

金融商品取引法第五章の五の規定による指定紛争解決 機関に関する内閣府令

Cabinet Office Order on Designated Dispute Resolution Organizations under the Provisions of Chapter V-5 of the Financial Instruments and Exchange Act

(平成二十一年十二月二十八日内閣府令第七十七号)
(Cabinet Office Order No. 77 of December 28, 2009)

金融商品取引法（昭和二十三年法律第二十五号）第百五十六条の三十九第二項、第百五十六条の四十第二項第五号から第七号まで、第百五十六条の四十四第一項第八号、第二項第十一号及び第四項第三号、第百五十六条の四十八、第百五十六条の五十第三項第三号及び第五号、第八項並びに第九項、第百五十六条の五十六並びに第百五十六条の五十七第二項の規定に基づき、並びに同法を実施するため、金融商品取引法第五章の五の規定による指定紛争解決機関に関する内閣府令を次のように定める。

Pursuant to the provisions of Article 156-39, paragraph (2), Article 156-40, paragraph (2), items (v) to (vii), Article 156-44, paragraph (1), item (viii), paragraph (2), item (xi) and paragraph (4), item (iii), Article 156-48, Article 156-50, paragraph (3), items (iii) and (v), paragraphs (8) and (9), Article 156-56, and Article 156-57, paragraph (2) of the Financial Instruments and Exchange Act (Act No. 25 of 1948), and for the purpose of enforcing said Act, the Cabinet Office Order on Designated Dispute Resolution Organizations under the Provisions of Chapter V-5 of the Financial Instruments and Exchange Act is hereby established as follows.

第一章 総則（第一条—第五条）

Chapter I General Provisions (Articles 1 to 5)

第二章 業務（第六条—第十三条）

Chapter II Operations (Articles 6 to 13)

第三章 監督（第十四条・第十五条）

Chapter III Supervision (Articles 14 and 15)

第四章 雑則（第十六条）

Chapter IV Miscellaneous Provisions (Article 16)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(定義)

(Definitions)

第一条 この府令において「指定紛争解決機関」、「金融商品取引業等業務」、「苦情処理手続」、「紛争解決手続」、「紛争解決等業務」、「紛争解決等業務の種別」又は「手続実施基本契約」とは、それぞれ金融商品取引法（以下「法」という。）第百五十六条の三十八に規定する指定紛争解決機関、金融商品取引業等業務、苦情処理手続、紛争解決手続、紛争解決等業務、紛争解決等業務の種別又は手続実施基本契約をいう。

Article 1 (1) The terms "designated dispute resolution organization," "business activities for financial instruments transaction services, etc.," "complaint processing procedures," "dispute resolution procedures," "dispute resolution services, etc.," "category of dispute resolution services, etc.," and "master agreement for the implementation of dispute resolution procedures" as used in this Cabinet Office Order mean a designated dispute resolution organization, financial instruments transaction services, etc., complaint processing procedures, dispute resolution procedures, dispute resolution services, etc., category of dispute resolution services, etc., and master agreement for the implementation of dispute resolution procedures, respectively, as prescribed in Article 156-38 of the Financial Instruments and Exchange Act (hereinafter referred to as the "Act").

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

(2) In this Cabinet Office Order, the meanings of the terms listed in the following items are as prescribed in each of those items.

一 金融商品取引業等業務関連苦情 法第百五十六条の三十八第九項に規定する金融商品取引業等業務関連苦情をいう。

(i) "complaints related to business activities for financial instruments services, etc." means complaints related to business activities for financial instruments services, etc. as prescribed in Article 156-38, paragraph (9) of the Act.

二 金融商品取引業等業務関連紛争 法第百五十六条の三十八第十項に規定する金融商品取引業等業務関連紛争をいう。

(ii) "dispute related to financial instruments services, etc." means a dispute related to financial instruments services, etc. as prescribed in Article 156-38, paragraph (10) of the Act.

三 金融商品取引関係業者 法第百五十六条の三十八第十三項に規定する金融商品取引関係業者をいう。

(iii) "business operator involved in financial instruments transactions" means a business operator involved in financial instruments transactions as prescribed in Article 156-38, paragraph (13) of the Act.

四 業務規程 法第百五十六条の三十九第一項第七号に規定する業務規程をいう。

(iv) "operational rules" means operational rules as prescribed in Article 156-39, paragraph (1), item (vii) of the Act.

五 加入金融商品取引関係業者 法第百五十六条の四十二第二項に規定する加入金融商品取引関係業者をいう。

(v) "member business operator involved in financial instruments transactions" means a member business operator involved in financial instruments transactions as prescribed in Article 156-42, paragraph (2) of the Act.

(割合の算定)

(Calculation of Proportions)

第二条 法第百五十六条の三十九第一項第八号の割合の算定は、同項の申請をしようとする者に対して業務規程の内容についての異議の有無並びに異議がある場合にはその内容及び理由を記載した書面（次条において「意見書」という。）を提出して手続実施基本契約の解除に関する事項その他の手続実施基本契約の内容（法第百五十六条の四十四第二項各号に掲げる事項を除く。）その他の業務規程の内容（法第百五十六条の四十四第三項の規定によりその内容とするものでなければならないこととされる事項並びに同条第四項各号及び第五項第一号に掲げる基準に適合するために必要な事項を除く。）について異議（合理的な理由が付されたものに限る。）を述べた金融商品取引関係業者（当該申請により法第百五十六条の三十九第一項の規定による指定を受けようとする紛争解決等業務の種別に係るものに限る。以下この章において同じ。）の数を当該申請をしようとする者が次条第一項第二号に規定する業務規程等を交付し、又は送付した日（二以上の日にわたって交付し、又は送付した場合には、最も遅い日。第四条において同じ。）に金融庁長官により公表されている金融商品取引関係業者（次条及び第五条第二項において「すべての金融商品取引関係業者」という。）の数で除して行うものとする。

Article 2 The proportion referred to in Article 156-39, paragraph (1), item (viii) of the Act is to be calculated by dividing the number of business operators involved in financial instruments transactions who have submitted documents stating whether or not they object to the content of the operational rules and, for those who do have objections, who have submitted a description thereof and the reason therefor (referred to as a "written opinion" in the following Article) to the person who wishes to file an application under that paragraph, and who have stated their objections (limited to those with reasonable grounds therefor) to a matter related to the cancellation of the master agreement for implementation of dispute resolution procedures, other terms of the master agreement for implementation of dispute resolution procedures (excluding the matters listed in the items of Article 156-44, paragraph (2) of the Act), and other contents of the operational rules (excluding the matters that are to be the content thereof as provided by Article 156-44, paragraph (3) of the Act and the matters necessary for conforming to the criteria listed in the items of

paragraph (4) of that Article and paragraph (5), item (i)) (limited to those connected with a category of dispute resolution services, etc. for which the designation under the provisions of Article 156-39, paragraph (1) of the Act is sought in the relevant application; hereinafter the same applies in this Chapter) by the number of business operators involved in financial instruments transactions publicized by the Commissioner of the Financial Services Agency as of the day on which the person who wishes to file the relevant application delivered or sent the operational rules, etc. prescribed in paragraph (1), item (ii) of the following Article (where the operational rules, etc. were delivered or sent over two or more days, the last day; hereinafter the same applies in Article 4) (referred to as "all business operators involved in financial instruments transactions" in the following Article and Article 5, paragraph (2)).

(金融商品取引関係業者に対する意見聴取等)

(Hearing of Opinions of Business Operators Involved in Financial Instruments Transactions)

第三条 法第百五十六条の三十九第一項の申請をしようとする者は、同条第二項の規定により、金融商品取引関係業者に対し、業務規程の内容を説明し、これについて異議がないかどうかの意見（異議がある場合には、その理由を含む。）を聴取する場合には、次に定めるところにより、説明会を開催してしなければならない。

Article 3 (1) Where the person who wishes to file an application under Article 156-39, paragraph (1) of the Act will explain the content of the operational rules to the business operators Involved in financial instruments transactions pursuant to the provisions of paragraph (2) of that Article and hear opinions whether there are any objections to said content (where there are any objections, including the reasons therefor), the person wishing to file the application must hold a briefing session pursuant to the following provisions:

一 説明会を開催する日時及び場所は、すべての金融商品取引関係業者の参集の便を考慮して定めること。

(i) the date, time and place where the briefing session are to be determined in consideration of the convenience of all business operators involved in financial instruments transactions who will assemble; and

二 当該申請をしようとする者は、すべての金融商品取引関係業者に対し、説明会の開催日（二以上の説明会を開催する場合には、その最初の説明会の開催日）の二週間前までに、次に掲げる事項を記載した書面及び業務規程（次条及び第五条第二項において「業務規程等」という。）を交付し、又は送付すること。

(ii) a person who wishes to file the relevant application is to deliver or send a document stating the following matters and the operational rules (referred to as "operational rules, etc." in the following Article and Article 5, paragraph (2)) to all business operators involved in financial instruments transactions

no later than two weeks before the convocation date for the briefing session (where two or more briefing sessions are to be held, the convocation date for the first briefing session):

イ 当該申請をしようとする者の商号又は名称、主たる営業所又は事務所の所在地及び電話番号その他の連絡先

(a) the trade name or name of the person who wishes to file the relevant application and the location, telephone number, and other contact information of their principal business office or office;

ロ 説明会の開催年月日時及び場所

(b) the date, time, and place where the briefing session will be held; and

ハ 金融商品取引関係業者は当該申請をしようとする者に対し説明会の開催日（二以上の説明会を開催する場合には、その最後の説明会の開催日）から一定の期間内に意見書を提出しなければならない旨

(c) a statement that the business operators involved in financial instruments transactions must submit written opinions to the person who wishes to file the relevant application, within a certain period from the convocation date for the briefing session (where two or more briefing sessions are held, the convocation date for the last briefing session).

三 前号ハの一定の期間が、二週間を下らないものであること。

(iii) the certain period referred to in (c) of the preceding item is to be no less than two weeks.

2 法第百五十六条の三十九第二項に規定する結果を記載した書類には、次に掲げる事項のすべてを記載しなければならない。

(2) The document stating the results prescribed in Article 156-39, paragraph (2) of the Act must state all of the following matters:

一 すべての説明会の開催年月日時及び場所

(i) the dates, times, and places where all of the briefing sessions were held;

二 すべての金融商品取引関係業者の説明会への出席の有無

(ii) whether or not all business operators involved in financial instruments transactions attended the briefing sessions;

三 すべての金融商品取引関係業者の意見書の提出の有無

(iii) whether or not all business operators involved in financial instruments transactions submitted written opinions;

四 提出を受けた意見書における異議の記載の有無

(iv) whether or not there were any objections stated in the submitted written opinions that were received; and

五 提出を受けた意見書に法第百五十六条の三十九第一項第八号に規定する異議に該当しない異議の記載がある場合には、その旨及び同号に規定する異議に該当しないと判断した理由

(v) where an objection not corresponding to the objection prescribed in Article 156-39, paragraph (1), item (viii) of the Act was stated in the submitted

written opinions that were received, a statement to that effect and the reason for determining that said objection does not correspond to the objection prescribed in that item.

3 前項の書類には、金融商品取引関係業者から提出を受けたすべての意見書を添付するものとする。

(3) All written opinions submitted by and received from business operators involved in financial instruments transactions are to be attached to the document prescribed in the preceding paragraph.

(指定申請書の提出)

(Submission of Written Applications for Designation)

第四条 法第一百五十六条の四十第一項の指定申請書は、業務規程等を交付し、又は送付した日から起算して三月以内に提出しなければならない。

Article 4 The written application for designation referred to in Article 156-40, paragraph (1) of the Act must be submitted within three months from the day on which the operational rules, etc. were delivered or sent.

(指定申請書の添付書類)

(Documents to Be Attached to Written Applications for Designation)

第五条 法第一百五十六条の四十第二項第五号に規定する内閣府令で定めるものは、次に掲げる書類とする。

Article 5 (1) The documents specified by Cabinet Office Order, referred to in Article 156-40, paragraph (2), item (v) of the Act, are the following documents:

一 法第一百五十六条の三十九第一項の申請の日の属する事業年度の直前の事業年度の貸借対照表、収支計算書若しくは損益計算書及び当該事業年度末の財産目録又はこれらに準ずるもの（同項の規定による指定を受けようとする者（第三項において「申請者」という。）が当該申請の日の属する事業年度に設立された法人（同条第一項第一号に規定する法人をいう。第十一条第三項第三号において同じ。）である場合には、その設立時における財産目録又はこれに準ずるもの）

(i) the balance sheet, income and expenditure statement, or profit and loss statement for the business year immediately preceding the business year that includes the date of the application referred to in Article 156-39, paragraph (1) of the Act, and an inventory of assets as of the end of the relevant business year or documents equivalent thereto (where the person who wishes to obtain a designation under the provisions of that paragraph (referred to as "applicant" in paragraph (3)) is a juridical person (meaning a juridical person as prescribed in paragraph (1), item (i) of that Article; hereinafter the same applies in Article 11, paragraph (3), item (iii)) that was established in the business year that includes the date of the relevant application, an inventory of assets at incorporation or documents equivalent thereto); and

- 二 法第百五十六条の三十九第一項の規定による指定後における収支の見込みを記載した書類
- (ii) documents stating the expected income and expenditures after designation under the provisions of Article 156-39, paragraph (1) of the Act.
- 2 法第百五十六条の四十第二項第六号に規定する内閣府令で定めるものは、次に掲げる書類とする。
- (2) The documents specified by Cabinet Office Order, referred to in Article 156-40, paragraph (2), item (vi) of the Act, are the following documents:
- 一 第三条第一項第二号の規定によりすべての金融商品取引関係業者に対して交付し、又は送付した業務規程等
- (i) the operational rules, etc. delivered or sent to all business operators involved in financial instruments transactions pursuant to the provisions of Article 3, paragraph (1), item (ii);
- 二 すべての金融商品取引関係業者に対して業務規程等を交付し、又は送付した年月日及び方法を証する書類
- (ii) a document proving the date and manner in which the operational rules, etc. were delivered or sent to all business operators involved in financial instruments transactions;
- 三 金融商品取引関係業者に対して業務規程等を送付した場合には、当該金融商品取引関係業者に対する業務規程等の到達の有無及び到達に係る事実として、次のイ又はロに掲げる場合の区分に応じ、当該イ又はロに定める事項を証する書類
- (iii) where the operational rules, etc. were sent to the business operators involved in financial instruments transactions, a document proving whether or not the operational rules, etc. reached the relevant business operators involved in financial instruments transactions and proving the facts in connection with the arrival of said operational rules, etc. with regard to the matters set forth in (a) or (b) below in accordance with the categories of the cases listed in (a) or (b) below:
- イ 到達した場合 到達した年月日
- (a) where the operational rules, etc. arrived: date of arrival
- ロ 到達しなかった場合 通常の送付方法によって到達しなかった原因
- (b) where the operational rules, etc. did not arrive: cause of non-arrival by a normal sending method
- 3 法第百五十六条の四十第二項第七号に規定する内閣府令で定める書類は、次に掲げる書類とする。
- (3) The documents specified by Cabinet Office Order, referred to in Article 156-40, paragraph (2), item (vii) of the Act, are the following documents:
- 一 申請者の総株主等の議決権（法第二十九条の四第二項に規定する総株主等の議決権をいう。次号及び第十四条第二項において同じ。）の百分の五以上の議決権を保有している者の氏名又は商号若しくは名称、住所又は主たる営業所若しくは事務所の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 name or trade name of any person who holds voting rights accounting for five percent or more of the voting rights held by all of the shareholders, etc. (meaning voting rights held by all of the shareholders, etc. as prescribed in Article 29-4, paragraph (2) of the Act; hereinafter the same applies in the following item and Article 14, paragraph (2)) of the applicant, the person's address or the location of the person's principal business office or office, and the number of voting rights held by the person;
- 二 申請者の親法人（申請者の総株主等の議決権の過半数を保有している法人その他の団体をいう。）及び子法人（申請者が総株主等の議決権の過半数を保有している法人その他の団体をいう。）の商号又は名称、主たる営業所又は事務所の所在地及び事業の内容を記載した書面
- (ii) a document stating the trade name or name, the location of the principal business office or office, and a description of the business of the parent juridical person (meaning a juridical person or other organization that holds the majority of voting rights held by all of the shareholders, etc. of the applicant) and subsidiary juridical person(s) (meaning a juridical person or other organization the majority of whose voting rights held by all of the shareholders, etc. are held by the applicant) of the applicant;
- 三 役員（法第百五十六条の三十九第一項第四号に規定する役員をいい、役員が法人であるときは、その職務を行うべき者を含む。以下この項、第八条及び第九条において同じ。）の住民票の抄本（役員が日本の国籍を有しない場合には、外国人登録原票の記載事項証明書）又はこれに代わる書面（役員が法人である場合には、当該役員の登記事項証明書）
- (iii) extracts of the resident records of the officers (meaning officers as prescribed in Article 156-39, paragraph (1), item (iv) of the Act, and when an officer is a juridical person, including any person who performs the duties of an officer; hereinafter the same applies in this paragraph and Articles 8 and 9) (where an officer is not a Japanese national, a certificate of the information entered in their alien registration card) or other document serving as a substitute therefor (where the officer is a juridical person, the relevant officer's certificate of registered information);
- 四 役員が法第百五十六条の三十九第一項第四号イ及びロに該当しない旨の官公署の証明書（役員が日本の国籍を有しない場合には、同号イ及びロに該当しない者であることを当該役員が誓約する書面）
- (iv) a certificate issued by a public agency stating that the officers do not fall under Article 156-39, paragraph (1), item (iv), (a) or (b) of the Act (where an officer is not a Japanese national, a document in which the officer pledges that that person does not fall under (a) or (b) of that item);
- 五 役員の履歴書（役員が法人である場合には、当該役員の沿革を記載した書面）
- (v) the officers resumes (where an officer is a juridical person, a document stating the history of the relevant officer);

- 六 紛争解決委員（法第百五十六条の四十一第一項に規定する紛争解決委員をいう。第十二条第二項第三号において同じ。）の候補者並びに紛争解決等業務に関する知識及び経験を有する役員及び職員（以下この号及び次号並びに第十四条において「役員等」という。）の確保の状況並びに当該役員等の配置の状況を記載した書面
(vi) a document stating the employment status of candidates for the role of dispute resolution mediator (meaning a dispute resolution mediator as prescribed in Article 156-41, paragraph (1) of the Act; hereinafter the same applies in Article 12, paragraph (2), item (iii)) as well as officers and officials who have knowledge and experience related to dispute resolution services, etc. (hereinafter referred to as "officers, etc." in this item, the following item and Article 14) and the status of where the relevant officers, etc. have been assigned;
- 七 役員等が、暴力団員等（法第百五十六条の四十六に規定する暴力団員等をいう。第十四条第一項第二号において同じ。）でないことを当該役員等が誓約する書面
(vii) a document in which the officers, etc. pledge that they are not members of an organized crime group, etc. (meaning a member of an organized crime group, etc. as prescribed in Article 156-46 of the Act; hereinafter the same applies in Article 14, paragraph (1), item (ii)); and
- 八 その他参考となるべき事項を記載した書類
(viii) any other documents that include matters to which reference should be made.

第二章 業務 Chapter II Operations

（業務規程で定めるべき事項）

(Matters to Be Prescribed by the Operational Rules)

第六条 法第百五十六条の四十四第一項第八号に規定する内閣府令で定めるものは、次に掲げる事項とする。

Article 6 The matters specified by Cabinet Office Order, referred to in Article 156-44, paragraph (1), item (viii) of the Act, are the following matters:

一 紛争解決等業務を行う時間及び休日に関する事項

(i) matters related to holidays and the hours during which dispute resolution services, etc. is conducted;

二 営業所又は事務所の名称及び所在地並びにその営業所又は事務所が紛争解決等業務を行う区域に関する事項

(ii) matters related to the name and location of business offices or offices and the area(s) for which dispute resolution services, etc. is conducted at such business offices or offices;

三 紛争解決等業務を行う職員の監督体制に関する事項

(iii) matters related to the supervision system of officials who conduct dispute

resolution services, etc.;

四 苦情処理手続又は紛争解決手続の業務を委託する場合には、その委託に関する事項

(iv) where operations for complaint processing procedures or dispute resolution procedures are entrusted, matters related to such entrustment; and

五 その他紛争解決等業務に関し必要な事項

(v) other necessary matters related to dispute resolution services, etc.

(手続実施基本契約の内容)

(Terms of Master Agreements for the Implementation of Dispute Resolution Procedures)

第七条 法第百五十六条の四十四第二項第十一号に規定する内閣府令で定める事項は、指定紛争解決機関は、当事者である加入金融商品取引関係業者の顧客の申出があるときは、紛争解決手続における和解で定められた義務の履行状況を調査し、当該加入金融商品取引関係業者に対して、その義務の履行を勧告することができることとする。

Article 7 For matters specified by Cabinet Office Order, referred to in Article 156-44, paragraph (2), item (xi) of the Act, a designated dispute resolution organization may, when there is a request from a customer of a member business operator involved in financial instruments transactions who is a party to a matter under resolution, investigate the status of the performance of obligations prescribed in the settlement under dispute resolution procedures and recommend the performance of such obligations to the relevant member business operator involved in financial instruments transactions.

(実質的支配者等)

(Substantial Controllers)

第八条 法第百五十六条の四十四第四項第三号に規定する指定紛争解決機関の株式の所有、指定紛争解決機関に対する融資その他の事由を通じて指定紛争解決機関の事業を実質的に支配し、又はその事業に重要な影響を与える関係にあるものとして内閣府令で定める者は、次に掲げる者であって、事業上の関係に照らして指定紛争解決機関の事業の方針の決定を支配すること及びその事業に重要な影響を与えることができないことが明らかでないと認められる者とする。

Article 8 A person specified by Cabinet Office Order as one who substantially controls the business of a designated dispute resolution organization or who has a material influence on the business thereof through their holding of shares in the designated dispute resolution organization, due to their financing of the designated dispute resolution organization, or due to any other cause prescribed in Article 156-44, paragraph (4), item (iii) of the Act is the person set forth as follows who are not found to be clearly incapable of controlling the business policy decisions of the designated dispute resolution organization and having a material influence on its business in light of their business

relationships:

一 特定の者が自己の計算において所有している議決権と当該特定の者と出資、人事、資金、技術、取引等において緊密な関係があることにより当該特定の者の意思と同一の内容の議決権を行使すると認められる者及び当該特定の者の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、指定紛争解決機関の議決権の三分の一以上を占めている場合（当該特定の者が自己の計算において議決権を所有していない場合を含む。）における当該特定の者

(i) a particular person with regard to whom the total number of voting rights held on the person's own account, voting rights held by persons who are found to exercise their voting rights in the same content as the intention of the relevant particular person wishes of them due to their being closely related to each other through contributions, personnel, funds, technology, transactions, or other matters, and voting rights held by persons who have consented to exercise their voting rights in the manner the relevant particular person wishes of them amount to one-third or more of the voting rights in the designated dispute resolution organization (including where the relevant particular person does not hold any voting rights on their own account);

二 指定紛争解決機関の役員又は役員であった者

(ii) a person who is or who was an officer of the designated dispute resolution organization;

三 指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship of an officer of the designated dispute resolution organization;

四 前二号に掲げる者を代表者（法人でない団体で代表者又は管理人の定めのあるものの代表者又は管理人を含む。次条第四号において同じ。）とする者

(iv) a person whose representative (including the representative person or administrator of an organization without legal personality for which a representative person or administrator has been designated; hereinafter the same applies in item (iv) of the following Article) is a person specified in the preceding two items;

五 指定紛争解決機関の役員の三分の一以上が役員若しくは使用人である者又は役員若しくは使用人であった者

(v) a person with a one-third or greater proportion of officers who are or were officers or employees of the designated dispute resolution organization;

六 指定紛争解決機関との間で指定紛争解決機関の事業の方針の決定を支配する契約を締結している者

(vi) a person who is under contract with the designated dispute resolution organization to control the designated dispute resolution organization's business policy decisions;

七 指定紛争解決機関の資金調達額（貸借対照表の負債の部に計上されているものに

限る。以下この号及び次条第七号において同じ。)の総額の三分の一以上について特定の者が融資(債務の保証及び担保の提供を含む。以下この号及び同条第七号において同じ。)を行っている場合(当該特定の者と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。)における当該特定の者

(vii) a particular person who has provided a loan (including a guarantee of liabilities and provision of collateral; hereinafter the same applies in this item and item (vii) of the following Article) for one-third or more of the total amount of the designated dispute resolution organization's procured funds (limited to those included in the liabilities on the balance sheet; hereinafter the same applies in this item and item (vii) of the following Article) (including where the amount of such a loan exceeds one-third of the total amount of procured funds when combined with the amount of a loan provided by a person who is closely related to the relevant particular person in terms of their contributions, personnel, funds, technology, transactions, or other matters);

八 前各号に掲げる者のほか、指定紛争解決機関の事業の方針の決定を支配していることが推測される事実が存在する者

(viii) in addition to the persons set forth in the preceding items, a person whose circumstances suggest that such person has control over the designated dispute resolution organization's business policy decisions;

九 特定の者が前各号に掲げる者に対して、前各号(第二号から第四号までを除く。以下この号において同じ。)に規定する前各号に掲げる者の指定紛争解決機関に対する関係と同様の関係を有する場合における当該特定の者

(ix) a particular person who is related to a person set forth in any of the preceding items in the same way that the persons set forth in each of the preceding items (excluding items (ii) to (iv); hereinafter the same applies in this item) are related under each of the preceding items to the designated dispute resolution organization

十 第一号から第八号までに掲げる者が特定の者に対して、次条第一号又は第五号から第八号までに規定する指定紛争解決機関の同条第一号又は第五号から第八号までに掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(x) a particular person who is related to any of the persons set forth in items (i) to (viii) inclusive in the same way that the designated dispute resolution organization is related under item (i) or items (v) to (viii) of the following Article to any of the persons set forth in item (i) or items (v) to (viii) inclusive of the following Article.

(子会社等)

(Subsidiary Companies)

第九条 法第百五十六条の四十四第四項第三号に規定する指定紛争解決機関が株式の所

有その他の事由を通じてその事業を実質的に支配する関係にあるものとして内閣府令で定める者は、次の各号に掲げる者であって、事業上の関係に照らして指定紛争解決機関が当該各号に掲げる者の事業の方針の決定を支配することができないことが明らかでないと認められる者とする。

Article 9 Persons specified by Cabinet Office Order as those whose business is substantially controlled by the designated dispute resolution organization through the holding of shares or due to any other reason, referred to in Article 156-44, paragraph (4), item (iii) of the Act, are those of the persons specified in the items below whose business policy decisions the designated dispute resolution organization is not found to be clearly incapable of controlling, in light of their business relationships:

一 指定紛争解決機関が自己の計算において所有している議決権と指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係があることにより指定紛争解決機関の意思と同一の内容の議決権を行使すると認められる者及び指定紛争解決機関の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人又は法人でない団体で代表者又は管理人の定めのあるもの（以下この号及び第五号において「法人等」という。）の議決権の三分の一以上を占めている場合（指定紛争解決機関が自己の計算において議決権を所有していない場合を含む。）における当該他の法人等

(i) another juridical person or an organization without legal personality for which a representative person or administrator has been designated (hereinafter referred to as "juridical person, etc." in this item and item (v)), with regard to which the total number of voting rights held by the designated dispute resolution organization on its own account, voting rights held by persons who are found to exercise their voting rights in the manner said designated dispute resolution organization wishes of them due to their being closely related to the designated dispute resolution organization through contributions, personnel, funds, technology, transactions, or other matters, and voting rights held by persons who have consented to exercise their voting rights in the same content as the intention of the designated dispute resolution organization wishes of them amount to one-third or more of the voting rights in the relevant other juridical person , etc. (including where the designated dispute resolution organization does not hold any voting rights on its own account)

二 指定紛争解決機関の役員若しくは指定紛争解決機関の使用人又はこれらであった者

(ii) a person who is or who was an officer of the designated dispute resolution organization or an employee of the designated dispute resolution organization;

三 指定紛争解決機関の役員の三親等以内の親族

(iii) a relative within the third degree of kinship of an officer of the designated

dispute resolution organization;

四 前二号に掲げる者を代表者とする者

(iv) a person whose representative is a person set forth in the preceding two items;

五 第二号に掲げる者が他の法人等の役員である者の三分の一以上を占めている場合における当該他の法人等

(v) another juridical person, etc., where one-third or more of the officers of the relevant other juridical person are persons who fall under item (ii);

六 指定紛争解決機関が特定の者との間に当該特定の者の事業の方針の決定を支配する契約を締結している場合における当該特定の者

(vi) a particular person, where the designated dispute resolution organization is under contract with the relevant particular person to control the relevant person's business policy decisions;

七 特定の者の資金調達額の総額の三分の一以上について指定紛争解決機関が融資を行っている場合（指定紛争解決機関と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の三分の一以上となる場合を含む。）における当該特定の者

(vii) a particular person, where the designated dispute resolution organization has provided a loan for one-third or more of the total amount of the relevant particular person's procured funds (including where the amount of such a loan exceeds one-third of the total amount of the procured funds when combined with the amount of a loan provided by a person who is closely related to the designated dispute resolution organization in terms of their contributions, personnel, funds, technology, transactions, or other matters);

八 前各号に掲げる者のほか、指定紛争解決機関が特定の者の事業の方針の決定を支配していることが推測される事実が存在する場合における当該特定の者

(viii) in addition to the persons set forth in the preceding items, a particular person whose circumstances suggest that the designated dispute resolution organization has control over the relevant particular person's business policy decisions; and

九 前各号に掲げる者が特定の者に対して、前各号（第二号から第四号までを除く。以下この号において同じ。）に規定する指定紛争解決機関の前各号に掲げる者に対する関係と同様の関係を有する場合における当該特定の者

(ix) a particular person to whom a person set forth in any of the preceding items is related in the same way that the designated dispute resolution organization under each of the preceding items (excluding items (ii) to (iv); hereinafter the same applies in this item) is related to the persons prescribed in each of those items.

（苦情処理手続に関する記録の記載事項等）

(Matters to Be Stated in Records on Complaint Processing Procedures)

第十条 法第百五十六条の四十八の規定により、指定紛争解決機関は、その実施した苦情処理手続に関し、次に掲げる事項を記載した記録を作成しなければならない。

Article 10 (1) Pursuant to the provisions of Article 156-48 of the Act, a designated dispute resolution organization must prepare a record of the following matters related to the complaint processing procedures that the designated dispute resolution organization has carried out:

一 加入金融商品取引関係業者の顧客が金融商品取引業等業務関連苦情の解決の申立てをした年月日及びその内容

(i) the date on which a customer of a member business operator involved in financial instruments transactions filed an application for the resolution of complaints related to financial instruments transaction services, etc. and the content thereof;

二 前号の申立てをした加入金融商品取引関係業者の顧客及びその代理人の氏名、商号又は名称並びに当該加入金融商品取引関係業者の商号、名称又は氏名

(ii) the name or trade name of the customer of the member business operator involved in financial instruments transactions who filed the application referred to in the preceding item, the name or trade name of their counsel, and the trade name or name of the relevant member business operator involved in financial instruments transactions;

三 苦情処理手続の実施の経緯

(iii) the particulars of the Complaint Processing Procedures; and

四 苦情処理手続の結果（苦情処理手続の終了の理由及びその年月日を含む。）

(iv) the results of the complaint processing procedures (including the reasons for the termination of the complaint processing procedures and the date thereof).

2 指定紛争解決機関は、前項に規定する事項を記載した記録を、その実施した苦情処理手続が終了した日から少なくとも五年間保存しなければならない。

(2) The designated dispute resolution organization must preserve the record of the matters prescribed in the preceding paragraph for at least five years from the date on which the complaint processing procedures that the designated dispute resolution organization has carried out terminated.

（紛争解決委員の利害関係等）

(Relationships Due to Which the Dispute Resolution Mediator Is an Interested Party)

第十一条 法第百五十六条の五十第三項に規定する同条第一項の申立てに係る法第百五十六条の四十四第一項第五号に規定する当事者（以下この項において単に「当事者」という。）と利害関係を有する者とは、次に掲げる者のいずれかに該当する者とする。

Article 11 (1) A person whose relationship to a party who is prescribed in Article 156-44, paragraph (1), item (v) of the Act relative to an application under Article 156-50, paragraph (1), set forth in paragraph (3) of that Article

(hereinafter simply referred to as a "party" in this paragraph) makes said person an interested party is a person who corresponds to any of the following:

一 当事者の配偶者又は配偶者であった者

(i) the spouse or former spouse of the Party;

二 当事者の四親等内の血族、三親等内の姻族若しくは同居の親族又はこれらであった者

(ii) a person who is the party's relative by blood within the fourth degree of kinship, who is or has been the party's relative by affinity within the third degree of kinship, or who is or has been a cohabitating relative of the Party;

三 当事者の後見人、後見監督人、保佐人、保佐監督人、補助人又は補助監督人

(iii) the party's guardian, the supervisor of his/her guardian, their curator, the supervisor of their curator, their assistant, or the supervisor of their assistant;

四 当該申立てに係る金融商品取引業等業務関連紛争について当事者の代理人若しくは補佐人又はこれらであった者

(iv) a person who is or has been the party's representative or assistant in court in the dispute related to financial instruments services, etc. under the relevant application; or

五 当事者から役務の提供により収入を得ている者又は得ないこととなった日から三年を経過しない者

(v) a person who receives an income from the party in line with a service said person provides or for whom three years have not yet passed since the day on which said person ceased to receive such income.

2 法第百五十六条の五十第三項第三号に規定する内閣府令で定める者は、次に掲げるいずれかの資格を有し、かつ、消費生活相談（消費者契約法（平成十二年法律第六十一号）第十三条第三項第五号イに規定する消費生活相談をいう。）に応ずる業務に従事した期間が通算して五年以上である者とする。

(2) The person specified by Cabinet Office Order, referred to in Article 156-50, paragraph (3), item (iii) of the Act, is a person who has any of the following qualifications and who has been engaged in operations for dealing with consumer affairs consultation (meaning consumer affairs consultation as prescribed in Article 13, paragraph (3), item (v), (a) of the Consumer Contract Act (Act No. 61 of 2000)) for a period of five years or more in total:

一 独立行政法人国民生活センターが付与する消費生活専門相談員の資格

(i) consumer counseling specialist qualifications granted by the Incorporated Administrative Agency, National Consumer Affairs Center of Japan;

二 財団法人日本産業協会（大正七年二月二十六日に財団法人国産奨励会という名称で設立された法人をいう。）が付与する消費生活アドバイザーの資格

(ii) advisory specialist for consumer affairs qualifications granted by the Incorporated Foundation, Japan Industrial Association (meaning the juridical person established on February 26, 1918, under the name

"Incorporated Foundation, Kokusan Shorei Kai"); or

三 財団法人日本消費者協会（昭和三十六年九月五日に財団法人日本消費者協会という名称で設立された法人をいう。）が付与する消費生活コンサルタントの資格

(iii) consumer consultant qualifications granted by the Incorporated Foundation, Japan Consumers' Association (meaning the juridical person established on September 5, 1961, under the name of "Incorporated Foundation, Japan Consumers' Association").

3 法第百五十六条の五十第三項第五号に規定する内閣府令で定める者は、次に掲げる者とする。

(3) The persons specified by Cabinet Office Order referred to in Article 156-50, paragraph (3), item (v) of the Act are the following persons:

一 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者

(i) A person who has been engaged in one or more of the following professions for five years or more in total:

イ 判事

(a) judge;

ロ 判事補

(b) assistant judge;

ハ 検事

(c) public prosecutor;

ニ 弁護士

(d) attorney-at-law; or

ホ 学校教育法（昭和二十二年法律第二十六号）による大学の学部、専攻科又は大学院の法律学に属する科目の教授又は准教授

(e) professor or associate professor of a subject that is part of the law program in the school, faculty, college, advanced studies course, or graduate school of a university under the School Education Act (Act No. 26 of 1947)

二 次に掲げる職の一又は二以上にあつてその年数が通算して五年以上である者

(ii) a person who has been engaged in one or more of the following occupations for five years or more in total:

イ 公認会計士

(a) certified public accountant;

ロ 税理士

(b) certified public tax accountant;

ハ 学校教育法による大学の学部、専攻科又は大学院の経済学又は商学に属する科目の教授又は准教授

(c) professor or associate professor of a subject that is a part of the economics or commerce program in the school, faculty, college, advanced studies course, or graduate school of a university under the School Education Act

三 金融商品取引業等業務関連苦情を処理する業務又は金融商品取引業等業務関連苦

情の処理に関する業務を行う法人において、顧客の保護を図るため必要な調査、指導、勧告、規則の制定その他の業務に従事した期間が通算して十年以上である者

(iii) a person who has engaged in the research, guidance, recommendation, establishment of regulations, and other operations necessary for the protection of customers for a period of ten years or more in total with a juridical person who carries out processing operations for complaints related to financial instruments services, etc. or who carries out operations related to the processing of complaints related to financial instruments services, etc.; and

四 金融庁長官が前三号に掲げる者のいずれかに該当する者と同等以上の知識及び経験を有すると認めた者

(iv) a person found by the Commissioner of the Financial Services Agency to have knowledge and experience that is equivalent or superior to any of the persons listed in the preceding three items.

(金融商品取引業等業務関連紛争の当事者である加入金融商品取引関係業者の顧客に対する説明)

(Explanations to the Customer of a Member Business Operator Involved in Financial Instruments Transactions who is the Party to a Dispute Related to Financial Instruments Services)

第十二条 指定紛争解決機関は、法第百五十六条の五十第八項に規定する説明をするに当たり金融商品取引業等業務関連紛争の当事者である加入金融商品取引関係業者の顧客から書面の交付を求められたときは、書面を交付して説明をしなければならない。

Article 12 (1) A designated dispute resolution organization must, in an explanation prescribed in Article 156-50, paragraph (8) of the Act, deliver documents and give an explanation thereof when requested to deliver documents by the customer of a member business operator involved in financial instruments transactions who is a party to a dispute related to financial instruments services, etc.

2 法第百五十六条の五十第八項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The matters specified by Cabinet Office Order referred to in Article 156-50, paragraph (8), item (iii) of the Act are the following matters:

一 紛争解決手続において陳述される意見若しくは提出され、若しくは提示される資料に含まれ、又は法第百五十六条の五十第九項に規定する手続実施記録（次条第一項において「手続実施記録」という。）に記載されている金融商品取引業等業務関連紛争の当事者及び第三者の秘密の取扱いの方法

(i) the way of handling the confidential information of the parties to the dispute related to financial instruments services, etc., or of a third party, that is contained in an opinion stated or materials submitted or presented in the course of the dispute resolution procedures, or that is entered in the

record of the dispute resolution procedures prescribed in Article 156-50, paragraph (9) of the Act (hereinafter referred to as "dispute resolution procedures record" in paragraph (1) of the following Article);

二 金融商品取引業等業務関連紛争の当事者が紛争解決手続を終了させるための要件及び方式

(ii) the requirements and forms for the parties to the dispute related to financial instruments services, etc. to terminate the dispute resolution procedures;

三 紛争解決委員が紛争解決手続によっては金融商品取引業等業務関連紛争の当事者間に和解が成立する見込みがないと判断したときは、速やかに当該紛争解決手続を終了し、その旨を当該金融商品取引業等業務関連紛争の当事者に通知すること。

(iii) that when the dispute resolution mediator considers it impossible to arrange a settlement between the parties to the dispute related to financial instruments services, etc. through the dispute resolution procedures, the dispute resolution mediator promptly terminates the relevant dispute resolution procedures and notify the parties to the dispute related to financial instruments services, etc. to that effect; and

四 金融商品取引業等業務関連紛争の当事者間に和解が成立した場合に作成される書面の有無及び書面が作成される場合には作成者、通数その他当該書面の作成に係る概要

(iv) whether there is a document to be prepared where a settlement is arranged between the parties to the dispute related to financial instruments services, etc., and if there is, the person who will prepare the document, the number of copies to be prepared and outlines in connection with the preparation of any other document.

(手続実施記録の保存及び作成)

(Preservation and Preparation of Dispute Resolution Procedures Records)

第十三条 指定紛争解決機関は、手続実施記録を、その実施した紛争解決手続が終了した日から少なくとも十年間保存しなければならない。

Article 13 (1) The designated dispute resolution organization must preserve a dispute resolution procedures record for at least ten years after the date on which the dispute resolution procedures that it has carried out terminate.

2 法第百五十六条の五十第九項第六号に規定する内閣府令で定めるものは、次に掲げる事項とする。

(2) The matters specified by Cabinet Office Order prescribed in Article 156-50, paragraph (9), item (vi) of the Act are the following matters:

一 紛争解決手続の申立ての内容

(i) the contents of the application for Dispute Resolution Procedures;

二 紛争解決手続において特別調停案（法第百五十六条の四十四第六項に規定する特別調停案をいう。以下この号において同じ。）が提示された場合には、当該特別調

停案の内容及びその提示の年月日

- (ii) where a special conciliation proposal (meaning special conciliation proposal as prescribed in Article 156-44, paragraph (6) of the Act; hereinafter the same applies in this item) has been presented during the dispute resolution procedures, the contents and presentation date of the relevant special conciliation proposal; and

三 紛争解決手続の結果が和解の成立である場合には、当該和解の内容

- (iii) where dispute resolution procedures result in a settlement, the contents of the relevant settlement.

第三章 監督

Chapter III Supervision

(届出事項)

(Matters for Which a Notification Is to Be Submitted)

第十四条 指定紛争解決機関は、法第百五十六条の五十六の規定による届出をしようとするときは、届出書に理由書その他参考となるべき事項（次の各号に掲げる場合にあっては、当該各号に定める事項を含む。）を記載した書類を添付して金融庁長官に提出しなければならない。

Article 14 (1) When a designated dispute resolution organization wishes to submit a notification under the provisions of Article 156-56 of the Act, it must attach a written statement of reasons and other documents that include matters to which reference should be made (in cases listed in the following items, including the matters set forth in those items) to the written notice and submit the same to the Commissioner of the Financial Services Agency:

一 法第百五十六条の五十六第一号に掲げる場合 手続実施基本契約を締結し、又は終了した年月日及び金融商品取引関係業者の商号、名称又は氏名

- (i) in the case specified in Article 156-56, item (i) of the Act: the date on which the master agreement for implementation of dispute resolution procedures was concluded or terminated and the trade name or name of the business operator involved in financial instruments transactions;

二 次項第六号に掲げる場合 指定紛争解決機関の役員等となった者が暴力団員等でないことの当該役員等となった者による誓約

- (ii) in the case specified in item (vi) of the following paragraph: pledge by the person who has become an officer, etc. of the designated dispute resolution organization that the relevant officer, etc. is not a member of an organized crime group, etc.

三 次項第七号に掲げる場合 金融商品取引関係業者が手続実施基本契約に係る債務その他の紛争解決等業務の実施に関する義務を履行することが確実にないと見込まれる理由及び当該金融商品取引関係業者の商号、名称又は氏名

- (iii) in the case specified in item (vii) of the following paragraph: the reasons

why performance of the obligations under the master agreement for Implementation of dispute resolution procedures or performance of other duties related to the implementation of dispute resolution services, etc. by the business operator involved in financial instruments transactions is expected to be uncertain, and the trade name or name of the relevant business operator involved in financial instruments transactions

四 次項第八号又は第九号に掲げる場合 次に掲げる事項

(iv) in the case specified in item (viii) or (ix) of the following paragraph: the following matters:

イ 行為が発生した営業所又は事務所の名称

(a) the name of the business office or office where the act took place;

ロ 行為をした役員等の氏名又は商号若しくは名称及び役職名

(b) The name or trade name and job title of officer, etc. who carried out the act;

ハ 行為の概要

(c) an outline of the act; and

ニ 改善策

(d) improvement measures.

2 法第百五十六条の五十六第二号に規定する内閣府令で定めるときは、次に掲げるときとする。

(2) The cases specified by Cabinet Office Order prescribed in Article 156-56, item (ii) of the Act are as follows:

一 定款又はこれに準ずる定めを変更したとき。

(i) when there are any changes in the articles of incorporation or provisions equivalent thereto;

二 親法人（指定紛争解決機関の総株主等の議決権の過半数を保有している法人その他の団体をいう。次号において同じ。）又は子法人（指定紛争解決機関が総株主等の議決権の過半数を保有している法人その他の団体をいう。第四号において同じ。）が商号若しくは名称、主たる営業所若しくは事務所の所在地又は事業の内容を変更したとき。

(ii) when there are any changes in the trade name or name of the parent juridical person (meaning a juridical person or other organization that holds the majority of the voting rights held by all the shareholders, etc. of the designated dispute resolution organization; hereinafter the same applies in the following item) or subsidiary juridical person (meaning a juridical person or other organization in which the majority of voting rights held by all the shareholders, etc. are held by the designated dispute resolution organization; hereinafter the same applies in item (iv)), the location of its principal business office or office, or the description of its business;

三 親法人が親法人でなくなったとき。

(iii) when the parent juridical person ceases to be the parent juridical person;

四 子法人が子法人でなくなったとき、又は子法人の議決権を取得し、若しくは保有したとき。

(iv) when a subsidiary juridical person ceases to be a subsidiary juridical person, or when the voting rights of the subsidiary juridical person are acquired or held;

五 総株主等の議決権の百分の五を超える議決権が一の者により取得され、又は保有されることとなったとき。

(v) when more than five percent of the voting rights held by all the shareholders, etc. are acquired or held by one person;

六 法第百五十六条の四十第一項の指定申請書を提出後、新たに指定紛争解決機関の役員等となった者がいるとき。

(vi) when a person has newly become an officer, etc. of a designated dispute resolution organization after the submission of written application for designation referred to in Article 156-40, paragraph (1) of the Act;

七 金融商品取引関係業者から手続実施基本契約の締結の申込みがあった場合であって、当該申込みを拒否したとき。

(vii) where an application to conclude a master agreement for Implementation of dispute resolution procedures has been filed by a business operator involved in financial instruments transactions, when the relevant application is rejected;

八 指定紛争解決機関又はその業務の委託先の役員等が紛争解決等業務（業務の委託先にあつては、当該指定紛争解決機関が委託する業務に係るものに限る。）を遂行するに際して法令又は当該指定紛争解決機関の業務規程に反する行為が発生した事実を知ったとき。

(viii) upon learning the fact that a designated dispute resolution organization or an officer, etc. of the contractor undertaking its operations engaged in an act in violation of laws and regulations or the operational rules of the designated dispute resolution organization in the administration of dispute resolution services, etc. (for a contractor undertaking its operations, limited to administration of operations entrusted by the relevant designated dispute resolution organization); and

九 加入金融商品取引関係業者又はその役員等が指定紛争解決機関の業務規程に反する行為を行った事実を知ったとき。

(ix) upon learning the fact that a member business operator involved in financial instruments transactions or its officer, etc. engaged in an act in violation of the operational rules of the designated dispute resolution organization.

3 前項第八号又は第九号に該当するときの届出は、これらの規定に規定する事実を指定紛争解決機関が知った日から一月以内に行わなければならない。

(3) The notification in cases falling under item (viii) or (ix) of the preceding paragraph must be given within one month from the day that the designated

dispute resolution organization learned the facts prescribed in the provisions thereof.

(紛争解決等業務に関する報告書の提出)

(Submission of Reports on Dispute Resolution Services)

第十五条 法第百五十六条の五十七第一項の規定による指定紛争解決機関が作成すべき紛争解決等業務に関する報告書は、別紙様式により作成し、事業年度経過後三月以内に金融庁長官に提出しなければならない。

Article 15 (1) The report on dispute resolution services, etc. to be prepared by a designated dispute resolution organization under the provisions of Article 156-57, paragraph (1) of the Act must be prepared using the appended form and submitted to the Commissioner of the Financial Services Agency within three months after the end of the business year.

2 前項の報告書には、最終事業年度に係る財産目録、貸借対照表及び収支計算書若しくは損益計算書又はこれらに準ずるものを添付しなければならない。

(2) The inventory of assets, the balance sheet, and the income and expenditure statement or profit and loss statement for the most recent business year or documents equivalent thereto must be attached to the report referred to in the preceding paragraph.

3 指定紛争解決機関は、やむを得ない理由により第一項に規定する期間内に同項の報告書の提出をすることができない場合には、あらかじめ金融庁長官の承認を受けて、当該提出を延期することができる。

(3) Where a designated dispute resolution organization cannot submit the report under paragraph (1) within the period prescribed in that paragraph due to inevitable grounds, the designated dispute resolution organization may postpone the submission of the relevant report by obtaining prior approval from the Commissioner of the Financial Services Agency.

4 指定紛争解決機関は、前項の規定による承認を受けようとするときは、承認申請書に理由書を添付して金融庁長官に提出しなければならない。

(4) When a designated dispute resolution organization wishes to obtain approval under the provisions of the preceding paragraph, it must attach a written statement of reasons to the written application for approval and submit the same to the Commissioner of the Financial Services Agency.

5 金融庁長官は、前項の規定による承認の申請があつたときは、当該申請をした指定紛争解決機関が第三項の規定による提出の延期をすることについてやむを得ないと認められる理由があるかどうかを審査するものとする。

(5) When an application for approval under the provisions of the preceding paragraph has been filed, the Commissioner of the Financial Services Agency is to examine whether the designated dispute resolution organization that filed the relevant application has what the Commissioner finds to be compelling reasons to postpone the submission of the report under the provisions of

paragraph (3).

第四章 雑則

Chapter IV Miscellaneous Provisions

第十六条 金融庁長官は、次の各号に掲げる指定又は認可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 16 (1) When an application for designation or authorization set forth in the following items has been filed, the Commissioner of the Financial Services Agency is to endeavor to render a disposition for the relevant application within the period specified in each of those items from the date on which the relevant application arrives at their office:

一 法第百五十六条の三十九の規定による指定 二月

(i) designation under the provisions of Article 156-39 of the Act: Two months;
and

二 法第百五十六条の四十四第七項及び第百五十六条の六十第一項の規定による認可 一月

(ii) authorization under the provisions of Article 156-44, paragraph (7) and Article 156-60, 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 period prescribed in the preceding paragraph is not to 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 required to make corrections to the relevant 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 required by the person who filed the relevant application to change the content of the relevant application; or

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 required by the person who filed the relevant application to add materials deemed necessary for the examination of the relevant application.