

電子記録債権法施行規則

Enforcement Regulation of the Electronically Recorded Monetary Claims Act

(平成二十年十月二十二日内閣府・法務省令第四号)
(Cabinet Office and Ministry of Justice Order No. 4 of October 22, 2008)

電子記録債権法（平成十九年法律第百二号）及び電子記録債権法施行令（平成二十年政令第三百二十五号）の規定に基づき、並びに同法を実施するため、電子記録債権法施行規則を次のように定める。

Based on the provisions of the Electronically Recorded Monetary Claims Act (Act No. 102 of 2007) and the Order for Enforcement of the Electronically Recorded Monetary Claims Act (Cabinet Order No. 325 of 2008) and for the purpose of implementing the Electronically Recorded Monetary Claims Act, the Enforcement Regulation of the Electronically Recorded Monetary Claims Act is established as follows.

第一章 総則（第一条・第二条）

Chapter I General Provisions (Article 1 and Article 2)

第二章 電子記録債権の分割

Chapter II Division of Electronically Recorded Monetary Claims

第一節 可分債権が記録されている債権記録の分割（第三条―第六条）

Section 1 Division of Monetary Claims Records in Which Divisible Claims Are Recorded (Articles 3 through 6)

第二節 可分債務が記録されている債権記録の分割（第七条―第十条）

Section 2 Division of Monetary Claims Records in Which Divisible Obligations Are Recorded (Articles 7 through 10)

第三節 一部保証記録がされている債権記録の分割（第十一条―第十四条）

Section 3 Division of Monetary Claims Records in Which a Record of Partial Guarantee Has Been Made (Articles 11 through 14)

第四節 特別求償権が記録されている債権記録の分割（第十五条―第二十条）

Section 4 Division of Monetary Claims Records in Which a Special Right to Reimbursement Has Been Recorded (Articles 15 through 20)

第五節 分割記録の請求に必要な情報（第二十一条）

Section 5 Information Necessary for Requesting the Recording of a Division (Article 21)

第三章 電子債権記録機関（第二十二条―第四十二条）

Chapter III Electronic Monetary Claim Recording Institution (Articles 22 through 42)

第四章 雑則（第四十三条―第四十七条）

Chapter IV Miscellaneous Provisions (Articles 43 through 47)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(定義)

(Definition)

第一条 この命令において使用する用語は、電子記録債権法（平成十九年法律第百二号。以下「法」という。）において使用する用語の例によるほか、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 1 The terms used in this Order have the same meanings as the terms used in the Electronically Recorded Monetary Claims Act (Act No. 102 of 2007; hereinafter referred to as the "Act"), and the meanings of the terms listed in the following items are as prescribed respectively in those items:

一 一部保証記録 法第三十二条第二項第一号に掲げる事項が記録された保証記録をいう。

(i) "record of partial guarantee" means a record of guarantee in which the matters set forth in Article 32, paragraph (2), item (i) of the Act have been recorded;

二 原債権金額 分割記録の直前に原債権記録に記録されていた法第十六条第一項第一号（当該原債権記録が他の分割における分割債権記録である場合にあっては、法第四十四条第一項第三号又は第四条第一項第三号、第八条第一項第三号、第十二条第一項第三号若しくは第十六条第一項第三号）に規定する一定の金額をいう。

(ii) "original monetary claim amount" means the fixed amount of money provided for in Article 16, paragraph (1), item (i) of the Act which was recorded in the original monetary claims record just before recording the division (or in Article 44, paragraph (1), item (iii), Article 4, paragraph (1), item (iii), Article 8, paragraph (1), item (iii), Article 12, paragraph (1), item (iii), or Article 16, paragraph (1), item (iii) of the Act, if the original monetary claims record is a divided monetary claims record arising from another division);

三 特別求償権発生記録 特別求償権の発生の原因である支払等が記録された支払等記録をいう。

(iii) "record of accrual of a special right to reimbursement" means a record of payment, etc. in which a payment, etc., that gives rise to a special right to reimbursement has been recorded; and

四 支払等金額 法第二十四条第二号の規定により記録される支払等をした金額（利息、遅延損害金、違約金又は費用が生じている場合にあっては、消滅した元本の額を含む。）をいう。

(iv) "amount of payment, etc." means the amount of a payment, etc. which is recorded pursuant to the provisions of Article 24, item (ii) of the Act (including the amount of principal that has been extinguished if there are interest payments, delay damages, penalties, or expenses).

(磁気ディスクに準ずる物)

(Objects Equivalent to Magnetic Disks)

第二条 法第二条第三項に規定する主務省令で定める物は、光ディスクとする。

Article 2 The objects specified by order of the competent ministry which are prescribed in Article 2, paragraph (3) of the Act are optical disks.

第二章 電子記録債権の分割

Chapter II Division of Electronically Recorded Monetary Claims

第一節 可分債権が記録されている債権記録の分割

Section 1 Division of Monetary Claims Records in Which Divisible Claims Have Been Recorded

(分割記録の請求)

(Requests for the Recording of a Division)

第三条 原債権記録に債権者ごとの債権の金額が記録されている場合における分割記録の請求は、次の各号に掲げる場合の区分に応じ、当該各号に定める者だけであることができる。

Article 3 If the claim amount for each obligee has been recorded in the original monetary claims record, requests for the recording of a division may be filed independently by the persons prescribed respectively in the following items in accordance with the classification of the cases set forth in those items:

一 原債権記録に記録可能回数が記録されている場合 原債権記録に記録されている電子記録名義人の全員

(i) cases in which a recording ceiling number is recorded in the original monetary claims record: all the electronically recorded persons recorded in the original monetary claims record;

二 原債権記録において一部保証記録に基づく電子記録保証の対象である電子記録債権を分割債権記録に記録する場合 原債権記録に記録されている電子記録名義人のうち、当該一部保証記録に基づく電子記録保証を受けるものの全員

(ii) cases in which an electronically recorded monetary claim secured by an electronically recorded guarantee based on a record of a partial guarantee in the original monetary claims record is to be recorded in the divided monetary claims record: all the persons that are secured by the electronically recorded guarantee based on the record of the partial guarantee among the electronically recorded persons recorded in the original monetary claims record;

三 前二号に掲げる場合以外の場合 分割債権記録に債権者として記録される者
(iii) in cases other than those set forth in the preceding two items: a person
that is to be recorded in the divided monetary claims record as the obligee.

(分割記録の記録事項)

(Recorded Matters in the Record of Division)

第四条 原債権記録に債権者ごとの債権の金額が記録されている場合における分割記録
においては、分割債権記録に次に掲げる事項を記録しなければならない。

Article 4 (1) The following matters must be recorded in the divided monetary
claims record for the recording of division in cases where the amount of claims
of each obligee has been recorded in the original monetary claims record.

一 原債権記録から分割をした旨

(i) a statement to the effect that the claim has been divided from the original
monetary claims record;

二 原債権記録及び分割債権記録の記録番号

(ii) the record numbers for the original monetary claims record and the divided
monetary claims record;

三 発生記録における債務者であって分割債権記録に記録されるものが一定の金額を
支払う旨

(iii) a statement that obligors in the record of accrual who are to be recorded in
the divided monetary claims record are to pay a fixed amount of money;

四 分割債権記録に記録される電子記録債権の債権者の氏名又は名称及び住所

(iv) the name and address of the obligees of the electronically recorded
monetary claims being recorded in the divided monetary claims record; and

五 電子記録の年月日

(v) the date on which the electronic recording was made.

2 原債権記録に債権者ごとの債権の金額が記録されている場合における分割記録にお
いては、原債権記録に次に掲げる事項を記録しなければならない。

(2) The following matters must be recorded in the original monetary claims
record for recording a division in cases where the claim amount for each obligee
has been recorded in the original monetary claims record.

一 分割をした旨

(i) a statement to the effect that the claim has been divided;

二 分割債権記録の記録番号

(ii) the record number of the divided monetary claims record; and

三 電子記録の年月日

(iii) the date on which the electronic recording was made.

3 法第四十四条第三項の規定は、原債権記録に債権者ごとの債権の金額が記録されて
いる場合について準用する。

(3) The provisions of Article 44, paragraph (3) of the Act apply mutatis mutandis
when the claim amount for each obligee has been recorded in the original

monetary claims record.

(分割記録に伴う分割債権記録への記録)

(Recording in Divided Monetary Claims Records Accompanying the Record of Division)

第五条 電子債権記録機関は、原債権記録に債権者ごとの債権の金額が記録されている場合において分割記録をするときは、分割記録と同時に、分割債権記録に次に掲げる事項を記録しなければならない。

Article 5 (1) If the claim amount for each obligee has been recorded in the original monetary claims record, when an electronic monetary claim recording institution makes a record of a division, the institution must record the following matters in the divided monetary claims record at the same time as recording the division.

一 原債権記録中の発生記録において記録されている事項（次に掲げるものを除く。）

(i) matters recorded in the record of accrual in the original monetary claims record (except for those set forth below);

イ 債務者が一定の金額を支払う旨

(a) a statement to the effect that the obligor pays a fixed amount of money;

ロ 当該電子記録債権が分割払の方法により債務を支払うものである場合における各支払期日及び当該支払期日ごとに支払うべき金額

(b) if obligations are paid in installments for the electronically recorded monetary claims, the payment dates and the amount payable on each of the payment dates;

ハ 債権者の氏名又は名称及び住所

(c) the names and addresses of the obligees;

ニ 債権者ごとの債権の金額

(d) the claim amount for each obligee;

ホ 記録可能回数が記録されている場合におけるその記録可能回数

(e) recording ceiling numbers, if recording ceiling numbers have been recorded;

ヘ 原債権記録の記録番号

(f) the record number of the original monetary claims record;

二 前号に掲げるもののほか、分割債権記録に記録される電子記録債権についての原債権記録中の現に効力を有する電子記録（分割記録を除く。）において記録されている事項

(ii) beyond what is set forth in the preceding items, the matters recorded in the currently valid electronic recordings (excluding the record of division) made in the original monetary claims record with regard to the electronically recorded monetary claims being recorded in the divided monetary claims record;

三 分割債権記録に記録される電子記録債権が原債権記録において分割払の方法により債務を支払うものとして記録されている場合には、当該電子記録債権の支払期日（原債権記録に支払期日として記録されているものに限る。）

(iii) if electronically recorded monetary claims being recorded in the divided monetary claims record have been recorded in the original monetary claims record as obligations that are paid in installments, the payment dates for the electronically recorded monetary claims (limited to those recorded as payment dates in the original monetary claims record);

四 前号に規定する場合において、分割債権記録に記録される電子記録債権が分割払の方法により債務を支払うものであるときは、当該電子記録債権の各支払期日ごとに支払うべき金額（原債権記録に記録されている対応する各支払期日ごとに支払うべき金額の範囲内のものに限る。）

(iv) in the case prescribed in the preceding item, if obligations are to be paid in installments for the electronically recorded monetary claims being recorded in the divided monetary claims record, the amount payable on each of the payment dates for the electronically recorded monetary claims (limited to those that are within the scope of the amount payable on each of the corresponding payment dates recorded in the original monetary claims record);

五 分割債権記録に記録される電子記録債権の債権者の氏名又は名称及び住所

(v) the name and address of the obligees of the electronically recorded monetary claims to be recorded in the divided monetary claims record;

六 前号の債権者が二人以上ある場合には、債権者ごとの債権の金額

(vi) if there are two or more obligees for obligees prescribed under the preceding item, the claim amount for each obligee; and

七 原債権記録に記録可能回数が記録されている場合には、当該記録可能回数（分割記録の記録可能回数にあっては、当該記録可能回数から一を控除した残りの記録可能回数）のうち、分割債権記録における記録可能回数

(vii) if a recording ceiling number has been recorded in the original monetary claims record, the recording ceiling number (or the recording ceiling number that remains for the recording of divisions after deducting one from the recording ceiling number in the record of divisions) in the divided monetary claims record.

2 電子債権記録機関は、分割債権記録に前項第一号及び第二号に掲げる事項を記録したときは当該事項を原債権記録から転写した旨及びその年月日を、同項第三号から第七号までに掲げる事項を記録したときはその記録の年月日を当該分割債権記録に記録しなければならない。

(2) If an electronic monetary claim recording institution has recorded matters set forth in item (i) and item (ii) of the preceding paragraph in the divided monetary claims record, the institution must record the fact that the matters have been transcribed from the original monetary claims record and the date of

the transcription in the divided monetary claims record; and if the institution has recorded matters set forth in items (iii) through (vii) of the same paragraph in the divided monetary claims record, it must record the date of their recording in the divided monetary claims record.

(分割記録に伴う原債権記録への記録)

(Recording in the Original Monetary Claims Record Accompanying the Recording of a Division)

第六条 電子債権記録機関は、原債権記録に債権者ごとの債権の金額が記録されている場合において分割記録をするときは、分割記録と同時に、原債権記録に次に掲げる事項を記録しなければならない。

Article 6 (1) If the claim amount for each obligee has been recorded in the original monetary claims record, when an electronic monetary claim recording institution makes a record of a division, the institution must record the following matters in the original monetary claims record at the same time as recording the division.

一 分割債権記録に記録される電子記録債権について原債権記録に記録されている事項のうち、前条第一項第一号イからホまでに掲げる事項の記録を削除する旨

(i) a statement to the effect that, among the matters recorded in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record, the record of matters listed in paragraph (1), item (i), (a) through (e) of the preceding Article will be deleted;

二 発生記録における債務者が原債権金額から分割債権記録に記録される第四条第一項第三号に規定する一定の金額を控除して得た金額を支払う旨

(ii) a statement to the effect that obligors in the record of accrual will pay the amount obtained by deducting the fixed amount of money provided for in Article 4, paragraph (1), item (iii) to be recorded in the divided monetary claims record from the original monetary claim amount;

三 分割債権記録に記録される電子記録債権が原債権記録において分割払の方法により債務を支払うものとして記録されている場合には、分割記録の後も原債権記録に引き続き記録されることとなる支払期日

(iii) if the electronically recorded monetary claims recorded in the divided monetary claims records have been recorded as obligations to be paid in installments in the original monetary claims record, the payment dates that will continue to be recorded in the original monetary claims record even after the recording of the division;

四 前号に規定する場合において、分割記録の後も原債権記録に引き続き記録されることとなる電子記録債権が分割払の方法により債務を支払うものであるときは、当該電子記録債権の各支払期日ごとに支払うべき金額

(iv) in the case prescribed in the preceding item, if electronically recorded

monetary claims that will continue to be recorded in the original monetary claims record even after the recording of the division constitute obligations that should be paid in installments, the amount payable for the electronically recorded monetary claims on each payment date;

五 分割記録の後も原債権記録に引き続き記録されることとなる電子記録債権の債権者の氏名又は名称及び住所

(v) the name and address of the obligees of the electronically recorded monetary claims that will continue to be recorded in the original monetary claims record even after the recording of the division;

六 前号の債権者が二人以上ある場合には、債権者ごとの債権の金額

(vi) if there are two or more obligees for obligees prescribed in the preceding item, the claim amount for each obligee; and

七 原債権記録に記録可能回数が記録されている場合には、当該記録可能回数（分割記録の記録可能回数にあつては、当該記録可能回数から一を控除した残りの記録可能回数）から分割債権記録における記録可能回数を控除した残りの記録可能回数

(vii) if a recording ceiling number has been recorded in the original monetary claims record, the recording ceiling number that remains after deducting the recording ceiling number in the divided monetary claims record from the recording ceiling number in the original monetary claims record (or for the recording ceiling number for the record of divisions, the recording ceiling number that remains after deducting one from the recording ceiling number in the original monetary claims record).

2 電子債権記録機関は、原債権記録に前項各号に掲げる事項を記録したときは、その記録の年月日を当該原債権記録に記録しなければならない。

(2) When an electronic monetary claim recording institution records the matters set forth in the items of the preceding paragraph in the original monetary claims record, the electronic monetary claim recording institution must record the date of the recording in the original monetary claims record.

第二節 可分債務が記録されている債権記録の分割

Section 2 Division of Monetary Claims Records in Which Divisible Obligations Have Been Recorded

(分割記録の請求)

(Requests for the Recording of a Division)

第七条 原債権記録に債務者ごとの債務の金額が記録されている場合における分割記録の請求は、分割債権記録に債権者として記録される者だけであることができる。

Article 7 If the amount of obligations for each obligor has been recorded in the original monetary claims record, requests for the recording of a division may be filed independently by the person who will be recorded as the obligee in the divided monetary claims record.

(分割記録の記録事項)

(Recorded Matters in the Record of Division)

第八条 原債権記録に債務者ごとの債務の金額が記録されている場合における分割記録においては、分割債権記録に次に掲げる事項を記録しなければならない。

Article 8 (1) The following matters must be recorded in the divided monetary claims record for recording a division in cases where the amount of obligations for each obligor has been recorded in the original monetary claims record:

一 原債権記録から分割をした旨

(i) a statement to the effect that the claim has been divided from the original monetary claims record;

二 原債権記録及び分割債権記録の記録番号

(ii) the record numbers of the original monetary claims record and the divided monetary claims record;

三 発生記録における債務者であって分割債権記録に記録されるものが一定の金額を支払う旨

(iii) a statement to the effect that obligors in the record of accrual who are to be recorded in the divided monetary claims record will pay a fixed amount of money;

四 債権者の氏名又は名称及び住所

(iv) the name and address of the obligee; and

五 電子記録の年月日

(v) the date on which the electronic recording was made.

2 原債権記録に債務者ごとの債務の金額が記録されている場合における分割記録においては、原債権記録に第四条第二項各号に掲げる事項を記録しなければならない。

(2) For recording a division in cases where the amount of obligations for each obligor has been recorded in the original monetary claims record, the matters listed in the items of Article 4, paragraph (2) must be recorded in the original monetary claims record.

3 法第四十四条第三項の規定は、原債権記録に債務者ごとの債務の金額が記録されている場合について準用する。

(3) The provisions of Article 44, paragraph (3) of the Act apply mutatis mutandis when the amount of obligations for each obligor has been recorded in the original monetary claims record.

(分割記録に伴う分割債権記録への記録)

(Recording in a Divided Monetary Claims Record Accompanying the Recording of a Division)

第九条 電子債権記録機関は、原債権記録に債務者ごとの債務の金額が記録されている場合において分割記録をするときは、分割記録と同時に、分割債権記録に次に掲げる事項を記録しなければならない。

Article 9 (1) If the amount of obligations for each obligor has been recorded in the original monetary claims record, and an electronic monetary claim recording institution makes a record of a division, the institution must record the following matters in the divided monetary claims record at the same time as recording the division:

一 原債権記録中の発生記録において記録されている事項（次に掲げるものを除く。）

(i) the matters recorded in the record of accrual in the original monetary claims record (except for those listed below):

イ 第五条第一項第一号イ、ロ、ホ及びヘに掲げる事項

(a) the matters set forth in Article 5, paragraph (1), item (i), (a), (b), (e), and (f);

ロ 債務者の氏名又は名称及び住所

(b) the name and address of the obligor;

ハ 債務者ごとの債務の金額

(c) the amount of obligations for each obligor;

二 前号に掲げるもののほか、分割債権記録に記録される電子記録債権についての原債権記録中の現に効力を有する電子記録（分割記録を除く。）において記録されている事項

(ii) beyond what is set forth in the preceding item, matters recorded in the currently valid electronic recordings (excluding the record of the division) made in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record;

三 第五条第一項第三号、第四号及び第七号に掲げる事項

(iii) the matters set forth in Article 5, paragraph (1), item (iii), item (iv), and item (vii);

四 分割債権記録に記録される電子記録債権の債務者の氏名又は名称及び住所

(iv) the name and address of the obligors of the electronically recorded monetary claims to be recorded in the divided monetary claims record; and

五 前号の債務者が二人以上ある場合には、債務者ごとの債務の金額

(v) if there are two or more obligors for obligors prescribed in the preceding item, the amount of obligations for each obligor.

2 電子債権記録機関は、分割債権記録に前項第一号及び第二号に掲げる事項を記録したときは当該事項を原債権記録から転写した旨及びその年月日を、同項第三号から第五号までに掲げる事項を記録したときはその記録の年月日を当該分割債権記録に記録しなければならない。

(2) If an electronic monetary claim recording institution has recorded matters set forth in item (i) and item (ii) of the preceding paragraph in the divided monetary claims record, the institution must record a statement to the effect that those matters have been transcribed from the original monetary claims

record and the date of the transcription in the divided monetary claims record; and if an electronic monetary claim recording institution has recorded matters set forth in items (iii) through (v) of the same paragraph in the divided monetary claims record, the institution must record the date of their recording in the divided monetary claims record.

(分割記録に伴う原債権記録への記録)

(Recording in an Original Monetary Claims Record Accompanying the
Recording of a Division)

第十条 電子債権記録機関は、原債権記録に債務者ごとの債務の金額が記録されている場合において分割記録をするときは、分割記録と同時に、原債権記録に次に掲げる事項を記録しなければならない。

Article 10 (1) If the amount of obligations for each obligor has been recorded in the original monetary claims record, and an electronic monetary claim recording institution makes a record of a division, the institution must record the following matters in the original monetary claims record at the same time as recording the division:

一 分割債権記録に記録される電子記録債権について原債権記録に記録されている事項のうち、前条第一項第一号イからハまでに掲げる事項（原債権記録の記録番号を除く。）の記録を削除する旨

(i) a statement to the effect that, among the matters recorded in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record, the record of matters set forth in paragraph (1), item (i), (a) through (c) of the preceding Article (excluding the record number of the original monetary claims record) will be deleted;

二 債務者が原債権金額から分割債権記録に記録される第八条第一項第三号に規定する一定の金額を控除して得た金額を支払う旨

(ii) a statement to the effect that obligors will pay the amount obtained by deducting the fixed amount of money provided for in Article 8, paragraph (1), item (iii) to be recorded in the divided monetary claims record from the original monetary claim amount;

三 第六条第一項第三号、第四号及び第七号に掲げる事項

(iii) the matters listed in Article 6, paragraph (1), item (iii), item (iv), and item (vii);

四 分割記録の後も原債権記録に引き続き記録されることとなる電子記録債権の債務者の氏名又は名称及び住所

(iv) the name and address of the obligor of the electronically recorded monetary claims that will continue to be recorded in the original monetary claims record even after the recording of the division; and

五 前号の債務者が二人以上ある場合には、債務者ごとの債務の金額

(v) if there are two or more obligors for obligors prescribed in the preceding item, the amount of obligations for each obligor.

2 電子債権記録機関は、原債権記録に前項各号に掲げる事項を記録したときは、その記録の年月日を当該原債権記録に記録しなければならない。

(2) When an electronic monetary claim recording institution records matters set forth in each item of the preceding paragraph in the original monetary claims record, the institution must record the date of recording in the original monetary claims record.

第三節 一部保証記録がされている債権記録の分割

Section 3 Division of Monetary Claims Records in Which a Record of a Partial Guarantee Has Been Made

(分割記録の請求)

(Requests for the Recording of a Division)

第十一条 原債権記録に一部保証記録がされている場合における分割記録の請求は、分割債権記録に債権者として記録される者だけであることができる。

Article 11 If a record of a partial guarantee has been made in the original monetary claims record, requests for the recording of a division may be filed independently by the person who is to be recorded as the obligee in the divided monetary claims record.

(分割記録の記録事項)

(Recorded Matters in the Record of Division)

第十二条 原債権記録に一部保証記録がされている場合における分割記録においては、分割債権記録に次に掲げる事項を記録しなければならない。

Article 12 (1) The following matters must be recorded in the divided monetary claims record for recording a division in cases where a record of a partial guarantee has been made in the original monetary claims record:

一 原債権記録から分割をした旨

(i) a statement to the effect that the claim has been divided from the original monetary claims record;

二 原債権記録及び分割債権記録の記録番号

(ii) the record numbers of the original monetary claims record and the divided monetary claims record;

三 発生記録における債務者であって分割債権記録に記録されるものが一定の金額を支払う旨

(iii) a statement to the effect that obligors in the record of accrual who are to be recorded in the divided monetary claims record will pay a fixed amount of money;

四 債権者の氏名又は名称及び住所

(iv) the name and address of the obligee; and

五 電子記録の年月日

(v) the date on which the electronic recording was made.

2 原債権記録に一部保証記録がされている場合における分割記録においては、原債権記録に第四条第二項各号に掲げる事項を記録しなければならない。

(2) For recording a division in cases where a record of a partial guarantee has been made in the original monetary claims record, the matters set forth in the items of Article 4, paragraph (2) must be recorded in the original monetary claims record.

3 法第四十四条第三項の規定は、原債権記録に一部保証記録がされている場合について準用する。

(3) The provisions of Article 44, paragraph (3) of the Act apply mutatis mutandis when a record of a partial guarantee has been made in the original monetary claims record.

(分割記録に伴う分割債権記録への記録)

(Recording in a Divided Monetary Claims Record Accompanying the Recording of a Division)

第十三条 電子債権記録機関は、原債権記録に一部保証記録がされている場合において分割記録をするときは、分割記録と同時に、分割債権記録に次に掲げる事項を記録しなければならない。

Article 13 (1) If a record of a partial guarantee has been made in the original monetary claims record, and an electronic monetary claim recording institution makes a recording of a division, the institution must record the following matters in the divided monetary claims record at the same time as recording the division:

一 原債権記録中の発生記録において記録されている事項（次に掲げるものを除く。）

(i) the matters recorded in the record of accrual in the original monetary claims record (except for those listed below):

イ 債務者が一定の金額を支払う旨

(a) a statement to the effect that the obligor will pay a fixed amount of money;

ロ 当該電子記録債権が分割払の方法により債務を支払うものである場合における各支払期日及び当該支払期日ごとに支払うべき金額

(b) if obligations are to be paid in installments for the electronically recorded monetary claims, the payment dates and the amount payable on each payment date;

ハ 記録可能回数が記録されている場合におけるその記録可能回数

(c) recording ceiling numbers, if recording ceiling numbers have been recorded;

ニ 原債権記録の記録番号

(d) the record number of the original monetary claims record;

二 分割債権記録に記録される電子記録債権が一部保証記録に基づく電子記録保証の対象であるときは、当該一部保証記録において記録されている事項（保証の範囲を限定する旨の定めを除く。）

(ii) if the electronically recorded monetary claim to be recorded in the divided monetary claims record is secured by an electronically recorded guarantee based on the record of the partial guarantee, the matters recorded in the record of partial guarantee (except for the provisions limiting the scope of guarantee);

三 前二号に掲げるもののほか、分割債権記録に記録される電子記録債権についての原債権記録中の現に効力を有する電子記録（分割記録を除く。）において記録されている事項

(iii) beyond what is set forth in the preceding two items, the matters recorded in the currently valid electronic recordings (excluding the record of the division) made in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record;

四 第五条第一項第三号、第四号及び第七号に掲げる事項

(iv) the matters set forth in Article 5, paragraph (1), item (iii), item (iv), and item (vii); and

五 分割債権記録に記録される電子記録債権が一部保証記録に基づく電子記録保証の対象であるときは、当該電子記録債権についての当該電子記録保証による保証の範囲を限定する旨の定め

(v) if the electronically recorded monetary claim to be recorded in the divided monetary claims record is secured by an electronically recorded guarantee based on the record of the partial guarantee, the provisions limiting the scope of guarantee under the electronically recorded guarantee for the electronically recorded monetary claim.

2 電子債権記録機関は、分割債権記録に前項第一号から第三号までに掲げる事項を記録したときは当該事項を原債権記録から転写した旨及びその年月日を、同項第四号及び第五号に掲げる事項を記録したときはその記録の年月日を当該分割債権記録に記録しなければならない。

(2) If an electronic monetary claim recording institution has recorded matters set forth in items (i) through (iii) of the preceding paragraph in the divided monetary claims record, the institution must record a statement to the effect that those matters have been transcribed from the original monetary claims record and the date of the transcription in the divided monetary claims record; and if an electronic monetary claim recording institution has recorded matters set forth in item (iv) and item (v) of the same paragraph in the divided monetary claims record, the institution must record the date of recording in the

divided monetary claims record.

(分割記録に伴う原債権記録への記録)

(Recording in an Original Monetary Claim Record Accompanying the Recording of a Division)

第十四条 電子債権記録機関は、原債権記録に一部保証記録がされている場合において分割記録をするときは、分割記録と同時に、原債権記録に次に掲げる事項を記録しなければならない。

Article 14 (1) If a record of a partial guarantee has been made in the original monetary claims record, when an electronic monetary claim recording institution makes a record of division, the institution must record the following matters in the original monetary claims record at the same time as recording the division:

一 分割債権記録に記録される電子記録債権について原債権記録に記録されている事項のうち、前条第一項第一号イからハまでに掲げる事項及び保証の範囲を限定する旨の定め（同項第五号の電子記録保証に係る一部保証記録において記録されているものに限る。）の記録を削除する旨

(i) a statement to the effect that, among the matters recorded in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record, the record of matters set forth in paragraph (1), item (i), (a) through (c) of the preceding Article and the provisions limiting the scope of guarantee (limited to provisions recorded in the record of partial guarantee for the electronically recorded guarantee under item (v) of the same paragraph) will be deleted;

二 発生記録における債務者が原債権金額から分割債権記録に記録される第十二条第一項第三号に規定する一定の金額を控除して得た金額を支払う旨

(ii) a statement to the effect that obligors in the record of accrual will pay the amount obtained by deducting the fixed amount of money provided for in Article 12, paragraph (1), item (iii) to be recorded in the divided monetary claims record from the original monetary claim amount;

三 第六条第一項第三号、第四号及び第七号に掲げる事項

(iii) the matters set forth in Article 6, paragraph (1), item (iii), item (iv), and item (vii); and

四 分割記録の後も原債権記録に引き続き記録されることとなる電子記録債権についての電子記録保証による保証の範囲を、原債権記録に記録された当該電子記録保証についての保証の範囲から前条第一項第五号の規定により分割債権記録に記録された保証の範囲を控除して得た範囲に限定する旨の定め

(iv) the provisions that limit the scope of guarantee under the electronically recorded guarantee for the electronically recorded monetary claims that will continue to be recorded in the original monetary claims record even after the recording of the division, to the scope obtained by deducting the scope of

guarantee recorded in the divided monetary claims record pursuant to the provisions of paragraph (1), item (v) of the preceding Article from the scope of guarantee under the electronically recorded guarantee which is recorded in the original monetary claims record.

2 電子債権記録機関は、原債権記録に前項各号に掲げる事項を記録したときは、その記録の年月日を当該原債権記録に記録しなければならない。

(2) When an electronic monetary claim recording institution records matters listed in the items of the preceding paragraph in the original monetary claims record, the institution must record the date of recording in the original monetary claims record.

第四節 特別求償権が記録されている債権記録の分割

Section 4 Division of Monetary Claims Records in Which a Special Right to Reimbursement Has Been Recorded

(分割記録の請求)

(Requests for the Recording of a Division)

第十五条 原債権記録に特別求償権が記録されている場合における分割記録の請求は、次の各号に掲げる場合の区分に応じ、当該各号に定める者だけであることができる。

Article 15 If a special right to reimbursement has been recorded in the original monetary claims record, requests for the recording of a division may be independently filed by the persons prescribed respectively in the following items in accordance with the classification of cases set forth in those items:

一 原債権記録に記録可能回数が記録されている場合 原債権記録に記録されている電子記録名義人の全員

(i) if a recording ceiling number has been recorded in the original monetary claims record, all of the electronically recorded persons recorded in the original monetary claims record:

二 前号に掲げる場合以外の場合 分割債権記録に債権者として記録される者

(ii) in cases other than those set forth in the preceding item, persons that are to be recorded in the divided monetary claims record as obligees.

(分割記録の記録事項)

(Recorded Matters in the Recording of a Division)

第十六条 原債権記録に特別求償権が記録されている場合における分割記録においては、分割債権記録に次に掲げる事項を記録しなければならない。

Article 16 (1) For recording a division in cases where a special right to reimbursement has been recorded in the original monetary claims record, the following matters must be recorded in the divided monetary claims record:

一 原債権記録から分割をした旨

(i) a statement to the effect that that the claim has been divided from the

original monetary claims record;

二 原債権記録及び分割債権記録の記録番号

(ii) the record numbers of the original monetary claims record and the divided monetary claims record;

三 発生記録における債務者であって分割債権記録に記録されるものが一定の金額を支払う旨

(iii) a statement to the effect that the obligor in the record of accrual who is to be recorded in the divided monetary claims record will pay a fixed amount of money;

四 分割債権記録に記録される電子記録債権の債権者の氏名又は名称及び住所

(iv) the name and address of the obligee of the electronically recorded monetary claim to be recorded in the divided monetary claims record; and

五 電子記録の年月日

(v) the date on which the electronic recording was made.

2 原債権記録に特別求償権が記録されている場合における分割記録においては、原債権記録に第四条第二項各号に掲げる事項を記録しなければならない。

(2) For recording a division in cases where a special right to reimbursement has been recorded in the original monetary claims record, the matters set forth in the items of Article 4, paragraph (2) must be recorded in the original monetary claims record.

3 法第四十四条第三項の規定は、原債権記録に特別求償権が記録されている場合について準用する。

(3) The provisions of Article 44, paragraph (3) of the Act apply mutatis mutandis when a special right to reimbursement has been recorded in the original monetary claims record.

(分割記録に伴う分割債権記録への記録)

(Recording in a Divided Monetary Claims Record Accompanying the Recording of a Division)

第十七条 電子債権記録機関は、原債権記録に特別求償権が記録されている場合において分割記録（分割債権記録に特別求償権を記録するためのものに限る。）をするときは、分割記録と同時に、分割債権記録に次に掲げる事項を記録しなければならない。

Article 17 (1) If a special right to reimbursement has been recorded in the original monetary claims record, when an electronic monetary claim recording institution makes a record of a division (limited to that for recording the special right to reimbursement in the divided monetary claims record), the institution must record the following matters in the divided monetary claims record at the same time as recording the division:

一 原債権記録中の発生記録において記録されている事項（次に掲げるものを除く。）

(i) the matters recorded in the record of accrual in the original monetary claims

record (except for those listed below);

イ 第五条第一項第一号イ、ホ及びヘに掲げる事項

(a) the matters set forth in Article 5, paragraph (1), item (i), (a), (e), and (f);

ロ 分割債権記録に記録される特別求償権の発生の原因である電子記録保証による保証の対象である電子記録債権が分割払の方法により債務を支払うものである場合における各支払期日及び当該支払期日ごとに支払うべき金額

(b) if obligations are to be paid in installments for an electronically recorded monetary claim secured by an electronically recorded guarantee that gives rise to the special right to reimbursement to be recorded in the divided monetary claims record, the payment dates and the amount payable on each payment date;

二 原債権記録中の譲渡記録のうち次に掲げるものにおいて記録されている事項

(ii) the matters recorded in a record of assignment as set forth in the following sub-items, which was made in the original monetary claims record:

イ 分割債権記録に記録される特別求償権の発生の原因である支払等を受けた者を譲受人とする譲渡記録

(a) the record of an assignment in which the assignee is the person who received the payment, etc. that gives rise to the special right to reimbursement to be recorded in the divided monetary claims record;

ロ 分割債権記録に記録される特別求償権の債権者を譲受人とする譲渡記録であって当該特別求償権についての特別求償権発生記録がされる前にされたもの（当該特別求償権について法第三十五条第一項第二号に掲げる者があるときに限る。）

(b) the record of an assignment in which the obligee of the special right to reimbursement to be recorded in the divided monetary claims record is an assignee and which was recorded before the record of accrual of a special right to reimbursement was made for the special right to reimbursement (limited to the case where there are persons set forth in Article 35. paragraph (1), item (ii) of the Act in connection with the special right to reimbursement);

三 分割債権記録に記録される特別求償権についての原債権記録中の特別求償権発生記録において記録されている事項（支払等金額を除く。）

(iii) the matters recorded in the record of accrual of a special right to reimbursement which was made in the original monetary claims record for the special right to reimbursement that is to be recorded in the divided monetary claims record (except for the amount of payment, etc.);

四 原債権記録中の保証記録のうち次に掲げるものにおいて記録されている事項（当該保証記録が一部保証記録である場合における保証の範囲を限定する旨の定めを除く。）

(iv) the matters recorded in a record of guarantee as set forth in the following sub-items, which was made in the original monetary claims record (except for the provisions that limit the scope of guarantee if the record of guarantee is

the record of a partial guarantee):

イ 分割債権記録に記録される特別求償権の発生の原因である電子記録保証についての保証記録

(a) a record of guarantee for the electronically recorded guarantee that gives rise to the special right to reimbursement that is to be recorded in the divided monetary claims record;

ロ 分割債権記録に記録される特別求償権についての法第三十五条第一項第二号又は第三号に掲げる者を電子記録保証人とする保証記録

(b) a record of a guarantee in which persons set forth in Article 35, paragraph (1), item (ii) or item (iii) of the Act are the electronically recorded guarantors of the special right to reimbursement that is to be recorded in the divided monetary claims record;

五 原債権記録中の質権設定記録（転質の電子記録を含む。）のうち分割債権記録に記録される特別求償権の発生の原因である支払等を受けた者を質権者とするものにおいて記録されている事項

(v) the matters recorded in the pledge creation record (including electronic recordings of sub-pledges) made in the original monetary claims record, in which the pledgee is the person that has received a payment, etc. that gives rise to the special right to reimbursement that is to be recorded in the divided monetary claims record;

六 前各号に掲げるもののほか、分割債権記録に記録される特別求償権についての原債権記録中の現に効力を有する電子記録（分割記録を除く。）において記録されている事項

(vi) beyond what is set forth in the preceding items, the matters recorded in the currently valid electronic recordings (excluding the record of the division) made in the original monetary claims record with regard to the special right to reimbursement that is to be recorded in the divided monetary claims record;

七 第五条第一項第七号に掲げる事項

(vii) the matters set forth in Article 5, paragraph (1), item (vii);

八 分割債権記録に記録される特別求償権の発生の原因である支払等についての支払等金額のうち、分割債権記録に記録されるもの

(viii) the amount of payment, etc. that is to be recorded in the divided monetary claims record for payments, etc. that give rise to the special right to reimbursement to be recorded in the divided monetary claims record;

九 第四号イに掲げる保証記録が一部保証記録である場合には、当該一部保証記録に基づく電子記録保証による保証の範囲を分割債権記録に記録される特別求償権の範囲に限定する旨の定め

(ix) if the record of guarantee set forth in item (iv), (a) is a record of a partial guarantee, the provisions to limit the scope of guarantee under the electronically recorded guarantee based on the record of partial guarantee to

the scope of the special right to reimbursement to be recorded in the divided monetary claims record; and

十 第四号ロに掲げる保証記録が一部保証記録である場合には、当該一部保証記録に基づく電子記録保証による保証の範囲の額を零とする旨の定め

(x) if the record of guarantee set forth in item (iv), (b) is a record of a partial guarantee, the provisions to limit the amount of the scope of guarantee under the electronically recorded guarantee based on the record of partial guarantee to zero.

2 電子債権記録機関は、分割債権記録に前項第一号から第六号までに掲げる事項を記録したときは当該事項を原債権記録から転写した旨及びその年月日を、同項第七号から第十号までに掲げる事項を記録したときはその記録の年月日を当該分割債権記録に記録しなければならない。

(2) If an electronic monetary claim recording institution has recorded the matters set forth in items (i) through (vi) of the preceding paragraph in the divided monetary claims record, the institution must record a statement to the effect that those matters have been transcribed from the original monetary claims record and the date of the transcription in the divided monetary claims record; and if an electronic monetary claim recording institution has recorded the matters set forth in items (vii) through (x) of the same paragraph in the divided monetary claims record, the institution must record the date of recording in the divided monetary claims record.

3 第一項の場合における第五条第一項第五号の規定の適用については、同号中「分割債権記録に記録される電子記録債権の債権者」とあるのは、「原債権記録中の発生記録に記録されていた債権者のうち、その有する電子記録債権が分割債権記録に記録される特別求償権の発生の原因である電子記録保証による保証の対象であるもの」とする。

(3) In applying the provisions of Article 5, paragraph (1), item (v) in the case referred to in paragraph (1), the phrase "obligees of the electronically recorded monetary claims to be recorded in the divided monetary claims record" in that item is deemed to be replaced with "obligees that were recorded in the record of accrual in the original monetary claims record, whose electronically recorded monetary claims are secured by the electronically recorded guarantee that gives rise to the special right to reimbursement that is to be recorded in the divided monetary claims record."

4 第一項の場合における第九条第一項第四号の規定の適用については、同号中「分割債権記録に記録される電子記録債権の債務者」とあるのは、「原債権記録中の発生記録に記録されていた債務者のうち、その債務に係る電子記録債権が分割債権記録に記録される特別求償権の発生の原因である電子記録保証による保証の対象であるもの」とする。

(4) In applying the provisions of Article 9, paragraph (1), item (iv) in the case referred to in paragraph (1), the phrase "obligors of the electronically recorded

monetary claims to be recorded in the divided monetary claims record" in that item is deemed to be replaced with "obligors that were recorded in the record of accrual in the original monetary claims record, for which the electronically recorded monetary claims related to their obligations are secured by an electronically recorded guarantee that gives rise to the special right to reimbursement that is to be recorded in the divided monetary claims record."

第十八条 電子債権記録機関は、原債権記録に特別求償権が記録されている場合において分割記録（分割債権記録に特別求償権を記録するためのものを除く。）をするときは、分割記録と同時に、分割債権記録に次に掲げる事項を記録しなければならない。

Article 18 (1) If a special right to reimbursement has been recorded in the original monetary claims record, when an electronic monetary claim recording institution makes a record of a division (excluding that for recording the special right to reimbursement in the divided monetary claims record), the institution must record the following matters in the divided monetary claims record at the same time as recording the division:

一 分割債権記録に記録される電子記録債権についての原債権記録中の現に効力を有する電子記録において記録されている事項（次に掲げるものを除く。）

(i) the matters recorded in the currently valid electronic recordings made in the original monetary claims record with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record (excluding the following matters);

イ 第五条第一項第一号イ、ロ、ホ及びヘに掲げる事項

(a) the matters set forth in Article 5, paragraph (1), item (i), (a), (b), (e), and (f);

ロ 原債権記録に分割記録がされている場合における当該分割記録において記録されている事項（イに掲げるものを除く。）

(b) the matters recorded in the record of division, if a record of the division has been made in the original monetary claims record (excluding those set forth in (a));

二 第五条第一項第三号、第四号及び第七号に掲げる事項

(ii) the matters set forth in Article 5, paragraph (1), item (iii), item (iv), and item (vii).

2 電子債権記録機関は、分割債権記録に前項第一号に掲げる事項を記録したときは当該事項を原債権記録から転写した旨及びその年月日を、同項第二号に掲げる事項を記録したときはその記録の年月日を当該分割債権記録に記録しなければならない。

(2) If an electronic monetary claim recording institution has recorded matters set forth in item (i) of the preceding paragraph in the divided monetary claims record, the institution must record a statement to the effect that those matters have been transcribed from the original monetary claims record and the date of the transcription in the divided monetary claims record; and if an electronic

monetary claim recording institution has recorded the matters set forth in item (ii) of the same paragraph in the divided monetary claims record, the institution must record the date of recording in the divided monetary claims record.

(分割記録に伴う原債権記録への記録)

(Recording in an Original Monetary Claims Record Accompanying the Recording of a Division)

第十九条 電子債権記録機関は、原債権記録に特別求償権が記録されている場合において分割記録（分割債権記録に特別求償権を記録するためのものに限る。）をするときは、分割記録と同時に、原債権記録に次に掲げる事項を記録しなければならない。

Article 19 (1) If a special right to reimbursement has been recorded in the original monetary claims record, and an electronic monetary claim recording institution makes a record of a division (limited to that for recording the special right to reimbursement in the divided monetary claims record), the institution must record the following matters in the original monetary claims record at the same time as recording the division:

一 分割債権記録に記録される特別求償権について原債権記録に記録されている事項のうち、次に掲げる事項の記録を削除する旨

(i) a statement to the effect that, among the matters recorded in the original monetary claims record with regard to the special right to reimbursement to be recorded in the divided monetary claims record, the following matters will be deleted;

イ 第五条第一項第一号イ及びホに掲げる事項

(a) the matters set forth in Article 5, paragraph (1), item (i), (a) and (e);

ロ 当該特別求償権についての特別求償権発生記録において記録されている支払等金額

(b) the amount of payments, etc. recorded in the record of accrual of a special right to reimbursement with regard to the special right to reimbursement;

ハ 保証の範囲を限定する旨の定め（第十七条第一項第四号イに掲げる保証記録が一部保証記録である場合における当該一部保証記録に記録されているものに限る。）

(c) the provisions to limit the scope of guarantee (limited to those recorded in the record of the partial guarantee when the record of guarantee set forth in Article 17, paragraph (1), item (iv), (a) is a record of a partial guarantee,);

二 発生記録における債務者が原債権金額から分割債権記録に記録される第十六条第一項第三号に規定する一定の金額（当該特別求償権についての特別求償権発生記録において消滅した元本の額が記録されている場合には、当該原債権記録に第十七条第一項に規定する分割記録がされているときを除き、同項第八号の規定により分割債権記録に記録される支払等金額のうち消滅した元本の額）を控除して得た金額を

支払う旨

- (ii) a statement to the effect that obligors in the record of accrual will pay the amount obtained by deducting the fixed amount of money prescribed in Article 16, paragraph (1), item (iii) to be recorded in the divided monetary claims record from the original monetary claim amount (if the amount of principal extinguished has been recorded in the record of accrual of a special right to reimbursement with regard to the special right to reimbursement, unless a record of the division prescribed in Article 17, paragraph (1) has been made in the original monetary claims record, the amount of principal extinguished within the amount of payment, etc. to be recorded in the divided monetary claims record pursuant to the provisions of item (viii) of the same paragraph);

三 第六条第一項第七号に掲げる事項

- (iii) the matters set forth in Article 6, paragraph (1), item (vii);

四 分割債権記録に記録される特別求償権の発生の原因である支払等についての原債権記録中の支払等金額（分割記録の直前に記録されていたものに限る。）から第十七条第一項第八号の規定により分割債権記録に記録される支払等金額を控除して得た金額

- (iv) the amount obtained by deducting the amount of payment, etc. to be recorded in the divided monetary claims record pursuant to the provisions of Article 17, paragraph (1), item (viii) from the amount of payment, etc. in the divided monetary claims record from payments, etc. that give rise to the special right to reimbursement that is to be recorded in the divided monetary claims record (limited to those which had been recorded just before the recording of the division); and

五 第十七条第一項第四号イに掲げる保証記録が一部保証記録である場合には、分割記録の後も原債権記録に引き続き記録されることとなる電子記録債権についての当該一部保証記録に基づく電子記録保証による保証の範囲を、原債権記録に記録された当該電子記録保証についての保証の範囲から同項第九号の規定により分割債権記録に記録された保証の範囲を控除して得た範囲に限定する旨の定め

- (v) if the record of guarantee set forth in Article 17, paragraph (1), item (iv), (a) is a record of a partial guarantee, the provisions that limit the scope of guarantee under the electronically recorded guarantee based on the record of partial guarantee for the electronically recorded monetary claims that will continue to be recorded in the original monetary claims record even after the recording of the division to the scope obtained by deducting the scope of guarantee recorded in the divided monetary claims record pursuant to item (ix) of the same paragraph from the scope of guarantee under the electronically recorded guarantee recorded in the original monetary claims record.

2 電子債権記録機関は、原債権記録に前項各号に掲げる事項を記録したときは、その

記録の年月日を当該原債権記録に記録しなければならない。

- (2) When an electronic monetary claim recording institution has recorded matters set forth in each item of the preceding paragraph in the original monetary claims record, the institution must record the date of recording in the original monetary claims record.

第二十条 電子債権記録機関は、原債権記録に特別求償権が記録されている場合において分割記録（分割債権記録に特別求償権を記録するためのものを除く。）をするときは、分割記録と同時に、原債権記録に次に掲げる事項を記録しなければならない。

Article 20 (1) If a special right to reimbursement has been recorded in the original monetary claims record, and an electronic monetary claim recording institution makes a record of a division (excluding that for recording the special right to reimbursement in the divided monetary claims record), the institution must record the following matters in the original monetary claims record at the same time as recording the division:

一 分割債権記録に記録される電子記録債権について原債権記録に記録されている事項のうち、第十八条第一項第一号イに掲げる事項（原債権記録の記録番号を除く。）の記録を削除する旨

(i) a statement to the effect that, among the matters recorded in original monetary claims with regard to the electronically recorded monetary claims to be recorded in the divided monetary claims record, the record of matters set forth in Article 18, paragraph (1), item (i), (a) (excluding the record number of the original monetary claims record) will be deleted;

二 発生記録における債務者が原債権金額から分割債権記録に記録される第十六条第一項第三号に規定する一定の金額を控除して得た金額を支払う旨

(ii) a statement to the effect that obligors in the record of accrual will pay the amount obtained by deducting the fixed amount of money provided for in Article 16, paragraph (1), item (iii) to be recorded in the divided monetary claims record from the original monetary claim amount; and

三 第六条第一項第三号、第四号及び第七号に掲げる事項

(iii) the matters set forth in Article 6, paragraph (1), item (iii), item (iv), and item (vii).

2 電子債権記録機関は、原債権記録に前項各号に掲げる事項を記録したときは、その記録の年月日を当該原債権記録に記録しなければならない。

- (2) When an electronic monetary claim recording institution has recorded matters set forth in each item of the preceding paragraph in the original monetary claims record, the institution must record the date of recording in the original monetary claims record.

第五節 分割記録の請求に必要な情報

Section 5 Information Necessary for Requesting the Recording of a

Division

第二十一条 電子記録債権法施行令（平成二十年政令第三百二十五号）別表の十二の項へに規定する主務省令で定める事項は、次の各号に掲げる場合の区分に応じ、当該各号に定める事項とする。

Article 21 The matters specified by order of the competent ministry as prescribed in row (xii) (f) of the Appended Table of the Order for Enforcement of the Electronically Recorded Monetary Claims Act (Cabinet Order No. 325 of 2008) are those specified in the following items in accordance with the categories of cases set forth in each of those items:

一 原債権記録に債権者ごとの債権の金額が記録されている場合 次に掲げる事項

(i) if the claim amount for each obligee is recorded in the original monetary claims record, the following matters:

イ 第四条第一項第三号及び第四号に掲げる事項

(a) the matters set forth in Article 4, paragraph (1), item (iii) and item (iv);

ロ 第五条第一項第三号から第七号までに掲げる事項

(b) the matters set forth in Article 5, paragraph (1), items (iii) through (vii);
and

ハ 第六条第一項第三号から第六号までに掲げる事項

(c) the matters set forth in Article 6, paragraph (1), items (iii) through (vi);

二 原債権記録に債務者ごとの債務の金額が記録されている場合 次に掲げる事項

(ii) if the amount of obligations for each obligor is recorded in the original monetary claims record, the following matters:

イ 第八条第一項第三号に掲げる事項

(a) the matters set forth in Article 8, paragraph (1), item (iii);

ロ 第九条第一項第三号から第五号までに掲げる事項

(b) the matters set forth in Article 9, paragraph (1), items (iii) through (v);
and

ハ 第十条第一項第三号から第五号までに掲げる事項（第六条第一項第七号に掲げる事項を除く。）

(c) the matters set forth in Article 10, paragraph (1), items (iii) through (v) (excluding the matters set forth in Article 6, paragraph (1), item (vii));

三 原債権記録に一部保証記録がされている場合 次に掲げる事項

(iii) if a record of partial guarantee has been recorded in the original monetary claims record, the following matters:

イ 第十二条第一項第三号に掲げる事項

(a) the matters set forth in Article 12, paragraph (1), item (iii);

ロ 第十三条第一項第四号及び第五号に掲げる事項

(b) the matters set forth in Article 13, paragraph (1), item (iv) and item (v);

ハ 第十四条第一項第三号及び第四号に掲げる事項（第六条第一項第七号に掲げる事項を除く。）

- (c) the matters set forth in Article 14, paragraph (1), item (iii) and item (iv) (excluding the matters set forth in Article 6, paragraph (1), item (vii));
- 四 原債権記録に特別求償権が記録されている場合（分割債権記録に特別求償権を記録するために分割記録の請求をする場合に限る。） 次に掲げる事項
 - (iv) if a special right to reimbursement has been recorded in the original monetary claims record (limited to when the request for the recording of the division is filed in order to record the special right to reimbursement in the divided monetary claims record), the following matters:
 - イ 第十六条第一項第三号及び第四号に掲げる事項
 - (a) the matters set forth in Article 16, paragraph (1), item (iii) and item (iv);
 - ロ 第十七条第一項第七号から第九号までに掲げる事項
 - (b) the matters set forth in Article 17, paragraph (1), items (vii) through (ix);
 - and
 - ハ 第十九条第一項第五号に掲げる事項
 - (c) the matters set forth in Article 19, paragraph (1), item (v);
 - 五 原債権記録に特別求償権が記録されている場合（分割債権記録に特別求償権を記録するために分割記録の請求をする場合を除く。） 次に掲げる事項
 - (v) if a special right to reimbursement has been recorded in the original monetary claims record (excluding when the request for the recording of the division is filed in order to record the special right to reimbursement in the divided monetary claims record), the following matters:
 - イ 前号イに掲げる事項
 - (a) the matters set forth in (a) of the preceding item;
 - ロ 第十八条第一項第二号に掲げる事項
 - (b) the matters set forth in Article 18, paragraph (1), item (ii); and
 - ハ 前条第一項第三号に掲げる事項（第六条第一項第七号に掲げる事項を除く。）
 - (c) the matters set forth in paragraph (1), item (iii) of the preceding Article (excluding the matters set forth in Article 6, paragraph (1), item (vii)).

第三章 電子債権記録機関

Chapter III Electronic Monetary Claim Recording Institution

（指定の申請等）

(Application for Designation)

第二十二条 法第五十一条第一項の指定を受けようとする者は、法又はこの命令の規定により法務大臣及び内閣総理大臣に提出する指定申請書のうち内閣総理大臣に提出するものを、金融庁長官を経由して提出しなければならない。

Article 22 (1) An applicant seeking to receive a designation provided for in Article 51, paragraph (1) of the Act must submit, through the Commissioner of the Financial Services Agency, the written application for designation to be submitted to the Prime Minister among those to be submitted to the Minister

of Justice and the Prime Minister pursuant to the provisions of the Act or this Order.

2 法第五十二条第一項の指定申請書には、同項各号に掲げる事項のほか、電子債権記録業を開始する時期を記載しなければならない。

(2) The written application for designation under Article 52, paragraph (1) of the Act must state the timing for commencing the electronic monetary claims recording business in addition to the matters set forth in each item of that paragraph.

3 法第五十二条第二項第七号に規定する主務省令で定める書類は、次に掲げるものとする。

(3) The documents specified by order of the competent ministry as prescribed in Article 52, paragraph (2), item (vii) of the Act are as follows:

一 主要株主（総株主の議決権（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。次号を除き、以下同じ。）の百分の十以上の議決権を保有している株主をいう。以下同じ。）の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

(i) a document stating the names and trade names, addresses and locations, and the number of voting rights of major shareholders (meaning shareholders holding 10 percent or more of the voting rights of all shareholders (excluding the voting rights for shares for which voting rights cannot be exercised for all matters that are subject to resolution at a shareholders meeting and including the voting rights for shares for which the shareholder is deemed to have the voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); the same applies hereinafter, excluding the following item); the same applies hereinafter);

二 親法人（電子債権記録機関の総株主の議決権（前号に規定する議決権をいう。）の過半数を保有している法人その他の団体をいう。以下同じ。）及び子法人（電子債権記録機関が総株主、総社員又は総出資者の議決権（株式会社にあつては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。）の過半数を保有している法人その他の団体をいう。以下同じ。）の概要を記載した書面

(ii) a document stating an outline of parent corporations (meaning corporations or other organizations holding the majority of voting rights in an electronic monetary claim recording institution (meaning the voting rights as prescribed in the preceding item); the same applies hereinafter) and subsidiary corporations (meaning corporations or other organizations in which an electronic monetary claim recording institution holds the majority

of the voting rights of all shareholders, all members or all capital investors (in the case of a stock company, excluding voting rights for shares for which voting rights cannot be exercised for all matters that are subject to resolution at a shareholders meeting, and including voting rights for shares for which the shareholder is deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act); the same applies hereinafter);

三 取締役及び監査役（委員会設置会社にあつては、取締役及び執行役。以下この項及び第三十五条から第三十八条までにおいて同じ。）の住民票の抄本又はこれに代わる書面

(iii) the extracts of the resident records of company directors and company auditors (or company directors and executive officers for a company with committees; hereinafter the same applies in this paragraph and Articles 35 through 38) or other documents in lieu thereof;

四 取締役及び監査役の履歴書

(iv) the resumes of the company directors and company auditors;

五 会計参与設置会社にあつては、会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）

(v) the extracts of the resident records of accounting advisors for a company with accounting advisors (if the accounting advisor is a corporation, a certificate of registered information for the accounting advisor) or other documents in lieu thereof, and their resumes (if the accounting advisor is a corporation, a document stating the history of the accounting advisor);

六 取締役（委員会設置会社にあつては、執行役）の担当業務を記載した書面

(vi) a document stating the duties of company directors (executive officers for a company with committees);

七 電子債権記録業に関する知識及び経験を有する使用人の確保の状況並びに当該使用人の配置の状況を記載した書面

(vii) a document stating the situation of securing employees with knowledge and experience concerning electronic monetary claims recording business and the situation of the placement of those employees;

八 電子債権記録機関の事務の機構及び分掌を記載した書面

(viii) a document stating the organizational structure and division of responsibilities for handling the affairs of the electronic monetary claims recording institution;

九 電子債権記録機関を利用する者に関する情報の管理の内容を記載した書面

(ix) a document stating the management of information about the persons who use the electronic monetary claims recording institution; and

十 その他参考となるべき事項を記載した書類

(x) a document stating any other matters which would serve as reference

information.

第二十三条 法第五十二条第三項に規定する主務省令で定める電磁的記録は、次に掲げる構造のいずれかに該当するものでなければならない。

Article 23 (1) Electronic or magnetic records specified by order of the competent ministry as provided by Article 52, paragraph (3) of the Act must have a structure that falls under either of the following structures:

一 工業標準化法（昭和二十四年法律第百八十五号）に基づく日本工業規格（以下「日本工業規格」という。）X六二二三に適合する九〇ミリメートルフレキシブルディスクカートリッジ

(i) a 90-mm flexible disk cartridge which conforms to X6223 of the Japanese Industrial Standards pursuant to the Industrial Standardization Act (Act No. 185 of 1949) (hereinafter referred to as the "Japanese Industrial Standards");
or

二 日本工業規格X〇六〇六に適合する一二〇ミリメートル光ディスク

(ii) a 120-mm optical disc which conforms to X0606 of the Japanese Industrial Standards.

2 前項の電磁的記録には、申請者の商号及び申請の年月日を記載した書面をはり付けなければならない。

(2) A document stating the trade name of the applicant and the application date must be affixed to the electronic or magnetic record under the preceding paragraph.

（業務の一部委託の承認申請等）

(Application for Approval of Partial Entrustment of Business)

第二十四条 電子債権記録機関は、法第五十八条第一項の規定により承認を受けようとするときは、次に掲げる事項を記載した承認申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 24 (1) If an electronic monetary claim recording institution seeks to receive approval pursuant to the provisions of Article 58, paragraph (1) of the Act, the institution must submit a written application for approval stating the following matters to the Minister of Justice and the Commissioner of the Financial Services Agency.

一 業務を委託する相手方（以下この条において「受託者」という。）の商号又は名称及び住所又は所在地

(i) the trade name or name, and the address or location of the person to which the business will be entrusted (hereinafter the "trustee" in this Article);

二 委託する業務の内容及び範囲

(ii) the content and scope of business to be entrusted; and

三 委託の期間

(iii) the period of entrustment.

2 前項の承認申請書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written application for approval set forth in the preceding paragraph.

一 理由書

(i) a statement of reasons;

二 業務の委託契約の内容を記載した書面

(ii) a document stating the content of the contract for the entrustment of business;

三 受託者が法第五十一条第一項第三号に掲げる要件に該当する旨を誓約する書面

(iii) a document pledging that the entrustee satisfies the requirements set forth in Article 51, paragraph (1), item (iii) of the Act;

四 受託者の取締役及び監査役（理事、監事その他これらに準ずる者を含むものとし、委員会設置会社にあつては取締役及び執行役とする。以下この項において同じ。）が法第五十一条第一項第四号に掲げる要件に該当する旨を誓約する書面

(iv) a document pledging that the entrustee's company directors and company auditors (including directors, inspectors, and those equivalent thereto, and in the case of a company with committees, company directors and executive officers; hereinafter the same applies in this paragraph) satisfies the requirements set forth in Article 51, paragraph (1), item (iv) of the Act;

五 受託者の登記事項証明書

(v) a certificate of registered information of the entrustee;

六 受託者の定款又は寄附行為

(vi) the articles of incorporation or the articles of endowment of the entrustee;

七 委託する業務の実施方法を記載した書面

(vii) a document stating the method of conducting the entrusted business;

八 受託者の最近三年の各年度における事業報告、貸借対照表及び損益計算書又はこれらに代わる書面

(viii) the business report, balance sheet, and profit and loss statement of the entrustee for each of the past three fiscal years, or other documents in lieu thereof;

九 受託者の取締役及び監査役の氏名を記載した書面

(ix) a document stating the name of the company directors and company auditors of the entrustee;

十 受託者の取締役及び監査役の住民票の抄本又はこれに代わる書面

(x) extracts of the resident records of the company directors and company auditors of the entrustee, or other documents in lieu thereof;

十一 受託者の取締役及び監査役の履歴書

(xi) resumes of the company directors and auditors of the entrustee;

十二 受託者が会計参与設置会社である場合にあつては、受託者の会計参与が法第五十一条第一項第四号に掲げる要件に該当する旨を誓約する書面並びに当該会計参与の氏名又は名称を記載した書面、住民票の抄本又はこれに代わる書面（会計参与が

法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）

(xii) if the entrustee is a company with an accounting advisor, a document pledging that the accounting advisor of the entrustee satisfies the requirements set forth in Article 51, paragraph (1), item (iv) of the Act, a document stating the name of the accounting advisor, an extract of the accounting advisor's resident record or other documents in lieu thereof (if the accounting advisor is a corporation, a certificate of registered information of the accounting advisor), and the accounting advisor's resume (if the accounting advisor is a corporation, a document stating the history of the accounting advisor);

十三 受託者の取締役（理事その他これに準ずる者を含むものとし、委員会設置会社にあつては執行役とする。）の担当業務を記載した書面

(xiii) a document stating the duties of the company directors of the entrustee (including directors and those equivalent thereto, and in the case of a company with committees, executive officers); and

十四 その他参考となるべき事項を記載した書類

(xiv) a document stating other matters which would serve as reference information.

3 法務大臣及び金融庁長官は、第一項の承認の申請があつた場合においては、その申請が次に掲げる基準に適合するかどうかを審査するものとする。

(3) The Minister of Justice and the Commissioner of the Financial Services Agency are to examine whether the following requirements are satisfied when an application for approval under paragraph (1) has been filed:

一 業務の委託が電子債権記録業の適正かつ確実な遂行を阻害するものでないこと。

(i) that the entrustment of business does not hinder the appropriate and reliable execution of the electronic monetary claims recording business;

二 受託者が社会的信用のある法人であり、かつ、その受託する業務について、適正な計画を有し、確実にその業務を行うことができるものであること。

(ii) that the entrustee is a corporation with sufficient social credibility, has an appropriate plan concerning the business being entrusted, and is capable of conducting the business reliably;

三 受託者が法第五十一条第一項第三号に掲げる要件に該当すること。

(iii) that the entrustee satisfies the requirements set forth in Article 51, paragraph (1), item (iii) of the Act;

四 受託者の取締役、会計参与及び監査役が法第五十一条第一項第四号に掲げる要件に該当すること。

(iv) that the company directors, accounting advisors and company auditors of the entrustee satisfy the requirements set forth in Article 51, paragraph (1), item (iv) of the Act; and

五 受託者がその受託する業務の全部又は一部を他の者に再委託する場合には、電子

債権記録機関が当該再委託を受けた者が行う業務を確認できる旨の条件が業務の委託契約において付されていること。

- (v) if the entrustee recommissions the whole or a part of the entrusted business to a third party, that a conditions is attached to the contract for recommitment that the electronic monetary claims recording institution is able to check the business conducted by the party recommissioned with the business.

(業務規程の記載事項)

(Matters Requiring Entry in the Rules of Operation)

第二十五条 法第五十九条に規定する主務省令で定める事項は、次に掲げるものとする。

Article 25 The matters specified by order of the competent ministry as prescribed by Article 59 of the Act are the following:

一 記録事項に関する事項

(i) the matters related to the recorded matters;

二 電子記録の請求に関する事項

(ii) the matters related to requests for electronic recordings to be made;

三 電子記録の実施の方法に関する事項

(iii) the matters related to procedures for making electronic recordings;

四 法第六十二条第一項に規定する口座間送金決済に関する契約又は法第六十四条に規定する契約に係る事項

(iv) the matters related to a contract regarding settlements of remittance between accounts prescribed in Article 62, paragraph (1) of the Act or contracts prescribed in Article 64 of the Act;

五 電子債権記録機関を利用する者に関する事項

(v) the matters related to the persons that use electronic monetary claims recording institutions;

六 電子債権記録業を行う時間及び休日に関する事項

(vi) the matters related to the hours for conducting the electronic monetary claims recording business and its holidays;

七 記録原簿の安全性の確保に関する事項

(vii) the matters related to ensuring the safety of the registry;

八 記録事項の開示その他の情報の提供に関する事項

(viii) the matters related to the disclosure of recorded matters and the provision of other information; and

九 その他電子債権記録業に関し必要な事項

(ix) other necessary matters for the electronic monetary claims recording business.

(債務の支払を確実に知り得る場合)

(Cases in Which It Is Possible to Be Certain That Obligations Have Been Paid)

第二十六条 法第六十五条に規定する主務省令で定める場合は、電子記録債権に係る債務について、電子債権記録機関、債権者及び債権者口座のある銀行等の合意に基づき、あらかじめ電子債権記録機関が、当該銀行等に対し支払期日、支払うべき金額、債務者及び債権者に係る情報を提供し、当該支払期日までの間において当該銀行等が、支払うべき電子記録債権に係る債務の全額について当該債務者による当該債権者口座に対する払込みの事実を確認した場合であって、電子債権記録機関が当該事実に関する通知を当該銀行等から受けた場合とする。

Article 26 (1) Cases specified by an order of the competent ministry as provided in Article 65 of the Act are cases in which, based on an agreement between an electronic monetary claim recording institution, the obligee, and the bank, etc. with which the obligee has an account, the electronic monetary claim recording institution provides the bank, etc. with information regarding the payment date, the amount payable, and the obligor and obligee in connection with an obligation under an electronically recorded monetary claim in advance, and the bank, etc. has confirmed the fact that during the period up to the payment date, a payment was transferred into the obligee's account by the obligor in the full payable amount of the obligation under the electronically recorded monetary claim, and the electronic monetary claim recording institution has been notified of that fact.

2 前項の合意に係る法第六十四条に規定する契約には、銀行等が、支払うべき電子記録債権に係る債務の全額について当該債務者による当該債権者口座に対する払込みの事実を確認した場合には、遅滞なく、当該事実を電子債権記録機関に通知する旨を定めるものとする。

(2) The contract provided for in Article 64 of the Act in connection with the agreement under the preceding paragraph must contain the provisions that when the bank, etc. has confirmed that the payment was transferred to the obligee's account by the obligor in the full payable amount of the obligation under the electronically recorded monetary claim, the bank, etc. is to, without delay, notify the electronic monetary claim recording institution of the fact.

(帳簿書類等の作成及び保存)

(Preparation and Keeping of Books and Documents)

第二十七条 法第六十七条の規定により電子債権記録機関が作成すべき帳簿書類その他の記録は、請求受付簿とする。

Article 27 (1) The books and documents and other records to be prepared by the electronic monetary claim recording institutions pursuant to the provisions of Article 67 of the Act are request receipt books.

2 前項の請求受付簿は、別表第一に定めるところにより作成しなければならない。

(2) The request receipt books under the preceding paragraph must be prepared as provided for in Appended Table 1.

3 第一項の請求受付簿は、作成後十年間これを保存しなければならない。

- (3) The request receipt books under paragraph (1) must be kept for ten years after their preparation.

(業務及び財産に関する報告書の提出)

(Submission of Written Report on Business and Property)

第二十八条 法第六十八条第一項の規定により電子債権記録機関が作成すべき業務及び財産に関する報告書は、会社法第四百三十五条第二項に規定する計算書類及び事業報告とする。

Article 28 (1) The written report on business and property that should be prepared by electronic monetary claim recording institutions pursuant to Article 68, paragraph (1) of the Act are the financial statements and business reports provided in Article 435, paragraph (2) of the Companies Act.

- 2 前項の業務及び財産に関する報告書には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the written report on business and property under the preceding paragraph:

一 有形固定資産明細表

(i) the schedule of tangible fixed assets;

二 諸引当準備金明細表

(ii) the schedule of allowances and reserves;

三 その他諸勘定明細表

(iii) the schedule of other accounts; and

四 主要株主の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

(iv) a document stating the names and trade names, addresses, and locations of the major shareholders, and the number of voting rights held by them.

- 3 第一項の業務及び財産に関する報告書は、事業年度経過後三月以内に法務大臣及び金融庁長官に提出しなければならない。

(3) The written report on business and property under paragraph (1) must be submitted to the Minister of Justice and the Commissioner of the Financial Services Agency within three months from the end of each business year.

(減資の認可申請)

(Application for Approval of Capital Reduction)

第二十九条 電子債権記録機関は、法第六十九条第一項の規定により資本金の額の減少について認可を受けようとするときは、次に掲げる事項を記載した認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 29 (1) If an electronic monetary claim recording institution seeks to receive approval for the reduction of the stated capital pursuant to the provisions of Article 69, paragraph (1) of the Act, the institution must submit a written application for approval stating the following matters to the Minister

of Justice and the Commissioner of the Financial Services Agency:

一 減資前の資本金の額

(i) the amount of stated capital before capital reduction;

二 減資後の資本金の額

(ii) the amount of stated capital after capital reduction;

三 減資予定年月日

(iii) the scheduled date for capital reduction; and

四 減資の内容

(iv) the content of capital reduction.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

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

一 理由書

(i) a statement of reasons;

二 資本金の額の減少の方法を記載した書面

(ii) a document stating the method of reduction of the stated capital; and

三 株主総会の議事録その他の必要な手続があったことを証する書面

(iii) the minutes of a shareholders meeting or other documents certifying that the necessary procedures for approval have been followed; and

四 貸借対照表

(iv) the balance sheet.

(増資の届出)

(Notification of Capital Increase)

第三十条 電子債権記録機関は、法第六十九条第二項の規定により資本金の額の増加について届出をしようとするときは、次に掲げる事項を記載した書面を法務大臣及び金融庁長官に届け出なければならない。

Article 30 (1) When an electronic monetary claim recording institution seeks to notify an increase in the amount of stated capital pursuant to the provisions of Article 69, paragraph (2) of the Act, the institution must submit a document stating the following matters to the Minister of Justice and the Commissioner of the Financial Services Agency:

一 増資前の資本金の額

(i) the amount of stated capital before the capital increase;

二 増資後の資本金の額

(ii) the amount of stated capital after the capital increase;

三 増資予定年月日

(iii) the scheduled date of the capital increase; and

四 増資の内容

(iv) the content of the capital increase.

2 前項の書面には、次に掲げる書類を添付しなければならない。

(2) The following documents must be attached to the document under the preceding paragraph:

一 資本金の額の増加の方法を記載した書面

(i) a document stating the method of increasing the amount of stated capital; and

二 株主総会の議事録その他の必要な手続があったことを証する書面

(ii) the minutes of a shareholders meeting or other documents certifying that the necessary procedures have been followed.

(定款又は業務規程の変更認可申請等)

(Application for Approval for Changes to the Articles of Incorporation or Rules of Operation)

第三十一条 電子債権記録機関は、法第七十条の規定により定款又は業務規程の変更の認可を受けようとするときは、次に掲げる事項を記載した認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 31 (1) If an electronic monetary claim recording institution seeks to receive approval for changes to the articles of incorporation or rules of operation pursuant to the provisions of Article 70 of the Act, the institution must submit a written application for approval stating the following matters to the Minister of Justice and the Commissioner of the Financial Services Agency.

一 変更の内容

(i) the content of the change; and

二 変更予定年月日

(ii) the scheduled date of the change.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

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

一 理由書

(i) a statement of reasons;

二 定款又は業務規程の新旧対照表

(ii) a comparison table of old and new articles of incorporation or rules of operation;

三 株主総会の議事録（業務規程の変更の認可申請書にあっては、取締役会の議事録）その他の必要な手続があったことを証する書面

(iii) the minutes of a shareholders meeting (in the case of a written application for approval for changes to the rules of operation, the minutes of board of directors' meeting) or other documents certifying that the necessary procedures for approval have been followed; and

四 その他参考となるべき書類

(iv) other documents which would serve as reference information.

3 法務大臣及び金融庁長官は、第一項の認可の申請があった場合においては、定款又

は業務規程の変更の内容が、法令に適合し、かつ、電子債権記録業を適正かつ確実に運営するために十分であると認められるかどうかを審査するものとする。

- (3) When an application for approval under paragraph (1) has been filed, the Minister of Justice and the Commissioner of the Financial Services Agency are to examine whether the content of the change to the articles of incorporation or rules of operation conforms to laws and regulations and is sufficient to allow for the appropriate and reliable operation of electronic monetary claim recording business.

(業務の休止の認可申請)

(Application for Approval to Discontinue Business)

第三十二条 電子債権記録機関は、法第七十一条の規定により電子債権記録業の全部又は一部の休止について認可を受けようとするときは、次に掲げる事項を記載した認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 32 If an electronic monetary claim recording institution seeks to receive approval to discontinue the whole or part of the electronic monetary claim recording business pursuant to the provisions of Article 71 of the Act, the institution must submit a written application for approval stating the following matters to the Minister of Justice and the Commissioner of the Financial Services Agency:

一 休止しようとする業務の範囲

(i) the scope of business to be discontinued;

二 休止しようとする年月日及びその期間

(ii) the schedule date and period of discontinuation; and

三 休止の理由

(iii) the reasons for discontinuation.

(商号等の変更の届出)

(Notification of Change of Trade Names)

第三十三条 電子債権記録機関は、法第七十二条第一項の規定により法第五十二条第一項第一号又は第三号から第五号までに掲げる事項の変更について届出をしようとするときは、次に掲げる事項を記載した書面を法務大臣及び金融庁長官に届け出なければならない。

Article 33 (1) If an electronic monetary claim recording institution seeks to file a notification of the changes to the matters listed in Article 52, paragraph (1), item (i) or items (iii) through (v) of the Act pursuant to the provisions of Article 72, paragraph (1) of the Act, the institution must submit a document stating the following matters to the Minister of Justice and the Commissioner of the Financial Services Agency:

一 変更の内容

(i) the content of the change; and

二 変更年月日

(ii) the scheduled date of the change.

2 前項の書面には、次の各号に掲げる区分に応じ、当該各号に定める書類を添付しなければならない。

(2) Documents specified in each of the following items in accordance with the classification listed in each item must be attached to the document under the preceding paragraph:

一 法第五十二条第一項第一号又は第三号に掲げる事項の変更 同条第二項第三号に掲げる書類

(i) changes to the matters set forth in Article 52, paragraph (1), items (i) or (iii) of the Act: document set forth in paragraph (2), item (iii) of that Article;

二 法第五十二条第一項第四号に掲げる事項の変更 次に掲げる書類

(ii) changes to the matters listed in Article 52, paragraph (1), item (iv) of the Act: the following documents:

イ 法第五十二条第二項第一号及び第三号に掲げる書類

(a) documents set forth in Article 52, paragraph (1), items (i) and (iii) of the Act;

ロ 取締役、執行役又は監査役の住民票の抄本又はこれに代わる書面

(b) extracts of the resident records of the company directors, executive officers or company auditors, or documents in lieu thereof;

ハ 取締役、執行役又は監査役の履歴書

(c) resumes of the company directors, executive officers or company auditors;

ニ 第二十二条第三項第六号に掲げる書面

(d) documents set forth in Article 22, paragraph (3), item (vi);

三 法第五十二条第一項第五号に掲げる事項の変更 次に掲げる書類

(iii) changes to the matters set forth in Article 52, paragraph (1), item (v) of the Act: the following documents:

イ 法第五十二条第二項第一号及び第三号に掲げる書類

(a) documents set forth in Article 52, paragraph (2), item (i) and (iii) of the Act;

ロ 会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）

(b) extracts of the resident records of accounting advisors or documents in lieu thereof (if the accounting advisor is a corporation, a certificate of registered information for the accounting advisor) and their resumes (if the accounting advisor is a corporation, a document stating the history of the accounting advisor).

（立入検査の証明書）

(Identification Cards for On-site Inspections)

第三十四条 法第七十三条第二項の規定により電子債権記録機関又は当該電子債権記録機関から業務の委託を受けた者の営業所又は事務所に対して立入検査をする際に職員が携帯すべき証明書の様式は、法務省の職員にあっては別紙様式によるものとし、金融庁の職員にあっては金融庁等の職員が検査の際に携帯すべき身分証明書等の様式を定める内閣府令（平成四年大蔵省令第六十九号）第一項に規定する様式によるものとする。

Article 34 The identification cards that the officials are required to carry when conducting on-site inspections of business offices or other offices of electronic monetary claim recording institutions or persons that have been entrusted with business by the institutions pursuant to the provisions of Article 73, paragraph (2) of the Act, must be in the format of the Appended Form for officials of the Ministry of Justice, and in the format specified in paragraph (1) of the Cabinet Office Order specifying the format of identification cards, etc. that must be carried by officials of the Financial Services Agency (Order of the Ministry of Finance No. 69 of 1992), for officials of the Financial Services Agency.

（特定合併の認可申請）

（Application for Approval for a Specified Merger）

第三十五条 電子債権記録機関は、法第七十八条第一項の規定による特定合併の認可を受けようとするときは、法第五十二条第一項各号に掲げる事項のほか、次に掲げる事項を記載した合併認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 35 (1) If an electronic monetary claim recording institution seeks to receive approval for a specified merger pursuant to the provisions of Article 78, paragraph (1) of the Act, the institution must submit a written application for merger approval stating the following matters in addition to the matters set forth in each item of Article 52, paragraph (1) of the Act to the Minister of Justice and the Commissioner of the Financial Services Agency:

一 特定合併予定年月日

(i) the scheduled date of the specified merger; and

二 特定合併の方法

(ii) the method of the specified merger.

2 法第七十八条第三項に規定する主務省令で定める電磁的記録は、第二十三条に規定する電磁的記録とする。

(2) The electronic or magnetic records specified by order of the competent ministry as prescribed in Article 78, paragraph (3) of the Act are the electronic or magnetic records prescribed in Article 23.

3 法第七十八条第三項に規定するその他主務省令で定める書面又は電磁的記録は、次に掲げる書面又はこれらの書面に代えて電磁的記録の作成がされている場合における電磁的記録とする。

(3) Other documents or electronic or magnetic records specified by order of the

competent ministry as prescribed in Article 78, paragraph (3) of the Act are the following documents, or if electronic or magnetic records are prepared in lieu of the documents, those electronic or magnetic records:

一 理由書

(i) a statement of reasons;

二 特定合併の手続を記載した書面

(ii) a document stating the procedure for the specified merger;

三 特定合併の当事者の登記事項証明書

(iii) a certificate of registered information for the parties to the specified merger;

四 特定合併の当事者の会社法第七百八十三条第一項及び第七百九十五条第一項又は第八百四条第一項の規定による株主総会の議事録その他の必要な手続があったことを証する書面

(iv) the minutes of shareholders meetings of the parties to the specified merger pursuant to the provisions of Article 783, paragraph (1) and Article 795, paragraph (1) or Article 804, paragraph (1) of the Companies Act or other documents certifying that the necessary procedures have been followed;

五 特定合併の当事者の貸借対照表及び損益計算書

(v) the balance sheets and profit and loss statements of the parties to the specified merger;

六 特定合併後の電子債権記録機関が法第五十一条第一項第三号及び第四号に掲げる要件に該当する旨を誓約する書面

(vi) a document pledging that the electronic monetary claim recording institution after the specified merger will satisfy the requirements set forth in Article 51, paragraph (1), item (iii) and item (iv) of the Act;

七 特定合併後の電子債権記録機関の定款

(vii) the articles of incorporation of the electronic monetary claim recording institution after the specified merger;

八 特定合併後の電子債権記録機関の業務規程

(viii) the rules of operation of the electronic monetary claim recording institution after the specified merger;

九 特定合併後の電子債権記録機関の収支の見込みを記載した書類

(ix) a document stating the expected revenue and expenditures of the electronic monetary claim recording institution after the specified merger;

十 特定合併後の電子債権記録機関の主要株主の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面

(x) a document stating the names and trade names, addresses, and locations of the major shareholders of the electronic monetary claim recording institution after the specified merger, and the number of voting rights held by them;

十一 特定合併後の電子債権記録機関の親法人及び子法人の概要を記載した書面

(xi) a document giving an outline of parent corporations and subsidiary

- corporations of the electronic monetary claim recording institution after the specified merger;
- 十二 特定合併後の電子債権記録機関の取締役及び監査役の住民票の抄本又はこれに代わる書面
- (xii) extracts of the resident records of the company directors and company auditors of the electronic monetary claim recording institution after the specified merger or documents in lieu thereof;
- 十三 特定合併後の電子債権記録機関の取締役及び監査役の履歴書
- (xiii) resumes of the company directors and company auditors of the electronic monetary claim recording institution after the specified merger;
- 十四 特定合併後の電子債権記録機関が会計参与設置会社である場合にあっては、特定合併後の電子債権記録機関の会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）
- (xiv) if the electronic monetary claim recording institution after the specified merger is a company with an accounting advisor, an extract of the resident record of the accounting advisor of the electronic monetary claim recording institution after the specified merger or a document in lieu thereof (if the accounting advisor is a corporation, a certificate of registered information for the accounting advisor) and the accounting advisor's resume (if the accounting advisor is a corporation, a document stating the history of the accounting advisor);
- 十五 特定合併後の電子債権記録機関の取締役（委員会設置会社にあつては、執行役）の担当業務を記載した書面
- (xv) a document stating the duties of company directors (in the case of a company with committees, the executive officers) of the electronic monetary claim recording institution after the specified merger;
- 十六 特定合併後の電子債権記録機関における電子債権記録業に関する知識及び経験を有する使用人の確保の状況並びに当該使用人の配置の状況を記載した書面
- (xvi) a document stating the situation of securing employees with knowledge and experience in the electronic monetary claim recording business at the electronic monetary claim recording institution after the specified merger, and the situation of the placement of those employees;
- 十七 特定合併後の電子債権記録機関の事務の機構及び分掌を記載した書面
- (xvii) a document stating the organizational structure and division of responsibilities for handling the affairs of the electronic monetary claim recording institution;
- 十八 特定合併後の電子債権記録機関を利用する者に関する情報の管理の内容を記載した書面
- (xviii) a document stating the management of information about the persons that will use the electronic monetary claim recording institution after the

specified merger; and

十九 その他参考となるべき事項を記載した書類

(xix) a document stating other matters which would serve as reference information.

(新設分割の認可申請)

(Application for Approval for an Incorporation-type Company Split)

第三十六条 電子債権記録機関は、法第七十九条第一項の規定による新設分割の認可を受けようとするときは、同条第二項各号に掲げる事項のほか、次に掲げる事項を記載した新設分割認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 36 (1) If an electronic monetary claim recording institution seeks to receive approval for an incorporation-type company split pursuant to the provisions of Article 79, paragraph (1) of the Act, the institution must submit a written application for approval for an incorporation-type company split stating the following matters in addition to the matters set forth in each item of paragraph (2) of that Article to the Minister of Justice and the Commissioner of the Financial Services Agency.

一 新設分割予定年月日

(i) the scheduled date of the incorporation-type company split; and

二 新設分割の方法

(ii) the method of the incorporation-type company split.

2 法第七十九条第三項に規定する主務省令で定める電磁的記録は、第二十三条に規定する電磁的記録とする。

(2) The electronic or magnetic records specified by order of the competent ministry as prescribed in Article 79, paragraph (3) of the Act are the electronic or magnetic records prescribed in Article 23.

3 法第七十九条第三項に規定するその他主務省令で定める書面又は電磁的記録は、次に掲げる書面又はこれらの書面に代えて電磁的記録の作成がされている場合における電磁的記録とする。

(3) Other documents or electronic or magnetic records specified by order of the competent ministry as prescribed in Article 79, paragraph (3) of the Act are the following documents, or if electronic or magnetic records are prepared in lieu of the documents, those electronic or magnetic records:

一 理由書

(i) a statement of reasons;

二 新設分割の手続を記載した書面

(ii) a document stating the procedure of the incorporation-type company split;

三 新設分割の当事者の登記事項証明書

(iii) the certificates of registered information for the parties to the incorporation-type company split;

四 新設分割の当事者の会社法第八百四条第一項の規定による株主総会の議事録その

- 他の必要な手続があったことを証する書面
- (iv) the minutes of shareholders meetings of the parties to the incorporation-type company split pursuant to the provisions of Article 804, paragraph (1) of the Companies Act or other documents certifying that the necessary procedures have been followed;
- 五 新設分割の当事者の貸借対照表及び損益計算書
- (v) the balance sheets and profit and loss statements of the parties to incorporation-type company split;
- 六 設立会社が法第五十一条第一項第三号及び第四号に掲げる要件に該当する旨を誓約する書面
- (vi) a document pledging that the established company satisfies the requirements set forth in Article 51, paragraph (1), item (iii) and item (iv) of the Act;
- 七 設立会社の定款
- (vii) the articles of incorporation of the established company;
- 八 設立会社の業務規程
- (viii) the rules of operation of the established company;
- 九 設立会社の収支の見込みを記載した書類
- (ix) a document stating the expected revenue and expenditures of the established company;
- 十 設立会社の主要株主の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面
- (x) a document stating the names and trade names, addresses, and locations of the major shareholders of the established company, and the number of voting rights held by them;
- 十一 設立会社の親法人及び子法人の概要を記載した書面
- (xi) a document giving an outline of parent corporations and subsidiary corporations of the established company;
- 十二 設立会社の取締役及び監査役の住民票の抄本又はこれに代わる書面
- (xii) the extracts of the resident records of the company directors and company auditors of the established company or a document in lieu thereof;
- 十三 設立会社の取締役及び監査役の履歴書
- (xiii) resumes of the company directors and company auditors of the established company;
- 十四 設立会社が会計参与設置会社である場合にあっては、設立会社の会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）
- (xiv) if the established company is a company with an accounting advisor, an extract of the resident record of the accounting advisor of the established company or a document in lieu thereof (if the accounting advisor is a

- corporation, a certificate of registered information for the accounting advisor) and the accounting advisor's resume (if the accounting advisor is a corporation, a document stating a history of the accounting advisor);
- 十五 設立会社の取締役（委員会設置会社にあつては、執行役）の担当業務を記載した書面
- (xv) a document stating the duties of company directors (in the case of a company with committees, of the executive officers) of the established company;
- 十六 設立会社における電子債権記録業に関する知識及び経験を有する使用人の確保の状況並びに当該使用人の配置の状況を記載した書面
- (xvi) a document stating the situation of securing employees with knowledge and experience in the electronic monetary claim recording business at the established company, and the situation of the placement of those employees;
- 十七 設立会社の事務の機構及び分掌を記載した書面
- (xvii) a document stating the organizational structure and division of responsibilities for handling the affairs of the established company;
- 十八 設立会社を利用する者に関する情報の管理の内容を記載した書面
- (xviii) a document stating the management of information about the persons that will use the established company; and
- 十九 その他参考となるべき事項を記載した書類
- (xix) a document stating other matters which would serve as reference information.

（吸収分割の認可申請）

(Application for Approval for an Absorption-type Company Split)

第三十七条 電子債権記録機関は、法第八十条第一項の規定による吸収分割の認可を受けようとするときは、同条第二項各号に掲げる事項のほか、次に掲げる事項を記載した吸収分割認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 37 (1) If an electronic monetary claim recording institution seeks to receive approval for an absorption-type company split pursuant to the provisions of Article 80, paragraph (1) of the Act, the institution must submit a written application for approval for an absorption-type company split stating the following matters in addition to the matters set forth in each item of paragraph (2) of that Article to the Minister of Justice and the Commissioner of the Financial Services Agency.

一 吸収分割予定年月日

(i) the scheduled date of the absorption-type company split; and

二 吸収分割の方法

(ii) the method of the absorption-type company split.

2 法第八十条第三項に規定する主務省令で定める電磁的記録は、第二十三条に規定する電磁的記録とする。

- (2) The electronic or magnetic records specified by order of the competent ministry as prescribed in Article 80, paragraph (3) of the Act are the electronic or magnetic records prescribed in Article 23.
- 3 法第八十条第三項に規定するその他主務省令で定める書面又は電磁的記録は、次に掲げる書面又はこれらの書面に代えて電磁的記録の作成がされている場合における電磁的記録とする。
- (3) Other documents or electronic or magnetic records specified by order of the competent ministry as prescribed in Article 80, paragraph (3) of the Act are the following documents, or if electronic or magnetic records are prepared in lieu of those documents, the electronic or magnetic records.
- 一 理由書
 - (i) a statement of reasons;
 - 二 吸収分割の手続を記載した書面
 - (ii) a document stating the procedure for the absorption-type company split;
 - 三 吸収分割の当事者の登記事項証明書
 - (iii) the certificates of registered information for the parties to the absorption-type company split;
 - 四 吸収分割の当事者の会社法第七百八十三条第一項及び第七百九十五条第一項の規定による株主総会の議事録その他の必要な手続があったことを証する書面
 - (iv) the minutes of shareholders meetings of the parties to the absorption-type company split pursuant to the provisions of Article 783, paragraph (1) and Article 795, paragraph (1) of the Companies Act or other documents certifying that the necessary procedures have been followed;
 - 五 吸収分割の当事者の貸借対照表及び損益計算書
 - (v) the balance sheets and profit and loss statements of the parties to the absorption-type company split;
 - 六 承継会社が法第五十一条第一項第三号及び第四号に掲げる要件に該当する旨を誓約する書面
 - (vi) a document pledging that the succeeding company satisfies the requirements set forth in Article 51, paragraph (1), item (iii) and item (iv) of the Act;
 - 七 承継会社の定款
 - (vii) the articles of incorporation of the succeeding company;
 - 八 承継会社の業務規程
 - (viii) the rules of operation of the succeeding company;
 - 九 承継会社の収支の見込みを記載した書類
 - (ix) a document stating the expected revenue and expenditures of the succeeding company;
 - 十 承継会社の主要株主の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面
 - (x) a document stating the names and trade names, addresses, and locations of

the major shareholders of the succeeding company, and the number of voting rights held by them;

十一 承継会社の親法人及び子法人の概要を記載した書面

(xi) a document giving an outline of the parent corporations and subsidiary corporations of the succeeding company;

十二 承継会社の取締役及び監査役の住民票の抄本又はこれに代わる書面

(xii) the extracts of the resident records of the company directors and company auditors of the succeeding company or documents in lieu thereof;

十三 承継会社の取締役及び監査役の履歴書

(xiii) the resumes of the company directors and company auditors of the succeeding company.

十四 承継会社が会計参与設置会社である場合にあっては、承継会社の会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）

(xiv) if the succeeding company is a company with an accounting advisor, an extract of the resident record of the accounting advisor of the succeeding company or a document in lieu thereof (if the accounting advisor is a corporation, a certificate of registered information for the accounting advisor) and the accounting advisor's resume (if the accounting advisor is a corporation, a document stating the history of the accounting advisor);

十五 承継会社の取締役（委員会設置会社にあつては、執行役）の担当業務を記載した書面

(xv) a document stating the duties of the company directors (in the case of a company with committees, the executive officers) of the succeeding company;

十六 承継会社における電子債権記録業に関する知識及び経験を有する使用人の確保の状況並びに当該使用人の配置の状況を記載した書面

(xvi) a document stating the situation of securing employees with knowledge and experience in the electronic monetary claim recording business at the succeeding company, and the situation of the placement of those employees;

十七 承継会社の事務の機構及び分掌を記載した書面

(xvii) a document stating the organizational structure and division of responsibilities for handling the affairs of the succeeding company;

十八 承継会社を利用する者に関する情報の管理の内容を記載した書面

(xviii) a document stating the management of information about the persons that will use the succeeding company; and

十九 その他参考となるべき事項を記載した書類

(xix) a document stating other matters which would serve as reference information.

（事業譲渡の認可申請）

(Application for Approval of Business Transfer)

第三十八条 電子債権記録機関は、法第八十一条第一項の規定による事業譲渡の認可を受けようとするときは、同条第二項各号に掲げる事項のほか、次に掲げる事項を記載した事業譲渡認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 38 (1) If an electronic monetary claim recording institution seeks to receive approval for a business transfer pursuant to the provisions of Article 81, paragraph (1) of the Act, the institution must submit a written application for approval for a business transfer stating the following matters in addition to the matters set forth in each item of paragraph (2) of that Article to the Minister of Justice and the Commissioner of the Financial Services Agency.

一 事業譲渡予定年月日

(i) the scheduled date of the business transfer; and

二 事業譲渡の方法

(ii) the method of the business transfer.

2 法第八十一条第三項に規定する主務省令で定める電磁的記録は、第二十三条に規定する電磁的記録とする。

(2) The electronic or magnetic records specified by order of the competent ministry as prescribed in Article 81, paragraph (3) of the Act are the electronic or magnetic records prescribed in Article 23.

3 法第八十一条第三項に規定するその他主務省令で定める書面又は電磁的記録は、次に掲げる書面又はこれらの書面に代えて電磁的記録の作成がされている場合における電磁的記録とする。

(3) Other documents or electronic or magnetic records specified by order of the competent ministry as prescribed in Article 81, paragraph (3) of the Act are the following documents, or if electronic or magnetic records are prepared in lieu those documents, the electromagnetic records.

一 理由書

(i) a statement of reasons;

二 事業譲渡の手続を記載した書面

(ii) a document stating the procedure for the business transfer;

三 事業譲渡の当事者の登記事項証明書

(iii) the certificates of registered information for the parties to the business transfer;

四 事業譲渡の当事者の会社法第四百六十七条第一項の規定による株主総会の議事録その他の必要な手続があったことを証する書面

(iv) the minutes of shareholders meetings of the parties to the business transfer pursuant to the provisions of Article 467, paragraph (1) of the Companies Act or other documents certifying that the necessary procedures have been followed;

五 事業譲渡の当事者の貸借対照表及び損益計算書

(v) the balance sheets and profit and loss statements of the parties to the

- business transfer;
- 六 譲受会社が法第五十一条第一項第三号及び第四号に掲げる要件に該当する旨を誓約する書面
- (vi) a document pledging that the transferee company satisfies the requirements set forth in Article 51, paragraph (1), item (iii) and item (iv) of the Act;
- 七 譲受会社の定款
- (vii) the articles of incorporation of the transferee company;
- 八 譲受会社の業務規程
- (viii) the rules of operation of the transferee company;
- 九 譲受会社の収支の見込みを記載した書類
- (ix) a document stating the expected revenue and expenditures of the transferee company;
- 十 譲受会社の主要株主の氏名又は商号若しくは名称、住所又は所在地及びその保有する議決権の数を記載した書面
- (x) a document stating the names and trade names, addresses, and locations of the major shareholders of the transferee company, and the number of voting rights held by them;
- 十一 譲受会社の親法人及び子法人の概要を記載した書面
- (xi) a document giving an outline of the parent corporations and subsidiary corporations of the transferee company;
- 十二 譲受会社の取締役及び監査役の住民票の抄本又はこれに代わる書面
- (xii) the extracts of the resident records of the company directors and company auditors of the transferee company or documents in lieu thereof;
- 十三 譲受会社の取締役及び監査役の履歴書
- (xiii) the resumes of the company directors and company auditors of the transferee company;
- 十四 譲受会社が会計参与設置会社である場合にあっては、譲受会社の会計参与の住民票の抄本又はこれに代わる書面（会計参与が法人であるときは、当該会計参与の登記事項証明書）及び履歴書（会計参与が法人であるときは、当該会計参与の沿革を記載した書面）
- (xiv) if the transferee company is a company with an accounting advisor, an extract of the resident record of the accounting advisor of the transferee company or a document in lieu thereof (if the accounting advisor is a corporation, a certificate of registered information for the accounting advisor) and accounting advisor's resume (if the accounting advisor is a corporation, a document stating the history of the accounting advisor);
- 十五 譲受会社の取締役（委員会設置会社にあつては、執行役）の担当業務を記載した書面
- (xv) a document stating the duties of the company directors (in the case of a company with committees, the executive officers) of the transferee company;

十六 譲受会社における電子債権記録業に関する知識及び経験を有する使用人の確保の状況並びに当該使用人の配置の状況を記載した書面

(xvi) a document stating the situation of securing employees with knowledge and experience in the electronic monetary claim recording business at the transferee company, and the situation of the placement of those employees;

十七 譲受会社の事務の機構及び分掌を記載した書面

(xvii) a document stating the organizational structure and division of responsibilities for handling the affairs of the transferee company;

十八 譲受会社を利用する者に関する情報の管理の内容を記載した書面

(xviii) a document stating the management of information about the persons that will use the transferee company; and

十九 その他参考となるべき事項を記載した書類

(xix) a document stating other matters which would serve as reference information.

(解散等の認可申請)

(Application for Approval for Dissolution)

第三十九条 電子債権記録機関は、法第八十二条の規定による認可を受けようとするときは、当該認可を受けるべき事項を記載した認可申請書を法務大臣及び金融庁長官に提出しなければならない。

Article 39 (1) If an electronic monetary claim recording institution seeks to receive approval pursuant to the provisions of Article 82 of the Act, the institution must submit a written application for approval stating the matters for which it must receive approval to the Minister of Justice and the Commissioner of the Financial Services Agency.

2 前項の認可申請書には、次に掲げる書類を添付しなければならない。

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

一 理由書

(i) a statement of reasons;

二 株主総会の議事録その他の必要な手続があったことを証する書面

(ii) the minutes of a shareholders meeting or other documents certifying that the necessary procedures have been followed;

三 資産及び負債の内容を明らかにした書類

(iii) a document clarifying the content of assets and liabilities;

四 電子債権記録業の終了の方法を記載した書類

(iv) a document stating the method of concluding the electronic monetary claim recording business; and

五 その他参考となるべき事項を記載した書類

(v) a document stating other matters which would serve as reference information.

(指定失効の届出)

(Notification of the Lapse of Designation)

第四十条 電子債権記録機関であった者又は一般承継人（以下「旧電子債権記録機関等」という。）は、法第八十三条第二項の規定により届出をしようとするときは、別表第二上欄に掲げる区分により、同表中欄に定める事項を記載した書面に同表下欄に定める書類を添付し、法務大臣及び金融庁長官に届け出なければならない。

Article 40 If a person that was an electronic monetary claim recording institution or its general successor (hereinafter "former electronic monetary claim recording institution") seeks to file a notification pursuant to the provisions of Article 83, paragraph (2) of the Act, the former institution must submit a document stating the matters specified in the center column of Appended Table 2 with the documents specified in the right column of the Table in accordance with the classification set forth in the left column of the Table to the Minister of Justice and the Commissioner of the Financial Services Agency.

(電子債権記録業の終了の届出)

(Notification of Conclusion of Electronic Monetary Claim Recording Business)

第四十一条 旧電子債権記録機関等は、法第八十四条の規定により電子債権記録業を終了したときは、遅滞なく、その旨を法務大臣及び金融庁長官に届け出るものとする。

Article 41 (1) If a former electronic monetary claim recording institution has concluded the electronic monetary claims recording business pursuant to the provisions of Article 84 of the Act, the former institution is to submit a notification to that effect to the Minister of Justice and the Commissioner of the Financial Services Agency, without delay.

2 法務大臣及び金融庁長官は、前項の届出を受理したときは、遅滞なく、その旨を官報に公示するものとする。

(2) Upon receiving a notification under the preceding paragraph, the Minister of Justice and the Commissioner of the Financial Services Agency are to give public notice to that effect in the Official Gazette, without delay.

(届出事項)

(Matters to be Notified)

第四十二条 電子債権記録機関は、次の各号のいずれかに該当することとなったときは、遅滞なく、その旨を法務大臣及び金融庁長官に届け出るものとする。

Article 42 (1) If an electronic monetary claim recording institution has come to fall under any of the following items, the institution is to submit a notification to that effect to the Minister of Justice and the Commissioner of the Financial Services Agency, without delay:

一 電子債権記録機関の代表者の氏名に変更があったとき。

- (i) if the name of the representative of the electronic monetary claim recording institution has changed;
- 二 第二十二條第三項第六号に掲げる書面の記載事項に変更があったとき（当該変更が電子債権記録機関の取締役又は執行役の氏名の変更による場合を除く。）。
- (ii) if a recorded matter in the document set forth in Article 22, paragraph (3), item (vi) has changed (excluding the case where the change has resulted from the change to the names of company directors or executive officers of the electronic monetary claim recording institution);
- 三 第二十二條第三項第七号に掲げる書面の記載事項に変更があったとき。
- (iii) if a recorded matter in the document set forth in Article 22, paragraph (3), item (vii) has changed;
- 四 第二十四條第一項第一号に掲げる記載事項又は同条第二項第二号、第六号若しくは第七号に掲げる書類の記載事項に変更（同項第六号に掲げる書類の記載事項の変更にあっては、当該変更が軽微なものを除く。）があったとき。
- (iv) if a recorded matter set forth in Article 24, paragraph (1), item (i) or a recorded matter in documents set forth in paragraph (2), item (ii), item (vi) or item (vii) of that Article has changed (in the case of a change to the recorded matter in documents set forth in item (vi) of the same paragraph, excluding a minor change);
- 五 業務規程に基づき規則を定め、又は廃止し、若しくは変更したとき。
- (v) if rules have been established, repealed, or changed based on the rules of operation;
- 六 電子債権記録機関において事故が発生したことを知ったとき。
- (vi) if it has learned that an incident has occurred at the electronic monetary claim recording institution; or
- 七 前号に規定する事故の詳細が判明したとき。
- (vii) if the details of the incident referred to in the preceding item have been revealed.
- 2 前項の規定による届出を行う電子債権記録機関は、別表第三上欄に掲げる区分により、同表下欄に定める書類を添付しなければならない。
- (2) The electronic monetary claim recording institution submitting a notification under the preceding paragraph must attach the documents specified in the right column of the Appended Table 3 to the notification in accordance with the classification set forth in the left column of the Table.
- 3 第一項第六号に規定する「事故」とは、次の各号のいずれかに該当する事実をいう。
- (3) The term "incident" set forth in paragraph (1), item (vi) means an event that falls under any of the following items:
- 一 取締役、会計参与（会計参与が法人であるときは、職務を行うべき社員を含む。））、監査役、執行役又は使用人がその業務を執行するに際し、法令に違反する行為をしたこと。
- (i) a company director, accounting advisor (if the accounting advisor is a

corporation, including members that perform its duties), company auditor, executive officer, or employee performs an act in violation of laws and regulations while executing their duties; or

二 電子情報処理組織の故障その他偶発的な事情による電子債権記録業の全部又は一部の停止

(ii) suspension of the whole or part of the electronic monetary claims recording business due to a failure in the electronic data processing system or other accidental circumstances.

第四章 雑則

Chapter IV Miscellaneous Provisions

(債権記録に記録された事項を表示する方法)

(Manner of Displaying the Matters Recorded in the Monetary Claims Record)

第四十三条 法第八十七条第一項に規定する主務省令で定める方法は、債権記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 43 The manner specified by order of the competent ministry as prescribed in Article 87, paragraph (1) of the Act is the display of the matters recorded in the monetary claims record on paper or on a screen.

(電子記録の請求をした者の同意による記録事項の開示)

(Disclosure of Recorded Matters with the Consent of the Person Who Has Requested an Electronic Recording to Be Made)

第四十四条 電子債権記録機関は、法第八十七条第二項の規定により開示請求をすることを認めようとするときは、あらかじめ、電子記録の請求をする者に対し、開示請求をすることを認める者の範囲及び記録事項の内容を示し、書面又は電磁的方法による同意を得なければならない。

Article 44 If an electronic monetary claim recording institution seeks to allow a disclosure request to be made pursuant to the provisions of Article 87, paragraph (2) of the Act, the institution must inform the person requesting for the electronic recording to be made, of the scope of persons that will be allowed to make a disclosure request and the content of the recorded matters, and obtain the consent of the person requesting for the electronic recording to be made in writing or by electronic or magnetic means in advance.

(電磁的記録に記録された事項を表示する方法)

(Manner of Displaying the Matters Recorded in the Electronic or Magnetic Record)

第四十五条 法第八十八条第三号に規定する主務省令で定める方法は、同号の電磁的記録に記録された事項を紙面又は映像面に表示する方法とする。

Article 45 The manner specified by order of the competent ministry as

prescribed in Article 88, item (iii) of the Act is the display of the matters recorded in the electronic or magnetic record under the same item on paper or on a screen.

(電磁的方法)

(Electronic or Magnetic Means)

第四十六条 法第八十八条第四号に規定する電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて主務省令で定めるものは、次に掲げる方法とする。

Article 46 (1) The means specified by order of the competent ministry which uses an electronic data processing system or other means of using information and communications technology as prescribed by Article 88, item (iv) of the Act is as follows:

一 電子情報処理組織を使用する方法のうちイ又はロに掲げるもの

(i) a means of using an electronic data processing system, which is set forth in (a) or (b) below:

イ 送信者の使用に係る電子計算機と受信者の使用に係る電子計算機とを接続する電気通信回線を通じて送信し、受信者の使用に係る電子計算機に備えられたファイルに記録する方法

(a) the transmission of information through a telecommunications line that connects the computer used by the sender and the computer used by the recipient, and the recording of the information in a file on the computer used by the recipient;

ロ 送信者の使用に係る電子計算機に備えられたファイルに記録された情報の内容を電気通信回線を通じて情報の提供を受ける者の閲覧に供し、当該情報の提供を受ける者の使用に係る電子計算機に備えられたファイルに当該情報を記録する方法

(b) the provision, through a telecommunications line, of information recorded in a file on the computer used by the sender for the recipient's inspection, and the recording of the information in a file on the computer used by the recipient;

二 磁気ディスクその他これに準ずる方法により一定の情報を確実に記録しておくことができる物をもって調製するファイルに情報を記録したものを交付する方法

(ii) the means of delivering an object onto which information has been recorded in a prepared file, using a magnetic disk or an object onto which a fixed set of information can be securely recorded by any equivalent means.

2 前項各号に掲げる方法は、受信者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(2) The means set forth in each item of the preceding paragraph must be means that permit the recipient to prepare a document by outputting the record from the file.

(標準処理期間)

(Standard Processing Time)

第四十七条 法務大臣及び内閣総理大臣又は金融庁長官は、次の各号に掲げる指定、認可又は承認に関する申請があった場合は、その申請が事務所に到達した日から当該各号に定める期間内に、当該申請に対する処分をするよう努めるものとする。

Article 47 (1) Upon receipt of an application for the designation, approval or authorization set forth in the following items, the Minister of Justice, and the Prime Minister or the Commissioner of the Financial Services Agency are to endeavor to take an action regarding the application within the period set forth in the each item from the day the application arrived at their offices.

一 法第五十一条第一項の指定 二月

(i) designation under Article 51, paragraph (1) of the Act: two months;

二 法第六十九条第一項、第七十条、第七十一条、第七十八条第一項、第七十九条第一項、第八十条第一項、第八十一条第一項若しくは第八十二条の認可又は法第五十八条第一項の承認 一月

(ii) approval under Article 69, paragraph (1), Article 70, Article 71, Article 78, paragraph (1), Article 79, paragraph (1), Article 80, paragraph (1), Article 81, paragraph (1) or Article 82, or authorization under Article 58, paragraph (1) of the Act: one month.

2 前項の期間には、次に掲げる期間を含まないものとする。

(2) The periods referred to in the preceding paragraph do not include the following periods:

一 当該申請を補正するために要する期間

(i) the period necessary for the correction of the application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period necessary for the person who has filed the application to change the content of the application; and

三 当該申請をした者が当該申請に係る審査に必要と認められる資料を追加するために要する期間

(iii) the period necessary for the person who has filed the application to add materials that are found to be necessary for the examination of the application.