i) the officer or employee is required to make a public announcement pursuant to the provisions of Article 79-5, paragraph (3), Article 79-6, paragraph (5) or Article 79-8, paragraph (1), but has failed to make that public announcement or has made a false public announcement;

二 第七十九条の五第四項の規定による主務大臣の命令又は第七十九条の六第七項若しくは第七十九条の七の規定による所管大臣の命令に違反したとき。

(ii) the officer or employee has violated an order of a competent minister under the provisions of Article 79-5, paragraph (4) or an order of the minister with jurisdiction under the provisions of Article 79-6, paragraph (7) or Article 79-7; or

三 第七十九条の六第四項の規定により承認を受けなければならない場合において、その承認を受けずに管理運用の方針を定め、又は変更したとき。

(iii) the officer or employee was required to obtain approval pursuant to the provisions of Article 79-6, paragraph (4), but has established or revised management/investment guidelines without obtaining that approval.

第百四条の三 機構の役員は、次の各号のいずれかに該当する場合には、二十万円以下の過料に処する。

Article 104-3 In a case falling under either of the following items, a JPS officer is subject to a civil fine of not more than 200,000 yen:

一 第百条の六第一項及び第二項、第百条の七第一項、第百条の八第一項並びに第百条の十一第二項の規定により厚生労働大臣の認可を受けなければならない場合にお

いて、その認可を受けなかつたとき。

- (i) the officer was required to obtain the authorization of the Minister of Health, Labour and Welfare pursuant to the provisions of Article 100-6, paragraph (1) or paragraph (2), Article 100-7, paragraph (1), Article 100-8, paragraph (1), or Article 100-11, paragraph (2), but has failed to obtain that authorization; or
- 二 第百条の七第三項の規定による命令に違反したとき。
- (ii) the officer has violated an order under the provisions of Article 100-7, paragraph (3).

第百五条 左の各号に掲げる場合には、十万円以下の過料に処する。

Article 105 In a case as set forth in one of the following items, a civil fine of not more than 100,000 yen is imposed:

- 一 第九十八条第一項の規定に違反して、事業主が届出をせず、又は虚偽の届出をしたとき。
- (i) if, in violation of the provisions of Article 98, paragraph (1), an employer has failed to notify the relevant person or has submitted false notification;
- 二 第九十八条第二項の規定に違反して、被保険者が届出をせず、若しくは虚偽の届出をし、又は申出をせず、若しくは虚偽の申出をしたとき。
- (ii) if, in violation of the provisions of Article 98, paragraph (2), an insured has failed to notify or has falsely notified the relevant person, or has failed to report or has falsely reported to the relevant person; or
- 三 第九十八条第四項の規定に違反して、戸籍法の規定による死亡の届出義務者が、届出をしないとき。
- (iii) if, in violation of the provisions of Article 98, paragraph (4), a person obliged to file a notification of death pursuant to the provisions of the Family Register Act has failed to file this.