

資金決済に関する法律 Payment Services Act

(平成二十一年六月二十四日法律第五十九号)
(Act No. 59 of June 24, 2009)

第一章 総則（第一条—第二条の二）

Chapter I General Provisions (Article 1 and Article 2-2)

第二章 前払式支払手段

Chapter II Prepaid Payment Instruments

第一節 総則（第三条・第四条）

Section 1 General Provisions (Article 3 and Article 4)

第二節 自家型発行者（第五条・第六条）

Section 2 Issuer of Prepaid Payment Instruments for Its Own Business (Article 5 and Article 6)

第三節 第三者型発行者（第七条—第十二条）

Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business (Article 7 to Article 12)

第四節 業務（第十三条—第二十一条の三）

Section 4 Business (Article 13 to Article 21-3)

第五節 監督（第二十二条—第二十九条）

Section 5 Supervision (Article 22 to Article 29)

第六節 雑則（第二十九条の二—第三十六条）

Section 6 Miscellaneous Provisions (Article 29-2 to Article 36)

第三章 資金移動

Chapter III Funds Transfers

第一節 総則（第三十六条の二—第四十二条）

Section 1 General Provisions (Article 36-2 to Article 42)

第二節 業務（第四十三条—第五十一条の四）

Section 2 Business (Article 43 to Article 51-4)

第三節 監督（第五十二条—第五十八条）

Section 3 Supervision (Article 52 to Article 58)

第四節 雑則（第五十八条の二—第六十三条）

Section 4 Miscellaneous Provisions (Article 58-2 to Article 63)

第三章の二 暗号資産

Chapter III-2 Crypto-Assets

第一節 総則（第六十三条の二—第六十三条の七）

Section 1 General Provisions (Article 63-2 to Article 63-7)

第二節 業務（第六十三条の八—第六十三条の十二）

Section 2 Business (Article 63-8 to Article 63-12)

第三節 監督（第六十三条の十三—第六十三条の十九）

Section 3 Supervision (Article 63-13 to Article 63-19)

第四節 雑則（第六十三条の十九の二—第六十三条の二十二）

Section 4 Miscellaneous Provisions (Article 63-19-2 to Article 63-22)

第四章 資金清算

Chapter IV Clearing for Funds Transfer Transactions

第一節 総則（第六十四条—第六十八条）

Section 1 General Provisions (Article 64 to Article 68)

第二節 業務（第六十九条—第七十五条）

Section 2 Business (Article 69 to Article 75)

第三節 監督（第七十六条—第八十二条）

Section 3 Supervision (Article 76 to Article 82)

第四節 雑則（第八十三条—第八十六条）

Section 4 Miscellaneous Provisions (Article 83 to Article 86)

第五章 認定資金決済事業者協会（第八十七条—第九十八条）

Chapter V Associations for Certified Payment Service Providers (Article 87 to Article 98)

第六章 指定紛争解決機関（第九十九条—第一百一条）

Chapter VI Designated Dispute Resolution Organizations (Article 99 to Article 101)

第七章 雑則（第一百二条—第一百六条）

Chapter VII Miscellaneous Provisions (Article 102 to Article 106)

第八章 罰則（第一百七条—第一百八条）

Chapter VIII Penal Provisions (Article 107 to Article 118)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

（目的）

(Purpose)

第一条 この法律は、資金決済に関するサービスの適切な実施を確保し、その利用者等を保護するとともに、当該サービスの提供の促進を図るため、前払式支払手段の発行、銀行等以外の者が行う為替取引、暗号資産の交換等及び銀行等の間で生じた為替取引に係る債権債務の清算について、登録その他の必要な措置を講じ、もって資金決済システムの安全性、効率性及び利便性の向上に資することを目的とする。

Article 1 The purpose of this Act is to enforce registration and provide other necessary measures with respect to the issuance of prepaid payment instruments, or exchange transactions carried out by persons other than deposit-taking institutions, exchange of crypto-assets, etc., and the clearing of

exchange transactions between deposit-taking institutions, in order to ensure the appropriate provision of payment services, and protection of the users, etc. thereof, and to promote the provision of those services, thereby contributing to the improvement of the safety, efficiency, and convenience of the payment and settlement system.

(定義)

(Definitions)

第二条 この法律において「前払式支払手段発行者」とは、第三条第六項に規定する自家型発行者及び同条第七項に規定する第三者型発行者をいう。

Article 2 (1) The term "issuer of prepaid payment instruments" as used in this Act means an issuer of prepaid payment instruments for its own business as prescribed in Article 3, paragraph (6) and an issuer of prepaid payment instruments for third-party business specified in Article 3, paragraph (7).

2 この法律において「資金移動業」とは、銀行等以外の者が為替取引を業として営むことをいう。

(2) The term "funds transfer services" as used in this Act means exchange transactions carried out by persons other than deposit-taking institutions in the course of trade.

3 この法律において「資金移動業者」とは、第三十七条の登録を受けた者をいう。

(3) The term "funds transfer service provider" as used in this Act means a person who has been registered referred to in Article 37.

4 この法律において「外国資金移動業者」とは、この法律に相当する外国の法令の規定により当該外国において第三十七条の登録と同種類の登録（当該登録に類する許可その他の行政処分を含む。）を受けて為替取引を業として営む者をいう。

(4) The term "foreign funds transfer service provider" as used in this Act means a person who has been registered and carries out exchange transactions in the course of trade in a foreign country, whose registration type is same as the one referred to in Article 37 pursuant to the provisions of laws and regulations of that foreign state comparable to this Act (including permission or other administrative dispositions similar to that registration).

5 この法律において「暗号資産」とは、次に掲げるものをいう。ただし、金融商品取引法（昭和二十三年法律第二十五号）第二条第三項に規定する電子記録移転権利を表示するものを除く。

(5) The term "crypto-assets" as used in this Act means any of the following; provided, however, that those indicating electronically recorded transferable rights prescribed in Article 2, paragraph (3) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) are excluded:

一 物品を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために不特定の者に対して使用することができ、かつ、不特定の者を相手方として購入及び売却を行うことができる財産的価値（電子機器その他の物に電

子的方法により記録されているものに限り、本邦通貨及び外国通貨並びに通貨建資産を除く。次号において同じ。) であって、電子情報処理組織を用いて移転することができるもの

(i) property value (limited to that which is recorded on an electronic device or any other object by electronic means, and excluding the Japanese currency, foreign currencies, and currency-denominated assets; the same applies in the following item) which can be used in relation to unspecified persons for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services and can also be purchased from and sold to unspecified persons acting as counterparties, and which can be transferred by means of an electronic data processing system; and

二 不特定の者を相手方として前号に掲げるものと相互に交換を行うことができる財産的価値であって、電子情報処理組織を用いて移転することができるもの

(ii) property value which can be mutually exchanged with what is set forth in the preceding item with unspecified persons acting as counterparties, and which can be transferred by means of an electronic data processing system.

6 この法律において「通貨建資産」とは、本邦通貨若しくは外国通貨をもって表示され、又は本邦通貨若しくは外国通貨をもって債務の履行、払戻しその他これらに準ずるもの（以下この項において「債務の履行等」という。）が行われることとされている資産をいう。この場合において、通貨建資産をもって債務の履行等が行われることとされている資産は、通貨建資産とみなす。

(6) The term "currency-denominated assets" as used in this Act means assets which are denominated in the Japanese currency or a foreign currency, or for which performance of obligations, refund, or anything equivalent thereto (hereinafter referred to as "performance of obligations, etc." in this paragraph) is supposed to be made in the Japanese currency or a foreign currency. In this case, assets for which performance of obligations, etc. is supposed to be made by means of currency-denominated assets are deemed to be currency-denominated assets.

7 この法律において「暗号資産交換業」とは、次に掲げる行為のいずれかを業として行うことをいい、「暗号資産の交換等」とは、第一号及び第二号に掲げる行為をいい、「暗号資産の管理」とは、第四号に掲げる行為をいう。

(7) The term "crypto-asset exchange services" as used in this Act means carrying out any of the following acts in the course of trade, the term "exchange of crypto-assets, etc." as used in this Act means the acts set forth in items (i) and (ii), and the term "management of crypto-assets" as used in this Act means the act set forth in item (iv):

一 暗号資産の売買又は他の暗号資産との交換

(i) purchase and sale of a crypto-asset or exchange with another crypto-asset;

二 前号に掲げる行為の媒介、取次ぎ又は代理

(ii) intermediary, brokerage or agency services for the act set forth in the

preceding item;

三 その行う前二号に掲げる行為に関して、利用者の金銭の管理をすること。

(iii) management of users' money, carried out by persons in connection with their acts set forth in the preceding two items; and

四 他人のために暗号資産の管理をすること（当該管理を業として行うことにつき他の法律に特別の規定のある場合を除く。）。

(iv) management of crypto-assets on behalf of another person (excluding cases where the relevant management in the course of trade is governed by special provisions of other Acts).

8 この法律において「暗号資産交換業者」とは、第六十三条の二の登録を受けた者をいう。

(8) The term "crypto-asset exchange service provider" as used in this Act means a person who has been registered referred to in Article 63-2.

9 この法律において「外国暗号資産交換業者」とは、この法律に相当する外国の法令の規定により当該外国において第六十三条の二の登録と同種類の登録（当該登録に類する許可その他の行政処分を含む。）を受けて暗号資産交換業を行う者をいう。

(9) The term "foreign crypto-asset exchange service provider" as used in this Act means a person who has been registered and carries out crypto-asset exchange services in the course of trade in a foreign country, whose registration type is same as the one referred to in Article 63-2, pursuant to the provisions of laws and regulations of that foreign state comparable to this Act (including permission or other administrative dispositions similar to that registration).

10 この法律において「資金清算業」とは、為替取引に係る債権債務の清算のため、債務の引受け、更改その他の方法により、銀行等の間で生じた為替取引に基づく債務を負担することを業として行うことをいう。

(10) The term "clearing services for interbank funds transfer" as used in this Act means acts of bearing obligations under exchange transactions arising between deposit-taking institutions in the course of trade by way of the assumption of an obligation, novation or other means for the purpose of clearing claims and debts relating to the exchange transactions.

11 この法律において「資金清算機関」とは、第六十四条第一項の免許を受けた者をいう。

(11) The term "clearing institution for interbank funds transfer" as used in this Act means a person who has obtained the license referred to in Article 64, paragraph (1).

12 この法律において「認定資金決済事業者協会」とは、第八十七条の規定による認定を受けた一般社団法人をいう。

(12) The term "association for certified payment service providers" as used in this Act means a general incorporated association that has been certified pursuant to the provisions of Article 87.

13 この法律において「指定紛争解決機関」とは、第九十九条第一項の規定による指

定を受けた者をいう。

(13) The term "designated dispute resolution organization" as used in this Act means a person who has been designated pursuant to the provisions of Article 99, paragraph (1).

1 4 この法律において「紛争解決等業務」とは、苦情処理手続（資金移動業又は暗号資産交換業に関する苦情を処理する手続をいう。）及び紛争解決手続（資金移動業又は暗号資産交換業に関する紛争で当事者が和解をすることができるものについて訴訟手続によらずに解決を図る手続をいう。第百条第三項を除き、以下同じ。）に係る業務並びにこれに付随する業務をいう。

(14) The term "dispute resolution services" as used in this Act means services involved in complaint processing procedures (meaning procedures for processing complaints concerning funds transfer services or crypto-asset exchange services) and dispute resolution procedures (meaning procedures for resolving a dispute concerning funds transfer services or crypto-asset exchange services between parties who agree to seek a settlement without following litigation proceedings; hereinafter the same applies except in Article 100, paragraph (3)), as well as services incidental thereto.

1 5 この法律において「紛争解決等業務の種別」とは、紛争解決等業務に係る資金移動業務（資金移動業者が営む為替取引に係る業務をいう。第五十一条の四第一項第一号において同じ。）及び暗号資産交換業務（暗号資産交換業者が行う第七項各号に掲げる行為に係る業務をいう。第六十三条の十二第一項第一号において同じ。）の種別をいう。

(15) The term "categories of dispute resolution services" as used in this Act means categories of funds transfer services related to dispute resolution services (meaning businesses involved in exchange transactions carried out by a funds transfer service provider; the same applies in Article 51-4, paragraph (1), item (i)) or crypto-asset exchange business (meaning businesses involved in any of the acts set forth in the items of paragraph (7) performed by a crypto-asset exchange service provider; the same applies in Article 63-12, paragraph (1), item (i)).

1 6 この法律において「信託会社等」とは、信託業法（平成十六年法律第百五十四号）第三条若しくは第五十三条第一項の免許を受けた信託会社若しくは外国信託会社又は金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。

(16) The term a "trust company, etc." as used in this Act means a trust company or a foreign trust company that has obtained a license referred to in Article 3 or Article 53, paragraph (1) of the Trust Business Act (Act No. 154 of 2004) or a financial institution that has obtained the authorization referred to in Article 1, paragraph (1) of the Act on Concurrent Operation of Trust Business by a Financial Institution (Act No. 43 of 1943).

1 7 この法律において「銀行等」とは、次に掲げる者をいう。

(17) The term "deposit-taking institutions" as used in this Act means any of the following persons:

一 銀行法（昭和五十六年法律第五十九号）第二条第一項に規定する銀行

(i) a bank specified in Article 2, paragraph (1) of the Banking Act (Act No. 59 of 1981);

二 長期信用銀行法（昭和二十七年法律第百八十七号）第二条に規定する長期信用銀行

(ii) a long-term credit bank specified in Article 2 of the Long-Term Credit Bank Act (Act No. 187 of 1952);

三 信用金庫

(iii) a credit union;

四 信用金庫連合会

(iv) a federation of shinkin banks;

五 労働金庫

(v) a labor bank;

六 労働金庫連合会

(vi) a federation of labor banks;

七 信用協同組合

(vii) a credit cooperative;

八 中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会

(viii) a federation of credit cooperatives that engages in the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium Sized Enterprise Cooperatives Act (Act No. 181 of 1949);

九 農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合

(ix) an agricultural cooperative that engages in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947);

十 農業協同組合法第十条第一項第三号の事業を行う農業協同組合連合会

(x) a federation of agricultural cooperatives that engages in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act;

十一 水産業協同組合法（昭和二十三年法律第百四十二号）第十一条第一項第四号の事業を行う漁業協同組合

(xi) a fisheries cooperative that engages in the business referred to in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948);

十二 水産業協同組合法第八十七条第一項第四号の事業を行う漁業協同組合連合会

(xii) a federation of fisheries cooperatives that engages in the business referred to in Article 87, paragraph (1), item (iv) of the Fisheries Cooperatives Act;

十三 水産業協同組合法第九十三条第一項第二号の事業を行う水産加工業協同組合
(xiii) a fishery processing cooperative that engages in the business referred to
in Article 93, paragraph (1), item (ii) of the Fisheries Cooperatives Act;

十四 水産業協同組合法第九十七条第一項第二号の事業を行う水産加工業協同組合連
合会

(xiv) a federation of fishery processing cooperatives that engages in the
business referred to in Article 97, paragraph (1), item (ii) of the Fisheries
Cooperatives Act;

十五 農林中央金庫

(xv) the Norinchukin Bank; and

十六 株式会社商工組合中央金庫

(xvi) the Shoko Chukin Bank Limited.

18 この法律において「破産手続開始の申立て等」とは、破産手続開始の申立て、再
生手続開始の申立て、更生手続開始の申立て、特別清算開始の申立て又は外国倒産処
理手続の承認の申立て（外国の法令上これらに相当する申立てを含む。）をいう。

(18) The term "petition for commencement of bankruptcy proceedings, etc." as
used in this Act means a petition for commencement of bankruptcy proceedings,
rehabilitation proceedings, reorganization proceedings or special liquidation, or
a petition for recognition of foreign insolvency proceedings (including filing of a
petition equivalent thereto under laws and regulations of a foreign state).

19 この法律において「銀行法等」とは、銀行法、長期信用銀行法、信用金庫法（昭
和二十六年法律第二百三十八号）、労働金庫法（昭和二十八年法律第二百二十七号）、
中小企業等協同組合法、協同組合による金融事業に関する法律（昭和二十四年法律第
百八十三号）、農業協同組合法、水産業協同組合法、農林中央金庫法（平成十三年法
律第九十三号）又は株式会社商工組合中央金庫法（平成十九年法律第七十四号）をい
う。

(19) The term "Banking Act, etc." as used in this Act means any of the following:
the Banking Act, the Long-Term Credit Bank Act, the Shinkin Bank Act (Act
No. 238 of 1951), the Labor Bank Act (Act No. 227 of 1953), the Small and
Medium Sized Enterprise Cooperatives Act, the Act on Financial Businesses
by Cooperative (Act No. 183 of 1949), the Agricultural Cooperatives Act, the
Fisheries Cooperatives Act, the Norinchukin Bank Act (Act No. 93 of 2001) and
the Shoko Chukin Bank Limited Act (Act No. 74 of 2007).

第二条の二 金銭債権を有する者（以下この条において「受取人」という。）からの委
託、受取人からの金銭債権の譲受けその他これらに類する方法により、当該金銭債権
に係る債務者又は当該債務者からの委託（二以上の段階にわたる委託を含む。）その
他これに類する方法により支払を行う者から弁済として資金を受け入れ、又は他の者
に受け入れさせ、当該受取人に当該資金を移動させる行為（当該資金を当該受取人に
交付することにより移動させる行為を除く。）であつて、受取人が個人（事業として
又は事業のために受取人となる場合におけるものを除く。）であることその他の内閣

府令で定める要件を満たすものは、為替取引に該当するものとする。

Article 2-2 An act, which is entrusted by a person who has a monetary claim (hereinafter referred to as a "beneficiary" in this Article), acquisition of monetary claim from a beneficiary, or other method similar to these of receiving funds or having another person receive funds as performance from a debtor pertaining to the monetary claim or a person who makes a payment entrusted by that debtor (including those under multi-tier entrustment arrangements) or other method similar to this, thereby having those funds transferred to that beneficiary (excluding an act of transferring those funds by delivering them to that beneficiary), which satisfies the requirements specified by Cabinet Office Order, including that a beneficiary is an individual (excluding an individual in the case where the individual serves as a beneficiary as a business or for the purpose of business), is deemed to fall under the categories of exchange transactions.

第二章 前払式支払手段

Chapter II Prepaid Payment Instruments

第一節 総則

Section 1 General Provisions

(定義)

(Definitions)

第三条 この章において「前払式支払手段」とは、次に掲げるものをいう。

Article 3 (1) The term "prepaid payment instruments" as used in this Chapter means any of the following instruments:

一 証票、電子機器その他の物（以下この章において「証票等」という。）に記載され、又は電磁的方法（電子的方法、磁気的方法その他の人の知覚によって認識することができない方法をいう。以下この項において同じ。）により記録される金額（金額を度その他の単位により換算して表示していると認められる場合の当該単位数を含む。以下この号及び第三項において同じ。）に应ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証票等に記録される金額に应ずる対価を得て当該金額の記録の加算が行われるものを含む。）であって、その発行する者又は当該発行する者が指定する者（次号において「発行者等」という。）から物品を購入し、若しくは借り受け、又は役務の提供を受ける場合に、これらの代価の弁済のために提示、交付、通知その他の方法により使用することができるもの

(i) certificates, electronic devices, or other items (hereinafter referred to as "certificates, etc." in this Chapter) or numbers, markings, or other signs (including additions to the amount recorded in the certificate, etc. by electronic or magnetic means in exchange for the receipt of consideration equivalent to the additional amount recorded) issued in exchange for the

receipt of consideration equivalent to the amount (if the amount is found each time to be converted to and indicated as an amount indicated in another unit, include the number of that unit; the same applies hereinafter in this item and in paragraph (3)) recorded in the certificate, etc. or recorded using electronic or magnetic means (meaning in electronic form, magnetic form, or any other form that is impossible to perceive by the human senses alone; the same applies hereinafter in this paragraph) which can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services from the issuer or the person designated by the issuer (referred to as the "issuer, etc." in the following item) by way of presentation, delivery, notification, or other means;

二 証票等に記載され、又は電磁的方法により記録される物品又は役務の数量に応ずる対価を得て発行される証票等又は番号、記号その他の符号（電磁的方法により証票等に記録される物品又は役務の数量に応ずる対価を得て当該数量の記録の加算が行われるものを含む。）であって、発行者等に対して、提示、交付、通知その他の方法により、当該物品の給付又は当該役務の提供を請求することができるもの

(ii) certificates, etc. or numbers, markings, or other signs issued in exchange for the receipt of consideration equivalent to the quantity of goods or services recorded in the certificate, etc. or recorded using electronic or magnetic means (including additions to the quantity of goods or services recorded in the certificate, etc. by electronic or magnetic means in exchange for the receipt of consideration equivalent to the recorded additional quantity) which can be used for the purpose of claiming the delivery or provision of those goods or services from the issuer, etc. by way of presentation, delivery, notification, or other means.

2 この章において「基準日未使用残高」とは、前払式支払手段を発行する者が毎年三月三十一日及び九月三十日（以下この章において「基準日」という。）までに発行したすべての前払式支払手段の当該基準日における未使用残高（次の各号に掲げる前払式支払手段の区分に応じ当該各号に定める金額をいう。）の合計額として内閣府令で定めるところにより算出した額をいう。

(2) The term "unused balance on the base date" as used in this Chapter means the amount calculated pursuant to the provisions of Cabinet Office Order as the total of the unused balances arising from all the prepaid payment instruments issued by an issuer thereof by March 31 and September 30 (hereinafter referred to as the "base date" in this Chapter) each year and outstanding as of the relevant base date (meaning the amount specified in each of the following items according to the categories of prepaid payment instruments set forth therein):

一 前項第一号の前払式支払手段 当該基準日において代価の弁済に充てることができる金額

(i) prepaid payment instruments specified in item (i) of the preceding

paragraph: The amount that is available for the payment of consideration as of the base date; and

二 前項第二号の前払式支払手段 当該基準日において給付又は提供を請求することができる物品又は役務の数量を内閣府令で定めるところにより金銭に換算した金額

(ii) prepaid payment instruments specified in item (ii) of the preceding paragraph: The monetary amounts obtained by converting the quantity of goods or services into the equivalent amounts that can be claimed as of the base date pursuant to the provisions of Cabinet Office Order.

3 この章において「支払可能金額等」とは、第一項第一号の前払式支払手段にあつてはその発行された時において代価の弁済に充てることのできる金額をいい、同項第二号の前払式支払手段にあつてはその発行された時において給付又は提供を請求することができる物品又は役務の数量をいう。

(3) The term "amount available for payment, etc." as used in this Chapter means the amount that is available for the payment of consideration at the time of issuance of the prepaid payment instruments specified in paragraph (1), item (i) or the quantity of goods or services that can be claimed at the time of issuance of the prepaid payment instruments specified in paragraph (1), item (ii).

4 この章において「自家型前払式支払手段」とは、前払式支払手段を発行する者（当該発行する者と政令で定める密接な関係を有する者（次条第五号及び第三十二条において「密接関係者」という。）を含む。以下この項において同じ。）から物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合に限り、これらの代価の弁済のために使用することができる前払式支払手段又は前払式支払手段を発行する者に対してのみ、物品の給付若しくは役務の提供を請求することができる前払式支払手段をいう。

(4) The term "prepaid payment instruments for their own business" as used in this Chapter means prepaid payment instruments that can be used for the purpose of paying consideration for the purchase or leasing of goods or the receipt of provision of services only from the issuer of prepaid payment instruments (including persons who have a close relationship specified by Cabinet Office Order with the issuer (hereinafter referred to as "closely related persons" in item (v) of the following Article and Article 32); the same applies in this paragraph) or those prepaid payment instruments that can be used for the purpose of claiming the delivery or provision of those goods or services only from the issuer of prepaid payment instruments.

5 この章において「第三者型前払式支払手段」とは、自家型前払式支払手段以外の前払式支払手段をいう。

(5) The term "prepaid payment instruments for third-party business" as used in this Chapter means prepaid payment instruments other than prepaid payment instruments for their own business.

6 この章において「自家型発行者」とは、第五条第一項の届出書を提出した者（第三

十三条第一項の規定による発行の業務の全部の廃止の届出をした者であつて、第二十条第一項の規定による払戻しを完了した者を除く。)をいう。

(6) The term an "issuer of prepaid payment instruments for its own business" as used in this Chapter means a person who has submitted the written notice specified in Article 5, paragraph (1) (excluding those who have submitted a written notice of discontinuation of the entire issuance business pursuant to the provisions of Article 33, paragraph (1) and have completed the refund specified in Article 20, paragraph (1)).

7 この章において「第三者型発行者」とは、第七条の登録を受けた法人をいう。

(7) The term an "issuer of prepaid payment instruments for third-party business" as used in this Chapter means a corporation that has been registered referred to in Article 7.

8 この章において「基準期間」とは、基準日の翌日から次の基準日までの期間をいう。

(8) The term "record period" as used in this Chapter means a period from the day following the base date to the next base date.

(適用除外)

(Exclusion from Application)

第四条 次に掲げる前払式支払手段については、この章の規定は、適用しない。

Article 4 The provisions of this Chapter do not apply to the following prepaid payment instruments:

一 乗車券、入場券その他これらに準ずるものであつて、政令で定めるもの

(i) passenger tickets, admission tickets, and those similar thereto specified by Cabinet Order;

二 発行の日から政令で定める一定の期間内に限り使用できる前払式支払手段

(ii) prepaid payment instruments that can be used only during a certain period from the date of issuance specified by Cabinet Order;

三 国又は地方公共団体（次号において「国等」という。）が発行する前払式支払手段

(iii) prepaid payment instruments issued by the State or local governments (hereinafter referred to as the "State, etc." in the following item);

四 法律により直接に設立された法人、特別の法律により特別の設立行為をもって設立された法人又は特別の法律により地方公共団体が設立者となって設立された法人であつて、その資本金又は出資の額の全部が国等からの出資によるものその他の国等に準ずるものとして政令で定める法人が発行する前払式支払手段

(iv) prepaid payment instruments issued by corporations specified by Cabinet Order as being equivalent to the State, etc., including corporations that have been established directly pursuant to the Act, corporations established by a special act of incorporation pursuant to the special Act, or corporations established by a local government pursuant to the special Act that are wholly owned by the State, etc.;

五 専ら発行する者（密接関係者を含む。）の従業員に対して発行される自家型前払式支払手段（専ら当該従業員が使用することとされているものに限る。）その他これに類するものとして政令で定める前払式支払手段

(v) prepaid payment instruments for their own business issued only to the employees of the issuer (including closely related persons) (limited to those to be used only by those employees) and other prepaid payment instruments specified by Cabinet Order as being similar thereto;

六 割賦販売法（昭和三十六年法律第百五十九号）その他の法律の規定に基づき前受金の保全のための措置が講じられている取引に係る前払式支払手段として政令で定めるもの

(vi) prepaid payment instruments specified by Cabinet Order as those pertaining to transactions that are subject to measures to protect advances pursuant to the provisions of the Installment Sales Act (Act No. 159 of 1961) and other Acts; and

七 その利用者のために商行為となる取引においてのみ使用することとされている前払式支払手段

(vii) prepaid payment instruments that are intended to be used only in a transaction that constitutes a commercial transaction for the users of prepaid payment instruments.

第二節 自家型発行者

Section 2 Issuer of Prepaid Payment Instruments for Its Own Business

（自家型発行者の届出）

(Notification of Issuer of Prepaid Payment Instruments for Its Own Business)

第五条 前払式支払手段を発行する法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。）又は個人のうち、自家型前払式支払手段のみを発行する者は、基準日においてその自家型前払式支払手段の基準日未使用残高がその発行を開始してから最初に基準額（第十四条第一項に規定する基準額をいう。）を超えることとなったときは、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。自家型前払式支払手段の発行の業務の全部を廃止した後再びその発行を開始したときも、同様とする。

Article 5 (1) A corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated) or an individual who issues prepaid payment instruments which are all prepaid payment instruments for their own business must, pursuant to the provisions of Cabinet Office Order, submit a written notice containing the following particulars to the prime minister when the unused balance on the base date of its prepaid payment instruments for their own business as of the base date has exceeded the standard amount (meaning the standard amount specified in Article 14, paragraph (1)) for the first time since

the corporation commenced to issue prepaid payment instruments for their own business. The same applies to cases in which the corporation restarted to issue prepaid payment instruments for their own business after discontinuing the whole of the business of issuing prepaid payment instruments for their own business:

一 氏名、商号又は名称及び住所

(i) name, trade name or other name and address;

二 法人にあっては、資本金又は出資の額

(ii) in cases of a corporation, the amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) name and location of the business office or office for the business of issuing prepaid payment instruments;

四 法人（人格のない社団又は財団であって代表者又は管理人の定めのあるものを含む。）にあっては、その代表者又は管理人の氏名

(iv) in cases of a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated), name of the representative person or administrator;

五 当該基準日における基準日未使用残高

(v) unused balance on the base date as of the relevant base date;

六 前払式支払手段の種類、名称及び支払可能金額等

(vi) the type, the name, and the amount available for payment, etc. of the prepaid payment instruments;

七 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(vii) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods or the receipt of services being provided or for the purpose of claiming the delivery or provision of the goods or services, or the expiry date is set for the prepaid payment instruments, the period of time or due date;

八 前払式支払手段の発行の業務の内容及び方法

(viii) content and means of the business of issuing prepaid payment instruments;

九 前払式支払手段の発行の業務の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(ix) if a part of the business of issuing prepaid payment instruments is entrusted to a third party, the details of the business pertaining to the entrustment, the name or trade name or other name and address of the third party to whom the business of issuing prepaid payment instruments is entrusted;

十 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業

所又は事務所の所在地及び連絡先

(x) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment instruments or provide consultations for the users; and

十一 その他内閣府令で定める事項

(xi) other particulars specified by Cabinet Office Order.

2 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) Documents concerning finance and other documents specified by Cabinet Office Order must be attached to the written notice referred to in the preceding paragraph.

3 自家型発行者は、第一項各号（第五号を除く。）に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(3) When any of the particulars set forth in the items of paragraph (1) (excluding item (v)) are changed, the issuer of prepaid payment instruments for its own business must notify the prime minister to that effect without delay.

（自家型発行者名簿）

(Register of Issuers of Prepaid Payment Instruments for Its Own Business)

第六条 内閣総理大臣は、自家型発行者について、自家型発行者名簿を作成し、これを公衆の縦覧に供しなければならない。

Article 6 The prime minister must create a register of issuers of prepaid payment instruments for its own business and make it available for public inspection.

第三節 第三者型発行者

Section 3 Issuer of Prepaid Payment Instruments for Third-Party Business

（第三者型発行者の登録）

(Registration of Issuer of Prepaid Payment Instruments for Third-Party Business)

第七条 第三者型前払式支払手段の発行の業務は、内閣総理大臣の登録を受けた法人でなければ、行ってはならない。

Article 7 No person may engage in the business of issuing prepaid payment instruments for third-party business unless the person is a corporation who has been registered by the prime minister.

（登録の申請）

(Application for Registration)

第八条 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げ

る事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 8 (1) A person who intends to obtain registration referred to in the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the prime minister:

一 商号又は名称及び住所

(i) trade name or other name, and address;

二 資本金又は出資の額

(ii) the amount of capital or contribution;

三 前払式支払手段の発行の業務に係る営業所又は事務所の名称及び所在地

(iii) name and location of the business office or office pertaining to the business of issuing prepaid payment instruments;

四 役員の名又は名称

(iv) names of officers;

五 前払式支払手段の種類、名称及び支払可能金額等

(v) the type, the name, and the amount available for payment, etc. of the prepaid payment instruments;

六 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(vi) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods or the receipt of the service being provided or for the purpose of claiming the delivery or provision of those goods or services, or the expiry date is set for the prepaid payment instruments, the period of time or due date;

七 前払式支払手段の発行の業務の内容及び方法

(vii) the details and means of the business of issuing prepaid payment instruments;

八 前払式支払手段の発行の業務の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容及びその委託先の氏名又は商号若しくは名称及び住所

(viii) if a part of the business of issuing prepaid payment instruments is entrusted to a third party, the details of the business pertaining to the entrustment, the name or trade name or other name and address of the third party to whom the business of issuing prepaid payment instruments is entrusted;

九 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(ix) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment instruments or provide consultations for the users; and

十 その他内閣府令で定める事項

(x) other particulars specified by Cabinet Office Order.

2 前項の登録申請書には、第十条第一項各号に該当しないことを誓約する書面、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) A document in which the applicant pledges not to fall under any of the items of Article 10, paragraph (1), documents concerning finance, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(第三者型発行者登録簿)

(Register of Issuers of Prepaid Payment Instruments for Third-Party Business)

第九条 内閣総理大臣は、第七条の登録の申請があつたときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を第三者型発行者登録簿に登録しなければならない。

Article 9 (1) The prime minister must, when an application for registration referred to in Article 7 is filed, register the following particulars to the register of issuers of prepaid payment instruments for third-party business, except when the minister refuses the registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) If the prime minister registers the particulars under the provisions of the preceding paragraph, the minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、第三者型発行者登録簿を公衆の縦覧に供しなければならない。

(3) The prime minister must make the register of issuers of prepaid payment instruments for third-party business available for public inspection.

(登録の拒否)

(Refusal of Registration)

第十条 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 10 (1) The prime minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain a false statement about important particulars, or lack a statement about important particulars:

一 法人でないもの（外国の法令に準拠して設立された法人で国内に営業所又は事務

- 所を有しないものを含む。)
- (i) a person other than a corporation (including a corporation established under the laws and regulations of a foreign state who does not have a business office or office in Japan);
- 二 次のいずれにも該当しない法人
- (ii) a corporation that does not fall under any of the following items:
- イ 純資産額が、発行する前払式支払手段の利用が可能な地域の範囲その他の事情に照らして政令で定める金額以上である法人
- (a) a corporation whose amount of net assets exceeds the amount of money specified by Cabinet Order in light of the geographical scope within which the prepaid payment instruments issued by the corporation can be used and other circumstances; or
- ロ 営利を目的としない法人で政令で定めるもの
- (b) a not-for-profit corporation specified by Cabinet Order;
- 三 前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品又は提供を受けることができる役務が、公の秩序又は善良の風俗を害し、又は害するおそれがあるものでないことを確保するために必要な措置を講じていない法人
- (iii) a corporation which has not taken necessary measures for ensuring that goods or services that one can purchase or rent, or which one can receive the delivery or provision of by using prepaid payment instruments do not cause harm to or are not likely to cause harm to public order or morals;
- 四 加盟店（前払式支払手段により購入若しくは借受けを行い、若しくは給付を受けることができる物品の販売者若しくは貸出人又は提供を受けることができる役務の提供者をいう。第三十二条において同じ。）に対する支払を適切に行うために必要な体制の整備が行われていない法人
- (iv) a corporation which has not established a system that is necessary for making payments to member shops (meaning a seller or lender of goods that one can purchase or rent or of which one can receive the delivery of by using prepaid payment instruments or a provider of services of which one can receive the provision of by using prepaid payment instruments; the same applies in Article 32) appropriately;
- 五 この章の規定を遵守するために必要な体制の整備が行われていない法人
- (v) a corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;
- 六 他の第三者型発行者が現に用いている商号若しくは名称と同一の商号若しくは名称又は他の第三者型発行者と誤認されるおそれのある商号若しくは名称を用いようとする法人
- (vi) a corporation which intends to use a trade name or other name that is identical to the one currently being used by another issuer of prepaid payment instruments for third-party business or that may be misidentified

as another issuer of prepaid payment instruments for third-party business;

七 第二十七条第一項若しくは第二項の規定により第七条の登録を取り消され、又はこの法律（この章の規定及び当該規定に係る第八章の規定に限る。以下この項において同じ。）に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。第九号ホにおいて同じ。）を取り消され、その取消しの日から三年を経過しない法人

(vii) a corporation whose registration referred to in Article 7 has been revoked pursuant to the provisions of Article 27, paragraph (1) or (2), or had its registration of the same type in a foreign state (including permission or other administrative dispositions similar to the registration; the same applies in item (ix), (e)) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act (limited to the provisions of this Chapter and the provisions of Chapter VIII that are related thereto; hereinafter the same applies in this paragraph), and for which three years have not passed from the date of revocation;

八 この法律又はこの法律に相当する外国の法令の規定により罰金の刑（これに相当する外国の法令による刑を含む。次号ニにおいて同じ。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない法人

(viii) a corporation which has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this; the same applies in (d) of the following item) pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for which three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

九 役員のうち次のいずれかに該当する者のある法人

(ix) a corporation whose officers include a person who falls under any of the following items:

イ 心身の故障のため前払式支払手段の発行の業務に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to the business of issuing prepaid payment instruments due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including an equivalent punishment pursuant to laws and regulations of a foreign state), and for whom three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律又はこの法律に相当する外国の法令の規定により罰金の刑に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から三年を経過しない者

(d) a person who has been punished by a fine pursuant to the provisions of this Act or laws and regulations of a foreign state equivalent to this Act, and for whom three years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 第三者型発行者が第二十七条第一項若しくは第二項の規定により第七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録を取り消された場合において、その取消しの日前三十日以内にその法人の役員であった者で、当該取消しの日から三年を経過しない者その他これに準ずるものとして政令で定める者

(e) if an issuer of prepaid payment instruments for third-party business had its registration referred to in Article 7 revoked pursuant to the provisions of Article 27, paragraph (1) or (2), or a corporation had its registration of the same type in a foreign state revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was an officer of the corporation at any time during the thirty days prior to the revocation date and for whom three years have not passed from that date or a person specified by Cabinet Order as a person similar thereto.

2 内閣総理大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) If the prime minister refuses the registration pursuant to the provisions of the preceding paragraph, the minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第十一条 第三者型発行者は、第八条第一項各号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 11 (1) If any of the particulars set forth in the items of Article 8, paragraph (1) are changed, the issuer of prepaid payment instruments for third-party business must notify the prime minister to that effect without delay.

2 内閣総理大臣は、前項の規定による届出を受理したときは、届出があった事項を第

三者型発行者登録簿に登録しなければならない。

(2) If the prime minister accepts a notification referred to in the preceding paragraph, the minister must register the informed particulars in the register of issuers of prepaid payment instruments for third-party business.

(名義貸しの禁止)

(Prohibition of Name Lending)

第十二条 第三者型発行者は、自己の名義をもって、他人に第三者型前払式支払手段の発行の業務を行わせてはならない。

Article 12 An issuer of prepaid payment instruments for third-party business must not have another person conduct the business of issuing prepaid payment instruments for third-party business in the name of the issuer of prepaid payment instruments for third-party business.

第四節 業務

Section 4 Business

(利用者の保護等に関する措置)

(Measures for Protecting Users)

第十三条 前払式支払手段発行者は、前払式支払手段を発行する場合には、内閣府令で定めるところにより、次に掲げる事項に関する情報を利用者に提供しなければならない。

Article 13 (1) When issuing prepaid payment instruments, an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, provide users with information on the following particulars:

一 氏名、商号又は名称

(i) name, trade name or other name;

二 前払式支払手段の支払可能金額等

(ii) amount available for payment, etc. of the prepaid payment instruments;

三 物品の購入若しくは借受けを行い、若しくは役務の提供を受ける場合にこれらの代価の弁済のために使用し、又は物品の給付若しくは役務の提供を請求することができる期間又は期限が設けられているときは、当該期間又は期限

(iii) if a specified period of time which is available for the purpose of paying consideration for the purchase or renting of goods or the receipt of services being provided or for the purpose of claiming the delivery or provision of those goods or services, or the due date is set for the prepaid payment instruments, the period of time or due date;

四 前払式支払手段の発行及び利用に関する利用者からの苦情又は相談に応ずる営業所又は事務所の所在地及び連絡先

(iv) location and contact address of the business office or office that handles complaints from the users about the issuance and use of prepaid payment

instruments or provide consultations for the users; and

五 その他内閣府令で定める事項

(v) other particulars specified by Cabinet Office Order.

2 前払式支払手段発行者が加入する認定資金決済事業者協会が当該前払式支払手段発行者に係る前項第四号に掲げる事項を前払式支払手段の利用者に周知する場合その他の内閣府令で定める場合には、当該前払式支払手段発行者は、同項の規定にかかわらず、当該事項について同項の規定による情報の提供をすることを要しない。

(2) Notwithstanding the provisions of the preceding paragraph, if the association for certified payment service providers of which the issuer of prepaid payment instruments is a member makes public to the users of prepaid payment instruments the particulars listed in item (iv) of the preceding paragraph pertaining to the issuer of prepaid payment instruments or in other cases specified by Cabinet Office Order, the issuer of prepaid payment instruments is not required to provide information as prescribed in that paragraph with regard to those particulars.

3 前払式支払手段発行者は、第一項に規定するもののほか、内閣府令で定めるところにより、前払式支払手段の利用者の保護を図り、及び前払式支払手段の発行の業務の健全かつ適切な運営を確保するために必要な措置を講じなければならない。

(3) Beyond what is provided for in paragraph (1), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, take necessary measures for protecting the users of prepaid payment instruments and ensuring sound and appropriate management of business of issuing prepaid payment instruments.

(発行保証金の供託)

(Making Security Deposits for Issuance)

第十四条 前払式支払手段発行者は、基準日未使用残高が政令で定める額（以下この章において「基準額」という。）を超えるときは、当該基準日未使用残高の二分の一の額（以下この章において「要供託額」という。）以上の額に相当する額の発行保証金を、内閣府令で定めるところにより、主たる営業所又は事務所の最寄りの供託所に供託しなければならない。

Article 14 (1) If the unused balance on the base date exceeds the amount specified by Cabinet Order (hereinafter referred to as the "standard amount" in this Chapter), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, make security deposits for issuance to the official depository nearest to its principal business office or office in an amount equivalent to not less than half the amount of the unused balance on the base date (hereinafter referred to as the "amount required for deposit" in this Chapter).

2 前払式支払手段発行者は、第三十一条第一項の権利の実行の終了その他の事実の発生により、発行保証金の額（次条に規定する保全金額及び第十六条第一項に規

定する信託財産の額の合計額を含む。第十八条第二号及び第二十三条第一項第三号において同じ。)がその事実が発生した日の直前の基準日における要供託額(第二十条第一項の規定による払戻しの手続又は第三十一条第一項の権利の実行の手続が終了した日の直前の基準日にあつては、これらの手続に係る前払式支払手段がないものとみなして内閣府令で定める方法により計算された額)に不足することとなったときは、内閣府令で定めるところにより、その不足額について供託を行い、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

- (2) If, due to completion of the procedure for the fulfillment of the right prescribed in Article 31, paragraph (1) or the occurrence of other facts, the amount of security deposits for issuance (including the total amount of the secured amount prescribed in the following Article and the amount of trust property prescribed in Article 16, paragraph (1); the same applies in Article 18, item (ii) and Article 23, paragraph (1), item (iii)) is less than the amount required for deposit as of the base date immediately preceding the day on which those issues occurred (or the amount calculated as if the Prepaid Payment Instruments pertaining to those procedures did not exist in accordance with the method specified by Cabinet Office Order as of the base date immediately preceding the day on which the refund procedure prescribed in Article 20, paragraph (1) or the procedure for the fulfillment of the right prescribed in Article 31, paragraph (1) was completed), an issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, deposit the shortage and notify the prime minister to that effect without delay.
- 3 発行保証金は、国債証券、地方債証券その他の内閣府令で定める債券(社債、株式等の振替に関する法律(平成十三年法律第七十五号)第二百七十八条第一項に規定する振替債を含む。第十六条第三項において同じ。)をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。
- (3) Security deposits for issuance may be paid in national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order (including book-entry transfer bonds specified in Article 278, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001); the same applies in Article 16, paragraph (3)). In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

(発行保証金保全契約)

(Guarantee Contracts for Security Deposits for Issuance)

第十五条 前払式支払手段発行者は、政令で定めるところにより、発行保証金保全契約(政令で定める要件を満たす銀行等その他政令で定める者が前払式支払手段発行者のために内閣総理大臣の命令に応じて発行保証金を供託する旨の契約をいう。以下この章において同じ。)を締結し、その旨を内閣総理大臣に届け出たときは、当該発行保証金保全契約の効力の存する間、保全金額(当該発行保証金保全契約において供託さ

れることとなっている金額をいう。第十七条において同じ。)につき、発行保証金の全部又は一部の供託をしないことができる。

Article 15 If an issuer of prepaid payment instruments has concluded a guarantee contract for security deposits for issuance (meaning a contract in which a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that security deposits for issuance will be made on behalf of the issuer of prepaid payment instruments in response to an order by the prime minister; the same applies in this Chapter) and has notified the minister to that effect, pursuant to the provisions of Cabinet Order, it may choose not to deposit all or part of the security deposits for issuance with regard to the secured amount (meaning the amount of money to be deposited under the guarantee contract for security deposits for issuance; the same applies in Article 17) limited to the period during which the contract remains in force.

(発行保証金信託契約)

(Trust Agreements for Security Deposits for Issuance)

第十六条 前払式支払手段発行者は、信託会社等との間で、発行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を発行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該発行保証金信託契約に基づき信託財産が信託されている間、当該信託財産の額につき、発行保証金の全部又は一部の供託をしないことができる。

Article 16 (1) If an issuer of prepaid payment instruments concludes a trust agreement of security deposits for issuance with a trust company, etc. (meaning a trust agreement whose purpose is to apply the trust property to assign security deposits for issuance in response to an order by the prime minister and the provisions which prescribe that the trust company, etc. is to carry out necessary acts including the management of the trust property for the achievement of the purpose; the same applies hereinafter in this Chapter) and notifies the minister to that effect, it may choose not to deposit all or part of the security deposits for issuance with regard to the amount of the trust property, for the period during which the trust property is entrusted based on the trust agreement for security deposits for issuance.

2 発行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust agreement for security deposits for issuance must prescribe the following particulars:

一 発行保証金信託契約を締結する前払式支払手段発行者が発行する前払式支払手段の保有者を受益者とする事。

(i) the beneficiaries of the trust agreement for security deposits for issuance

must be the holders of prepaid payment instruments issued by the issuer of prepaid payment instruments who is the party to the trust agreement for security deposits for issuance;

二 受益者代理人を置いていること。

(ii) an agent of the beneficiaries must be appointed;

三 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(iii) a trust company, etc. must realize the trust property and deposit the proceeds thereof in response to an order by the prime minister; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

3 発行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金（内閣府令で定めるものに限る。）又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The types of trust properties to be entrusted pursuant to a trust agreement for security deposits for issuance are limited to money, bank deposits and savings (limited to those specified by Cabinet Office Order), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（供託命令）

(Deposit Orders)

第十七条 内閣総理大臣は、前払式支払手段の利用者の利益の保護のために必要があると認めるときは、発行保証金保全契約若しくは発行保証金信託契約を締結した前払式支払手段発行者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 17 If the prime minister finds it necessary for the protection of the interests of users of prepaid payment instruments, the minister may order an issuer of prepaid payment instruments who has concluded a guarantee contract for security deposits for issuance or a trust agreement for security deposits for issuance or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from the trust property that have been realized.

（発行保証金の取戻し等）

(Recovery of Security Deposits for Issuance)

第十八条 発行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 18 All or part of the security deposits for issuance may be recovered,

pursuant to the provisions of Cabinet Order, if the user falls under any of the following items:

一 基準日未使用残高が基準額以下であるとき。

(i) if the unused balance on the base date is not more than the standard amount;

二 発行保証金の額が要供託額を超えるとき。

(ii) if the amount of the security deposits for issuance exceeds the amount required for deposit;

三 第三十一条第一項の権利の実行の手續が終了したとき。

(iii) if the procedure for the fulfillment of the right referred to in Article 31, paragraph (1) has been completed; and

四 前三号に掲げるもののほか、前払式支払手段の利用者の利益の保護に支障がない場合として政令で定める場合

(iv) beyond what is set forth in the preceding three items, the cases specified by Cabinet Order, as the cases in which the interests of users of prepaid payment instruments are adequately protected.

(発行保証金の保管替えその他の手續)

(Change of Official Depository for Security Deposits for Issuance and Other Procedures)

第十九条 この節に規定するもののほか、前払式支払手段発行者の主たる営業所又は事務所の所在地の変更に伴う発行保証金の保管替えその他発行保証金の供託に関し必要な事項は、内閣府令・法務省令で定める。

Article 19 Beyond what is provided for in this Section, a change of the official depository for security deposits for issuance due to a change in the location of the principal business office or office of an issuer of prepaid payment instruments and other particulars necessary for the making of security deposits for issuance is prescribed by Cabinet Office Order and Ministry of Justice Order.

(保有者に対する前払式支払手段の払戻し)

(Refunding Prepaid Payment Instruments to Holders' Accounts)

第二十条 前払式支払手段発行者は、次の各号のいずれかに該当するときは、前払式支払手段の保有者に、当該前払式支払手段の残高として内閣府令で定める額を払い戻さなければならない。

Article 20 (1) If an issuer of prepaid payment instruments falls under any of the following items, the issuer must refund the outstanding balance of those prepaid payment instruments specified by Cabinet Office Order to the holder's account:

一 前払式支払手段の発行の業務の全部又は一部を廃止した場合（相続又は事業譲渡、合併若しくは会社分割その他の事由により当該業務の承継が行われた場合を除

く。)

(i) if the issuer of prepaid payment instruments discontinues all or part of the business of issuing prepaid payment instruments (excluding cases where the business has been handed over to the successor due to inheritance, transfer of business, a merger or company split, or for other reasons);

二 当該前払式支払手段発行者が第三者型発行者である場合において、第二十七条第一項又は第二項の規定により第七条の登録を取り消されたとき。

(ii) if the issuer of prepaid payment instruments is the issuer of prepaid payment instruments for third-party business, when it has had its registration referred to in Article 7 revoked pursuant to the provisions of Article 27, paragraph (1) or (2); or

三 その他内閣府令で定める場合

(iii) other cases specified by Cabinet Office Order.

2 前払式支払手段発行者は、前項の規定により払戻しをしようとする場合には、内閣府令で定めるところにより、次に掲げる事項を公告するとともに、当該事項に関する情報を当該払戻しに係る前払式支払手段の保有者に提供しなければならない。

(2) If an issuer of prepaid payment instruments intends to refund the amount pursuant to the provisions of the preceding paragraph, the issuer must give public notice of the following particulars and provide the information concerning those particulars to the holders of the prepaid payment instruments subject to the refund, pursuant to the provisions of Cabinet Office Order:

一 当該払戻しをする旨

(i) a statement to the effect that the amount will be refunded;

二 当該払戻しに係る前払式支払手段の保有者は、六十日を下らない一定の期間内に債権の申出をすべきこと。

(ii) a statement to the effect that the holders of the prepaid payment instruments subject to the refund must file a request for claims within a certain period of not less than sixty days;

三 前号の期間内に債権の申出をしない前払式支払手段の保有者は、当該払戻しの手続から除斥されるべきこと。

(iii) a statement to the effect that the holders of the prepaid payment instruments who fail to file a request for claims within the period referred to in the preceding item must be excluded from the procedure for the refund;

and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

3 会社法（平成十七年法律第八十六号）第九百四十条第一項（第三号に係る部分に限る。）及び第三項の規定は、前払式支払手段発行者（会社に限る。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により前項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (iii)) and Article 940, paragraph (3) of the Companies Act (Act No. 86 of 2005) apply mutatis mutandis to cases where an issuer of prepaid payment instruments (limited to companies) gives public notice under the preceding paragraph by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.

4 会社法第九百四十条第一項（第三号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、前払式支払手段発行者（外国会社に限る。）が電子公告により第二項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (iii)) and Article 940, paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where an issuer of prepaid payment instruments (limited to foreign companies) gives public notice under paragraph (2) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

5 前払式支払手段発行者は、第一項各号に掲げる場合を除き、その発行する前払式支払手段について、保有者に払戻しをしてはならない。ただし、払戻金額が少額である場合その他の前払式支払手段の発行の業務の健全な運営に支障が生ずるおそれがない場合として内閣府令で定める場合は、この限りでない。

(5) An issuer of prepaid payment instruments must not refund any amount with regard to the prepaid payment instruments that it issues to the holders thereof except in cases set forth in the items of paragraph (1); provided, however, that this does not apply to cases where the amount to be refunded is small or other cases where the sound management of the business of issuing prepaid payment instruments is not hindered, as specified by Cabinet Office Order.

(情報の安全管理)

(Management of Information Security)

第二十一条 前払式支払手段発行者は、内閣府令で定めるところにより、その発行の業務に係る情報の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 21 An issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, take measures necessary for preventing leakage, loss, or damage to information pertaining to the business of issuing prepaid payment instruments and other measures for ensuring security management of the relevant information.

(委託先に対する指導)

(Management of Entrusted Parties)

第二十一条の二 前払式支払手段発行者は、前払式支払手段の発行の業務の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 21-2 If an issuer of prepaid payment instruments entrusts (including those under multi-tier entrustment arrangements) part of the business of issuing prepaid payment instruments to a third party, the issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the proper and steady operation of the business.

(苦情処理に関する措置)

(Complaint Processing Measures)

第二十一条の三 前払式支払手段発行者は、前払式支払手段の発行及び利用に関する利用者からの苦情の適切かつ迅速な処理のために必要な措置を講じなければならない。

Article 21-3 An issuer of prepaid payment instruments must take measures necessary to appropriately and promptly process complaints from the users about the issuance and use of prepaid payment instruments in an appropriate and prompt manner.

第五節 監督

Section 5 Supervision

(帳簿書類)

(Books and Documents)

第二十二条 前払式支払手段発行者は、内閣府令で定めるところにより、その前払式支払手段の発行の業務に関する帳簿書類を作成し、これを保存しなければならない。

Article 22 An issuer of prepaid payment instruments must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books of accounts and documents on its business of issuing prepaid payment instruments.

(報告書)

(Written Reports)

第二十三条 前払式支払手段発行者は、基準日ごとに、内閣府令で定めるところにより、次に掲げる事項を記載した前払式支払手段の発行の業務に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 23 (1) An issuer of prepaid payment instruments must, pursuant to the

provisions of Cabinet Office Order, prepare a written report on the business of issuing prepaid payment instruments containing the following particulars as of the each base date, and submit it to the prime minister:

一 当該基準日を含む基準期間において発行した前払式支払手段の発行額

(i) the amount of prepaid payment instruments issued during the record period including the relevant base date;

二 当該基準日における前払式支払手段の基準日未使用残高

(ii) the unused balance on the base date of prepaid payment instruments as of the relevant base date;

三 当該基準日未使用残高に係る発行保証金の額

(iii) the amount of the security deposits for issuance pertaining to the unused balance on the base date; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

2 前項の報告書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(2) Documents concerning finance and other documents specified by Cabinet Office Order must be attached to the written report referred to in the preceding paragraph.

3 自家型発行者については、基準日未使用残高が基準額以下となった基準日の翌日から当該基準日以後の基準日であって再び基準日未使用残高が基準額を超えることとなった基準日の前日までの間の基準日については、第一項の規定は、適用しない。

(3) In the case of issuers of prepaid payment instruments for its own business, the provisions of paragraph (1) do not apply to Base Dates falling within a period from the day immediately following the Base Date on which the Unused Base Date Balance decreased to the standard amount to the day immediately preceding the subsequent Base Date on which the Unused Base Date Balance again exceeded the Standard Amount.

(立入検査等)

(On-Site Inspections)

第二十四条 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するために必要があると認めるときは、当該前払式支払手段発行者に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者の営業所、事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 24 (1) If the prime minister finds it necessary for ensuring sound and appropriate management of the business of issuing prepaid payment instruments of an issuer of prepaid payment instruments, the minister may order the issuer of prepaid payment instruments to submit reports or materials

that can be used as reference for its business or property, or have officials enter the business office, office or other establishment of that issuer of prepaid payment instruments, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、前払式支払手段発行者の発行の業務の健全かつ適切な運営を確保するため特に必要があると認めるときは、その必要の限度において、当該前払式支払手段発行者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条及び第三十二条において同じ。）に対し当該前払式支払手段発行者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該前払式支払手段発行者から業務の委託を受けた者の施設に立ち入らせ、当該前払式支払手段発行者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the prime minister finds it particularly necessary for ensuring sound and appropriate management of the business of issuing prepaid payment instruments of an issuer of prepaid payment instruments, the minister may order a person to whom business has been entrusted by the issuer of prepaid payment instruments (including persons to whom the business has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article and Article 32) to submit reports or materials that can be used as reference for the business or property of the issuer of prepaid payment instruments, or have officials enter the business office, office or other establishment of a person to whom business has been entrusted by the issuer of prepaid payment instruments, ask questions about the status of its business or property of the issuer of prepaid payment instruments or inspect its books and documents or other items, to the extent necessary for the minister.

3 前項の前払式支払手段発行者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by an issuer of prepaid payment instruments referred to in the preceding paragraph may, if there are reasonable grounds, refuse to submit reports or materials, or to respond to the inquiry or the inspection under the provisions of that paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第二十五条 内閣総理大臣は、前払式支払手段発行者の前払式支払手段の発行の業務の健全かつ適切な運営を確保するために必要があると認めるときは、その必要の限度において、当該前払式支払手段発行者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 25 If the prime minister finds it necessary for ensuring the sound and

appropriate management of the business of issuing repaid payment instruments of an issuer of prepaid payment instruments, the minister may order that an issuer of prepaid payment instruments to take measures necessary to improve the operation of its business or its financial status or other measures necessary for the supervision, to the extent necessary for the minister.

(自家型発行者に対する業務停止命令)

(Order to Suspend Business Given to Issuers of Prepaid Payment Instruments for Its Own Business)

第二十六条 内閣総理大臣は、自家型発行者が次の各号のいずれかに該当するときは、六月以内の期間を定めてその発行の業務の全部又は一部の停止を命ずることができる。

Article 26 If an issuer of prepaid payment instruments for its own business falls under any of the following items, the prime minister may order the issuer of prepaid payment instruments for their own business to suspend all or part of its business of issuing prepaid payment instruments, by setting a period for suspension not exceeding six months:

一 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(i) the issuer of prepaid payment instruments for their own business violates this Act or an order under this Act, or a disposition based this Act or an order; or

二 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるおそれがある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

(ii) if the right specified in Article 31, paragraph (1) pertaining to the prepaid payment instruments issued by the issuer of prepaid payment instruments for their own business is likely to be fulfilled, when the prime minister finds it necessary to prevent the spread of damage to the users of those prepaid payment instruments.

(第三者型発行者に対する登録の取消し等)

(Revocation of Registration of Issuers of Prepaid Payment Instruments for Third-Party Business)

第二十七条 内閣総理大臣は、第三者型発行者が次の各号のいずれかに該当するときは、第七条の登録を取り消し、又は六月以内の期間を定めてその第三者型前払式支払手段の発行の業務の全部若しくは一部の停止を命ずることができる。

Article 27 (1) If an issuer of prepaid payment instruments for third-party business falls under any of the following items, the prime minister may revoke its registration referred to in Article 7 or order the issuer of prepaid payment instruments for third-party business to suspend all or part of its business of issuing prepaid payment instruments for third-party business, by setting a

period for suspension not exceeding six months:

一 第十条第一項各号に該当することとなったとき。

(i) the issuer of prepaid payment instruments for third-party business falls under any of the items of Article 10, paragraph (1);

二 不正の手段により第七条の登録を受けたとき。

(ii) the issuer of prepaid payment instruments for third-party business is registered referred to in Article 7 through wrongful means;

三 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) the issuer of prepaid payment instruments for third-party business violates this Act or an order under this Act, or a disposition based on this Act or an order; or

四 その発行する前払式支払手段に係る第三十一条第一項の権利の実行が行われるおそれがある場合において、当該前払式支払手段の利用者の被害の拡大を防止することが必要であると認められるとき。

(iv) if the right specified in Article 31, paragraph (1) pertaining to the prepaid payment instruments issued by the third-party issuer is likely to be fulfilled, when the prime minister finds it necessary to prevent the spread of damage to the users of those prepaid payment instruments.

2 内閣総理大臣は、第三者型発行者の営業所若しくは事務所の所在地を確認できないとき、又は第三者型発行者を代表する役員の所在を確認できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該第三者型発行者から申出がないときは、当該第三者型発行者の第七条の登録を取り消すことができる。

(2) If the prime minister is not able to confirm the locations of business offices or offices of an issuer of prepaid payment instruments for third-party business or the whereabouts of the officer representing the issuer of prepaid payment instruments for third-party, the minister may give a public notice to that effect pursuant to the provisions of Cabinet Office Order and may revoke the registration of the issuer of prepaid payment instruments for third-party business referred to in Article 7 if it fails to report within thirty days from the issuance date of the public notice.

3 前項の規定による処分については、行政手続法（平成五年法律第八十八号）第三章の規定は、適用しない。

(3) The provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a disposition referred to in the preceding paragraph.

（登録の抹消）

(Deletion of Registration)

第二十八条 内閣総理大臣は、前条第一項若しくは第二項の規定により第七条の登録を取り消したとき、又は第三十三条第二項の規定により第七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 28 If the prime minister has revoked the registration referred to in Article 7 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 7 has ceased to be effective pursuant to the provisions of Article 33, paragraph (2), the minister must delete that registration.

(監督処分 of 公告)

(Public Notice of Supervisory Dispositions)

第二十九条 内閣総理大臣は、第二十六条又は第二十七条第一項若しくは第二項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 29 If the prime minister implements a disposition pursuant to the provisions of Article 26, or Article 27, paragraph (1) or (2), the minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

第六節 雑則

Section 6 Miscellaneous Provisions

(基準日に係る特例)

(Special Provisions for Base Date)

第二十九条の二 前払式支払手段発行者が、内閣府令で定めるところにより、この項の規定の適用を受けようとする旨その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出した場合には、当該届出書を提出した日後における当該前払式支払手段発行者についての第三条第二項の規定の適用については、同項中「及び九月三十日」とあるのは、「、六月三十日、九月三十日及び十二月三十一日」として、この章の規定を適用する。この場合において、必要な技術的読替えは、政令で定める。

Article 29-2 (1) If an issuer of prepaid payment instruments, pursuant to the provisions of Cabinet Office Order, submits a written notice containing a statement that the issuer seeks the application of the provisions of this paragraph to the issuer and other particulars specified by Cabinet Office Order to the prime minister, with regard to the application of the provisions of Article 3, paragraph (2) to the issuer of prepaid payment instruments after the submission date of the written notice, the provisions of this Chapter are applied to the person by replacing the phrase "and September 30" in Article 3, paragraph (2) with ", June 30, September 30, and December 31". In this case, any necessary technical replacement of terms is specified by Cabinet Order.

2 前項の規定の適用を受けている前払式支払手段発行者が、内閣府令で定めるところにより、同項の規定の適用を受けることをやめようとする旨その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出した場合には、当該前払式支払手段発行者については、当該届出書を提出した日（当該提出した日の属する基準期間が特例基

準日（毎年六月三十日及び十二月三十一日をいう。）の翌日から次の通常基準日（毎年三月三十一日及び九月三十日をいう。以下この項において同じ。）までの期間である場合にあっては、当該通常基準日。以下この項において同じ。）後は、前項の規定は、適用しない。ただし、当該前払式支払手段発行者が、当該提出した日後新たに同項の届出書を提出したときは、この限りでない。

(2) If an issuer of prepaid payment instruments to whom the provisions of the preceding paragraph are applied, pursuant to the provisions of Cabinet Office Order, submits a written notice containing a statement that the issuer no longer seeks the application of the provisions of that paragraph to the issuer and other particulars specified by Cabinet Office Order to the prime minister, the provisions of the preceding paragraph do not apply to the issuer after the submission date of the written notice (if the record period including the submission date falls within the period from the day following the special base date (meaning June 31 and December 31 of each year) to the next ordinary base date (meaning March 31 and September 30 of each year; hereinafter the same applies in this paragraph)); provided, however, that this does not apply if the issuer of prepaid payment instruments submits another written notice referred to in that paragraph after the submission date.

3 第一項の規定の適用を受けている前払式支払手段発行者は、同項の届出書を提出した日から起算して政令で定める期間を経過した日以後でなければ、前項本文の届出書を提出することができない。

(3) An issuer of prepaid payment instruments to whom the provisions of paragraph (1) are applied may submit a written notice referred to in the main clause of the preceding paragraph only on or after the day on which a period specified by Cabinet Order has passed from the submission date of a written notice referred to in paragraph (1).

4 第二項本文の届出書を提出した前払式支払手段発行者は、当該届出書を提出した日から起算して政令で定める期間を経過した日以後でなければ、第一項の届出書を提出することができない。

(4) An issuer of prepaid payment instruments who has submitted a written notice referred to in the main clause of paragraph (2) may submit a written notice referred to in paragraph (1) only on or after the day on which a period specified by Cabinet Order has passed from the submission date of a written notice referred to in the main clause of paragraph (2).

（自家型前払式支払手段の発行の業務の承継に係る特例）

(Special Provisions Pertaining to Succession of Business of Issuing Prepaid Payment Instruments for Their Own Business)

第三十条 前払式支払手段発行者以外の者が相続又は事業譲渡、合併若しくは会社分割その他の事由により前払式支払手段発行者から自家型前払式支払手段の発行の業務を承継した場合（第三者型前払式支払手段の発行の業務を承継した場合を除く。）にお

いて、当該業務の承継に係る自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高が基準額を超えるときは、当該前払式支払手段発行者以外の者を当該自家型前払式支払手段を発行する自家型発行者とみなして、この法律（第五条を除く。）の規定を適用する。

Article 30 (1) If a person other than an issuer of prepaid payment instruments has succeeded to the business of issuing prepaid payment instruments for its own business from an issuer of prepaid payment instruments by way of inheritance, transfer of business, merger or company split, or for other reasons (excluding cases where the person has succeeded to the business of issuing prepaid payment instruments for third-party business), if the unused balance on the base date on the base date immediately preceding the date of succession of prepaid payment instruments for their own business pertaining to the succession of the business exceeded the standard amount, the person other than an issuer of prepaid payment instruments is deemed to be an issuer of prepaid payment instruments for their own business who has issued the prepaid payment instruments for its own business, and the provisions of this Act (excluding Article 5) applies to that person.

2 前項の規定により自家型発行者とみなされた者は、内閣府令で定めるところにより、遅滞なく、次に掲げる事項を記載した届出書を内閣総理大臣に提出しなければならない。

(2) A person who is deemed to be an issuer of prepaid payment instruments for its own business pursuant to the provisions of the preceding paragraph must submit a written notice containing the following particulars to the prime minister without delay, pursuant to the provisions of Cabinet Office Order:

一 自家型前払式支払手段の発行の業務を承継した旨

(i) a statement that the person has succeeded the business of issuing prepaid payment instruments for their own business;

二 第五条第一項第一号から第四号までに掲げる事項

(ii) particulars listed in Article 5, paragraph (1), items (i) through (iv);

三 自家型前払式支払手段の承継が行われた日の直前の基準日未使用残高

(iii) the unused balance on the base date on the base date immediately preceding the date of succession of prepaid payment instruments for their own business; and

四 承継した自家型前払式支払手段に係る第五条第一項第六号から第十一号までに掲げる事項

(iv) particulars listed in Article 5, paragraph (1), items (vi) through (xi) pertaining to the succeeded prepaid payment instruments for their own business.

3 前項の届出書には、財務に関する書類その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance and other documents specified by Cabinet

Office Order must be attached to the written notice referred to in the preceding paragraph.

4 第一項の規定により自家型発行者とみなされた者は、第二項第二号又は第四号に掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(4) If any of the particulars set forth in paragraph (2), item (ii) or item (iv) are changed, the person who is deemed to be an issuer of prepaid payment instruments for its own business pursuant to the provisions of paragraph (1) must notify the prime minister to that effect without delay.

(発行保証金の還付)

(Return of Security Deposits for Issuance)

第三十一条 前払式支払手段の保有者は、前払式支払手段に係る債権に関し、当該前払式支払手段に係る発行保証金について、他の債権者に先立ち弁済を受ける権利を有する。

Article 31 (1) A holder of prepaid payment instruments has the right to receive, in preference over other creditors, payments with regard to claims pertaining to prepaid payment instruments for the return of the security deposits for issuance pertaining to those prepaid payment instruments.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、前払式支払手段の保有者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る発行保証金についての権利の実行の手續から除斥されるべきことを公示しなければならない。

(2) In the case falling under any of the following items, when the prime minister finds it necessary for the protection of the interests of holders of prepaid payment instruments, the minister must give a public notice that persons holding the right specified in the preceding paragraph must file their claims with the prime minister within a certain period not less than sixty days and that they must be excluded from the procedures for the fulfillment of the right to the return of the security deposits for issuance pertaining to the public notice unless they file their claims within the relevant period:

一 前項の権利の実行の申立てがあったとき。

(i) when a petition is filed for the fulfillment of the right specified in the preceding paragraph; or

二 前払式支払手段発行者について破産手續開始の申立て等が行われたとき。

(ii) when a petition for commencement of bankruptcy proceedings, etc. is filed against an issuer of prepaid payment instruments.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

- (3) The prime minister may, pursuant to the provisions of Cabinet Office Order, entrust the administrative functions related to the fulfillment of the right specified in paragraph (1) to a deposit-taking institution or any other person specified by Cabinet Order (referred to as "agents for a regional finance office that distribute security deposits to holders of prepaid payment instruments" in the following paragraph and in paragraph (5)).
- 4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。
- (4) Notwithstanding the provisions of any other Acts, any agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments may conduct the business of performing the administrative functions entrusted pursuant to the provisions of the preceding paragraph.
- 5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。
- (5) With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions to an agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in entrusted business are deemed to be officials engaged in public service pursuant to laws and regulations.
- 6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項は、政令で定める。
- (6) Beyond what is provided for in paragraph (2) through the preceding paragraph, particulars necessary for the fulfillment of the right referred to in paragraph (1) are specified by Cabinet Order.

(発行保証金の還付への協力)

(Cooperation for Return of Security Deposits for Issuance)

第三十二条 前払式支払手段発行者から発行の業務の委託を受けた者、密接関係者、加盟店その他の当該前払式支払手段発行者の関係者は、当該前払式支払手段発行者が発行した前払式支払手段に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 32 If a person to whom the business of issuing prepaid payment instruments has been entrusted by an issuer of prepaid payment instruments, or a closely related person, member shop or any other related person of the issuer of prepaid payment instruments is requested by the prime minister to extend their cooperation necessary for the fulfillment of the right specified in paragraph (1) of the preceding Article pertaining to the prepaid payment instruments issued by the issuer of prepaid payment instruments, the person is to endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business)

第三十三条 前払式支払手段発行者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 33 (1) If an issuer of prepaid payment instruments falls under any of the following items, it must notify the prime minister to that effect without delay:

一 前払式支払手段の発行の業務の全部又は一部を廃止したとき。

(i) when the issuer of prepaid payment instruments has discontinued all or part of the business of issuing prepaid payment instruments; or

二 第三十一条第二項第二号に掲げるとき。

(ii) when the issuer of prepaid payment instruments falls under Article 31, paragraph (2), item (ii).

2 第三者型発行者が第三者型前払式支払手段の発行の業務の全部を廃止したときは、当該第三者型発行者の第七条の登録は、その効力を失う。

(2) When an issuer of prepaid payment instruments for third-party business has discontinued all or part of the business of issuing prepaid payment instruments for third-party business, the registration of the issuer of prepaid payment instruments for third-party business referred to in Article 7 ceases to be effective.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations Due to Revocation of Registration)

第三十四条 第三者型発行者について、第二十七条第一項若しくは第二項の規定により第七条の登録が取り消されたとき、又は前条第二項の規定により第七条の登録が効力を失ったときは、当該第三者型発行者であった者は、その発行した第三者型前払式支払手段に係る債務の履行を完了する目的の範囲内においては、なお第三者型発行者とみなす。

Article 34 With regard to an issuer of prepaid payment instruments for third-party business, when the registration referred to in Article 7 is revoked pursuant to provisions of Article 27, paragraph (1) or (2) or ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, the person who has been an issuer of prepaid payment instruments for third-party business is deemed to be an issuer of prepaid payment instruments for third-party business within the scope of the purpose of completing the performance of obligations pertaining to the prepaid payment instruments for third-party business issued by the person.

(銀行等に関する特例)

(Special Provisions for Deposit-Taking Institutions)

第三十五条 政令で定める要件を満たす銀行等その他政令で定める者に該当する前払式

支払手段発行者については、第十四条第一項の規定は、適用しない。

Article 35 The provisions of Article 14, paragraph (1) do not apply to an issuer of prepaid payment instruments who is a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order.

(外国において発行される前払式支払手段の勧誘の禁止)

(Prohibition on Solicitation of Prepaid Payment Instruments Issued in Foreign Countries)

第三十六条 外国において前払式支払手段の発行の業務を行う者は、国内にある者に対して、その外国において発行する前払式支払手段の勧誘をしてはならない。

Article 36 A person conducting the business of issuing prepaid payment instruments in a foreign country must not solicit a person in Japan for prepaid payment instruments issued by the person in the foreign country.

第三章 資金移動

Chapter III Funds Transfers

第一節 総則

Section 1 General Provisions

(定義)

(Definitions)

第三十六条の二 この章において「第一種資金移動業」とは、資金移動業のうち、第二種資金移動業及び第三種資金移動業以外のものをいう。

Article 36-2 (1) The term "type I funds transfer services" as used in this Act means funds transfer services other than type II funds transfer services and type III funds transfer services.

2 この章において「第二種資金移動業」とは、資金移動業のうち、少額として政令で定める額以下の資金の移動に係る為替取引のみを業として営むこと（第三種資金移動業を除く。）をいう。

(2) The term "type II funds transfer services" as used in this Act means funds transfer services to handle only exchange transactions for the transfer of funds at amounts not exceeding the amount specified as a small amount by Cabinet Order (excluding type III funds transfer services).

3 この章において「第三種資金移動業」とは、資金移動業のうち、特に少額として政令で定める額以下の資金の移動に係る為替取引のみを業として営むことをいう。

(3) The term "type III funds transfer services" as used in this Act means funds transfer services to handle only exchange transactions for the transfer of funds at amounts not exceeding the amount specified as a particularly small amount by Cabinet Order.

(資金移動業者の登録)

(Registration of Funds Transfer Service Providers)

第三十七条 内閣総理大臣の登録を受けた者は、銀行法第四条第一項及び第四十七条第一項の規定にかかわらず、資金移動業を営むことができる。

Article 37 Notwithstanding the provisions of Article 4, paragraph (1) and Article 47, paragraph (1) of the Banking Act, a person registered by the prime minister may provide the funds transfer service.

(登録の申請)

(Application for Registration)

第三十八条 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 38 (1) A person referred to in the preceding Article who intends to be registered must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the prime minister:

一 商号及び住所

(i) trade name and address;

二 資本金の額

(ii) amount of capital;

三 資金移動業に係る営業所の名称及び所在地

(iii) name and location of the business office pertaining to the funds transfer service;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役とし、指名委員会等設置会社にあつては取締役及び執行役とし、外国資金移動業者にあつては外国の法令上これらに相当する者とする。第四十条第一項第十号において同じ。）の氏名

(iv) name of director and company auditor (director(s) in cases of a company which formed a supervisory committee, etc.; director(s) and executive officer(s) in cases of a company having a nominating committee, etc.; and persons equivalent thereto pursuant to laws and regulations of a foreign state in cases of a foreign funds transfer service provider; the same applies in Article 40, paragraph (1), item (x));

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company having accounting advisors, names of accounting advisors;

六 外国資金移動業者にあつては、国内における代表者の氏名

(vi) in cases of a foreign funds transfer service provider, name of the representative person in Japan;

七 資金移動業の種別（第一種資金移動業、第二種資金移動業及び第三種資金移動業の種別をいう。以下この章において同じ。）

(vii) categories of funds transfer services (meaning the categories of type I

funds transfer services, type II funds transfer services, and type III funds transfer services; hereinafter the same applies in this Chapter);

八 資金移動業の内容及び方法

(viii) details and means of the funds transfer service;

九 資金移動業の一部を第三者に委託する場合にあっては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(ix) if part of the funds transfer service is entrusted to a third party, the details of the business pertaining to the entrustment and the name or trade name or other name and address of the third party to whom the funds transfer services are entrusted;

十 他に事業を行っているときは、その事業の種類

(x) type of the businesses, if the service provider conducts other business; and

十一 その他内閣府令で定める事項

(xi) other particulars specified by Cabinet Office Order.

2 前項の登録申請書には、第四十条第一項各号に該当しないことを誓約する書面、財務に関する書類、資金移動業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。

(2) A document in which the applicant pledges that the applicant does not fall under any of the items of Article 40, paragraph (1), documents concerning finance, documents containing particulars concerning the establishment of a system for ensuring the provision of funds transfer services in a proper and steady manner, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(資金移動業者登録簿)

(Register of Funds Transfer Service Providers)

第三十九条 内閣総理大臣は、第三十七条の登録の申請があったときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を資金移動業者登録簿に登録しなければならない。

Article 39 (1) The prime minister must, when an application for registration referred to in Article 37 is filed, register the following particulars to the register of funds transfer service providers, except when refusing the registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) When the prime minister registered the particulars under the provisions of the preceding paragraph, the minister must notify the applicant to that effect without delay.

3 内閣総理大臣は、資金移動業者登録簿を公衆の縦覧に供しなければならない。

(3) The prime minister must make the register of funds transfer service providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第四十条 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 40 (1) The prime minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain false statements about important particulars, or lack any statement about important particulars:

一 株式会社又は外国資金移動業者（国内に営業所を有する外国会社に限る。）でないもの

(i) a person other than a stock company or a foreign funds transfer service provider (limited to a foreign company that has a business office in Japan);

二 外国資金移動業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人

(ii) a foreign funds transfer service provider that is a corporation who does not have a representative person in Japan (limited to a person who is domiciled in Japan);

三 資金移動業を適正かつ確実に遂行するために必要と認められる財産的基礎を有しない法人

(iii) a corporation which lacks the sufficient financial foundation that is necessary for the provision of funds transfer services in a proper and steady manner;

四 資金移動業を適正かつ確実に遂行する体制の整備が行われていない法人

(iv) a corporation which has not established a system for the provision of funds transfer services in a proper and steady manner;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) a corporation which has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 他の資金移動業者が現に用いている商号と同一の商号又は他の資金移動業者と誤認されるおそれのある商号を用いようとする法人

(vi) a corporation which intends to use a trade name that is identical to the one currently being used by another funds transfer service provider or that may be misidentified as another funds transfer service provider;

七 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録若しくは免許（当該登録又は免許に類する許可その他の行政処分を含む。）を取り消され、その取消しの日から五年を経過しない法人

(vii) a corporation which had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its license under the provisions of Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration or license of the same type in a foreign state (including permission or other administrative dispositions similar to the registration or license) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for which five years have not passed from the date of the revocation;

八 この法律、銀行法等若しくは出資の受入れ、預り金及び金利等の取締りに関する法律（昭和二十九年法律第九十五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(viii) a corporation which has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Act on Regulating the Receipt of Contributions, Receipt of Deposits, and Interest Rates (Act No. 195 of 1954) or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

九 他に行う事業が公益に反すると認められる法人

(ix) a corporation whose other business is found to be against the public interest;

十 取締役若しくは監査役又は会計参与（外国資金移動業者にあつては、国内における代表者を含む。以下この章において「取締役等」という。）のうちに次のいずれかに該当する者のある法人

(x) a corporation that employs a person who is a director, company auditor, or accounting advisor (including representative persons in Japan in cases of a foreign funds transfer service provider; hereinafter referred to as a "director, etc." in this Chapter) falling under any of the following items:

イ 心身の故障のため資金移動業に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to funds transfer services due to a mental

- or physical disorder;
- ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者
- (b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;
- ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者
- (c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the date on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;
- ニ この法律、銀行法等、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者
- (d) a person who has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed; or
- ホ 資金移動業者が第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者
- (e) if a funds transfer service provider had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), or a corporation had the registration of the same type in a foreign state (including permission or other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was a director, etc. of the corporation at any time during the thirty days prior to

the date of the revocation and for whom five years have not passed from the relevant date or a person similar thereto specified by Cabinet Order.

2 内閣総理大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) When the prime minister refuses the registration pursuant to the provisions of the preceding paragraph, the minister must notify the applicant to that effect by indicating the reason without delay.

(業務実施計画の認可)

(Approval of Business Implementation Plans)

第四十条の二 資金移動業者は、第一種資金移動業を営もうとするときは、次に掲げる事項を記載した業務実施計画を定め、内閣府令で定めるところにより、内閣総理大臣の認可を受けなければならない。その変更（内閣府令で定める軽微な変更を除く。）をしようとするときも、同様とする。

Article 40-2 (1) When a funds transfer service provider intends to provide type I funds transfer services, the funds transfer service provider must formulate a business implementation plan containing the following particulars and obtain authorization of the prime minister, pursuant to the provisions of Cabinet Office Order. The same applies when a funds transfer service provider intends to change the business implementation plan (excluding minor changes specified by Cabinet Office Order):

一 為替取引により移動させる資金の額の上限額を定める場合にあつては、当該上限額

(i) if the funds transfer service provider sets the maximum amount of funds to transfer in exchange transactions, that upper limit;

二 為替取引を行うために使用する電子情報処理組織の管理の方法

(ii) the method of the management of an electronic data processing system to be used for exchange transactions; and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

2 資金移動業者は、前項に規定する内閣府令で定める軽微な変更をしたときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) When a funds transfer service provider has made any minor change specified by Cabinet Office Order as prescribed in the preceding paragraph, the funds transfer service provider must notify the prime minister to that effect.

3 内閣総理大臣は、その必要の限度において、第一項の認可に条件を付し、及びこれを変更することができる。

(3) The prime minister may set requirements for the approval referred to in paragraph (1) and change those requirements, to the extent necessary for the approval.

(変更登録等)

(Registration of Changes)

第四十一条 資金移動業者は、第三十八条第一項第七号に掲げる事項の変更（新たな種別の資金移動業を営もうとすることによるものに限る。）をしようとするときは、内閣府令で定めるところにより、内閣総理大臣の変更登録を受けなければならない。

Article 41 (1) When a funds transfer service provider intends to change any of the particulars set forth in Article 38, paragraph (1), item (vii) (limited to changes due to its intention to provide a new type of funds transfer service), the funds transfer service provider must have the change registered by the prime minister, pursuant to the provisions of Cabinet Office Order.

2 第三十八条から第四十条までの規定は、前項の変更登録について準用する。この場合において、第三十八条第一項中「次に掲げる」とあるのは「変更に係る」と、同条第二項中「第四十条第一項各号」とあるのは「第四十条第一項各号（第一号、第二号及び第六号から第十号までを除く。）」と、第三十九条第一項中「次に掲げる」とあるのは「変更に係る」と、第四十条第一項中「次の各号」とあるのは「次の各号（第一号、第二号及び第六号から第十号までを除く。）」と読み替えるものとする。

(2) The provisions of Articles 38 to 40 apply mutatis mutandis to the registration of change referred to in the preceding paragraph. In this case, the term the "following particulars" in Article 38, paragraph (1) is replaced with the "particulars pertaining to the change", the term "any of the items of Article 40, paragraph (1)" in paragraph (2) of that Article is replaced with "any of the items of Article 40, paragraph (1) (excluding items (i), (ii) and (vi) to (x))", the term the "following particulars" in Article 39, paragraph (1) is replaced with the "particulars pertaining to the change", and the term "any of the following items" in Article 40, paragraph (1) is replaced with "any of the items of Article 40, paragraph (1) (excluding items (i), (ii) and (vi) to (x))".

3 資金移動業者は、第三十八条第一項第八号に掲げる事項の変更のうち資金移動業の利用者の保護に欠け、又は資金移動業の適正かつ確実な遂行に支障を及ぼすおそれ大きいものとして内閣府令で定める変更（次項において「特定業務内容等の変更」という。）をしようとするときは、あらかじめ、その旨を内閣総理大臣に届け出なければならない。

(3) When a funds transfer service provider intends to make any changes that are specified by Cabinet Office Order as those that are likely to weaken the protection of users of funds transfer services or hinder the proper and steady provision of funds transfer services (referred to "changes to the details of specified business, etc." in the following paragraph) which are the particulars set forth in Article 38, paragraph (1), item (viii), the funds transfer service provider must notify the prime minister to that effect in advance.

4 資金移動業者は、第三十八条第一項各号に掲げる事項のいずれかに変更（特定業務内容等の変更を除き、同項第七号に掲げる事項の変更にあつては、一の種別の資金移動業の全部を廃止したことによるものに限る。）があつたときは、遅滞なく、その旨

を内閣総理大臣に届け出なければならない。

(4) When any of the particulars set forth in the items of Article 38, paragraph (1) (excluding changes to the details of the specified business, etc., and in the case of a change in the particulars set forth in item (vii) of that paragraph, limited to the change due to the discontinuation of the whole funds transfer service of the same category) are changed, the funds transfer service provider must notify the prime minister to that effect without delay.

5 内閣総理大臣は、前二項の規定による届出を受理したときは、届出があった事項を資金移動業者登録簿に登録しなければならない。

(5) When the prime minister accepts a notification under the provisions of the preceding two paragraphs, the minister must register the informed particulars in the register of funds transfer service providers.

(名義貸しの禁止)

(Prohibition of Name Lending)

第四十二条 資金移動業者は、自己の名義をもって、他人に資金移動業を営ませてはならない。

Article 42 A funds transfer service provider must not have another person provide the funds transfer services in the name of the funds transfer service provider.

第二節 業務

Section 2 Business

(履行保証金の供託)

(Making Security Deposits for Providing Funds Transfer Services)

第四十三条 資金移動業者は、次の各号に掲げる資金移動業の種別に応じ、当該各号に定めるところにより、資金移動業の種別ごとに履行保証金をその本店（外国資金移動業者である資金移動業者にあつては、国内における主たる営業所。第四十八条において同じ。）の最寄りの供託所に供託しなければならない。

Article 43 (1) A funds transfer service provider must make security deposits for providing funds transfer services to the official depository nearest to its head office (in cases of a funds transfer service provider that is a foreign funds transfer service provider, its principal business office in Japan; the same applies in Article 48) for each category of funds transfer services set forth in the following items as specified therein in accordance with the category of funds transfer service:

一 第一種資金移動業 各営業日における第一種資金移動業に係る要履行保証額以上の額に相当する額の履行保証金を、当該各営業日から一週間以内で内閣府令で定める期間内において資金移動業者が定める期間内に供託すること。

(i) type I funds transfer services: make security deposits in an amount

equivalent to an amount not less than the amount required for security deposit for providing funds transfer services as of each business day during a period set by the funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from the relevant business day; or

二 第二種資金移動業又は第三種資金移動業 一週間以内で資金移動業の種別ごとに資金移動業者が定める期間ごとに、当該期間における第二種資金移動業又は第三種資金移動業に係る要履行保証額の最高額以上の額に相当する額の履行保証金を、当該期間の末日（第四十五条の二第四項及び第五項並びに第四十七条第一号において「基準日」という。）から一週間以内で内閣府令で定める期間内において資金移動業の種別ごとに資金移動業者が定める期間内に供託すること。

(ii) type II funds transfer services or type III funds transfer services: make security deposits in an amount equivalent to an amount not less than the maximum amount of the amount required for security deposit for providing funds transfer services pertaining to type II funds transfer services or type III funds transfer services during a period not exceeding one week set by the funds transfer service provider for each category of funds transfer services, for the respective periods, during a period set by the funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from the last day of the former period (referred to as the "Base Date" in Article 45-2, paragraphs (4) and (5) and Article 47, item (i)).

2 前項各号の「要履行保証額」とは、資金移動業の種別ごとの各営業日における未達債務の額（資金移動業者がその行う為替取引に関し負担する債務の額であって内閣府令で定めるところにより算出した額をいう。以下この章において同じ。）と第五十九条第一項の権利の実行の手続に関する費用の額として内閣府令で定めるところにより算出した額の合計額（第四十五条の二第一項の規定の適用を受けている資金移動業者が営む第三種資金移動業にあつては、第三種資金移動業に係る各営業日における未達債務の額から当該各営業日における未達債務の額に同項に規定する預貯金等管理割合を乗じて得た額を控除した額と第五十九条第一項の権利の実行の手続に関する費用の額として内閣府令で定めるところにより算出した額の合計額）をいう。ただし、当該合計額が小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額とする。

(2) The term "amount required for security deposit for providing funds transfer services" as used in the items of the preceding paragraph means the total amount of outstanding obligations in the process of being transferred (meaning an amount, calculated pursuant to the provisions of Cabinet Office Order, of obligations borne by a funds transfer service provider in relation to exchange transactions carried out by the funds transfer service provider; hereinafter the same applies in this Chapter) as of each business day for each category of funds transfer service and an amount calculated pursuant to the provisions of

Cabinet Office Order as the amount of costs pertaining to the procedure for the fulfillment of the right specified in Article 59, paragraph (1) (for type III funds transfer services by a funds transfer service provider to whom the provisions of Article 45-2, paragraph (1) are applied, the total amount obtained by deducting the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services as of each business day multiplied by the rate of management by bank deposits or savings specified in that paragraph from the amount of outstanding obligations in the process of being transferred as of each of those business days, and the amount calculated pursuant to the provisions of Cabinet Office Order as the amount of costs pertaining to the procedure for the fulfillment of the right specified in Article 59, paragraph (1)); provided, however, that if the total is not more than the amount specified by Cabinet Order as being necessary for ensuring the performance of obligations borne by a small-scale funds transfer service provider in relation to exchange transactions carried out by the small-scale funds transfer service provider, the amount required for security deposit for providing funds transfer services is the amount specified by the relevant Cabinet Order.

3 履行保証金は、国債証券、地方債証券その他の内閣府令で定める債券（社債、株式等の振替に関する法律第二百七十八条第一項に規定する振替債を含む。第四十五条第三項において同じ。）をもってこれに充てることができる。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) National government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order (including transfer bonds prescribed in Article 278, paragraph (1) of the Act on Book-Entry Transfer of Corporate Bonds and Shares; the same applies in Article 45, paragraph (3)) may be deposited to fulfill the security deposits for providing funds transfer services requirement. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（履行保証金保全契約）

(Guarantee Contracts for Security Deposits for Providing Funds Transfer Services)

第四十四条 資金移動業者は、政令で定めるところにより、その営む資金移動業の種別ごとに履行保証金保全契約（政令で定める要件を満たす銀行等その他政令で定める者が資金移動業者のために内閣総理大臣の命令に応じて履行保証金を供託する旨の契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該履行保証金保全契約の効力の存する間、保全金額（当該履行保証金保全契約において供託されることとなっている金額をいう。以下この章において同じ。）につき、当該種別の資金移動業に係る履行保証金の全部又は一部の供託をしないことが

できる。

Article 44 When a funds transfer service provider concludes a guarantee contract for security deposits of providing funds transfer services (meaning a contract in which a deposit-taking institution satisfying the requirements specified by Cabinet Order or any other person specified by Cabinet Order promises that security deposits for providing funds transfer services will be made on behalf of the funds transfer service provider in response to an order by the prime minister; the same applies in this Chapter) for each category of funds transfer service that it provides and has notified the minister to that effect, pursuant to the provisions of Cabinet Order, it may choose not to make all or part of the security deposits for providing funds transfer services for the relevant category of funds transfer service with regard to the secured amount (meaning the amount of money to be deposited under the guarantee contract for security deposits for providing funds transfer services; hereinafter the same applies in this Chapter) limited to the period during which the contract remains in force.

(履行保証金信託契約)

(Trust Agreements for Security Deposits for Providing Funds Transfer Services)

第四十五条 資金移動業者は、信託会社等との間で、その営む資金移動業の種別ごとに履行保証金信託契約（当該信託会社等が内閣総理大臣の命令に応じて信託財産を履行保証金の供託に充てることを信託の目的として当該信託財産の管理その他の当該目的の達成のために必要な行為をすべき旨の信託契約をいう。以下この章において同じ。）を締結し、その旨を内閣総理大臣に届け出たときは、当該履行保証金信託契約に基づき信託財産が信託されている間、当該信託財産の額につき、当該種別の資金移動業に係る履行保証金の全部又は一部の供託をしないことができる。

Article 45 (1) If a funds transfer service provider concludes a trust agreement for security deposits for providing funds transfer services with a trust company, etc. (meaning a trust agreement whose purpose is to apply trust property to security deposits for providing funds transfer services in response to an order by the prime minister, which states that the trust company, etc. carries out necessary acts including the management of trust property for achieving the purpose of the trust; the same applies hereinafter in this Chapter) for each category of funds transfer service that it provides and has notified the minister to that effect, it may choose not to make all or part of the security deposits for providing funds transfer services for the relevant category of funds transfer service with regard to the amount of trust property during the period in which the trust property is entrusted pursuant to the trust agreement for security deposits for providing funds transfer services.

2 履行保証金信託契約は、次に掲げる事項をその内容とするものでなければならない。

(2) A trust agreement for security deposits for providing funds transfer services must provide the following particulars:

一 履行保証金信託契約を締結する資金移動業者が行う為替取引（当該履行保証金信託契約に係る種別の資金移動業に係るものに限る。）の利用者を受益者とする事。

(i) the beneficiaries of the trust agreement for security deposits for providing funds transfer services are to be the users of exchange transactions carried out by the funds transfer service provider who is the party to the trust agreement for security deposits for providing funds transfer services (limited to exchange transactions for the category of funds transfer service pertaining to the trust agreement for security deposits for providing funds transfer services);

二 受益者代理人を置いている事。

(ii) an agent of the beneficiaries is appointed;

三 内閣総理大臣の命令に応じて、信託会社等が信託財産を換価し、供託をすること。

(iii) a trust company, etc. realizes the trust property and deposits the proceeds thereof in response to an order by the prime minister; and

四 その他内閣府令で定める事項

(iv) other particulars specified by Cabinet Office Order.

3 履行保証金信託契約に基づき信託される信託財産の種類は、金銭若しくは預貯金（内閣府令で定めるものに限る。）又は国債証券、地方債証券その他の内閣府令で定める債券に限るものとする。この場合において、当該債券の評価額は、内閣府令で定めるところによる。

(3) The types of the trust properties entrusted pursuant to a trust agreement for security deposits for providing funds transfer services are to be limited to money, bank deposits and savings (limited to those specified by Cabinet Office Order), or national government bond certificates, local government bond certificates or other bond certificates specified by Cabinet Office Order. In this case, the appraised value of those bond certificates is determined pursuant to the provisions of Cabinet Office Order.

（預貯金等による管理）

(Management by Bank Deposits or Savings)

第四十五条の二 資金移動業者（第三種資金移動業を営む者に限る。）は、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出したときは、第一号に掲げる日以後、第三種資金移動業に係る履行保証金の全部又は一部の供託をしないことができる。この場合において、当該資金移動業者は、第三種資金移動業に係る各営業日における未達債務の額に第二号に掲げる割合（当該割合を変更したときは、その変更後のもの。以下この条及び第五十九条第一項において「預貯金等管理割合」という。）を乗じて得た額以上の額に相当する額の金銭を第一号に規定する預貯金等管理方法により管理しなければならない。

Article 45-2 (1) When a funds transfer service provider (limited to a person

providing type III funds transfer services) has submitted a written notice containing the following particulars to the prime minister, pursuant to the provisions of Cabinet Office Order, it may choose not to make all or part of the security deposits for providing type III funds transfer services on or after the day set forth in item (i). In this case, the funds transfer service provider must manage money in the amount equivalent to the amount not less than the amount obtained by multiplying the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services as of each business day by the rate set forth in item (ii) (when the rate is changed, the rate that has been changed; hereinafter referred to as the "rate for managing bank deposits or savings" in this Article and Article 59, paragraph (1)) by using the method for managing bank deposits or savings specified in item (i):

一 第三種資金移動業に係る各営業日における未達債務の額の全部又は一部に相当する額の金銭を、銀行等に対する預貯金（この項の規定により管理しなければならないものとされている金銭であることがその預貯金口座の名義により明らかなものに限る。）により管理する方法その他の内閣府令で定める方法（以下この条及び第五十三条第二項第二号において「預貯金等管理方法」という。）により管理することを開始する日

(i) the day on which the management of money in the amount equivalent to all or part of the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services commences as of each business day by the method for managing bank deposits or savings (limited to bank deposits or savings, which is obvious from the name of the account holder, that the money must be managed pursuant to the provisions of this paragraph) or by another method specified by Cabinet Office Order (hereinafter referred to as the "method for managing bank deposits or savings" in this Article and Article 53, paragraph (2), item (ii));

二 第三種資金移動業に係る未達債務の額のうち預貯金等管理方法により管理する額の当該未達債務の額に対する割合

(ii) the percentage of the amount of outstanding obligations in the process of being transferred pertaining to type III funds transfer services that is to be managed by the method for managing bank deposits or savings to the total amount thereof; and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

2 前項の規定の適用を受けている資金移動業者は、預貯金等管理方法による管理の状況について、内閣府令で定めるところにより、定期的に、公認会計士（公認会計士法（昭和二十三年法律第百三号）第十六条の二第五項に規定する外国公認会計士を含む。第五十三条第三項第二号において同じ。）又は監査法人の監査を受けなければならない。

(2) A funds transfer service provider to whom the provisions of the preceding paragraph are applied must undergo a periodic audit by a certified public accountant (including foreign certified public accountant specified in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies in Article 53, paragraph (3), item (ii)) or by an audit corporation, with regard to the aspects of management by using the method for managing bank deposits or savings, pursuant to the provisions of Cabinet Office Order.

3 第一項の規定の適用を受けている資金移動業者は、預貯金等管理割合その他内閣府令で定める事項の変更をしようとするときは、内閣府令で定めるところにより、あらかじめ、当該変更を行う日その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出しなければならない。

(3) When a funds transfer service provider to whom the provisions of paragraph (1) are applied intends to change the rate of management by bank deposits or savings or other particulars specified by Cabinet Office Order, the funds transfer service provider must submit a written notice containing the day on which the change is to be made and other particulars specified by Cabinet Office Order to the prime minister in advance, pursuant to the provisions of Cabinet Office Order.

4 預貯金等管理割合を引き下げる変更は、前項の届出書に記載された当該変更を行う日における第三種資金移動業に係る履行保証金の額、保全金額及び前条第一項に規定する信託財産の額の合計額が、当該日の直前の基準日における第三種資金移動業に係る要供託額（第一項の規定の適用を受けている資金移動業者が当該変更をする場合にその営む第三種資金移動業について第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）以上である場合に限り、行うことができる。

(4) A change to lower the rate of management by bank deposits or savings may be made only in the case where the total amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property specified in paragraph (1) of the preceding Article pertaining to type III funds transfer services as of the day on which the change to be made that is notified in a written notice referred to in the preceding paragraph exceeds the amount required for deposit pertaining to type III funds transfer services (meaning the amount of security deposits for providing type III funds transfer services, which must be made by a funds transfer service provider to whom the provisions of paragraph (1) are applied must deposit for type III funds transfer services it provides, when making the relevant change, under the provisions of Article 43, paragraph (1)) as of the base date immediately preceding that day.

5 第一項の規定の適用を受けている資金移動業者は、内閣府令で定めるところにより、同項の規定の適用を受けることをやめる日（以下この項において「預貯金等管理終了日」という。）その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出

して、第一項の規定の適用を受けることをやめることができる。ただし、預貯金等管理終了日における第三種資金移動業に係る履行保証金の額、保全金額及び前条第一項に規定する信託財産の額の合計額が、当該預貯金等管理終了日の直前の基準日における第三種資金移動業に係る要供託額（当該資金移動業者が第一項の規定の適用を受けることをやめる場合にその営む第三種資金移動業について第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）を下回るときは、この限りでない。

(5) A funds transfer service provider to whom the provisions of the preceding paragraph are applied may terminate the application of the provisions of that paragraph by submitting a written notice containing the day on which the application of the provisions of that paragraph ends (hereinafter referred to as the "day on which the management by bank deposits or savings ends" in this paragraph) and other particulars specified by Cabinet Office Order to the prime minister, pursuant to the provisions of Cabinet Office Order; provided, however, that this does not apply when the total amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property specified in paragraph (1) of the preceding Article pertaining to type III funds transfer services as of the day on which the management by bank deposits or savings ends is less than the amount required for deposit pertaining to type III funds transfer services (meaning the amount of security deposits for providing type III funds transfer services that the funds transfer service provider must deposit for type III funds transfer services it provides, when terminating the application of the provisions of paragraph (1), under the provisions of Article 43, paragraph (1)) as of a base date immediately preceding that day on which the management by bank deposits or savings ends.

(供託命令)

(Order to Deposit)

第四十六条 内閣総理大臣は、資金移動業の利用者の利益の保護のために必要があると認めるときは、履行保証金保全契約若しくは履行保証金信託契約を締結した資金移動業者又はこれらの契約の相手方に対し、保全金額又は信託財産を換価した額の全部又は一部を供託すべき旨を命ずることができる。

Article 46 When the prime minister finds it necessary for the protection of the interests of users of funds transfer services, the minister may order a funds transfer service provider who has concluded a guarantee contract for security deposits for providing funds transfer services or trust agreement for security deposits for providing funds transfer services or the counterparty thereto to deposit all or part of the secured amount or the amount of proceeds from the trust property that has been realized.

(履行保証金の取戻し)

(Recovery of Security Deposits for Providing Funds Transfer Services)

第四十七条 一の種別の資金移動業に係る履行保証金は、次の各号のいずれかに該当する場合には、政令で定めるところにより、その全部又は一部を取り戻すことができる。

Article 47 All or part of the security deposits for providing only one type of funds transfer service may be recovered, pursuant to the provisions of Cabinet Order, if any of the requirements specified in the following items are satisfied:

一 直前の基準日（第一種資金移動業にあつては、各営業日）における要供託額（資金移動業者が第四十三条第一項の規定により供託しなければならない履行保証金の額をいう。）が、当該基準日における履行保証金の額、保全金額及び第四十五条第一項に規定する信託財産の額の合計額を下回るとき。

(i) when the amount required for deposit (meaning the amount of security deposits for providing funds transfer services which must be made by a funds transfer service provider, pursuant to the provisions of Article 43, paragraph (1)) as of the immediately preceding base date (for type I funds transfer services, as of each business day) is less than the total amount of security deposits for providing funds transfer services, the secured amount, and the amount of trust property specified in Article 45, paragraph (1) as of that base date;

二 第五十九条第一項の権利の実行の手続が終了したとき。

(ii) when the procedure for the fulfillment of the right specified in Article 59, paragraph (1) is completed; and

三 為替取引に関し負担する債務の履行を完了した場合として政令で定める場合

(iii) the case specified by Cabinet Order, as the case in which the performance of obligations borne in relation to exchange transactions is completed.

(履行保証金の保管替えその他の手続)

(Change of Official Depository for Security Deposits for Providing Funds Transfer Services and Other Procedures)

第四十八条 この節に規定するもののほか、資金移動業者の本店の所在地の変更に伴う履行保証金の保管替えその他履行保証金の供託に関し必要な事項は、内閣府令・法務省令で定める。

Article 48 Beyond what is provided for in this Section, a change of official depository for security deposits for providing funds transfer services due to the change of the location of the head office of a funds transfer service provider and other particulars necessary for making the security deposits for providing funds transfer services are prescribed by Cabinet Office Order and Ministry of Justice Order.

(情報の安全管理)

(Management of Information Security)

第四十九条 資金移動業者は、内閣府令で定めるところにより、資金移動業に係る情報

の漏えい、滅失又はき損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 49 A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, take necessary measures for preventing leakage, loss, or damage of information pertaining to the funds transfer services and otherwise ensuring safe control of the handling of that information.

(委託先に対する指導)

(Management of Entrusted Parties)

第五十条 資金移動業者は、資金移動業の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 50 If a funds transfer service provider entrusts (including the case under multi-tier entrustment arrangements) part of the funds transfer service to a third party, the funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the operation of the business in a proper and steady manner.

(利用者の保護等に関する措置)

(Measures for Customer Protection)

第五十一条 資金移動業者は、内閣府令で定めるところにより、銀行等が行う為替取引との誤認を防止するための説明、手数料その他の資金移動業に係る契約の内容についての情報の提供、利用者から受け入れた資金のうち為替取引に用いられないことがないと認められるものを保有しないための措置その他の資金移動業の利用者の保護を図り、及び資金移動業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 51 A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, provide explanation to prevent users from mistaking its business for exchange transactions carried out by a Deposit-Taking Institution, and provide information about fees and other terms and conditions of contracts related to the funds transfer services and take measures not to hold part of funds received from users that is found unlikely to be used for exchange transactions or other measures necessary for protecting the users of funds transfer services and ensuring the proper and secure conduct of funds transfer services.

(第一種資金移動業に関し負担する債務の制限)

(Restrictions on Obligations to be Borne in Relation to Type I Funds Transfer Services)

第五十一条の二 資金移動業者（第一種資金移動業を営む者に限る。次項において同じ。）は、第一種資金移動業の各利用者に対し、移動する資金の額、資金を移動する日その他の内閣府令で定める事項が明らかでない為替取引（第一種資金移動業に係るものに限る。同項において同じ。）に関する債務を負担してはならない。

Article 51-2 (1) A funds transfer service provider (limited to a person providing type I funds transfer services; the same applies in the following paragraph) must not bear obligations in relation to exchange transactions (limited to exchange transactions pertaining to type I funds transfer services; the same applies in the following paragraph) for which the amount of funds to be transferred, the day on which the funds are transferred, and other particulars specified by Cabinet Office Order are not clear to users of type I funds transfer services.

2 資金移動業者は、資金の移動に関する事務を処理するために必要な期間その他の内閣府令で定める期間を超えて為替取引に関する債務を負担してはならない。

(2) A funds transfer service provider must not bear obligations in relation to exchange transactions beyond the period necessary for processing the transfer of funds or another period specified by Cabinet Office Order.

（第三種資金移動業に関し負担する債務の額の制限）

(Restrictions on the Amount of Obligations to be Borne in Relation to Type III Funds Transfer Services)

第五十一条の三 資金移動業者（第三種資金移動業を営む者に限る。）は、第三種資金移動業の各利用者に対し、政令で定める額を超える額の債務（第三種資金移動業に係る為替取引に関し負担する債務に限る。）を負担してはならない。

Article 51-3 A funds transfer service provider (limited to a person providing type III funds transfer services) must not bear obligations (limited to obligations borne in relation to exchange transactions pertaining to type III funds transfer services) in an amount exceeding the amount for users of type III funds transfer services specified by Cabinet Order.

（指定資金移動業務紛争解決機関との契約締結義務等）

(Obligation to Conclude Contract with Designated Dispute Resolution Organizations for Funds Transfer Services)

第五十一条の四 資金移動業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 51-4 (1) A funds transfer service provider must take the measures specified in the following items according to the categories of cases set forth therein:

一 指定資金移動業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が資金移動業務であるものをいう。以下この条において同じ。）が存在する場合 一の指定資金移動業務紛争解決機関との間で資金移動業に係る手続実施基本

契約（第九十九条第一項第八号に規定する手続実施基本契約をいう。次項において同じ。）を締結する措置

- (i) if one or more designated dispute resolution organizations for funds transfer services (meaning designated dispute resolution organizations for which the category of dispute resolution services is a funds transfer service; hereinafter the same applies in this Article) exist: measures to conclude a basic contract for execution of procedures with a designated dispute resolution organization for funds transfer service (meaning a basic contract for execution of procedures prescribed in Article 99, paragraph (1), item (viii); the same applies in the following paragraph) pertaining to the funds transfer service;
or

二 指定資金移動業務紛争解決機関が存在しない場合 資金移動業に関する苦情処理措置及び紛争解決措置

- (ii) if no designated dispute resolution organization for funds transfer services exists: complaint processing measures and dispute resolution measures pertaining to the funds transfer service.

2 資金移動業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定資金移動業務紛争解決機関の商号又は名称を公表しなければならない。

- (2) If a funds transfer service provider implements measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the funds transfer service provider must publicly announce the trade name or other name of the designated dispute resolution organization for funds transfer services that is the counterparty to the basic contract for execution of procedures.

3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

- (3) The provisions of paragraph (1) do not apply during the period specified in the following items according to the respective categories of cases prescribed therein:

一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第一百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務の廃止の認可又は第百条第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

- (i) if a funds transfer service provider who initially fell under paragraph (1), item (i) has come to fall under paragraph (1), item (ii): A period specified by the prime minister as that necessary for taking measures specified in paragraph (1), item (ii) when authorization is granted for the abolition of the Dispute Resolution Services referred to in Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph

- (1) following the deemed replacement of terms or designation is revoked pursuant to the provisions of Article 100, paragraph (1);
- 二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定資金移動業務紛争解決機関の紛争解決等業務の廃止が第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定資金移動業務紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。）その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間
- (ii) if a funds transfer service provider falls under paragraph (1), item (i), when authorization is granted for the abolition of the Dispute Resolution Services by the Designated Dispute Resolution Organization for Funds Transfer Services mentioned in that item of Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the replacement of terms or the designation granted to the Designated Dispute Resolution Organization for Funds Transfer Services under the provision of Article 99, paragraph (1) is revoked pursuant to the provisions of Article 100, paragraph (1) (excluding the case specified in the preceding item): A period specified by the prime minister as the period necessary for taking measures specified in paragraph (1), item (i) at the time of the authorization or revocation; or
- 三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間
- (iii) if a funds transfer service provider who initially fell under paragraph (1), item (ii) has come to fall under paragraph (1), item (i): A period specified by the prime minister as the period necessary for taking measures specified in paragraph (1), item (i) when designation is granted under the provisions of Article 99, paragraph (1).
- 4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。
- (4) The term "complaint processing measures" as used in paragraph (1), item (ii) means having a person specified by Cabinet Office Order as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs that the consumer made against the service provider or in other areas of consumer affairs, to provide advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Order as similar

thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第三号に規定する認証紛争解決手続をいう。）により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "dispute resolution measures" as used in paragraph (1), item (ii) means seeking resolution of a dispute with the user through the authorized dispute resolution procedures (meaning the authorized dispute resolution procedures prescribed in Article 2, item (iii) of the Act on Promoting the Use of Alternative Dispute Resolution (Act No. 151 of 2004)) or any other measures specified by Cabinet Office Order as similar thereto.

第三節 監督

Section 3 Supervision

(帳簿書類)

(Books and Documents)

第五十二条 資金移動業者は、内閣府令で定めるところにより、その資金移動業に関する帳簿書類を作成し、これを保存しなければならない。

Article 52 A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books and documents on its funds transfer service.

(報告書)

(Written Reports)

第五十三条 資金移動業者は、事業年度ごとに、内閣府令で定めるところにより、資金移動業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 53 (1) A funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its funds transfer services for each business year and submit it to the prime minister.

2 資金移動業者は、前項の報告書のほか、六月を超えない範囲内で内閣府令で定める期間（第二号において単に「期間」という。）ごとに、内閣府令で定めるところにより、次の各号に掲げる資金移動業者の区分に応じ、当該各号に定める報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports prescribed in the preceding paragraph, a funds transfer service provider must prepare a written report specified in the following items in accordance with the respective types of funds transfer service providers set forth therein for each period specified by Cabinet Office Order not exceeding six months (simply referred to as the "period" in item (ii)), and submit it to the prime minister, pursuant to the provisions of Cabinet Office Order:

- 一 次号に掲げる者以外の資金移動業者 未達債務の額及び履行保証金の供託、履行保証金保全契約又は履行保証金信託契約に関する報告書
- (i) funds transfer service providers other than those set forth in the following item: a written report on the amount of outstanding obligations in the process of being transferred, and the status of security deposits for providing funds transfer services, guarantee contracts for security deposits for providing funds transfer services, or trust agreements for security deposits for providing funds transfer services; or
- 二 直前の期間において第四十五条の二第一項の規定の適用を受けていた資金移動業者 前号に定める報告書及び第三種資金移動業に係る預貯金等管理方法による管理の状況に関する報告書
- (ii) funds transfer service providers to whom the provisions of Article 45-2, paragraph (1) were applied in the immediately preceding period: the written report specified in the preceding item and a written report on the status of management by the method of management by bank deposits or savings pertaining to type III funds transfer services.
- 3 前二項の報告書には、次の各号に掲げる資金移動業者の区分に応じ、当該各号に定める書類を添付しなければならない。
- (3) Documents specified in the following items in accordance with the respective types of funds transfer service providers set forth therein must be attached to the written report referred to in the preceding two paragraphs:
 - 一 前項第一号に掲げる者 財務に関する書類その他の内閣府令で定める書類
 - (i) a person set forth in item (i) of the preceding paragraph: documents concerning finance and other documents specified by Cabinet Office Order; or
 - 二 前項第二号に掲げる者 財務に関する書類、当該書類についての公認会計士又は監査法人の監査報告書その他の内閣府令で定める書類
 - (ii) a person set forth in item (ii) of the preceding paragraph: documents concerning finance, an audit report prepared by a certified public accountant or audit corporation regarding these documents, and other documents specified by Cabinet Office Order.

(立入検査等)

(On-Site Inspections)

第五十四条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、資金移動業者に対し当該資金移動業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 54 (1) When the prime minister finds it necessary for the provision of funds transfer service in a proper and steady manner, the minister may order a funds transfer service provider to submit reports or materials that can be used

as reference for its business or property, or have officials enter the business office or other establishment of that funds transfer service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金移動業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金移動業者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条及び第六十条において同じ。）に対し当該資金移動業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金移動業者から業務の委託を受けた者の施設に立ち入らせ、当該資金移動業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the prime minister finds it particularly necessary for the provision of funds transfer service in a proper and steady manner, the minister may order a person to whom business has been entrusted by the funds transfer service provider (including persons to whom the business has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article and Article 60) to submit reports or materials that can be used as reference for the business or property of the funds transfer service provider, or have officials enter the business office, office or other establishment of the person to whom business has been entrusted by the funds transfer service provider, ask questions about the status of its business or property of the funds transfer service provider or inspect its books and documents or other items, to the extent necessary for the order.

3 前項の資金移動業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a funds transfer service provider referred to in the preceding paragraph may, if there are reasonable grounds for doing so, refuse the submission of reports or materials, or the inquiry or inspection under the provisions of that paragraph.

（業務改善命令）

(Order to Improve Business Operations)

第五十五条 内閣総理大臣は、資金移動業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金移動業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 55 When the prime minister finds it necessary for the provision of funds transfer service in a proper and steady manner, the minister may order a funds transfer service provider to take necessary measures to improve the operation of its business or its financial status or other measures necessary for the

purpose of supervision, to the extent necessary for the order.

(登録の取消し等)

(Revocation of Registration)

第五十六条 内閣総理大臣は、資金移動業者が次の各号のいずれかに該当するときは、第三十七条の登録を取り消し、又は六月以内の期間を定めて資金移動業の全部若しくは一部の停止を命ずることができる。

Article 56 (1) When a funds transfer service provider falls under any of the following items, the prime minister may revoke its registration referred to in Article 37 or order the funds transfer service provider to suspend all or part of its funds transfer service, by setting a period for suspension not exceeding six months:

一 第四十条第一項各号に該当することとなったとき。

(i) when the funds transfer service provider falls under any of the items of Article 40, paragraph (1);

二 不正の手段により第三十七条の登録又は第四十一条第一項の変更登録を受けたとき。

(ii) when the funds transfer service provider has been registered pursuant to the provisions of Article 37 or the change referred to in Article 41, paragraph (1) has been registered through wrongful means;

三 第四十条の二第一項の認可を受けた業務実施計画によらないで第一種資金移動業を営んだとき。

(iii) when the funds transfer service provider has provided type I funds transfer service not in accordance with the authorized business implementation plan referred to in Article 40-2, paragraph (1); or

四 この法律若しくはこの法律に基づく命令、これらに基づく処分又は認可に付した条件に違反したとき。

(iv) when the funds transfer service provider violates this Act, an order under this Act, or the requirements for a disposition or authorization under these Act, or order.

2 内閣総理大臣は、資金移動業者の営業所の所在地を確知できないとき、又は資金移動業者を代表する取締役若しくは執行役（外国資金移動業者である資金移動業者にあつては、国内における代表者）の所在を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該資金移動業者から申出がないときは、当該資金移動業者の第三十七条の登録を取り消すことができる。

(2) When the locations of business offices of a funds transfer service provider are not ascertained or the whereabouts of the director or executive officer representing the funds transfer service provider (in cases of a funds transfer service provider that is a foreign funds transfer service provider, the representative person in Japan) is not ascertained, the prime minister gives

public notice to that effect pursuant to the provisions of Cabinet Office Order and may revoke the registration of the funds transfer service provider referred to in Article 37 if the service provider fails to report within thirty days from the date of the public notice.

- 3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。
(3) The provisions of Chapter III of the Administrative Procedure Act do not apply to the disposition under the provisions of the preceding paragraph.

(登録の抹消)

(Deletion of Registration)

第五十七条 内閣総理大臣は、前条第一項若しくは第二項の規定により第三十七条の登録を取り消したとき、又は第六十一条第二項の規定により第三十七条の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 57 When the prime minister revokes the registration referred to in Article 37 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 37 has ceased to be effective pursuant to the provisions of Article 61, paragraph (2), the minister must delete the registration.

(監督処分の公告)

(Public Notice of Supervisory Dispositions)

第五十八条 内閣総理大臣は、第五十六条第一項又は第二項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 58 When the prime minister implements a disposition under the provisions of Article 56, paragraph (1) or (2), the minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

(履行保証金の供託等に係る特例)

(Special Provisions for Security Deposits for Providing Funds Transfer Services)

第五十八条の二 二以上の種別の資金移動業を営む資金移動業者であって、その営む資金移動業の種別の全部又は一部について第四十三条第一項の規定による履行保証金の供託に係る当該資金移動業の種別ごとの算定期間、基準日等及び供託期限が同一である者は、内閣府令で定めるところにより、次に掲げる事項を記載した届出書を内閣総理大臣に提出したときは、第一号に掲げる日（次項において「特例適用開始日」という。）以後、第二号に掲げる資金移動業の種別（以下この項及び次項において「特例対象資金移動業」という。）について一括供託をすることができる。この場合における特例対象資金移動業についての同条第一項及び第二項、第四十四条、第四十五条第一項及び第二項第一号、第四十七条並びに次条第一項の規定の適用については、第四十三条第一項中「資金移動業の種別ごとに履行保証金」とあるのは「履行保証金」と、「ならない」とあるのは「ならない。ただし、当該資金移動業者が営む資金移動業に

係る要履行保証額の総額が、小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額以上の額に相当する額の履行保証金を、その本店の最寄りの供託所に供託しなければならない」と、同条第二項中「をいう。ただし、当該合計額が小規模な資金移動業者がその行う為替取引に関し負担する債務の履行を確保するために必要な額として政令で定める額以下である場合には、当該政令で定める額とする」とあるのは「をいう」と、第四十四条中「その営む資金移動業の種別ごとに履行保証金保全契約」とあるのは「履行保証金保全契約」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、第四十五条第一項中「その営む資金移動業の種別ごとに履行保証金信託契約」とあるのは「履行保証金信託契約」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、同号中「為替取引（当該履行保証金信託契約に係る種別の資金移動業に係るものに限る。）」とあるのは「為替取引」と、第四十七条中「一の種別の資金移動業に係る履行保証金」とあるのは「履行保証金」と、同条第一号中「第四十三条第一項」とあるのは「第四十三条第一項本文」と、次条第一項中「営む一の種別の資金移動業に係る」とあるのは「行う」と、「当該種別の資金移動業に係る履行保証金」とあるのは「履行保証金」とするほか、必要な技術的読替えは、政令で定める。

Article 58-2 (1) In the case where a funds transfer service provider provides two or more types of funds transfer services and the calculation period, the base date, etc. and the due date for deposit according to the respective types of funds transfer services provided by it, for which security deposits are to be made pursuant to the provisions of Article 43, paragraph (1), are the same for all or part of the respective types of funds transfer services provided by it, and when the funds transfer service provider has submitted a written notice containing the following particulars to the prime minister, pursuant to the provisions of Cabinet Office Order, the funds transfer service provider may make a lump sum deposit according to the respective types of funds transfer services set forth in item (ii) (hereinafter referred to as "funds transfer services under the special provisions" in this paragraph and the following paragraph) on or after the day set forth in item (i) (referred to as the "day on which the application of special provisions commences" in the following paragraph). With regard to the application of the provisions of Article 43, paragraphs (1) and (2), Article 44, Article 45, paragraph (1) and paragraph (2), item (i), Article 47 and paragraph (1) of the following Article to funds transfer services subject to special provisions in this case, the phrase "for the respective types of funds transfer services set forth in the following items specified therein in accordance with the types of funds transfer services" in Article 43, paragraph (1) is deemed to be replaced with "as specified in the following items in accordance with the respective types of funds transfer services specified therein" and at the end of the provisions of that paragraph, the phrase "; provided, however, that in the case where the total amount required for security deposit for

providing funds transfer services pertaining to the funds transfer services provided by the funds transfer service provider is not more than the amount specified by Cabinet Order as being necessary for ensuring performance of obligations borne by a small-scale funds transfer service provider in relation to exchange transactions carried out by the small-scale funds transfer service provider, the funds transfer service provider must make security deposits for providing funds transfer services in the amount equivalent to the amount not less than the amount specified by the relevant Cabinet Order" is to be added; in paragraph (2) of that Article, the proviso is to be deleted; in Article 44, the phrases "for each type of funds transfer services provided by it" and "for the relevant type of funds transfer service" are to be deleted; in Article 45, paragraph (1), the phrases "for respective types of funds transfer services provided by it" and "for the relevant category of funds transfer services" are to be deleted, and in Article 45, paragraph (2), item (i), the phrase "(limited to exchange transactions for the category of funds transfer services pertaining to the trust agreement of security deposits for providing funds transfer services)" is to be deleted; in Article 47, the phrase "a single category of" is to be deleted, and in item (i) of that Article, the phrase "Article 43, paragraph (1)" is to be replaced with "the main clause of Article 43, paragraph (1)"; in paragraph (1) of the following Article, the phrase "for a single type of funds transfer services provided by" is to be replaced with "carried out" and the phrase "the type of" is to be deleted; and any other necessary technical replacement of terms is specified by Cabinet Order:

一 一括供託を開始する日

(i) the day to commence a lump sum deposit;

二 一括供託をする二以上の資金移動業の種別（算定期間、基準日等及び供託期限が同一であるものに限る。）

(ii) two or more types of funds transfer services for which a lump sum deposit is to be made (limited to the types of services for which the calculation period, the base date, etc. and the due date for deposit are the same); and

三 その他内閣府令で定める事項

(iii) other particulars specified by Cabinet Office Order.

2 前項の届出書を提出した資金移動業者が特例適用開始日において第四十三条第一項の規定によりその営む特例対象資金移動業ごとに供託していた履行保証金については、当該資金移動業者が前項の規定により読み替えて適用する第四十三条第一項の規定により供託した履行保証金とみなす。

(2) Security deposits for providing funds transfer services made by a funds transfer service provider that has submitted a written notice referred to in the preceding paragraph has made for each of the funds transfer services under the special provisions pursuant to the provisions of Article 43, paragraph (1) as of the day on which the special provisions commence to apply are deemed to be

security deposits for providing funds transfer services made by the funds transfer service provider pursuant to the provisions of Article 43, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of the preceding paragraph.

- 3 第一項の届出書を提出した資金移動業者が、内閣府令で定めるところにより、一括供託をやめる資金移動業の種別（以下この項及び次項において「特例適用終了資金移動業」という。）、特例適用終了資金移動業について一括供託をやめる日（以下この項及び次項において「特例適用終了日」という。）その他内閣府令で定める事項を記載した届出書を内閣総理大臣に提出したときは、特例適用終了日以後、当該特例適用終了資金移動業については、第一項の規定は、適用しない。

(3) When a funds transfer service provider that has submitted a written notice referred to in paragraph (1) submits a written notice containing the type of funds transfer service for which it terminates a lump sum deposit (hereinafter referred to as the "funds transfer services for which the application of special provisions is terminated" in this paragraph and the following paragraph), the day on which it terminates a lump sum deposit for the funds transfer services for which the application of special provisions is terminated (hereinafter referred to as the "day on which the application of special provisions is terminated" in this paragraph and the following paragraph), and other particulars specified by Cabinet Office Order to the prime minister, pursuant to the provisions of Cabinet Office Order, the provisions of paragraph (1) do not apply to the funds transfer services for which the application of special provisions is terminated on or after the day on which the application of special provisions is terminated.

- 4 前項の届出書を提出した資金移動業者が特例適用終了日において第一項の規定により読み替えて適用する第四十三条第一項の規定により供託していた履行保証金（第二項の規定により、第一項の規定により読み替えて適用する第四十三条第一項の規定により供託したとみなされた履行保証金を含む。）については、特例適用終了日の直前の基準日等における特例適用終了資金移動業ごとの要供託額（当該資金移動業者が特例適用終了資金移動業について一括供託をやめる場合に当該特例適用終了資金移動業ごとに第四十三条第一項の規定により供託しなければならないこととなる履行保証金の額をいう。）に応じて、内閣府令で定めるところにより、その営む特例適用終了資金移動業ごとに供託した履行保証金とみなす。

(4) Security deposits for providing funds transfer services made by a funds transfer service provider that submitted a written notice referred to in the preceding paragraph pursuant to the provisions of Article 43, paragraph (1) as applied following the deemed replacement of terms pursuant to the provisions of paragraph (1) as of the day on which the application of special provisions is terminated (including security deposits for providing funds transfer services that are deemed to have been made pursuant to the provisions of Article 43, paragraph (1) as applied following the deemed replacement of terms pursuant

to the provisions of paragraph (1), pursuant to the provisions of paragraph (2)) are deemed to be security deposits for providing funds transfer services made by the funds transfer service provider for each of the funds transfer services for which the application of special provisions is terminated, pursuant to the provisions of Cabinet Office Order, in accordance with the amount required for deposit for each of the funds transfer services for which the application of special provisions is terminated (meaning the amount of security deposits made by the funds transfer service provider, when intending to terminate a lump sum deposit for funds transfer services for which the application of special provisions is terminated, must deposit for each of those funds transfer services for which the application of special provisions is terminated pursuant to the provisions of Article 43, paragraph (1)) as of the base date, etc. immediately preceding the day on which the application of special provisions is terminated.

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

(5) In this Article, the terms set forth in the following items mean as specified respectively therein:

一 算定期間 第一種資金移動業にあつては一営業日を、第二種資金移動業又は第三種資金移動業にあつては第四十三条第一項第二号に規定する一週間以内で資金移動業の種別ごとに資金移動業者が定める期間をいう。

(i) calculation period: for type I funds transfer services, means one business day, and for type II funds transfer services or type III funds transfer services, means a period set by a funds transfer service provider for the respective types of services not exceeding one week specified in Article 43, paragraph (1), item (ii);

二 基準日等 第一種資金移動業にあつては各営業日を、第二種資金移動業又は第三種資金移動業にあつては第四十三条第一項第二号に規定する基準日をいう。

(ii) base date, etc.: for type I funds transfer services, means each business day, and for type II funds transfer services or type III funds transfer services, means the base date specified in Article 43, paragraph (1), item (ii);

三 供託期限 第一種資金移動業にあつては第四十三条第一項第一号に規定する各営業日から一週間以内で内閣府令で定める期間内において資金移動業者が定める期間の末日を、第二種資金移動業又は第三種資金移動業にあつては同項第二号に規定する基準日から一週間以内で内閣府令で定める期間内において資金移動業の種別ごとに資金移動業者が定める期間の末日をいう。

(iii) due date for deposit: for type I funds transfer services, means the last day of the period set by a funds transfer service provider within the period specified by Cabinet Office Order not exceeding one week from each business day specified in Article 43, paragraph (1), item (i), and for type II funds transfer services or type III funds transfer services, means last day of the

period set by a funds transfer service provider for each type of funds transfer services within the period specified by Cabinet Office Order not exceeding one week from the base date specified in item (ii) of that paragraph; and
四 一括供託 同一の手続により一括して行う履行保証金の供託をいう。
(iv) a lump sum deposit: means making security deposits for providing funds transfer services in a lump sum through the same procedures.

第四節 雑則

Section 4 Miscellaneous Provisions

(履行保証金の還付)

(Return of Security Deposits for Providing Funds Transfer Services)

第五十九条 資金移動業者がその営む一の種別の資金移動業に係る為替取引に関し負担する債務に係る債権者は、当該種別の資金移動業に係る履行保証金について、他の債権者に先立ち弁済を受ける権利を有する。ただし、第四十五条の二第一項の規定の適用を受けている資金移動業者がその行う為替取引（第三種資金移動業に係るものに限る。）に関し負担する債務に係る債権者は、当該債務に係る債権については、当該債権の額から当該債権の額に預貯金等管理割合を乗じて得た額を控除した額を限度として、当該権利を有するものとする。

Article 59 (1) A creditor of obligations borne by a funds transfer service provider in relation to the exchange transactions for a single category of funds transfer services provided by the funds transfer service provider has the right to receive, in preference over other creditors, payments for the return of security deposits for providing that category of funds transfer services; provided, however, that creditors of obligations that a funds transfer service provider to whom the provisions of Article 45-2, paragraph (1) are applied bears in relation to the exchange transactions (limited to exchange transactions pertaining to type III funds transfer services) carried out thereby are to have the right up to the amount deducting the amount obtained by multiplying the claimed amount by the rate of management by bank deposits or savings from the amount of the claim.

2 内閣総理大臣は、次の各号のいずれかに該当する場合において、資金移動業の利用者の利益の保護を図るために必要があると認めるときは、前項の権利を有する者に対し、六十日を下らない一定の期間内に内閣総理大臣に債権の申出をすべきこと及びその期間内に債権の申出をしないときは当該公示に係る履行保証金についての権利の実行の手続から除斥されるべきことを公示する措置その他の同項の権利の実行のために必要な措置をとらなければならない。

(2) In the cases falling under any of the following items, when the prime minister finds it necessary for the protection of the interests of users of funds transfer services, the minister must give public notice to the effect that persons holding the right specified in the preceding paragraph must file their claims with the

prime minister within a certain period of not less than sixty days and that they are excluded from the procedure for the fulfillment of the right to the return of the security deposits for providing funds transfer services pertaining to the public notice unless they file their claims within the notified period and take other measures necessary for the fulfillment of the right prescribed in that paragraph:

一 前項の権利の実行の申立てがあったとき。

(i) when a petition is filed for the fulfillment of the right specified in the preceding paragraph; or

二 資金移動業者について破産手続開始の申立て等が行われたとき。

(ii) when a petition for commencement of bankruptcy proceedings, etc. is filed against a funds transfer service provider.

3 内閣総理大臣は、内閣府令で定めるところにより、第一項の権利の実行に関する事務を銀行等その他の政令で定める者（次項及び第五項において「権利実行事務代行者」という。）に委託することができる。

(3) The prime minister may, pursuant to the provisions of Cabinet Office Order, entrust the administrative functions related to the fulfillment of the right prescribed in paragraph (1) to a deposit-taking institution or any other person specified by Cabinet Order (referred to as "agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments" in the following paragraph and in paragraph (5)).

4 権利実行事務代行者は、他の法律の規定にかかわらず、前項の規定により委託を受けた業務を行うことができる。

(4) Notwithstanding the provisions of any other Acts, an agent for a regional finance office that distributes security deposits to holders of prepaid payment instruments may engage in the business entrusted to the agent pursuant to the provisions of the preceding paragraph.

5 第三項の規定により業務の委託を受けた権利実行事務代行者又はその役員若しくは職員であつて当該委託を受けた業務に従事する者は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(5) With regard to the application of the Penal Code and other penal provisions, an agent for a regional finance office that distributes security deposits to holders of prepaid payment instruments to whom business has been entrusted pursuant to the provisions of paragraph (3) or its officers or employees engaging in the entrusted business are deemed to be officials engaged in public service pursuant to laws and regulations.

6 第二項から前項までに規定するもののほか、第一項の権利の実行に関し必要な事項は、政令で定める。

(6) Beyond what is provided for in paragraph (2) through the preceding paragraph, particulars necessary for the fulfillment of the right prescribed in paragraph (1) are specified by Cabinet Order.

(履行保証金の還付への協力)

(Cooperation for Return of Security Deposits for Providing Funds Transfer Services)

第六十条 資金移動業者から資金移動業の委託を受けた者その他の当該資金移動業者の関係者は、当該資金移動業者の為替取引に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 60 If a person to whom funds transfer services have been entrusted by a funds transfer service provider or any other related person of the funds transfer service provider is requested by the prime minister to extend their cooperation necessary for the fulfillment of the right prescribed in paragraph (1) of the preceding Article pertaining to exchange transactions carried out by the funds transfer service provider, the person is to endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business)

第六十一条 資金移動業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 61 (1) If a funds transfer service provider falls under any of the following items, it must notify the prime minister to that effect without delay:

一 資金移動業の全部又は一部を廃止したとき。

(i) the funds transfer service provider discontinues all or part of the funds transfer service; or

二 第五十九条第二項第二号に掲げるとき。

(ii) the funds transfer service provider falls under Article 59, paragraph (2), item (ii).

2 資金移動業者が資金移動業の全部を廃止したときは、当該資金移動業者の第三十七条の登録は、その効力を失う。

(2) If a funds transfer service provider discontinues all of the funds transfer service, the registration of the funds transfer service provider referred to in Article 37 ceases to be effective.

3 資金移動業者は、資金移動業の全部又は一部を廃止しようとするときは、その日の三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、全ての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) When intending to discontinue all or part of the funds transfer services, a funds transfer service provider must, pursuant to the provisions of Cabinet Office Order, give public notice to that effect and post a notice to that effect in a place easily seen by the public at all of its business offices at least thirty days prior to the relevant date.

4 資金移動業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理

大臣に届け出なければならない。

- (4) Having given public notice pursuant to the provisions of the preceding paragraph, a funds transfer service provider must notify the prime minister to that effect immediately.
- 5 資金移動業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）には、廃止しようとする資金移動業として行う為替取引に関し負担する債務の履行を速やかに完了しなければならない。
- (5) Having given public notice pursuant to the provisions of paragraph (3) (excluding cases where it has given public notice concerning the succession of the relevant business by way of transfer of business, merger or company split, or for other reasons) a funds transfer service provider must, promptly complete the performance of obligations that it has borne in relation to the exchange transactions carried out by it in the course of the funds transfer services that the service provider intends to discontinue.
- 6 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、資金移動業者（外国資金移動業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (6) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3) of the Companies Act applies mutatis mutandis to cases where a funds transfer service provider (excluding a foreign funds transfer service provider) gives public notice under the provisions of paragraph (3) by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.
- 7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国資金移動業者である資金移動業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。
- (7) The provisions of Article 940, (1) (limited to the part pertaining to item (i)) and Article 940, (3), Article 941, Article 946, Article 947, Article 951 (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where a funds transfer service provider that is a foreign funds transfer service provider gives public notice under the provisions of paragraph (3) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

（登録の取消し等に伴う債務の履行の完了等）

(Completion of Performance of Obligations Due to Revocation of Registration)

第六十二条 資金移動業者について、第五十六条第一項若しくは第二項の規定により第三十七条の登録が取り消されたとき、又は前条第二項の規定により第三十七条の登録が効力を失ったときは、当該資金移動業者であった者は、その行う為替取引に関し負担する債務の履行を完了する目的の範囲内においては、なお資金移動業者とみなす。

Article 62 (1) With regard to a funds transfer service provider, when the registration referred to in Article 37 has been revoked pursuant to provisions of Article 56, paragraph (1) or (2) or has ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, the person who has been the funds transfer service provider is deemed to be a funds transfer service provider within the scope of the purpose of completing the performance of obligations borne by the service provider in relation to the exchange transactions carried out by it.

2 二以上の種別の資金移動業を営む資金移動業者について、第四十一条第五項の規定により一の種別の資金移動業の全部の廃止による資金移動業の種別の変更が資金移動業者登録簿に登録されたときは、当該資金移動業者は、廃止した種別の資金移動業に係る為替取引に関し負担する債務の履行を完了する目的の範囲内においては、なお当該種別の資金移動業を営む資金移動業者として第三十七条の登録を受けているものとみなす。

(2) With regard to a funds transfer service provider providing two or more types of funds transfer services, when a change of type of funds transfer service due to the discontinuation of one type of whole funds transfer services has been registered in the register of funds transfer service providers pursuant to the provisions of Article 41, paragraph (5), the funds transfer service provider is deemed to be registered as a funds transfer service provider providing those types of funds transfer services referred to in Article 37 within the scope of the purpose of completing the performance of obligations borne by it in relation to the exchange transactions for the types of funds transfer services that it has discontinued.

(外国資金移動業者の勧誘の禁止)

(Prohibition on Solicitation by Foreign Funds Transfer Service Providers)

第六十三条 第三十七条の登録を受けていない外国資金移動業者は、法令に別段の定めがある場合を除き、国内にある者に対して、為替取引の勧誘をしてはならない。

Article 63 Unless otherwise prescribed by laws and regulations, an unregistered foreign funds transfer service provider referred to in Article 37 must not solicit a person in Japan for exchange transactions.

第三章の二 暗号資産

Chapter III-2 Crypto-Assets

第一節 総則

Section 1 General Provisions

(暗号資産交換業者の登録)

(Registration of Crypto-Asset Exchange Service Providers)

第六十三条の二 暗号資産交換業は、内閣総理大臣の登録を受けた者でなければ、行つてはならない。

Article 63-2 No person may provide a crypto-asset exchange service unless the person is registered by the prime minister.

(登録の申請)

(Application for Registration)

第六十三条の三 前条の登録を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した登録申請書を内閣総理大臣に提出しなければならない。

Article 63-3 (1) A person who intend to be registered referred to in the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for registration containing the following particulars to the prime minister:

一 商号及び住所

(i) trade name and address;

二 資本金の額

(ii) amount of capital;

三 暗号資産交換業に係る営業所の名称及び所在地

(iii) name and location of the business office pertaining to the crypto-asset exchange service;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役とし、指名委員会等設置会社にあつては取締役及び執行役とし、外国暗号資産交換業者にあつては外国の法令上これらに相当する者とする。第六十三条の五第一項第十一号において同じ。）の氏名

(iv) name of director and company auditor (director in cases of a company which formed an audit and supervisory committee, etc.; director and executive officer in cases of a company formed a nominating committee, etc.; and persons equivalent thereto pursuant to laws and regulations of a foreign state in cases of a foreign crypto-asset exchange service provider; the same applies in Article 63-5, paragraph (1), item (xi));

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company which appointed accounting advisors, names of accounting advisors;

六 外国暗号資産交換業者にあつては、国内における代表者の氏名

(vi) in cases of a foreign crypto-asset exchange service provider, name of the representative person in Japan;

七 取り扱う暗号資産の名称

(vii) name of the crypto-asset to be used;

八 暗号資産交換業の内容及び方法

(viii) details and means of the crypto-asset exchange service;

九 暗号資産交換業の一部を第三者に委託する場合にあつては、当該委託に係る業務の内容並びにその委託先の氏名又は商号若しくは名称及び住所

(ix) if part of the crypto-asset exchange service is entrusted to a third party, the details of the business pertaining to the entrustment and the name or trade name or other name and address of the third party to whom the crypto-asset exchange services are entrusted;

十 他に事業を行っているときは、その事業の種類

(x) type of businesses, if the service provider conducts other businesses; and

十一 その他内閣府令で定める事項

(xi) other particulars specified by Cabinet Office Order.

2 前項の登録申請書には、第六十三条の五第一項各号に該当しないことを誓約する書面、財務に関する書類、暗号資産交換業を適正かつ確実に遂行する体制の整備に関する事項を記載した書類その他の内閣府令で定める書類を添付しなければならない。

(2) A document in which the applicant pledges does not to fall under any of the items of Article 63-5, paragraph (1), documents concerning finance, documents containing particulars concerning the establishment of a system for ensuring the provision of the crypto-asset exchange service in a proper and steady manner, and other documents specified by Cabinet Office Order must be attached to the application for registration referred to in the preceding paragraph.

(暗号資産交換業者登録簿)

(Register of Crypto-Asset Service Providers)

第六十三条の四 内閣総理大臣は、第六十三条の二の登録の申請があつたときは、次条第一項の規定によりその登録を拒否する場合を除くほか、次に掲げる事項を暗号資産交換業者登録簿に登録しなければならない。

Article 63-4 (1) The prime minister must, when an application for registration referred to in Article 63-2 is filed, register the following particulars in the register of crypto-asset exchange service providers, except when refusing the registration pursuant to the provisions of paragraph (1) of the following Article:

一 前条第一項各号に掲げる事項

(i) particulars listed in the items of paragraph (1) of the preceding Article; and

二 登録年月日及び登録番号

(ii) date of registration and registration number.

2 内閣総理大臣は、前項の規定による登録をしたときは、遅滞なく、その旨を登録申請者に通知しなければならない。

(2) If the prime minister registers the particulars under the provisions of the

preceding paragraph, the minister must notify the applicant to that effect without delay.

- 3 内閣総理大臣は、暗号資産交換業者登録簿を公衆の縦覧に供しなければならない。
- (3) The prime minister must make the register of crypto-asset exchange service providers available for public inspection.

(登録の拒否)

(Refusal of Registration)

第六十三条の五 内閣総理大臣は、登録申請者が次の各号のいずれかに該当するとき、又は登録申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

Article 63-5 (1) The prime minister must refuse registration when an applicant falls under any of the following items, or a written application for registration or its accompanying documents contain false statements about important particulars, or lack any statement about important particulars:

一 株式会社又は外国暗号資産交換業者（国内に営業所を有する外国会社に限る。）でないもの

(i) a person other than a stock company or a foreign crypto-asset exchange service provider (limited to a foreign company that has a business office in Japan);

二 外国暗号資産交換業者にあつては、国内における代表者（国内に住所を有するものに限る。）のない法人

(ii) a foreign crypto-asset exchange service provider that is a corporation who does not have a representative person in Japan (limited to a person who is domiciled in Japan);

三 暗号資産交換業を適正かつ確実に遂行するために必要と認められる内閣府令で定める基準に適合する財産的基礎を有しない法人

(iii) a corporation lacking a sufficient financial foundation that satisfies the requirements specified by Cabinet Office Order as those found to be necessary for the provision of the crypto-asset exchange service in a proper and steady manner;

四 暗号資産交換業を適正かつ確実に遂行する体制の整備が行われていない法人

(iv) a corporation that has not established a system that is necessary for the provision of the crypto-asset exchange service in a proper and steady manner;

五 この章の規定を遵守するために必要な体制の整備が行われていない法人

(v) a corporation that has not established a system that is necessary for ensuring compliance with the provisions of this Chapter;

六 暗号資産交換業者をその会員（第八十七条第二号に規定する会員をいう。）とする認定資金決済事業者協会に加入しない法人であつて、当該認定資金決済事業者協会の定款その他の規則（暗号資産交換業の利用者の保護又は暗号資産交換業の適正

かつ確実な遂行に関するものに限る。)に準ずる内容の社内規則を作成していないもの又は当該社内規則を遵守するための体制を整備していないもの

(vi) a corporation that has not joined an association for certified payment service providers whose members (meaning the members specified in Article 87, item (ii)) are the crypto-asset exchange service providers and has not prepared internal rules of which contents are equivalent to the articles of incorporation or other rules (limited to those concerning the protection of users of crypto-asset exchange services or the provision of crypto-asset exchange services in a proper and steady manner) of the association for certified payment service providers or has not established a system for ensuring compliance with those internal rules;

七 他の暗号資産交換業者が現に用いている商号と同一の商号又は他の暗号資産交換業者と誤認されるおそれのある商号を用いようとする法人

(vii) a corporation that intends to use a trade name that is identical to the one currently being used by another crypto-asset exchange service provider or that may be misidentified as another crypto-asset exchange service provider;

八 第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録を取り消され、又はこの法律に相当する外国の法令の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。）を取り消され、その取消の日から五年を経過しない法人

(viii) a corporation that had its registration referred to in Article 63-2 revoked pursuant to the provisions of Article 63-17, paragraph (1) or (2), or had the registration of the same type in a foreign state (including permission or other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, and for whom five years have not passed from the date of the revocation;

九 この法律、金融商品取引法若しくは出資の受入れ、預り金及び金利等の取締りに関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(ix) a corporation that has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits, and Interest Rates or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

十 他に行う事業が公益に反すると認められる法人

(x) a corporation conducting other business, which is found to be against the public interest;

十一 取締役若しくは監査役又は会計参与（外国暗号資産交換業者にあつては、国内における代表者を含む。以下この章において「取締役等」という。）のうちに次のいずれかに該当する者のある法人

(xi) a corporation that employs a person who is a director, company auditor, or accounting advisor (including representative person in Japan in cases of a foreign crypto-asset exchange service provider; hereinafter referred to as a "director, etc." in this Chapter) falling under any of the following items:

イ 心身の故障のため暗号資産交換業に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to crypto-asset exchange services due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、金融商品取引法、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Financial Instruments and Exchange Act, the Act Regulating the Receipt of Contributions, Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 暗号資産交換業者が第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録を取り消された場合又は法人がこの法律に相当する外国の法令

の規定により当該外国において受けている同種類の登録（当該登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) if a crypto-asset exchange service provider had its registration referred to in Article 63-2 revoked pursuant to the provisions of Article 36-17, paragraph (1) or (2), or a corporation had the registration of the same type in a foreign state (including permission or other administrative dispositions similar to the registration) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who was a director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not elapsed from the relevant date or a person specified by Cabinet Order as similar thereto.

2 内閣総理大臣は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を登録申請者に通知しなければならない。

(2) When the prime minister refuses the registration pursuant to the provisions of the preceding paragraph, the minister must notify the applicant to that effect by indicating the reason therefor without delay.

(変更の届出)

(Notification of Changes)

第六十三条の六 暗号資産交換業者は、第六十三条の三第一項第七号又は第八号に掲げる事項のいずれかを変更しようとするとき（暗号資産交換業の利用者の保護に欠け、又は暗号資産交換業の適正かつ確実な遂行に支障を及ぼすおそれが少ない場合として内閣府令で定める場合を除く。）は、あらかじめ、その旨を内閣総理大臣に届け出なければならない。

Article 63-6 (1) When a crypto-asset exchange service provider intends to change any of the particulars set forth in Article 63-3, paragraph (1), item (vii) or (viii) (excluding cases specified by Cabinet Office Order as being less likely to weaken the protection of users of crypto-asset exchange services or hinder the provision of crypto-asset exchange services in a proper and steady manner), the crypto-asset exchange service provider must notify the prime minister to that effect in advance.

2 暗号資産交換業者は、第六十三条の三第一項各号に掲げる事項のいずれかに変更があったとき（前項の規定による届出をした場合を除く。）は、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

(2) If any of the particulars set forth in the items of Article 63-3, paragraph (1) (excluding the case in which a notification has been filed under the provisions of the preceding paragraph) are changed, the crypto-asset exchange service provider must notify the prime minister to that effect without delay.

3 内閣総理大臣は、前二項の規定による届出を受理したときは、届出があった事項を暗号資産交換業者登録簿に登録しなければならない。

(3) If the prime minister accepts a notification under the provisions of the preceding paragraph, the minister must register the particulars of the notification in the register of crypto-asset exchange service providers.

(名義貸しの禁止)

(Prohibition of Name Lending)

第六十三条の七 暗号資産交換業者は、自己の名義をもって、他人に暗号資産交換業を行わせてはならない。

Article 63-7 A crypto-asset exchange service provider must not have another person provide the crypto-asset exchange service in the name of the crypto-asset exchange service provider.

第二節 業務

Section 2 Business

(情報の安全管理)

(Information Security Management)

第六十三条の八 暗号資産交換業者は、内閣府令で定めるところにより、暗号資産交換業に係る情報の漏えい、滅失又は毀損の防止その他の当該情報の安全管理のために必要な措置を講じなければならない。

Article 63-8 A crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, take necessary measures for preventing leakage, loss, or damage to information pertaining to the crypto-asset exchange services and other measures for the security management of relevant information.

(委託先に対する指導)

(Management of Entrusted Parties)

第六十三条の九 暗号資産交換業者は、暗号資産交換業の一部を第三者に委託（二以上の段階にわたる委託を含む。）をした場合には、内閣府令で定めるところにより、当該委託に係る業務の委託先に対する指導その他の当該業務の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 63-9 If a crypto-asset exchange service provider entrusts (including cases under multi-tier entrustment arrangements) part of the crypto-asset exchange services to a third party, the crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, provide guidance to the third party to whom the relevant business has been entrusted and take other measures necessary for ensuring the operation of the business in a proper and steady manner.

(暗号資産交換業の広告)

(Advertisement of Crypto-Asset Exchange Services)

第六十三条の九の二 暗号資産交換業者は、その行う暗号資産交換業に関して広告をするときは、内閣府令で定めるところにより、次に掲げる事項を表示しなければならない。

Article 63-9-2 When a crypto-asset exchange service provider places an advertisement concerning the crypto-asset exchange service provided by it, the crypto-asset exchange service provider must indicate the following particulars, pursuant to the provisions of Cabinet Office Order:

一 暗号資産交換業者の商号

(i) the trade name of the crypto-asset exchange service provider;

二 暗号資産交換業者である旨及びその登録番号

(ii) the fact that it is a crypto-asset exchange service provider and its registration number;

三 暗号資産は本邦通貨又は外国通貨ではないこと。

(iii) the fact that crypto-assets are not the Japanese currency or a foreign currency; and

四 暗号資産の性質であって、利用者の判断に影響を及ぼすこととなる重要なものとして内閣府令で定めるもの

(iv) the characteristics of crypto-assets specified by Cabinet Office Order as material characteristics that will affect users' judgment.

(禁止行為)

(Prohibited Acts)

第六十三条の九の三 暗号資産交換業者又はその役員若しくは使用人は、次に掲げる行為をしてはならない。

Article 63-9-3 A crypto-asset exchange service provider or its officer or employee must not engage in the following conduct:

一 暗号資産交換業の利用者を相手方として第二条第七項各号に掲げる行為を行うことを内容とする契約の締結又はその勧誘（第三号において「暗号資産交換契約の締結等」という。）をするに際し、虚偽の表示をし、又は暗号資産の性質その他内閣府令で定める事項（次号において「暗号資産の性質等」という。）についてその相手方を誤認させるような表示をする行為

(i) when concluding a contract for engaging in any acts set forth in the items of Article 2, paragraph (7) with a user of crypto-asset exchange service that is a counterparty or soliciting the conclusion thereof (referred to as the "conclusion, etc. of a crypto-asset exchange contract" in item (iii)), make a false representation or other representation which may mislead the counterparty with regard to the characteristics of crypto-assets and other particulars specified by Cabinet Office Order (referred to as the

- "characteristics, etc. of crypto-assets" in the following item);
- 二 その行う暗号資産交換業に関して広告をするに際し、虚偽の表示をし、又は暗号資産の性質等について人を誤認させるような表示をする行為
- (ii) when placing an advertisement concerning the crypto-asset exchange service provided by it, give a false representation or other representation which may mislead people with regard to the characteristics, etc. of crypto-assets;
- 三 暗号資産交換契約の締結等をするに際し、又はその行う暗号資産交換業に関して広告をするに際し、支払手段として利用する目的ではなく、専ら利益を図る目的で暗号資産の売買又は他の暗号資産との交換を行うことを助長するような表示をする行為
- (iii) when concluding a crypto-asset exchange contract, etc. or placing an advertisement concerning the crypto-asset exchange service provided by it, make a representation which may facilitate purchase and sale of a crypto-asset or exchange with another crypto-asset not for the purpose of using them as payment instruments but solely for making profits; and
- 四 前三号に掲げるもののほか、暗号資産交換業の利用者の保護に欠け、又は暗号資産交換業の適正かつ確実な遂行に支障を及ぼすおそれがあるものとして内閣府令で定める行為
- (iv) beyond what is set forth in the preceding three items, any conduct specified by Cabinet Office Order as being likely to weaken the protection of users of crypto-asset exchange services or hinder the provision of crypto-asset exchange services in a proper and steady manner.

(利用者の保護等に関する措置)

(Measures for Customer Protection)

第六十三条の十 暗号資産交換業者は、内閣府令で定めるところにより、その取り扱う暗号資産の性質に関する説明、手数料その他の暗号資産交換業に係る契約の内容についての情報の提供その他の暗号資産交換業の利用者の保護を図り、及び暗号資産交換業の適正かつ確実な遂行を確保するために必要な措置を講じなければならない。

Article 63-10 (1) A crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, provide explanation concerning the characteristics of crypto-assets used in the business, and information about fees and other terms and conditions of contracts pertaining to the crypto-asset exchange service, and take other measures necessary for protecting the users of crypto-asset exchange services and ensuring the provision of the crypto-asset exchange services in a proper and steady manner.

2 暗号資産交換業者は、暗号資産交換業の利用者に信用を供与して暗号資産の交換等を行う場合には、前項に規定する措置のほか、内閣府令で定めるところにより、当該暗号資産の交換等に係る契約の内容についての情報の提供その他の当該暗号資産の交換等に係る業務の利用者の保護を図り、及び当該業務の適正かつ確実な遂行を確保す

るために必要な措置を講じなければならない。

- (2) When a crypto-asset exchange service provider exchanges crypto-assets, etc. by granting credit to the user of crypto-asset exchange service, the crypto-asset exchange service provider must provide information on the terms and conditions of contracts pertaining to exchange of crypto-assets, etc. and other measures necessary for protecting the users of business pertaining to exchange of crypto-assets, etc. and ensuring the operation of the business in a proper and steady manner, in addition to the measures prescribed in the preceding paragraph, pursuant to the provisions of Cabinet Office Order.

(利用者財産の管理)

(Management of Users' Property)

第六十三条の十一 暗号資産交換業者は、その行う暗号資産交換業に関して、暗号資産交換業の利用者の金銭を、自己の金銭と分別して管理し、内閣府令で定めるところにより、信託会社等に信託しなければならない。

Article 63-11 (1) A crypto-asset exchange service provider must, in connection with its crypto-asset exchange services, manage the money of the users of crypto-asset exchange services separately from its own money and entrust the users' money with a trust company, etc., pursuant to the provisions of Cabinet Office Order.

2 暗号資産交換業者は、その行う暗号資産交換業に関して、内閣府令で定めるところにより、暗号資産交換業の利用者の暗号資産を自己の暗号資産と分別して管理しなければならない。この場合において、当該暗号資産交換業者は、利用者の暗号資産（利用者の利便の確保及び暗号資産交換業の円滑な遂行を図るために必要なものとして内閣府令で定める要件に該当するものを除く。）を利用者の保護に欠けるおそれが少ないものとして内閣府令で定める方法で管理しなければならない。

(2) A crypto-asset exchange service provider must, in connection with its crypto-asset exchange services, manage the crypto-assets of the users of the crypto-asset exchange services separately from its own crypto-assets, pursuant to the provisions of Cabinet Office Order. In this case, the crypto-asset exchange service provider must manage users' crypto-assets (excluding crypto-assets that satisfy the requirements specified by Cabinet Office Order as being necessary for ensuring the convenience of users and achieving smooth provision of crypto-asset exchange services) by the method specified by Cabinet Office Order as being less likely to weaken the protection of users.

3 暗号資産交換業者は、前二項の規定による管理の状況について、内閣府令で定めるところにより、定期的に、公認会計士（公認会計士法第十六条の二第五項に規定する外国公認会計士を含む。第六十三条の十四第三項において同じ。）又は監査法人の監査を受けなければならない。

(3) A crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, undergo a periodic audit by a certified public accountant

(including certified foreign public accountant specified in Article 16-2, paragraph (5) of the Certified Public Accountants Act; the same applies in Article 63-14, paragraph (3)) or by an audit corporation, with regard to the state of management under the provisions of the preceding two paragraphs.

(履行保証暗号資産)

(Performance-Guarantee Crypto-Assets)

第六十三条の十一の二 暗号資産交換業者は、前条第二項に規定する内閣府令で定める要件に該当する暗号資産と同じ種類及び数量の暗号資産（以下この項及び第六十三条の十九の二第一項において「履行保証暗号資産」という。）を自己の暗号資産として保有し、内閣府令で定めるところにより、履行保証暗号資産以外の自己の暗号資産と分別して管理しなければならない。この場合において、当該暗号資産交換業者は、履行保証暗号資産を利用者の保護に欠けるおそれが少ないものとして内閣府令で定める方法で管理しなければならない。

Article 63-11-2 (1) A crypto-asset exchange service provider must hold crypto-assets of the same type and same volume as the crypto-assets that satisfy the requirements specified by Cabinet Office Order prescribed in paragraph (2) of the preceding Article (hereinafter referred to as the "performance-guarantee crypto-assets" in this paragraph and Article 63-19-2, paragraph (1)) as its own crypto-assets and manage them separately from its own crypto-assets other than the performance-guarantee crypto-assets, pursuant to the provisions of Cabinet Office Order. In this case, the crypto-asset exchange service provider must manage the performance-guarantee crypto-assets by the method specified by Cabinet Office Order as being less likely to weaken the protection of users.

2 前条第三項の規定は、前項の規定による管理の状況について準用する。

(2) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the status of the management under the provisions of the preceding paragraph.

(指定暗号資産交換業務紛争解決機関との契約締結義務等)

(Obligation to Conclude Contract with Designated Dispute Resolution Organizations for Crypto-Asset Exchange Business)

第六十三条の十二 暗号資産交換業者は、次の各号に掲げる場合の区分に応じ、当該各号に定める措置を講じなければならない。

Article 63-12 (1) A crypto-asset exchange service provider must take the measures specified in the following items according to the categories of cases prescribed therein:

一 指定暗号資産交換業務紛争解決機関（指定紛争解決機関であってその紛争解決等業務の種別が暗号資産交換業務であるものをいう。以下この条において同じ。）が存在する場合 一の指定暗号資産交換業務紛争解決機関との間で暗号資産交換業に係る手続実施基本契約（第九十九条第一項第八号に規定する手続実施基本契約をい

う。次項において同じ。)を締結する措置

(i) if one or more designated dispute resolution organizations for crypto-asset exchange business (meaning designated dispute resolution organizations of which type of dispute resolution services is crypto-asset exchange business; hereinafter the same applies in this Article) exist: measures to conclude a basic contract for execution of procedures with a designated dispute resolution organization for crypto-asset exchange business (meaning a basic contract for execution of procedures prescribed in Article 99, paragraph (1), item (viii); the same applies in the following paragraph) pertaining to the crypto-asset exchange service; or

二 指定暗号資産交換業務紛争解決機関が存在しない場合 暗号資産交換業に関する苦情処理措置及び紛争解決措置

(ii) if no designated dispute resolution organization for crypto-asset exchange business exists: complaint processing measures and dispute resolution measures pertaining to the crypto-asset exchange service.

2 暗号資産交換業者は、前項の規定により手続実施基本契約を締結する措置を講じた場合には、当該手続実施基本契約の相手方である指定暗号資産交換業務紛争解決機関の商号又は名称を公表しなければならない。

(2) If a crypto-asset exchange service provider implements measures to conclude a basic contract for execution of procedures pursuant to the provisions of the preceding paragraph, the crypto-asset exchange service provider must announce the trade name or other name of the designated dispute resolution organization for crypto-asset exchange business that is the counterparty to the basic contract for execution of procedures.

3 第一項の規定は、次の各号に掲げる場合の区分に応じ、当該各号に定める期間においては、適用しない。

(3) The provisions of paragraph (1) do not apply during the period specified in the following items for the respective categories of cases prescribed therein:

一 第一項第一号に掲げる場合に該当していた場合において、同項第二号に掲げる場合に該当することとなったとき 第一百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定による紛争解決等業務の廃止の認可又は第百条第一項の規定による指定の取消しの時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(i) if a crypto-asset exchange service provider who fell under the case set forth in paragraph (1), item (i) when the crypto-asset exchange service provider falls under the case set forth in paragraph (1), item (ii): a period specified by the prime minister as the period necessary for taking measures specified in paragraph (1), item (ii) when permission is given for the discontinuation of the dispute resolution services referred to in Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the

designation is revoked pursuant to the provisions of Article 100, paragraph (1);

二 第一項第一号に掲げる場合に該当していた場合において、同号の一の指定暗号資産交換業務紛争解決機関の紛争解決等業務の廃止が第百一条第一項において読み替えて準用する銀行法第五十二条の八十三第一項の規定により認可されたとき、又は同号の一の指定暗号資産交換業務紛争解決機関の第九十九条第一項の規定による指定が第百条第一項の規定により取り消されたとき（前号に掲げる場合を除く。）その認可又は取消しの時に、第一項第一号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(ii) if a crypto-asset exchange service provider who falls under the case set forth in paragraph (1), item (i), when permission is given for the discontinuation of the dispute resolution services provided by the designated dispute resolution organization for crypto-asset exchange business referred to in that item pursuant to the provision of Article 52-83, paragraph (1) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms or when the designation under the provisions of Article 99, paragraph (1) of the designated dispute resolution organization for crypto-asset exchange business referred to in that item is revoked pursuant to the provisions of Article 100, paragraph (1) (excluding the case specified in the preceding item): a period specified by the prime minister as the period necessary for taking measures specified in paragraph (1), item (i) when the permission is given or the designation is revoked; or

三 第一項第二号に掲げる場合に該当していた場合において、同項第一号に掲げる場合に該当することとなったとき 第九十九条第一項の規定による指定の時に、同号に定める措置を講ずるために必要な期間として内閣総理大臣が定める期間

(iii) if a crypto-asset exchange service provider falls under the case set forth in paragraph (1), item (ii), when the crypto-asset exchange service provider falls under the case set forth in paragraph (1), item (i): a period specified by the prime minister as the period necessary for taking measures specified in paragraph (1), item (i) when designated pursuant to the provisions of Article 99, paragraph (1).

4 第一項第二号の「苦情処理措置」とは、利用者からの苦情の処理の業務に従事する使用人その他の従業者に対する助言若しくは指導を消費生活に関する消費者と事業者との間に生じた苦情に係る相談その他の消費生活に関する事項について専門的な知識経験を有する者として内閣府令で定める者に行わせること又はこれに準ずるものとして内閣府令で定める措置をいう。

(4) The term "complaint processing measures" as used in paragraph (1), item (ii) means to have a person specified by Cabinet Office Order as one who has expert knowledge and experience with regard to consultation regarding complaints on consumer affairs that the consumer made against the service

provider or in other areas of consumer affairs to engage in the provision of advice or guidance to employees or other workers who engage in the business of processing complaints from the users or any other measures specified by Cabinet Office Order as similar thereto.

5 第一項第二号の「紛争解決措置」とは、利用者との紛争の解決を認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律第二条第三号に規定する認証紛争解決手続をいう。）により図ること又はこれに準ずるものとして内閣府令で定める措置をいう。

(5) The term "dispute resolution measures" as used in paragraph (1), item (ii) means to seek resolution of a dispute with the user through the authorized dispute resolution procedures (meaning the authorized dispute resolution procedures prescribed in Article 2, item (iii) of the Act on Promoting the Use of Alternative Dispute Resolution) or any other measures specified by Cabinet Office Order as similar thereto.

第三節 監督

Section 3 Supervision

(帳簿書類)

(Books of Accounts and Documents)

第六十三条の十三 暗号資産交換業者は、内閣府令で定めるところにより、その暗号資産交換業に関する帳簿書類を作成し、これを保存しなければならない。

Article 63-13 A crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books of accounts and documents on its crypto-asset exchange business.

(報告書)

(Written Reports)

第六十三条の十四 暗号資産交換業者は、事業年度ごとに、内閣府令で定めるところにより、暗号資産交換業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 63-14 (1) A crypto-asset exchange service provider must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its crypto-asset exchange business for each business year and submit it to the prime minister.

2 暗号資産交換業者（第二条第七項第三号又は第四号に掲げる行為を行う者に限る。）は、前項の報告書のほか、内閣府令で定める期間ごとに、内閣府令で定めるところにより、暗号資産交換業に関し管理する利用者の金銭の額及び暗号資産の数量その他これらの管理に関する報告書を作成し、内閣総理大臣に提出しなければならない。

(2) In addition to the written reports specified in the preceding paragraph, a crypto-asset exchange service provider (limited to one who engages in the act set forth in Article 2, paragraph (7), item (iii) or (iv)) must, pursuant to the

provisions of Cabinet Office Order, prepare a written report on the amount of users' money and the volumes of users' crypto-assets under the management in connection with the crypto-asset exchange services and other particulars concerning the management of these amounts for each period specified by Cabinet Office Order, and submit it to the prime minister.

3 第一項の報告書には、財務に関する書類、当該書類についての公認会計士又は監査法人の監査報告書その他の内閣府令で定める書類を添付しなければならない。

(3) Documents concerning finance, an audit report prepared by a certified public accountant or audit corporation regarding these documents, and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (1).

4 第二項の報告書には、暗号資産交換業に関し管理する利用者の金銭の額及び暗号資産の数量を証する書類その他の内閣府令で定める書類を添付しなければならない。

(4) Documents proving the amount of users' money and the volumes of users' crypto-assets under the management in connection with the crypto-asset exchange services and other documents specified by Cabinet Office Order must be attached to the written report referred to in paragraph (2).

(立入検査等)

(On-Site Inspections)

第六十三条の十五 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のために必要があると認めるときは、暗号資産交換業者に対し当該暗号資産交換業者の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該暗号資産交換業者の営業所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 63-15 (1) When the prime minister finds it necessary for the proper and secure conduct of the crypto-asset exchange service, the minister may order a crypto-asset exchange service provider to submit reports or materials that will be helpful for understanding its business or property, or have officials enter the business office or other establishment of that crypto-asset exchange service provider, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該暗号資産交換業者から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該暗号資産交換業者の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該暗号資産交換業者から業務の委託を受けた者の施設に立ち入らせ、当該暗号資産交換業者の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the prime minister finds it particularly necessary for the provision of

the crypto-asset exchange service in a proper and steady manner, the minister may, to the extent necessary for this, order a person to whom business has been entrusted by the crypto-asset exchange service provider (including persons to whom the service has been entrusted by the entrusted person (including those under multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of that crypto-asset exchange service provider, or have officials enter the business office, office or other establishment of the person to whom business has been entrusted by that crypto-asset exchange service provider, ask questions about the status of its business or the property of that crypto-asset exchange service provider or inspect its books and documents or other items.

3 前項の暗号資産交換業者から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a crypto-asset exchange service provider referred to in the preceding paragraph may, if there are reasonable grounds for doing so, refuse the submission of reports or materials, or the questions or inspection referred to in that paragraph.

(業務改善命令)

(Order to Improve Business Operations)

第六十三条の十六 内閣総理大臣は、暗号資産交換業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、暗号資産交換業者に対し、業務の運営又は財産の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 63-16 When the prime minister finds it necessary for the provision of the crypto-asset exchange service in a proper and steady manner, the minister may, to the extent necessary for this, order a crypto-asset exchange service provider to take necessary measures to improve the operation of its business or its financial status or take other measures necessary for the supervision.

(登録の取消し等)

(Revocation of Registration)

第六十三条の十七 内閣総理大臣は、暗号資産交換業者が次の各号のいずれかに該当するときは、第六十三条の二の登録を取り消し、又は六月以内の期間を定めて暗号資産交換業の全部若しくは一部の停止を命ずることができる。

Article 63-17 (1) If a crypto-asset exchange service provider falls under any of the following items, the prime minister may revoke its registration referred to in Article 63-2 or order the crypto-asset exchange service provider to suspend all or part of its crypto-asset exchange service, specifying a period of suspension not exceeding six months:

一 第六十三条の五第一項各号に該当することとなったとき。

(i) the crypto-asset exchange service provider falls under any of the items of Article 63-5, paragraph (1);

二 不正の手段により第六十三条の二の登録を受けたとき。

(ii) the crypto-asset exchange service provider referred to in Article 63-2 has been registered through wrongful means; or

三 この法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したとき。

(iii) the crypto-asset exchange service provider violates this Act or an order under this Act, or a disposition under this Act or an order.

2 内閣総理大臣は、暗号資産交換業者の営業所の所在地を確知できないとき、又は暗号資産交換業者を代表する取締役若しくは執行役（外国暗号資産交換業者である暗号資産交換業者にあつては、国内における代表者）の所在を確知できないときは、内閣府令で定めるところにより、その事実を公告し、その公告の日から三十日を経過しても当該暗号資産交換業者から申出がないときは、当該暗号資産交換業者の第六十三条の二の登録を取り消すことができる。

(2) If the locations of business offices of a crypto-asset exchange service provider are not ascertained or the whereabouts of the director or executive officer representing the crypto-asset exchange service provider (in cases of a crypto-asset exchange service provider that is a foreign crypto-asset exchange service provider, the representative person in Japan) is not ascertained, the prime minister gives public notice to that effect pursuant to the provisions of Cabinet Office Order and may revoke the registration of the crypto-asset exchange service provider referred to in Article 63-2 if it fails to report within thirty days from the date of the public notice.

3 前項の規定による処分については、行政手続法第三章の規定は、適用しない。

(3) The provisions of Chapter III of the Administrative Procedure Act do not apply to disposition under the provisions of the preceding paragraph.

（登録の抹消）

(Deletion of Registration)

第六十三条の十八 内閣総理大臣は、前条第一項若しくは第二項の規定により第六十三条の二の登録を取り消したとき、又は第六十三条の二十第二項の規定により第六十三条の二の登録がその効力を失ったときは、当該登録を抹消しなければならない。

Article 63-18 If the prime minister revokes the registration referred to in Article 63-2 pursuant to provisions of paragraph (1) or (2) of the preceding Article or when the registration referred to in Article 63-2 ceases to be effective pursuant to the provisions of Article 63-20, paragraph (2), the minister must delete the registration.

（監督処分公告）

(Public Notice of Supervisory Dispositions)

第六十三条の十九 内閣総理大臣は、第六十三条の十七第一項又は第二項の規定による処分をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 63-19 If the prime minister implements a disposition pursuant to the provisions of Article 63-17, paragraph (1) or (2), the minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

第四節 雑則

Section 4 Miscellaneous Provisions

(対象暗号資産の弁済)

(Payment for Regulated Crypto-Assets)

第六十三条の十九の二 暗号資産交換業者との間で当該暗号資産交換業者が暗号資産の管理を行うことを内容とする契約を締結した者は、当該暗号資産交換業者に対して有する暗号資産の移転を目的とする債権に関し、対象暗号資産（当該暗号資産交換業者が第六十三条の十一第二項の規定により自己の暗号資産と分別して管理するその暗号資産交換業の利用者の暗号資産及び履行保証暗号資産をいう。）について、他の債権者に先立ち弁済を受ける権利を有する。

Article 63-19-2 (1) A person who has concluded a contract for the management of crypto-assets with a crypto-asset exchange service provider has the right to receive, in preference over other creditors, payments with regard to a claim for the transfer of crypto-assets that the person holds against the crypto-asset exchange service provider, for the return of the regulated crypto-assets (meaning the crypto-assets of the users of the crypto-asset exchange services that the crypto-asset exchange service provider manages separately from its own crypto-assets pursuant to the provisions of Article 63-11, paragraph (2) and the performance-guarantee crypto-assets).

2 民法（明治二十九年法律第八十九号）第三百三十三条の規定は、前項の権利について準用する。

(2) The provisions of Article 333 of the Civil Code (Act No. 89 of 1896) apply mutatis mutandis to the right referred to in the preceding paragraph.

3 第一項の権利の実行に関し必要な事項は、政令で定める。

(3) Particulars necessary for the fulfillment of the right prescribed in paragraph (1) are specified by Cabinet Order.

(対象暗号資産の弁済への協力)

(Cooperation for Payment for Target Crypto-Assets)

第六十三条の十九の三 暗号資産交換業者から暗号資産の管理の委託を受けた者その他の当該暗号資産交換業者の関係者は、当該暗号資産交換業者がその行う暗号資産交換業に関し管理する利用者の暗号資産に係る前条第一項の権利の実行に関し内閣総理大臣から必要な協力を求められた場合には、これに応ずるよう努めるものとする。

Article 63-19-3 If a person to whom a crypto-asset exchange service has been entrusted by a crypto-asset exchange service provider or any other related person of the crypto-asset exchange service provider is requested by the prime minister to extend their cooperation necessary for the fulfillment of the right referred to in paragraph (1) of the preceding Article pertaining to users' crypto-assets managed by the person in relation to the crypto-asset exchange service provided by the crypto-asset exchange service provider, the person is to endeavor to respond to the request.

(廃止の届出等)

(Notification of Discontinuation of Business)

第六十三条の二十 暗号資産交換業者は、次の各号のいずれかに該当する場合には、遅滞なく、内閣総理大臣に届け出なければならない。

Article 63-20 (1) If a crypto-asset exchange service provider falls under any of the following items, it must notify the prime minister to that effect without delay:

一 暗号資産交換業の全部又は一部を廃止したとき。

(i) the crypto-asset exchange service provider discontinues all or part of the crypto-asset exchange service; or

二 暗号資産交換業者について破産手続開始の申立て等が行われたとき。

(ii) a petition for commencement of bankruptcy proceedings, etc. is filed against a crypto-asset exchange service provider.

2 暗号資産交換業者が暗号資産交換業の全部を廃止したときは、当該暗号資産交換業者の第六十三条の二の登録は、その効力を失う。

(2) If a crypto-asset exchange service provider discontinues all of the crypto-asset exchange service, the registration of the crypto-asset exchange service provider referred to in Article 63-2 ceases to be effective.

3 暗号資産交換業者は、暗号資産交換業の全部若しくは一部の廃止をし、暗号資産交換業の全部若しくは一部の譲渡をし、合併（当該暗号資産交換業者が合併により消滅する場合の当該合併に限る。）をし、合併及び破産手続開始の決定以外の理由による解散をし、又は会社分割による暗号資産交換業の全部若しくは一部の承継をさせようとするときは、その日の三十日前までに、内閣府令で定めるところにより、その旨を公告するとともに、全ての営業所の公衆の目につきやすい場所に掲示しなければならない。

(3) If a crypto-asset exchange service provider intends to discontinue all or part of the crypto-asset exchange service, to transfer all or part of the crypto-asset exchange service, to implement a merger (limited to a merger in which the crypto-asset exchange service provider disappears), to dissolve for reasons other than a merger or an order to commence bankruptcy proceedings, or to have another service provider succeed all or part of the crypto-asset exchange services due to a company split, it must give public notice to that effect at least

thirty days prior to the relevant date and post a notice thereof in a place easily seen by the public at all of its business offices, pursuant to the provisions of Cabinet Office Order.

4 暗号資産交換業者は、前項の規定による公告をしたときは、直ちに、その旨を内閣総理大臣に届け出なければならない。

(4) Having given public notice pursuant to the provisions of the preceding paragraph, a crypto-asset exchange service provider must notify the prime minister to that effect immediately.

5 暗号資産交換業者は、第三項の規定による公告をした場合（事業譲渡、合併又は会社分割その他の事由により当該業務の承継に係る公告をした場合を除く。）には、廃止しようとする暗号資産交換業として行う暗号資産の交換等に関し負担する債務の履行を速やかに完了し、かつ、当該暗号資産交換業に関し管理する利用者の財産を速やかに返還し、又は利用者に移転しなければならない。

(5) Having given public notice pursuant to the provisions of paragraph (3) (excluding cases where a crypto-asset exchange service provider has given public notice concerning the succession of the relevant business by way of transfer of business, merger or company split, or for other reasons), it must promptly complete the performance of obligations borne by it in relation to the exchange of crypto-assets, etc. carried out in the course of the crypto-asset exchange services that it intends to discontinue, and promptly return the users' property under the management relating to the crypto-asset exchange services or transfer the property to users.

6 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項の規定は、暗号資産交換業者（外国暗号資産交換業者を除く。）が電子公告（同法第二条第三十四号に規定する電子公告をいう。次項において同じ。）により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(6) The provisions of Article 940, paragraph (1) (limited to the part pertaining to item (i)) and Article 940, paragraph (3) of the Companies Act apply mutatis mutandis to cases where a crypto-asset exchange service provider (excluding a foreign crypto-asset exchange service provider) gives public notice under the provisions of paragraph (3) by way of electronic public notice (meaning electronic public notice specified in Article 2, item (xxxiv) of that Act; the same applies in the following paragraph). In this case, any necessary technical replacement of terms is specified by Cabinet Order.

7 会社法第九百四十条第一項（第一号に係る部分に限る。）及び第三項、第九百四十一条、第九百四十六条、第九百四十七条、第九百五十一条第二項、第九百五十三条並びに第九百五十五条の規定は、外国暗号資産交換業者である暗号資産交換業者が電子公告により第三項の規定による公告をする場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(7) The provisions of Article 940, paragraph (1) (limited to the part pertaining to

item (i)) and Article 940, paragraph (3), Article 941, Article 946, Article 947, Article 951, paragraph (2), Article 953, and Article 955 of the Companies Act apply mutatis mutandis to cases where a crypto-asset exchange service provider that is a foreign crypto-asset exchange service provider gives public notice under the provisions of paragraph (3) by way of electronic public notice. In this case, any necessary technical replacement of terms is specified by Cabinet Order.

(登録の取消し等に伴う債務の履行の完了等)

(Completion of Performance of Obligations Due to Revocation of Registration)

第六十三条の二十一 暗号資産交換業者について、第六十三条の十七第一項若しくは第二項の規定により第六十三条の二の登録が取り消されたとき、又は前条第二項の規定により第六十三条の二の登録が効力を失ったときは、当該暗号資産交換業者であった者は、その行う暗号資産の交換等に関し負担する債務の履行を完了し、かつ、その行う暗号資産交換業に関し管理する利用者の財産を返還し、又は利用者に移転する目的の範囲内においては、なお暗号資産交換業者とみなす。

Article 63-21 With regard to a crypto-asset exchange service provider, when the registration referred to in Article 63-2 has been revoked pursuant to the provisions of Article 63-17, paragraph (1) or (2) or has ceased to be effective pursuant to the provisions of paragraph (2) of the preceding Article, the person who has been the crypto-asset exchange service provider is deemed to be a crypto-asset exchange service provider within the scope of the purpose of completing the performance of obligations borne by it in relation to the exchange of crypto-assets, etc. carried out by it in the course of the crypto-asset exchange service, and returning the users' property under the management relating to the crypto-asset exchange services carried out by it or transferring the property to users.

(外国暗号資産交換業者の勧誘の禁止)

(Prohibition on Solicitation by Foreign Crypto-Asset Exchange Service Providers)

第六十三条の二十二 第六十三条の二の登録を受けていない外国暗号資産交換業者は、国内にある者に対して、第二条第七項各号に掲げる行為の勧誘をしてはならない。

Article 63-22 A un registered foreign crypto-asset exchange service provider referred to in Article 63-2 must not engage in acts of solicitation of a person in Japan set forth in the items of Article 2, paragraph (7).

第四章 資金清算

Chapter IV Clearing Funds Transfer Transactions

第一節 総則

Section 1 General Provisions

(資金清算機関の免許等)

(Licenses for Clearing Institutions for Interbank Funds Transfers)

第六十四条 資金清算業は、内閣総理大臣の免許を受けた者でなければ、行ってはならない。

Article 64 (1) No person may provide clearing services for interbank funds transfers unless the person has obtained a license from the prime minister.

2 前項の規定は、銀行等及び日本銀行については、適用しない。

(2) The provisions of the preceding paragraph do not apply to deposit-taking institutions and the Bank of Japan.

(免許の申請)

(Filing of Application for License)

第六十五条 前条第一項の免許を受けようとする者は、内閣府令で定めるところにより、次に掲げる事項を記載した免許申請書を内閣総理大臣に提出しなければならない。

Article 65 (1) A person who intends to obtain a license referred to in paragraph (1) of the preceding Article must, pursuant to the provisions of Cabinet Office Order, submit a written application for license containing the following particulars to the prime minister:

一 商号又は名称及び住所

(i) trade name or other name and address;

二 資本金又は基金（一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百三十一条に規定する基金をいう。）の額及び純資産額

(ii) amount of capital or funds (meaning funds specified in Article 131 of the Act on General Incorporated Association and General Incorporated Foundation (Act No. 48 of 2006)) and amount of net assets;

三 営業所又は事務所の名称及び所在地

(iii) name and location of business offices or offices;

四 取締役及び監査役（監査等委員会設置会社にあつては取締役、指名委員会等設置会社にあつては、取締役及び執行役。次条第二項第四号において同じ。）又は理事及び監事の氏名

(iv) name of director and company auditor (director in cases of a company which formed an audit and supervisory committee; director and executive officer in cases of a company which formed a nominating committee, etc.; the same applies in paragraph (2), item (iv) of the following Article) or board member and auditor;

五 会計参与設置会社にあつては、会計参与の氏名又は名称

(v) in cases of a company which appointed accounting advisors, names of accounting advisors; and

六 その他内閣府令で定める事項

(vi) other particulars specified by Cabinet Office Order.

2 前項の免許申請書には、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 a license referred to in the preceding paragraph:

一 次条第二項各号に掲げる要件に該当しない旨を誓約する書面

(i) a document to pledge that the applicant does not fall under any of the items of paragraph (2) of the following Article;

二 定款

(ii) articles of incorporation;

三 登記事項証明書

(iii) certificate of registered particulars;

四 業務方法書

(iv) rules and procedures of operation;

五 貸借対照表及び損益計算書

(v) balance sheet and profit and loss statement;

六 収支の見込みを記載した書類

(vi) documents stating the expected income and expenditure; and

七 その他内閣府令で定める書類

(vii) other documents specified by Cabinet Office Order.

(免許の基準)

(Criteria for Granting a License)

第六十六条 内閣総理大臣は、前条第一項の免許の申請があったときは、その申請が次に掲げる基準に適合するかどうかを審査しなければならない。

Article 66 (1) When an application for license referred to in paragraph (1) of the preceding Article is filed, the prime minister must examine whether the application conforms to the following criteria:

一 定款及び業務方法書の規定が法令に適合し、かつ、資金清算業を適正かつ確実に遂行するために十分であること。

(i) the provisions of the articles of incorporation and the rules and procedures of operation conform to the laws and regulations, and are sufficient for the provision of the clearing services for interbank funds transfer in a proper and steady manner;

二 資金清算業を健全に遂行するに足りる財産的基礎を有し、かつ、資金清算業に係る収支の見込みが良好であること。

(ii) the applicant has sufficient financial foundation for the sound operation of the clearing services for interbank funds transfer and has favorable prospects for income and expenditure pertaining to the clearing services for interbank funds transfer; and

三 その人的構成に照らして、資金清算業を適正かつ確実に遂行することができる知識及び経験を有し、かつ、十分な社会的信用を有すること。

(iii) the applicant has, in light of its personnel structures, the knowledge and

experience necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner and has sufficient social credibility.

2 内閣総理大臣は、免許申請者が次の各号のいずれかに該当するとき、又は免許申請書若しくはその添付書類のうちに虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、免許を与えてはならない。

(2) The prime minister must not grant a license when an applicant for a license falls under any of the following items, or a written application for license or its accompanying documents contain a false statement, or lacks a statement about important particulars:

一 株式会社又は一般社団法人（これらの者が次に掲げる機関を置く場合に限る。）でないもの

(i) a person who is not a stock company or a general incorporated association (limited to a stock company or a general incorporated association which formed any of the following bodies):

イ 取締役会又は理事会

(a) board of directors or council;

ロ 監査役、監査等委員会若しくは指名委員会等（会社法第二条第十二号に規定する指名委員会等をいう。）又は監事

(b) company auditors, an audit and supervisory committee or a nominating committee, etc. (meaning a nominating committee, etc. provided for in Article 2, item (xii) of the Companies Act) or auditors; or

ハ 会計監査人

(c) accounting auditors;

二 第五十六条第一項若しくは第二項の規定により第三十七条の登録を取り消され、若しくは第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消され、又はこの法律若しくは銀行法等に相当する外国の法令の規定により当該外国において受けている同種類の登録若しくは免許（当該登録又は免許に類する許可その他の行政処分を含む。）を取り消され、その取消の日から五年を経過しない法人

(ii) a corporation who had its registration referred to in Article 37 revoked pursuant to the provisions of Article 56, paragraph (1) or (2), had its license referred to in Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2), or had the registration or license of the same type in a foreign state (including permission or other administrative dispositions similar to the registration or license) revoked pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act or the Banking Act, etc., and for whom five years have not elapsed from the date of the revocation;

三 この法律若しくは銀行法等又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行

を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない法人

(iii) a corporation who has been punished by a fine (including a punishment pursuant to laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, or laws and regulations of a foreign state equivalent thereto, and for which five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

四 取締役等（取締役若しくは監査役若しくは会計参与又は理事若しくは監事をいう。以下この章において同じ。）のうちに次のいずれかに該当する者のある法人

(iv) a corporation which employs a director, etc. (meaning a director or company auditor or accounting advisor, or board member or auditor; hereinafter the same applies in this Chapter) falling under any of the following items:

イ 心身の故障のため職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto pursuant to laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment without work or a heavier punishment (including equivalent punishment pursuant to laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ この法律、銀行法等、出資の受入れ、預り金及び金利等の取締りに関する法律若しくは暴力団員による不当な行為の防止等に関する法律又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(d) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, etc., the Act Regulating the Receipt of Contributions, Receipt of Deposits, and Interest Rates, the Act on Prevention of Unjust Acts by Organized Crime Group Members or laws and

regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ホ 資金清算機関が第八十二条第一項若しくは第二項の規定により第六十四条第一項の免許を取り消された場合又は法人がこの法律に相当する外国の法令の規定により当該外国において受けている同種類の免許若しくは登録（当該免許又は登録に類する許可その他の行政処分を含む。）を取り消された場合において、その取消しの日前三十日以内にその法人の取締役等であった者で、当該取消しの日から五年を経過しない者その他これに準ずるものとして政令で定める者

(e) if a clearing institution for interbank funds transfer had its license referred to in Article 64, paragraph (1) revoked pursuant to the provisions of Article 82, paragraph (1) or (2) or a corporation had its license or registration (including permission or other administrative dispositions similar to the license or registration) of the same kind revoked in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act, a person who had been a director, etc. of the corporation at any time during the thirty days prior to the date of the revocation and for whom five years have not passed from the relevant date or a person specified by Cabinet Order as similar thereto.

（取締役等の欠格事由等）

(Grounds for Disqualification of Directors)

第六十七条 前条第二項第四号イからホまでのいずれかに該当する者は、資金清算機関の取締役等となることができない。

Article 67 (1) A person falling under any of paragraph (2), item (iv), (a) through (e) of the preceding Article may not become a director, etc.:

2 資金清算機関の取締役等が前項に規定する者に該当することとなったときは、その職を失う。

(2) When a director, etc. of a clearing institution for interbank funds transfer falls under a category of a person prescribed in the preceding paragraph, the director, etc. loses their position.

3 内閣総理大臣は、資金清算機関の取締役等が法令又は法令に基づく行政官庁の処分に違反したときは、当該資金清算機関に対し、当該取締役等の解任を命ずることができる。

(3) When a director, etc. of a clearing institution for interbank funds transfer violates laws and regulations or a disposition under laws and regulations by government agencies, the prime minister may order the clearing institution for interbank funds transfer to dismiss the director, etc.

（会社法の適用関係）

(Application of the Companies Act)

第六十八条 会社法第三百三十一条第二項ただし書（同法第三百三十五条第一項において準用する場合を含む。）、第三百三十二条第二項（同法第三百三十四条第一項において準用する場合を含む。）、第三百三十六條第二項及び第四百二條第五項ただし書の規定は、資金清算機関が株式会社である場合には、適用しない。

Article 68 (1) The provisions of the proviso to Article 331, paragraph (2) (including as applied mutatis mutandis pursuant to Article 335, paragraph (1) of the Companies Act), Article 332, paragraph (2) (including as applied mutatis mutandis pursuant to Article 334, paragraph (1) of that Act), Article 336, paragraph (2), and the proviso to Article 402, paragraph (5) of the Companies Act do not apply to a clearing institution for interbank funds transfer that is a stock company.

2 資金清算機関が株式会社である場合における会社法第四百五十八條の規定の適用については、同条中「三百万円」とあるのは、「三百万円を下回らない範囲内において政令で定める金額」とする。

(2) With regard to the application of Article 458 of the Companies Act to a clearing institution for interbank funds transfer that is a stock company, the term "three million yen" in that Article are deemed to be replaced with "an amount specified by Cabinet Order which may not be less than three million yen".

第二節 業務

Section 2 Business

(業務の制限)

(Restriction on Business)

第六十九条 資金清算機関は、資金清算業及びこれに関連する業務のほか、他の業務を行うことができない。ただし、当該資金清算機関が資金清算業を適正かつ確実に行うにつき支障を生ずるおそれがないと認められる業務について、内閣府令で定めるところにより、内閣総理大臣の承認を受けたときは、この限りでない。

Article 69 (1) A clearing institution for interbank funds transfer must not engage in any business other than the clearing services for interbank funds transfer and business related thereto; provided, however, that this does not apply if a clearing institution for interbank funds transfer has obtained, pursuant to the provisions of Cabinet Office Order, the approval from the prime minister for a business that is obviously causing no hindrance to the provision of the clearing services for interbank funds transfer in a proper and steady manner by the clearing institution for interbank funds transfer.

2 資金清算機関は、前項ただし書の承認を受けた業務を廃止したときは、内閣府令で定めるところにより、その旨を内閣総理大臣に届け出なければならない。

(2) Having discontinued the approved business referred to in the proviso to the preceding paragraph, a clearing institution for interbank funds transfer must

notify the prime minister to that effect pursuant to the provisions of Cabinet Office Order.

(資金清算業の一部の委託)

(Partial Entrustment of Clearing Services for Interbank Funds Transfer)

第七十条 資金清算機関は、内閣府令で定めるところにより、資金清算業の一部を、内閣総理大臣の承認を受けて、第三者に委託することができる。

Article 70 (1) A clearing institution for interbank funds transfer may, pursuant to the provisions of Cabinet Office Order, entrust part of the clearing services for interbank funds transfer to a third party with the approval of the prime minister.

2 資金清算機関は、前項の規定による資金清算業の一部の委託に関する契約には、業務を委託する相手方が当該業務を適正かつ確実に遂行するための措置を講ずる旨の条件を付さなければならない。

(2) A clearing institution for interbank funds transfer must set the requirements for a contract for the partial entrustment of the clearing services for interbank funds transfer under the provisions of the preceding paragraph that the party to whom business is entrusted must take measures to conduct the business in a proper and steady manner.

(業務方法書)

(Rules and Procedures of Operation)

第七十一条 資金清算機関は、業務方法書の定めるところにより、資金清算業を行わなければならない。

Article 71 (1) A clearing institution for interbank funds transfer must provide the clearing services for interbank funds transfer pursuant to the provisions of its rules and procedures of operation.

2 業務方法書には、次に掲げる事項を定めなければならない。

(2) The rules and procedures of operation must specify the following particulars:

一 資金清算業の対象とする債務の起因となる取引の種類

(i) type of transactions that give rise to obligations subject to the clearing services for interbank funds transfer;

二 資金清算業の相手方とする者（以下この章において「清算参加者」という。）の要件に関する事項

(ii) particulars concerning the requirements for a person who is the other party to the clearing services for interbank funds transfer (hereinafter referred to as the "clearing participant" in this Chapter);

三 資金清算業として行う債務の引受け、更改その他の方法に関する事項

(iii) particulars concerning the assumption of obligations, novation, and other means carried out in the course of the clearing services for interbank funds transfer;

四 清算参加者の債務の履行の確保に関する事項

(iv) particulars concerning the securing of performance of obligations of a clearing participant;

五 資金清算業の継続的遂行の確保に関する事項

(v) particulars concerning the securing of continued provision of the clearing services for interbank funds transfer;

六 資金清算業及びこれに関連する業務以外の業務を行う場合にあつては、当該業務が資金清算業の適正かつ確実な遂行を妨げないことを確保するための措置に関する事項

(vi) if a clearing institution for interbank funds transfer engages in business other than the clearing services for interbank funds transfer and business related thereto, particulars concerning measures to ensure that the business will not prevent the provision of the clearing services for interbank funds transfer in a proper and steady manner;

七 資金清算業の一部を第三者に委託する場合にあつては、当該委託に係る業務を適正かつ確実に遂行させることを確保するための体制の整備に関する事項

(vii) if a clearing institution for interbank funds transfer entrusts part of its clearing services for interbank funds transfer to a third party, particulars concerning the establishment of a system to ensure the operation of the entrusted business by the third party in a proper and steady manner;

八 資金清算業に関する契約であつて内閣府令で定める重要な事項を内容とするものを、外国人又は外国の法令に準拠して設立された法人を相手方として締結する場合にあつては、その旨

(viii) if a clearing institution for interbank funds transfer concludes a contract for the clearing services for interbank funds transfer that contains important particulars specified by Cabinet Office Order with a foreign national or a corporation established under the laws and regulations of a foreign state, a statement to that effect; and

九 その他内閣府令で定める事項

(ix) other particulars specified by Cabinet Office Order.

(資金清算業の適切な遂行を確保するための措置)

(Measures to Ensure Appropriate Provision of Clearing Services for Interbank Funds Transfer)

第七十二条 資金清算機関は、資金清算業により損失が生じた場合に清算参加者が当該損失の全部を負担する旨を業務方法書において定めることその他の資金清算業の適切な遂行を確保するための措置を講じなければならない。

Article 72 A clearing institution for interbank funds transfer must prescribe that if any loss is caused by the clearing services for interbank funds transfer, all of the losses are borne by the clearing participant in its rules and procedures of operation and take other measures to ensure appropriate

provision of the clearing services for interbank funds transfer.

(未決済債務等の決済)

(Payment and Settlement of Outstanding Obligations)

第七十三条 資金清算機関が業務方法書で未決済債務等について差引計算の方法、担保の充当の方法その他の決済の方法を定めている場合において、清算参加者に破産手続、再生手続、更生手続、特別清算手続又は承認援助手続が開始されたときは、これらの手続の関係において、未決済債務等に関する資金清算機関又は当該清算参加者が有する請求権の額の算定その他の決済の方法は、当該業務方法書の定めに従うものとする。

Article 73 (1) If a clearing institution for interbank funds transfer prescribes the methods to perform netting calculations, to apply collateral to payment of obligations, and other payment and settlement methods in its rules and procedures of operation, when a bankruptcy proceeding, rehabilitation proceeding, reorganization proceeding, special liquidation proceeding, or recognition and assistance proceeding has been started against a clearing participant, the method used to determine the amount of claims pertaining to outstanding obligations, etc. held by the clearing institution for interbank funds transfer for the clearing participant and other payment and settlement methods used in relation to these proceedings are to be governed by those rules and procedures of operation.

2 前項の「未決済債務等」とは、資金清算業として清算参加者から引受け、更改その他の方法により負担した債務、当該債務を負担した対価として当該清算参加者に対して取得した債権（当該債務と同一の内容を有するものに限る。）及び担保をいう。

(2) The term "outstanding obligations, etc." as used in the preceding paragraph means obligations borne in the course of the clearing services for interbank funds transfer to a clearing participant by way of assumption, novation, or other means, claims against that clearing participant (limited to those having the same content as those obligations) acquired as consideration for bearing those obligations, and security of those claims.

3 破産手続、再生手続又は更生手続において、資金清算機関が有する第一項に規定する請求権は破産債権、再生債権又は更生債権とし、清算参加者が有する同項に規定する請求権は破産財団、再生債務者財産又は更生会社財産若しくは更生協同組織金融機関財産に属する財産とする。

(3) In bankruptcy proceedings, rehabilitation proceedings or reorganization proceedings, the claims specified in paragraph (1) that a clearing institution for interbank funds transfer has, are bankruptcy claims, rehabilitation claims, or reorganization claims, and the claims specified in paragraph (1) that a clearing participant has, are the properties that belong to the bankruptcy estate, rehabilitation debtor's assets, or the property of the reorganization company, or the property of the reorganization cooperative financial institution.

(秘密保持義務等)

(Obligation of Confidentiality)

第七十四条 資金清算機関の取締役等（取締役等が法人であるときは、その職務を行うべき者。次項において同じ。）若しくは職員又はこれらの職にあった者は、資金清算業又はこれに関連する業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 74 (1) A director, etc. (or, if a director, etc. is a corporation, a person who is to perform the duties; the same applies in the following paragraph) or an employee of a clearing institution for interbank funds transfer, or a person who was formerly in that position must not divulge or misappropriate any confidential information learned during the course of their duties relating to the clearing services for interbank funds transfer or other business related thereto to another person.

2 資金清算機関の取締役等若しくは職員又はこれらの職にあった者は、資金清算業及びこれに関連する業務の実施に際して知り得た情報を、資金清算業及びこれに関連する業務の用に供する目的以外に利用してはならない。

(2) A director, etc. or an employee of a clearing institution for interbank funds transfer, or a person who was formerly in that position must not use any information learned during the course of their duties relating to the clearing services for interbank funds transfer or other business related thereto for any purpose other than using those for the clearing services for interbank funds transfer or other business related thereto.

3 前二項の規定は、第七十条第一項の規定により委託を受けた者（その者が法人である場合にあつては、その役員）若しくはその職員その他の当該委託を受けた業務に従事する者又はこれらの者であった者について準用する。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a person to whom business is entrusted pursuant to the provisions of Article 70, paragraph (1) (or, if the person is a corporation; its officers) or the person's employees and other persons who engage in the entrusted business, or persons who were formerly in that position.

(差別的取扱いの禁止)

(Prohibition of Discriminatory Treatment)

第七十五条 資金清算機関は、資金清算業に関し特定の者に対し不当な差別的取扱いをしてはならない。

Article 75 A clearing institution for interbank funds transfer must not provide unjust discriminatory treatment to a particular person in relation to the clearing services for interbank funds transfer.

第三節 監督

Section 3 Supervision

(定款又は業務方法書の変更の認可)

(Authorization of Amendment to Articles of Incorporation or Rules and Procedures of Operation)

第七十六条 資金清算機関は、定款又は業務方法書を変更しようとするときは、内閣総理大臣の認可を受けなければならない。

Article 76 When a clearing institution for interbank funds transfer intends to amend the articles of incorporation or rules and procedures of operation, it must obtain the authorization from the prime minister.

(資本金の額等の変更の届出)

(Notification of Changes to the Amount of Stated Capital)

第七十七条 資金清算機関は、第六十五条第一項第二号に掲げる事項（純資産額を除く。）又は同項第三号から第五号までに掲げる事項のいずれかに変更があったときは、遅滞なく、その旨を内閣総理大臣に届け出なければならない。

Article 77 When any of the particulars set forth in Article 65, paragraph (1), item (ii) are changed (excluding the amount of net assets) or items (iii) through (v) of that paragraph, a clearing institution for interbank funds transfer must notify the prime minister to that effect without delay.

(帳簿書類)

(Books of Account and Documents)

第七十八条 資金清算機関は、内閣府令で定めるところにより、その資金清算業に関する帳簿書類を作成し、これを保存しなければならない。

Article 78 A clearing institution for interbank funds transfer must, pursuant to the provisions of Cabinet Office Order, prepare and maintain the books and documents on its clearing services for interbank funds transfer.

(報告書)

(Written Reports)

第七十九条 資金清算機関は、事業年度ごとに、内閣府令で定めるところにより、資金清算業に関する報告書を作成し、内閣総理大臣に提出しなければならない。

Article 79 A clearing institution for interbank funds transfer must, pursuant to the provisions of Cabinet Office Order, prepare a written report on its clearing services for interbank funds transfer for each business year and submit it to the prime minister.

(立入検査等)

(On-Site Inspections)

第八十条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、資金清算機関に対し当該資金清算機関の業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関の営業所

若しくは事務所その他の施設に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 80 (1) When the prime minister finds it necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner, the prime minister may order that clearing institution for interbank funds transfer to submit reports or materials that can be used as reference for its business or property, or have officials enter the business office, office or other establishment of the clearing institution for interbank funds transfer, ask questions about the status of its business or property or inspect its books and documents or other items.

2 内閣総理大臣は、資金清算業の適正かつ確実な遂行のため特に必要があると認めるときは、その必要の限度において、当該資金清算機関から業務の委託を受けた者（その者から委託（二以上の段階にわたる委託を含む。）を受けた者を含む。以下この条において同じ。）に対し当該資金清算機関の業務若しくは財産の状況に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該資金清算機関から業務の委託を受けた者の施設に立ち入らせ、当該資金清算機関の業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

(2) When the prime minister finds it particularly necessary for the provision of the clearing services for interbank funds transfer in a proper and steady manner, the minister may, for the extent necessary for this, order a person to whom business has been entrusted by the clearing institution for interbank funds transfer (including persons to whom the service has been entrusted by the entrusted person (including multi-tier entrustment arrangements); hereinafter the same applies in this Article) to submit reports or materials that can be used as reference for the business or property of the clearing institution for interbank funds transfer, or have officials enter the business office, office or other establishment of the person to whom business has been entrusted by the clearing institution for interbank funds transfer, ask questions about the status of its business or property of the clearing institution for interbank funds transfer or inspect its books and documents or other items.

3 前項の資金清算機関から業務の委託を受けた者は、正当な理由があるときは、同項の規定による報告若しくは資料の提出又は質問若しくは検査を拒むことができる。

(3) A person to whom business has been entrusted by a clearing institution for interbank funds transfer referred to in the preceding paragraph may, if there are reasonable grounds, refuse the submission of reports or materials, or the questions or inspection under the provisions of that paragraph.

（業務改善命令）

(Order to Improve Business Operations)

第八十一条 内閣総理大臣は、資金清算業の適正かつ確実な遂行のために必要があると認めるときは、その必要の限度において、資金清算機関に対し、業務の運営又は財産

の状況の改善に必要な措置その他監督上必要な措置をとるべきことを命ずることができる。

Article 81 When the prime minister finds it necessary for the provision of clearing services for interbank funds transfer in a proper and steady manner, the minister may, to the extent necessary for this, order a clearing institution for interbank funds transfer to take necessary measures to improve the operation of its business or its financial status, or other measures necessary for the supervision.

(免許の取消し等)

(Revocation of Licenses)

第八十二条 内閣総理大臣は、資金清算機関がその免許を受けた時点において第六十六条第二項各号のいずれかに該当していたことが判明したときは、その免許を取り消すことができる。

Article 82 (1) If it turned out that a clearing institution for interbank funds transfer already falls under any of the items of Article 66, paragraph (2) when it obtained a license, the prime minister may revoke the license.

2 内閣総理大臣は、資金清算機関がこの法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したときは、第六十四条第一項の免許若しくは第六十九条第一項ただし書の承認を取り消し、六月以内の期間を定めてその業務の全部若しくは一部の停止を命じ、又はその取締役等の解任を命ずることができる。

(2) The prime minister may, when a clearing institution for interbank funds transfer violates this Act or an order under this Act, or a disposition under this Act or the order, revoke the license referred to in Article 64, paragraph (1) or the approval referred to in the proviso to Article 69, paragraph (1), order suspension of all or part of the business of the clearing institution for interbank funds transfer by setting a period not exceeding six months, or order the clearing institution for interbank funds transfer to dismiss its directors, etc.

第四節 雑則

Section 4 Miscellaneous Provisions

(解散等の認可)

(Approval of Dissolution)

第八十三条 資金清算機関の資金清算業の廃止又は解散の決議は、内閣総理大臣の認可を受けなければ、その効力を生じない。

Article 83 A resolution of abolition or dissolution of a clearing institution for interbank funds transfer does not come into effect without the approval of the prime minister.

(財務大臣への協議)

(Consultation with the Minister of Finance)

第八十四条 内閣総理大臣は、資金清算機関に対し次に掲げる処分をすることが信用秩序の維持に重大な影響を与えるおそれがあると認めるときは、あらかじめ、信用秩序の維持を図るために必要な措置に関し、財務大臣に協議しなければならない。

Article 84 When the prime minister finds that maintenance of an orderly financial system may be materially affected by implementing any of the following dispositions on a clearing institution for interbank funds transfer, the minister must consult with the Minister of Finance about measures necessary for maintaining of an orderly financial system in advance:

- 一 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し
(i) revocation of the license referred to in Article 64, paragraph (1) under the provisions of Article 82, paragraph (1) or (2); or
- 二 第八十二条第二項の規定による業務の全部又は一部の停止の命令
(ii) order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2).

(財務大臣への通知)

(Notice to the Minister of Finance)

第八十五条 内閣総理大臣は、次に掲げる処分をしたときは、速やかに、その旨を財務大臣に通知するものとする。

Article 85 The prime minister is to, when implementing any of the following dispositions, promptly notify the Minister of Finance to that effect:

- 一 第六十四条第一項の規定による免許
(i) granting of a license referred to in Article 64, paragraph (1);
- 二 第八十二条第一項又は第二項の規定による第六十四条第一項の免許の取消し
(ii) revocation of the license referred to in Article 64, paragraph (1) pursuant to the provisions of Article 82, paragraph (1) or (2);
- 三 第八十二条第二項の規定による業務の全部又は一部の停止の命令
(iii) order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2); or
- 四 第八十三条の規定による認可
(iv) approval under the provisions of Article 83.

(日本銀行からの意見聴取)

(Hearing Opinion from the Bank of Japan)

第八十六条 内閣総理大臣は、この章の規定に基づく処分を行うために必要があると認めるときは、日本銀行に対し、意見を求めることができる。

Article 86 If the prime minister finds it necessary in order to reach a disposition based on the provisions of this Chapter, the minister may seek the opinion from the Bank of Japan.

第五章 認定資金決済事業者協会

Chapter V Associations for Certified Payment Service Providers

(認定資金決済事業者協会の認定)

(Certification of Associations for Certified Payment Service Providers)

第八十七条 内閣総理大臣は、政令で定めるところにより、前払式支払手段発行者、資金移動業者又は暗号資産交換業者が設立した一般社団法人であつて、次に掲げる要件に該当すると認められるものを、その申請により、次条に規定する業務（以下この章において「認定業務」という。）を行う者として認定することができる。

Article 87 The prime minister may, pursuant to the provisions of Cabinet Order, certify a general incorporated association established by an issuer of prepaid payment instruments, a funds transfer service provider or a crypto-asset exchange service provider that is found to satisfy the following requirements for a person who engages in the business prescribed in the following Article (hereinafter referred to as "certified businesses" in this Chapter) upon that person's application:

一 前払式支払手段（第三条第一項に規定する前払式支払手段をいう。以下この章において同じ。）の発行の業務、資金移動業又は暗号資産交換業の適切な実施を確保し、並びにこれらの健全な発展及び利用者（第十条第一項第四号に規定する加盟店を含む。以下この章において同じ。）の利益の保護に資することを目的とすること。

(i) the general incorporated association aims to ensure the operation of the business of issuing prepaid payment instruments in a proper manner (meaning prepaid payment instruments specified in Article 3, paragraph (1); the same applies hereinafter in this Chapter), the funds transfer services or the crypto-asset exchange services as well as contributing to the sound development of these businesses and protection of the interests of the users (including member shops specified in Article 10, paragraph (1), item (iv); hereinafter the same applies in this Chapter);

二 前払式支払手段発行者、資金移動業者又は暗号資産交換業者を社員（以下この章において「会員」という。）とする旨の定款の定めがあること。

(ii) the general incorporated association's articles of incorporation include a provision to the effect that its members (hereinafter referred to as "members" in this Chapter) are issuers of prepaid payment instruments, funds transfer service providers or crypto-asset exchange service providers;

三 認定業務を適正かつ確実に行うに必要な業務の実施の方法を定めているものであること。

(iii) the general incorporated association has established the means of business operations necessary for the operation of the certified businesses in a proper and steady manner; and

四 認定業務を適正かつ確実に行うに足りる知識及び能力並びに財産的基礎を有する

ものであること。

- (iv) the general incorporated association has the knowledge, ability, and financial foundation sufficient for the operation of the certified businesses in a proper and steady manner.

(認定資金決済事業者協会の業務)

(Business of Associations for Certified Payment Service Providers)

第八十八条 認定資金決済事業者協会は、次に掲げる業務を行うものとする。

Article 88 An association for certified payment service providers is to engage in the following business:

- 一 会員が前払式支払手段の発行の業務、資金移動業又は暗号資産交換業を行うに当たり、この法律その他の法令の規定及び第三号の規則を遵守させるための会員に対する指導、勧告その他の業務

(i) the business of providing guidance, recommendation, etc. to the members for the purpose of having members to comply with the provisions of this Act and other laws and regulations and rules prescribed in item (iii) in carrying out their business of issuing prepaid payment instruments, funds transfer services or crypto-asset exchange services;

- 二 会員の行う前払式支払手段の発行の業務、資金移動業又は暗号資産交換業に関し、契約の内容の適正化その他前払式支払手段、資金移動業又は暗号資産交換業の利用者の利益の保護を図るために必要な指導、勧告その他の業務

(ii) the business of providing guidance, recommendation, etc. to the members in relation to their business of issuing prepaid payment instruments, funds transfer services or crypto-asset exchange services that is necessary for ensuring the appropriateness of the terms and conditions of contracts or otherwise protecting the interests of users of the business of issuing prepaid payment instruments, the funds transfer services or the crypto-asset exchange services;

- 三 会員の行う前払式支払手段の発行の業務、資金移動業又は暗号資産交換業の適正化及びその取り扱う情報の適切な管理を図るために必要な規則の制定

(iii) establishment of the rules that are necessary for the appropriate management of the business of issuing prepaid payment instruments, the funds transfer services or the crypto-asset exchange services carried out by the members and information used in these businesses;

- 四 会員のこの法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は前号の規則の遵守の状況の調査

(iv) investigation of the status of compliance with this Act or an order under this Act or a disposition under this Act or the order, or the rules prescribed in the preceding item;

- 五 前払式支払手段、資金移動業又は暗号資産交換業の利用者の利益を保護するために必要な情報の収集、整理及び提供

(v) collection, organization, and provision of information necessary for the protection of the interests of users of the business of issuing prepaid payment instruments, the funds transfer services or the crypto-asset exchange services;

六 会員の行う前払式支払手段の発行の業務、資金移動業又は暗号資産交換業に関する利用者からの苦情の処理

(vi) handling of complaints from users related to the business of issuing prepaid payment instruments, the funds transfer services or the crypto-asset exchange services carried out by Members;

七 前払式支払手段、資金移動業又は暗号資産交換業の利用者に対する広報その他認定資金決済事業者協会の目的を達成するために必要な業務

(vii) publicity to the users of prepaid payment instruments, the funds transfer services or the crypto-asset exchange services and other businesses necessary for the achievement of the purposes of the association for certified payment service providers; and

八 前各号に掲げるもののほか、前払式支払手段の発行の業務、資金移動業又は暗号資産交換業の健全な発展及びこれらの利用者の保護に資する業務

(viii) beyond what is set forth in the preceding items, businesses that contribute to the sound development of the business of issuing prepaid payment instruments, the funds transfer services or the crypto-asset exchange services and the protection of the users of these businesses.

(会員名簿の縦覧等)

(Public Inspection of Membership List)

第八十九条 認定資金決済事業者協会は、会員名簿を公衆の縦覧に供しなければならない。

Article 89 (1) An association for certified payment service providers must make its membership list available for public inspection.

2 認定資金決済事業者協会でない者は、その名称中に、認定資金決済事業者協会と誤認されるおそれのある文字を用いてはならない。

(2) No person other than an association for certified payment service providers may use a wording in its name that is likely to mislead the public into believing that the person is an association for certified payment service providers.

3 認定資金決済事業者協会の会員でない者は、その名称中に、認定資金決済事業者協会の会員と誤認されるおそれのある文字を用いてはならない。

(3) No person other than a member of an association for certified payment service providers may use a wording in its name that is likely to mislead the public into believing that the person is a member of an association for certified payment service providers.

(会員に関する情報の利用者への周知等)

(Making Information About Members Known to Users)

第九十条 前払式支払手段発行者をその会員とする認定資金決済事業者協会は、前払式支払手段発行者である会員から第十三条第一項第四号に掲げる事項その他内閣府令で定める事項について当該前払式支払手段の利用者への周知を求められた場合には、当該事項を当該前払式支払手段の利用者に周知しなければならない。

Article 90 (1) An association for certified payment service providers whose members are issuers of prepaid payment instruments must, upon request from an issuer of prepaid payment instruments for making the particulars listed in Article 13, paragraph (1), item (iv), and other particulars specified by Cabinet Office Order public to the users of those prepaid payment instruments, make those particulars known to the users.

2 認定資金決済事業者協会は、第九十七条の規定により内閣総理大臣から提供を受けた情報のうち利用者の保護に資する情報について、前払式支払手段、資金移動業又は暗号資産交換業の利用者に提供できるようにしなければならない。

(2) An association for certified payment service providers must have the ability to provide the users of prepaid payment instruments, the funds transfer services or the crypto-asset exchange services with some of the information that help protect the users provided by the prime minister pursuant to the provisions of Article 97.

(利用者からの苦情に関する対応)

(Responses to Complaints from Users)

第九十一条 認定資金決済事業者協会は、前払式支払手段、資金移動業又は暗号資産交換業の利用者から会員の行う前払式支払手段の発行の業務、資金移動業又は暗号資産交換業に関する苦情について解決の申出があったときは、その相談に応じ、申出人に必要な助言をし、その苦情に係る事情を調査するとともに、当該会員に対しその苦情の内容を通知してその迅速な処理を求めなければならない。

Article 91 (1) When a user of prepaid payment instruments, funds transfer services or crypto-asset exchange services files an application for resolution of a complaint concerning the business of issuing prepaid payment instruments, funds transfer services or crypto-asset exchange services carried out by a member, an association for certified payment service providers must respond to requests for consultation, provide necessary advice to the applicant, investigate the circumstances pertaining to the complaint, and request the member to expedite the process by informing the details of the complaint.

2 認定資金決済事業者協会は、前項の申出に係る苦情の解決について必要があると認めるときは、当該会員に対し、文書若しくは口頭による説明を求め、又は資料の提出を求めることができる。

(2) When an association for certified payment service providers finds it necessary for resolving a complaint pertaining to an application referred to in the

preceding paragraph, it may request the relevant member to provide a written or oral explanation or submit materials.

3 会員は、認定資金決済事業者協会から前項の規定による求めがあったときは、正当な理由がないのに、これを拒んではならない。

(3) When an association for certified payment service providers makes a request to a member pursuant to the provisions of the preceding paragraph, the member must not refuse this without reasonable grounds.

4 認定資金決済事業者協会は、第一項の申出、苦情に係る事情及びその解決の結果について会員に周知させなければならない。

(4) An association for certified payment service providers must make applications referred to in paragraph (1), circumstances pertaining to the complaints, and the outcome of any resolution known to the members.

5 第一項の規定は、認定資金決済事業者協会が第九十九条第一項の規定による指定を受けている場合において、第一項の申出が当該指定に係る紛争解決等業務の種別に関する苦情に係るものであるときは、適用しない。

(5) If an association for certified payment service providers is designated pursuant to the provisions of Article 99, paragraph (1), when the application referred to in paragraph (1) is related to complaints concerning the types of dispute resolution services pertaining to the designation, the provisions of paragraph (1) do not apply.

(認定資金決済事業者協会への報告等)

(Reports to Associations for Certified Payment Service Providers)

第九十二条 会員は、前払式支払手段発行者、資金移動業者又は暗号資産交換業者が行った利用者の保護に欠ける行為に関する情報その他利用者の利益を保護するために必要な情報として内閣府令で定めるものを取得したときは、これを認定資金決済事業者協会に報告しなければならない。

Article 92 (1) When a member obtains information about conduct in which an issuer of prepaid payment instruments, funds transfer service provider or crypto-asset exchange service provider engages that weakens the protection of users and other information necessary for the protection of the interests of users as specified by Cabinet Office Order, it must report this to the association for certified payment service providers of which membership they hold.

2 認定資金決済事業者協会は、その保有する前項に規定する情報について会員から提供の請求があったときは、正当な理由がある場合を除き、当該情報を提供しなければならない。

(2) Upon receipt of a request made by a member to provide the information held by an association for certified payment service providers referred to in the preceding paragraph, it must provide the member with the information except when there are reasonable grounds for refusal.

(秘密保持義務等)

(Confidentiality Obligation)

第九十三条 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 93 (1) An officer or an employee of an association for certified payment service providers, or a person who was formerly in that position must not divulge or misappropriate any confidential information learned in the course of their duties to any person.

2 認定資金決済事業者協会の役員若しくは職員又はこれらの職にあった者は、その職務に関して知り得た情報を、認定業務の用に供する目的以外に利用してはならない。

(2) An officer or an employee of an association for certified payment service providers, or a person who was formerly in that position must not use any information learned in the course of their duties for purposes other than the purpose of providing this information for the certified business.

(定款の必要的記載事項)

(Particulars Which Must Be Included in Articles of Incorporation)

第九十四条 一般社団法人及び一般財団法人に関する法律第十一条第一項各号に掲げる事項及び第八十七条第二号に規定する定款の定めのほか、認定資金決済事業者協会は、その定款において、この法律若しくはこの法律に基づく命令若しくはこれらに基づく処分又は第八十八条第三号の規則に違反した会員に対し、定款で定める会員の権利の停止若しくは制限を命じ、又は除名する旨を定めなければならない。

Article 94 Beyond what is set forth in items of Article 11, paragraph (1) of the Act on General Incorporated Association and General Incorporated Foundation and a provision of the articles of incorporation prescribed in Article 87, item (ii), an association for certified payment service providers must, in its articles of incorporation, if its member violates this Act or an order under this Act or a disposition under this Act or the order, or the rules prescribed in Article 88, item (iii), the association for certified payment service providers suspends or restricts the rights of the Member under the articles of incorporation, or expel the member from the association.

(立入検査等)

(On-Site Inspections)

第九十五条 内閣総理大臣は、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その業務若しくは財産に関し参考となるべき報告若しくは資料の提出を命じ、又は当該職員に当該認定資金決済事業者協会の事務所に立ち入らせ、その業務若しくは財産の状況に関して質問させ、若しくは帳簿書類その他の物件を検査させることができる。

Article 95 The prime minister may, to the extent necessary for the enforcement

of this Act, order an association for certified payment service providers to submit reports or materials that can be used as reference for its business or property, or have officials enter the office of the association for certified payment service providers, ask questions about the status of its business or property or inspect its books and documents or other items.

(認定資金決済事業者協会に対する監督命令等)

(Supervisory Order to Association for Certified Payment Service Providers)

第九十六条 内閣総理大臣は、認定業務の運営に関し改善が必要であると認めるときは、この法律の施行に必要な限度において、認定資金決済事業者協会に対し、その改善に必要な措置をとるべきことを命ずることができる。

Article 96 (1) If the prime minister finds it necessary to improve operations of the certified businesses carried out by an association for certified payment service providers, the minister may, to the extent necessary for the enforcement of this Act, order the association for certified payment service providers to take necessary measures for improving its operations.

2 内閣総理大臣は、認定資金決済事業者協会の業務の運営がこの法律若しくはこの法律に基づく命令又はこれらに基づく処分に違反したときは、その認定を取り消し、又は六月以内の期間を定めてその業務の全部若しくは一部の停止を命ずることができる。

(2) If operations of a business carried out by an association for certified payment service providers violate this Act or an order under this Act or a disposition under this Act or the order, the prime minister may revoke its certification or order the association for certified payment service providers to suspend all or part of its business, by setting a period for suspension not exceeding six months.

(認定資金決済事業者協会への情報提供)

(Provision of Information to Associations for Certified Payment Service Providers)

第九十七条 内閣総理大臣は、認定資金決済事業者協会の求めに応じ、認定資金決済事業者協会が認定業務を適正に行うために必要な限度において、前払式支払手段発行者、資金移動業者又は暗号資産交換業者に関する情報であつて認定業務に資するものとして内閣府令で定める情報を提供することができる。

Article 97 The prime minister may, in response to a request from an association for certified payment service providers and to the extent necessary for ensuring the operations of certified businesses in a proper and steady manner by the association for certified payment service providers, provide the association for certified payment service providers with information pertaining to an issuer of prepaid payment instruments, funds transfer service providers or crypto-asset exchange service providers that contributes to the certified businesses as specified by Cabinet Office Order.

(公告)

(Public Notices)

第九十八条 内閣総理大臣は、第八十七条の規定による認定をしたとき、又は第九十六条第二項の規定により当該認定を取り消したとき、若しくはその業務の全部若しくは一部の停止を命じたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

Article 98 If the prime minister certifies a person pursuant to the provisions of Article 87, or revokes the certification pursuant to the provisions of Article 96, paragraph (2), or orders to suspend all or part of the certified businesses, the minister must give public notice to that effect, pursuant to the provisions of Cabinet Office Order.

第六章 指定紛争解決機関

Chapter VI Designated Dispute Resolution Organizations

(紛争解決等業務を行う者の指定)

(Designation of Persons That Provide Dispute Resolution Services)

第九十九条 内閣総理大臣は、次に掲げる要件を備える者を、その申請により、紛争解決等業務を行う者として、指定することができる。

Article 99 (1) The prime minister may designate a person satisfying the following requirements for a person that provides dispute resolution services upon their application:

一 法人（人格のない社団又は財団で代表者又は管理人の定めのあるものを含み、外国の法令に準拠して設立された法人その他の外国の団体を除く。第四号ニにおいて同じ。）であること。

(i) the person is a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated, but excluding a corporation established under the laws and regulations of a foreign state and other foreign organizations; the same applies in item (iv), (d));

二 次条第一項の規定によりこの項の指定を取り消され、その取消の日から五年を経過しない者又は他の法律の規定による指定であつて紛争解決等業務に相当する業務に係るものとして政令で定めるものを取り消され、その取消の日から五年を経過しない者でないこと。

(ii) the person is not a person who had its designation referred to in this paragraph revoked pursuant to the provisions of paragraph (1) of the following Article and for whom five years have not elapsed from the date of the revocation, or a person who had its designation under the provisions of another Act, which is pertaining to a business equivalent to dispute resolution services specified by Cabinet Order, revoked and for whom five

years have not elapsed from the date of the revocation;

三 この法律、銀行法等若しくは弁護士法（昭和二十四年法律第二百五号）又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者でないこと。

(iii) the person is not a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorneys Act (Act No. 205 of 1949), or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

四 役員のうち、次のいずれかに該当する者がいないこと。

(iv) none of the officers fall under any of the following items:

イ 心身の故障のため紛争解決等業務に係る職務を適正に執行することができない者として内閣府令で定める者

(a) a person specified by Cabinet Office Order as being unable to properly perform their duties pertaining to dispute resolution services due to a mental or physical disorder;

ロ 破産手続開始の決定を受けて復権を得ない者又は外国の法令上これに相当する者

(b) a person who has not had their rights restored after receiving an order to commence bankruptcy proceedings, or a person equivalent thereto under laws and regulations of a foreign state;

ハ 禁錮以上の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(c) a person who has been sentenced to imprisonment or heavier punishment (including equivalent punishment under laws and regulations of a foreign state), and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceased to be executed;

ニ 次条第一項の規定によりこの項の指定を取り消された場合若しくはこの法律に相当する外国の法令の規定により当該外国において受けている当該指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員（外国の法令上これと同様に扱われている者を含む。ニにおいて同じ。）であった者でその取消しの日から五年を経過しない者又は他の法律の規定による指定であって紛争解決等業務に相当する業務に係るものとして政令で定めるもの若しくは当該他の法律に相当する外国の法令の規定により当該外国において受けている当該政令で定める指定に類する行政処分を取り消された場合において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日か

ら五年を経過しない者

(d) if a corporation had its designation referred to in this paragraph revoked pursuant to the provisions of paragraph (1) of the following Article, or a corporation had its administrative disposition similar to the designation, that had been implemented in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to this Act revoked, a person who had been an officer (including a person treated in the same manner under laws and regulations of a foreign state; the same applies in (d)) of the corporation at any time during the one month prior to the date of the revocation and for whom five years have not elapsed from the relevant date; or if a corporation had its designation under the provisions of another Act for business equivalent to the dispute resolution services as specified by Cabinet Order revoked, or a corporation had its administrative disposition similar to a designation specified by the Cabinet Order, that had been implemented in a foreign state pursuant to the provisions of laws and regulations of the foreign state equivalent to the other Act revoked, a person who had been an officer of the corporation at any time during the one month prior to the date of revocation and for whom five years have not elapsed from the relevant date; or

ホ この法律、銀行法等若しくは弁護士法又はこれらに相当する外国の法令の規定に違反し、罰金の刑（これに相当する外国の法令による刑を含む。）に処せられ、その刑の執行を終わり、又はその刑の執行を受けることがなくなった日から五年を経過しない者

(e) a person who has been punished by a fine (including a punishment under laws and regulations of a foreign state equivalent to this) for violating the provisions of this Act, the Banking Act, the Attorneys Act, or laws and regulations of a foreign state equivalent thereto, and for whom five years have not elapsed from the day on which the execution of the sentence ended or from the day on which the sentence ceases to be executed;

五 紛争解決等業務を的確に実施するに足りる経理的及び技術的な基礎を有すること。

(v) the person has sufficient accounting and technical foundation to ensure the provision of the dispute resolution services in a proper and steady manner;

六 役員又は職員の構成が紛争解決等業務の公正な実施に支障を及ぼすおそれがないものであること。

(vi) the composition of the officers or employees of the person may not cause hindrance to the provision of dispute resolution services in a fair manner;

七 紛争解決等業務の実施に関する規程（以下この章において「業務規程」という。）が法令に適合し、かつ、この法律の定めるところにより紛争解決等業務を公正かつ的確に実施するために十分であると認められること。

(vii) rules concerning the execution of the dispute resolution services (hereinafter referred to as "operational rules" in this Chapter) are found to

conform to laws and regulations and are sufficient to ensure the provision of the dispute resolution services in a fair and steady manner pursuant to the provisions of this Act; and

八 次項の規定により意見を聴取した結果、手続実施基本契約（紛争解決等業務の実施を内容とする契約をいう。以下この章において同じ。）の解除に関する事項その他の手続実施基本契約の内容（第百一条第一項において読み替えて準用する銀行法第五十二条の六十七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（第百一条第一項において読み替えて準用する同法第五十二条の六十七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第百一条第一項において読み替えて準用する同法第五十二条の六十七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。）を述べた資金移動業等関係業者（資金移動業者又は暗号資産交換業者をいう。以下この章において同じ。）の数の資金移動業等関係業者の総数に占める割合が政令で定める割合以下の割合となったこと。

(viii) as a result of opinions heard pursuant to the provisions of the following paragraph, the ratio of funds transfer service providers, etc. (meaning funds transfer service providers or crypto-asset exchange service providers; hereinafter the same applies in this Chapter) who filed an objection (limited to the one to which reasonable grounds are provided) to particulars concerning the cancellation of the basic contract for execution of procedures (meaning a contract that governs the provision of the dispute resolution services; hereinafter the same applies in this Chapter) and other terms and conditions for the basic contract for execution of procedures (excluding particulars listed in items of Article 52-67, paragraph (2) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms) and other details of the Operational Rules (excluding particulars that must be included in the details of the Operational Rules pursuant to the provisions of Article 52-67, paragraph (3) of that Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms and particulars necessary for satisfying the criteria listed in the items of Article 52-67, paragraph (4) of that Act and paragraph (5), item (i) of that Article as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms) to the total number of funds transfer service providers, etc. was not more than a ratio specified by Cabinet Order.

2 前項の申請をしようとする者は、あらかじめ、内閣府令で定めるところにより、資金移動業等関係業者に対し、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。）を聴取し、及びその結果を記載した書類を作成しなければならない。

(2) A person intending to file a request referred to in the preceding paragraph must, pursuant to the provisions of Cabinet Office Order, provide funds

transfer service providers, etc. with an explanation about the details of the Operational Rules in advance, hear their opinions with regard to whether they have any objection to the details (including the grounds for objection if they have any objection), and prepare a document containing the results of the hearing.

3 内閣総理大臣は、第一項の規定による指定をしようとするときは、同項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあっては、第百一条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。）に該当していることについて、あらかじめ、法務大臣に協議しなければならない。

(3) If the prime minister intends to designate a person pursuant to the provisions of paragraph (1), the minister must consult with the Minister of Justice in advance with regard to the fact that the applicant satisfies the requirements listed in items (v) through (vii) of that paragraph (limited to the part of requirements pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in those items, limited to those pertaining to the criteria listed in the items of Article 52-67, paragraph (4) of the Banking Act and the items of paragraph (5) of that Article as applied mutatis mutandis pursuant to Article 101, paragraph (1) following the deemed replacement of terms).

4 第一項の規定による指定は、紛争解決等業務の種別ごとに行うものとし、同項第八号の割合は、当該紛争解決等業務の種別ごとに算定するものとする。

(4) The person is to be designated pursuant to the provisions of paragraph (1) according to the types of dispute resolution services, and the ratio referred to in item (viii) of that paragraph is to be calculated for the respective types of dispute resolution services.

5 内閣総理大臣は、第一項の規定による指定をしたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

(5) If the prime minister designates a person pursuant to the provisions of paragraph (1), the minister must give public notice to that effect pursuant to the provisions of Cabinet Office Order.

(指定の取消し等)

(Revocation of Designations)

第百条 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当するときは、前条第一項の規定による指定を取り消し、又は六月以内の期間を定めて、その業務の全部若しくは一部の停止を命ずることができる。

Article 100 (1) If a designated dispute resolution organization falls under any of the following items, the prime minister may revoke its designation under the provisions of paragraph (1) of the preceding Article or order the designated dispute resolution organization to suspend all or part of its business, by

specifying a period for suspension not exceeding six months:

一 前条第一項第二号から第七号までに掲げる要件に該当しないこととなったとき、又は指定を受けた時点において同項各号のいずれかに該当していなかったことが判明したとき。

(i) the designated dispute resolution organization no longer satisfies the requirements listed in paragraph (1), items (ii) through (vii) of the preceding Article or it turned out that the designated dispute resolution organization did not satisfy any of the items of that paragraph when it was designated;

二 不正の手段により前条第一項の規定による指定を受けたとき。

(ii) the designated dispute resolution organization was designated pursuant to the provisions of paragraph (1) of the preceding Article through wrongful means; or

三 法令又は法令に基づく処分に違反したとき。

(iii) the designated dispute resolution organization violates laws and regulations or a disposition under the laws and regulations.

2 内閣総理大臣は、指定紛争解決機関が次の各号のいずれかに該当する場合において、前項の規定による処分又は命令をしようとするときは、あらかじめ、法務大臣に協議しなければならない。

(2) If a designated dispute resolution organization falls under any of the following items, when the prime minister intends to reach a disposition or issue an order pursuant to the provisions of the preceding paragraph, the minister must consult with the Minister of Justice in advance:

一 前条第一項第五号から第七号までに掲げる要件（紛争解決手続の業務に係る部分に限り、同号に掲げる要件にあつては、次条第一項において読み替えて準用する銀行法第五十二条の六十七第四項各号及び第五項各号に掲げる基準に係るものに限る。以下この号において同じ。）に該当しないこととなった場合又は前条第一項の規定による指定を受けた時点において同項第五号から第七号までに掲げる要件に該当していなかったことが判明した場合

(i) when the designated dispute resolution organization no longer satisfies the requirements listed in paragraph (1), items (v) through (vii) of the preceding Article (limited to the part of the requirements pertaining to the business of executing dispute resolution procedures, and with regard to the requirements listed in those items, limited to those pertaining to the criteria listed in items of Article 52-67, paragraph (4) of the Banking Act and items of paragraph (5) of that Article as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms; hereinafter the same applies in this item) or when it turned out that the designated dispute resolution organization did not satisfy any of paragraph (1), items (v) through (vii) of the preceding Article when it was designated pursuant to the provisions of that paragraph; or

二 次条第一項において読み替えて準用する銀行法第五十二条の六十五、第五十二条

の六十六、第五十二条の六十九又は第五十二条の七十三の規定に違反した場合（その違反行為が紛争解決手続の業務に係るものである場合に限る。）

(ii) when the designated dispute resolution organization violates the provisions of Article 52-65, Article 52-66, Article 52-69, or Article 52-73 of the Banking Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms (limited to cases where the violation pertains to the business of executing dispute resolution procedures).

3 第一項の規定により前条第一項の規定による指定の取消しの処分を受け、又はその業務の全部若しくは一部の停止の命令を受けた者は、当該処分又は命令の日から二週間以内に、当該処分又は命令の日に次条第一項において読み替えて準用する銀行法第五十二条の八十三第三項に規定する苦情処理手続又は紛争解決手続が実施されていた当事者、当該当事者以外の手続実施基本契約を締結した相手方である資金移動業等関係業者及び他の指定紛争解決機関に当該処分又は命令を受けた旨を通知しなければならない。

(3) A person who has had its designation under the provisions of paragraph (1) of the preceding Article revoked pursuant to the provisions of paragraph (1) or has received an order to suspend all or part of its business must, within two weeks from the date of the disposition or order, notify the parties to whom the complaint handling procedures or dispute resolution procedures prescribed in Article 52-83, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to paragraph (1) of the following Article following the deemed replacement of terms are being implemented as of the date of the disposition or order, funds transfer service providers, etc. other than the parties who are the other parties to the basic contract for execution of procedures, and other designated dispute resolution organizations to the effect that it has received the disposition or order.

4 内閣総理大臣は、第一項の規定により前条第一項の規定による指定を取り消したとき、又はその業務の全部若しくは一部の停止を命じたときは、内閣府令で定めるところにより、その旨を公告しなければならない。

(4) When the prime minister revokes the designation under the provisions of paragraph (1) of the preceding Article pursuant to the provisions of paragraph (1) or issues an order to suspend all or part of the relevant business, the minister must give public notice to that effect, pursuant to the provisions of Cabinet Office Order.

(指定紛争解決機関に関する銀行法の規定の準用)

(Provisions of the Banking Act Applied Mutatis Mutandis to Designated Dispute Resolution Organizations)

第百一条 銀行法第二条第二十二項から第二十五項まで及び第五十二条の六十三から第五十二条の八十三までの規定（これらの規定に係る罰則を含む。次項において「銀行

法規定」という。)は、指定紛争解決機関について準用する。この場合において、次項に定める場合を除き、これらの規定中次の表の上欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとする。

Article 101 (1) The provisions of Article 2, paragraph (22) through Article 2, paragraph (25) and Article 52-63 through Article 52-83 of the Banking Act (including the penal provisions pertaining to these provisions; referred to as the "provisions of the Banking Act" in the following paragraph) apply mutatis mutandis to designated dispute resolution organizations. In this case, except in cases specified in the following paragraph, the terms in these provisions listed in the left-hand column of the table below are deemed to be replaced with the terms listed in the right-hand column of that table:

銀行業務関連苦情 Complaints related to the banking business	資金移動業等関連苦情 Complaints related to the funds transfer service, etc.
銀行業務関連紛争 Disputes related to the banking business	資金移動業等関連紛争 Disputes related to the funds transfer service, etc.
加入銀行 Participating banks	加入資金移動業等関係者 Participating funds transfer service providers, etc.
顧客 Customers	利用者 Users

2 銀行法規定を指定紛争解決機関について準用する場合において、次の表の上欄に掲げる銀行法規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(2) If the provisions of the Banking Act Provisions apply mutatis mutandis to designated dispute resolution organizations, the terms or phrases listed in the middle column of the table below in the provisions of the Banking Act as listed in the left-hand column of that table are deemed to be replaced with the respective terms or phrases listed in the right-hand column of that table; and any other necessary technical replacement of terms are specified by Cabinet Order:

第五十二条の六十三第一項 Article 52-63, paragraph (1)	前条第一項 Paragraph (1) of the preceding Article	資金決済に関する法律（平成二十一年法律第五十九号）第九十九条第一項 Article 99, paragraph (1) of the Payment Services Act (Act No 59 of 2009)
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	次に掲げる事項 The following particulars	指定を受けようとする紛争解決等業務の種別（同法第二条第十五項に規定する紛争解決等業務の種別をいう。第五十二条の七十三第三項第二号において同じ。）及び次に掲げる事項 Categories of dispute resolution services (meaning the categories of dispute resolution services prescribed in Article 2, paragraph (15) of that Act; the same applies in Article 52-73, paragraph (3), item (ii)) for which designation is applied, and the following particulars
第五十二条の六十三第二項第一号 Article 52-63, paragraph (2), item (i)	前条第一項第三号 Paragraph (1), item (iii) of the preceding Article	資金決済に関する法律第九十九条第一項第三号 Article 99, paragraph (1), item (iii) of the Payment Services Act
第五十二条の六十三第二項第六号 Article 52-63, paragraph (2), item (vi)	前条第二項 Paragraph (2) of the preceding Article	資金決済に関する法律第九十九条第二項 Article 99, paragraph (2) of the Payment Services Act
第五十二条の七十三第三項第二号 Article 52-73, paragraph (3), item (ii)	銀行業務 Banking Business	紛争解決等業務の種別が資金移動業務（資金決済に関する法律第二条第十五項に規定する資金移動業務をいう。）である場合にあつては為替取引に係る業務、紛争解決等業務の種別が暗号資産交換業務（同項に規定する暗号資産交換業務をいう。）である場合にあつては同条第七項各号に掲げる行為に係る業務 Business pertaining to exchange transactions if the category of dispute resolution services is a funds transfer business (meaning the funds transfer business prescribed in Article 2, paragraph (15) of the Payment Services Act); or business pertaining to the acts set forth in the items of paragraph (7) of that Article if the category of dispute resolution services is crypto-asset exchange services (meaning the crypto-asset exchange services prescribed in Article 2, paragraph (15) of that Act)

第五十二条の七十四第二項 Article 52-74, paragraph (2)	第五十二条の六十二第一項の規定による指定が第五十二条の八十四第一項 Designation under Article 52-62, paragraph (1) has been revoked pursuant to Article 52-84, paragraph (1)	資金決済に関する法律第九十九条第一項の規定による指定が同法第百条第一項 Designation under Article 99, paragraph (1) of the Payment Services Act has been rescinded pursuant to Article 100, paragraph (1) of that Act
	第五十二条の八十四第三項 Article 52-84, paragraph (3)	同法第百条第三項 Article 100, paragraph (3) of that Act
第五十二条の八十二第二項第一号 Article 52-82, paragraph (2), item (i)	第五十二条の六十二第一項第五号 Article 52-62, paragraph (1), item (v)	資金決済に関する法律第九十九条第一項第五号 Article 99, paragraph (1), item (v) of the Payment Services Act

第七章 雑則

Chapter VII Miscellaneous Provisions

(検査職員の証明書の携帯)

(Carrying Identification of Inspection Officials)

第百二条 第二十四条第一項若しくは第二項、第五十四条第一項若しくは第二項、第六十三条の十五第一項若しくは第二項、第八十条第一項若しくは第二項又は第九十五条の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があつたときは、これを提示しなければならない。

Article 102 (1) Inspection officials who conduct on-site inspections pursuant to the provisions of Article 24, paragraph (1) or (2), Article 54, paragraph (1) or (2), Article 63-15, paragraph (1) or (2), Article 80, paragraph (1) or (2), or Article 95 must carry an identification and present it when requested by any person concerned.

2 前項に規定する各規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(2) The authority to conduct an on-site inspection under the respective provisions prescribed in the preceding paragraph must not be interpreted as being granted for the purpose of criminal investigation.

(財務大臣への資料提出等)

(Submission of Materials to the Minister of Finance)

第百三条 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、前払式支払手段発行者、資金移動業者、暗号資産交換業者又は資金清算機関に係る制度の企画又は立案をするために必要があると認めるときは、内閣総理大臣に対し、必要な資料の提出及び説明を求めることができる。

Article 103 (1) When the Minister of Finance finds it necessary for planning or implementing a plan for systems pertaining to an issuer of prepaid payment instruments, funds transfer service providers, crypto-asset exchange service providers or clearing institution for interbank funds transfers, in relation to a system for failure resolution of financial institutions and financial risk management under the minister's jurisdiction, the minister may request the prime minister to provide necessary materials and explanation therefor.

2 財務大臣は、その所掌に係る金融破綻処理制度及び金融危機管理に関し、前払式支払手段発行者、資金移動業者、暗号資産交換業者又は資金清算機関に係る制度の企画又は立案をするため特に必要があると認めるときは、その必要の限度において、前払式支払手段発行者、資金移動業者、暗号資産交換業者、資金清算機関又は認定資金決済事業者協会その他の関係者に対し、資料の提出、説明その他の協力を求めることができる。

(2) When the Minister of Finance finds it particularly necessary for planning or implementing a plan for systems pertaining to an issuer of prepaid payment instruments, funds transfer service providers, crypto-asset exchange service providers or clearing institution for interbank funds transfers, in relation to a system for failure resolution of financial institutions and financial risk management under the minister's jurisdiction, the minister may request an issuer of prepaid payment instruments, funds transfer service providers, crypto-asset exchange service providers, clearing institution for interbank funds transfers, association for certified payment service providers, or any other persons concerned to provide materials and explanation therefor as well as other forms of cooperation, to the extent that such cooperation is necessary.

(権限の委任)

(Delegation of Authority)

第百四条 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を金融庁長官に委任する。

Article 104 (1) The prime minister delegates authority under this Act (excluding that specified by Cabinet Order) to the Commissioner of the Financial Services Agency.

2 金融庁長官は、政令で定めるところにより、前項の規定により委任された権限の一部を財務局長又は財務支局長に委任することができる。

(2) The Commissioner of the Financial Services Agency may, pursuant to the provisions of Cabinet Order, delegate part of the authority that has been delegated to the commissioner pursuant to the provisions of the preceding

paragraph to the Director-Generals of Local Finance Bureaus or Local Finance Branch Bureaus.

(内閣府令への委任)

(Provisions Governed by Cabinet Office Order)

第百五条 この法律に定めるもののほか、この法律を実施するために必要な事項は、内閣府令で定める。

Article 105 Beyond what is set forth in this Act, particulars necessary for the enforcement of this Act are specified by Cabinet Office Order.

(経過措置)

(Transitional Measures)

第百六条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要とされる範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 106 If an order is established, amended or repealed based on the provisions of this Act, transitional measures necessary (including transitional measures concerning penal provisions) may be prescribed in the order, to the extent considered reasonably necessary for the establishment, amendment or repeal of the order.

第八章 罰則

Chapter VIII Penal Provisions

第百七条 次の各号のいずれかに該当する者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 107 Any person who falls under any of the following items is subject to imprisonment for not more than three years or a fine of not more than three million yen, or both:

一 第七条の登録を受けずに第三者型前払式支払手段（第三条第五項に規定する第三者型前払式支払手段をいう。第三号において同じ。）の発行の業務を行った者

(i) a person who conducts the business of issuing prepaid payment instruments for third-party business (meaning prepaid payment instruments for third-party business prescribed in Article 3, paragraph (5); the same applies in item (iii)) without registering the business referred to in Article 7;

二 不正の手段により第七条、第三十七条若しくは第六十三条の二の登録又は第四十一条第一項の変更登録を受けた者

(ii) a person who has been registered referred to in Article 7, Article 37 or Article 63-2, or registration of change referred to in Article 41, paragraph (1) through wrongful means;

三 第十二条の規定に違反して、他人に第三者型前払式支払手段の発行の業務を行わ

- せた者
- (iii) a person who, in violation of the provisions of Article 12, has another person conduct the business of issuing prepaid payment instruments for third-party business;
- 四 第四十一条第一項の変更登録を受けないで新たな種別の資金移動業を営んだ者
- (iv) a person who provides a new type of funds transfer service without registering the change referred to in Article 41, paragraph (1);
- 五 第四十二条の規定に違反して、他人に資金移動業を営ませた者
- (v) a person who, in violation of the provisions of Article 42, has another person provide the funds transfer service;
- 六 第六十三条の二の登録を受けないで暗号資産交換業を行った者
- (vi) a person who provides the crypto-asset exchange service without registering the service referred to in Article 63-2;
- 七 第六十三条の七の規定に違反して、他人に暗号資産交換業を行わせた者
- (vii) a person who, in violation of the provisions of Article 63-7, has another person provide the crypto-asset exchange service;
- 八 第六十四条第一項の規定に違反して、内閣総理大臣の免許を受けないで資金清算業を行った者
- (viii) a person who, in violation of Article 64, paragraph (1), provides the clearing service for interbank funds transfer without obtaining a license from the prime minister; or
- 九 不正の手段により第六十四条第一項の免許を受けた者
- (ix) a person who obtains a license referred to in Article 64, paragraph (1) through wrongful means.

第百八条 次の各号のいずれかに該当する者は、二年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 108 Any person who falls under any of the following items is subject to imprisonment for not more than two years or a fine of not more than three million yen, or both:

- 一 第四十条の二第一項の認可を受けないで第三十六条の二第一項に規定する第一種資金移動業を営んだ者
- (i) a person who provides type I funds transfer service prescribed in Article 36-2, paragraph (1) without obtaining the authorization referred to in Article 40-2, paragraph (1);
- 二 第五十六条第一項の規定による資金移動業の全部又は一部の停止の命令に違反した者
- (ii) a person who violates an order to suspend all or part of the funds transfer service under the provisions of Article 56, paragraph (1);
- 三 第六十三条の十一第一項の規定に違反して利用者の金銭を自己の金銭と分別して管理せず、若しくは信託しなかつた者又は同条第二項前段の規定に違反して利用者

- の暗号資産を自己の暗号資産と分別して管理しなかった者
- (iii) a person who, in violation of the provisions of Article 63-11, paragraph (1), fails to manage or entrust users' money separately from its own money, or a person who, in violation of the provisions of the first sentence of paragraph (2) of that Article, fails to manage users' crypto-assets separately from its own crypto-assets;
- 四 第六十三条の十一の二第一項前段の規定に違反して、履行保証暗号資産（同項に規定する履行保証暗号資産をいう。以下この号において同じ。）を保有せず、又は履行保証暗号資産を履行保証暗号資産以外の自己の暗号資産と分別して管理しなかった者
- (iv) a person who, in violation of the provisions of the first sentence of Article 63-11-2, paragraph (1), fails to hold performance-guarantee crypto-assets (meaning the performance-guarantee crypto-assets prescribed in that paragraph; hereinafter the same applies in this item) or fails to manage the performance-guarantee crypto-assets separately from its own crypto-assets other than the performance-guarantee crypto-assets;
- 五 第六十三条の十七第一項の規定による暗号資産交換業の全部又は一部の停止の命令に違反した者
- (v) a person who violates an order to suspend all or part of the crypto-asset exchange service pursuant to the provisions of Article 63-17, paragraph (1);
- 六 第八十二条第二項の規定による業務の全部又は一部の停止の命令に違反した者
- (vi) a person who violates an order to suspend all or part of the business pursuant to the provisions of Article 82, paragraph (2); or
- 七 第九十六条第二項の規定による業務の全部又は一部の停止の命令に違反した者
- (vii) a person who violates an order to suspend all or part of the business pursuant to the provisions of Article 96, paragraph (2).

第百九条 次の各号のいずれかに該当する者は、一年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 109 Any person who falls under any of the following items is subject to imprisonment for not more than one year or a fine of not more than three million yen, or both:

- 一 第二十条第二項、第六十一条第三項若しくは第六十三条の二十第三項の規定による公告をせず、又は虚偽の公告をした者
- (i) a person who fails to give a public notice under the provisions of Article 20, paragraph (2), Article 61, paragraph (3) or Article 63-20, paragraph (3) or who gives a false public notice;
- 二 第四十三条第一項の規定に違反して、供託を行わなかった者
- (ii) a person who, in violation of Article 43, paragraph (1), fails to make a deposit;
- 三 第四十五条の二第一項後段の規定に違反して、同項第一号に規定する預貯金等管

- 理方法による管理を行わなかった者
- (iii) a person who, in violation of the provisions of the second sentence of Article 45-2, paragraph (1), fails to implement the management by using the method of management by bank deposits or savings prescribed in item (i) of that paragraph;
- 四 第四十六条の規定による命令に違反して、供託を行わなかった者
- (iv) a person who, in violation of an order under the provisions of Article 46, fails to make a deposit;
- 五 第五十二条、第六十三条の十三若しくは第七十八条の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者
- (v) a person who fails to prepare or maintain the books and documents under the provisions of Article 52, Article 63-13 or Article 78, or prepares false books or documents;
- 六 第五十三条第一項若しくは第二項、第六十三条の十四第一項若しくは第二項若しくは第七十九条の規定による報告書若しくは第五十三条第三項若しくは第六十三条の十四第三項若しくは第四項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出した者
- (vi) a person who fails to submit the written reports under the provisions of Article 53, paragraph (1) or (2), Article 63-14, paragraph (1) or (2) or Article 79 or the accompanying documents under the provisions of Article 53, paragraph (3), Article 63-14, paragraph (3) or (4) or submits false written reports or accompanying documents;
- 七 第五十四条第一項若しくは第二項、第六十三条の十五第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者
- (vii) a person who fails to submit reports or materials under the provisions of Article 54, paragraph (1) or (2), Article 63-15, paragraph (1) or (2) or Article 80, paragraph (1) or (2), or submits false reports or materials;
- 八 第五十四条第一項若しくは第二項、第六十三条の十五第一項若しくは第二項若しくは第八十条第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者
- (viii) a person who fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 54, paragraph (1) or (2), Article 63-15, paragraph (1) or (2) or Article 80, paragraph (1) or (2), or refuses, prevents or evades the inspection under these provisions;
- 九 第六十三条の九の三の規定に違反して、同条第一号に掲げる行為をした者
- (ix) a person who, in violation of the provisions of Article 63-9-3, engages in an act set forth in item (i) of that Article; or
- 十 第六十五条第一項の規定による免許申請書又は同条第二項の規定による添付書類に虚偽の記載をして提出した者

(x) a person who made false statements in the written application for license under the provisions of Article 65, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article and submits those.

第百十条 第二十六条又は第二十七条第一項の規定による業務の全部又は一部の停止の命令に違反した者は、一年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 110 A person who violates an order to suspend all or part of the business under the provisions of Article 26 or Article 27, paragraph (1) is subject to imprisonment for not more than one year or a fine of not more than one million yen, or both.

第百十一条 第七十四条第一項若しくは第二項（これらの規定を同条第三項において準用する場合を含む。）又は第九十三条の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 111 A person who violates the provisions of Article 74, paragraph (1) or (2) (including as applied mutatis mutandis pursuant to paragraph (3) of that Article) or Article 93 is subject to imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

第百十二条 次の各号のいずれかに該当する者は、六月以下の懲役若しくは五十万円以下の罰金に処し、又はこれを併科する。

Article 112 Any person who falls under any of the following items is subject to imprisonment for not more than six months or a fine of not more than five hundred thousand yen, or both:

一 第五条第一項の規定による届出書若しくは同条第二項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出した者

(i) a person who fails to submit the written notice under the provisions of Article 5, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article or submits a false written notice or accompanying documents;

二 第八条第一項の規定による登録申請書若しくは同条第二項の規定による添付書類、第三十八条第一項（第四十一条第二項において準用する場合を含む。）の規定による登録申請書若しくは第三十八条第二項（第四十一条第二項において準用する場合を含む。）の規定による添付書類又は第六十三条の三第一項の規定による登録申請書若しくは同条第二項の規定による添付書類に虚偽の記載をして提出した者

(ii) a person who made false statements in the written application for registration under the provisions of Article 8, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article, the written application for registration under the provisions of

Article 38, paragraph (1) (including as applied mutatis mutandis pursuant to Article 41, paragraph (2)) or the accompanying documents under the provisions of Article 38, paragraph (2) (including as applied mutatis mutandis pursuant to Article 41, paragraph (2)), or the written application for registration under the provisions of Article 63-3, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article;

- 三 第十四条第一項又は第二項の規定に違反して、供託を行わなかった者
(iii) a person who, in violation of Article 14, paragraph (1) or (2), fails to make a deposit;
- 四 第十七条の規定による命令に違反して、供託を行わなかった者
(iv) a person who, in violation of an order under the provisions of Article 17, fails to make a deposit;
- 五 第二十二條の規定による帳簿書類の作成若しくは保存をせず、又は虚偽の帳簿書類の作成をした者
(v) a person who fails to prepare or maintain the books and documents under the provisions of Article 22, or prepares false books or documents;
- 六 第二十三條第一項の規定による報告書若しくは同条第二項の規定による添付書類を提出せず、又は虚偽の記載をした報告書若しくは添付書類を提出した者
(vi) a person who fails to submit the written reports under the provisions of Article 23, paragraph (1) or the accompanying documents under the provisions of paragraph (2) of that Article or submits false written reports or accompanying documents;
- 七 第二十四條第一項若しくは第二項の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者
(vii) a person who fails to submit reports or materials under the provisions of Article 24, paragraph (1) or (2), or submits false reports or materials;
- 八 第二十四條第一項若しくは第二項の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による検査を拒み、妨げ、若しくは忌避した者
(viii) a person who fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 24, paragraph (1) or (2), or refuses, prevents or evades the inspection under these provisions;
- 九 第六十三條の九の二に規定する事項を表示しなかった者
(ix) a person who fails to indicate the particulars prescribed in Article 63-9-2;
- 十 第六十三條の九の三の規定に違反して、同条第二号又は第三号に掲げる行為をした者
(x) a person who, in violation of the provisions of Article 63-9-3, engages in an act set forth in item (ii) or (iii) of that Article;
- 十一 第九十五條の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をした者

(xi) a person who fails to submit reports or materials under the provisions of Article 95, or submits false reports or materials; or

十二 第九十五条の規定による当該職員の質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同条の規定による検査を拒み、妨げ、若しくは忌避した者

(xii) a person who fails to answer or gives a false answer to the questions asked by the officials under the provisions of Article 95, or refuses, prevents or evades the inspection under the provisions of that Article.

第百十三条 第五十五条、第六十三条の十六、第八十一条又は第九十六条第一項の規定による命令に違反した者は、百万円以下の罰金に処する。

Article 113 A person who violates an order under the provisions of Article 55, Article 63-16, Article 81, or Article 96, paragraph (1) is subject to a fine of not more than one million yen.

第百十四条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 114 Any person who falls under any of the following items is subject to a fine of not more than three hundred thousand yen:

一 第五条第三項、第十一条第一項、第四十条の二第二項、第四十一条第三項若しくは第四項若しくは第六十三条の六第一項若しくは第二項の規定による届出をせず、又は虚偽の届出をした者

(i) a person who fails to make a notification under the provisions of Article 5, paragraph (3), Article 11, paragraph (1), Article 40-2, paragraph (2), Article 41, paragraph (3) or (4), or Article 63-6, paragraph (1) or (2), or makes a false notification;

二 第十三条第一項の規定による情報の提供をせず、又は虚偽の情報の提供をした者

(ii) a person who fails to provide information under the provisions of Article 13, paragraph (1), or provides false information;

三 第二十条第四項、第六十一条第七項若しくは第六十三条の二十第七項において準用する会社法第九百五十五条第一項の規定に違反して、調査記録簿等（同項に規定する調査記録簿等をいう。以下この号において同じ。）に同項に規定する電子公告調査に関し法務省令で定めるものを記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をし、又は同項の規定に違反して調査記録簿等を保存しなかつた者

(iii) a person who, in violation of Article 955, paragraph (1) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7) or Article, paragraph 63-20 (7), fails to make entries or records the particulars specified by Ministry of Justice Order concerning electronic public notice investigations prescribed in that paragraph in an investigation record book, etc. (meaning the investigation record book, etc. prescribed in that paragraph; hereinafter the same applies in this item), or makes a false statement or records, or fails to maintain an

investigation record book, etc. in violation of the provisions of that paragraph;

四 第二十五条の規定による命令に違反した者

(iv) a person who violates an order under the provisions of Article 25;

五 第三十条第二項の規定による届出書若しくは同条第三項の規定による添付書類を提出せず、又は虚偽の記載をした届出書若しくは添付書類を提出した者

(v) a person who has failed to submit the written notice under the provisions of Article 30, paragraph (2) or the accompanying documents under the provisions of paragraph (3) of that Article or has submitted a false written notice or accompanying documents;

六 第三十条第四項の規定による届出をせず、又は虚偽の届出をした者

(vi) a person who fails to make a notification under the provisions of Article 30, paragraph (4) or makes a false notification;

七 第六十九条第二項若しくは第七十七条の規定による届出をせず、又は虚偽の届出をした者

(vii) a person who fails to make a notification under the provisions of Article 69, paragraph (2) or Article 77, or makes a false notification;

八 第七十六条の規定に違反した者

(viii) a person who violates the provisions of Article 76;

九 第八十九条第三項の規定に違反して、その名称中に認定資金決済事業者協会の会員（第八十七条第二号に規定する会員をいう。以下同じ。）と誤認されるおそれのある文字を用いた者

(ix) a person who, in violation of the provisions of Article 89, paragraph (3), uses certain wording in its name that is likely to mislead the public into believing that the person is a member of an association for certified payment service providers (meaning a member specified in Article 87, item (ii); the same applies hereinafter); or

十 第百条第三項の規定による通知をせず、又は虚偽の通知をした者

(x) a person who fails to make a notification under the provisions of Article 100, paragraph (3) or makes a false notification.

第百十五条 法人（人格のない社団又は財団であつて代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、その行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 115 (1) Where the representative person or administrator of a corporation (including an association or foundation without juridical personality for which the representative person or administrator has been designated; hereinafter the same applies in this paragraph) or an agent, employee, or other worker of a corporation or individual, with regard to the

business of the corporation or individual, violates any of the provisions set forth in the following items, not only the offender, but also the corporation is subject to the fine prescribed in the respective items and the individual is subject to the fine prescribed in the Articles referred to in the respective items:

一 第百八条（第一号及び第七号を除く。） 三億円以下の罰金刑

(i) Article 108 (excluding items (i) and (vii)): a fine of not more than three hundred million yen;

二 第百九条（第一号を除く。） 二億円以下の罰金刑

(ii) Article 109 (excluding item (i)): a fine of not more than two hundred million yen;

三 第百十条又は第百十二条（第一号、第二号及び第九号から第十二号までを除く。） 一億円以下の罰金刑

(iii) Article 110 or Article 112 (excluding items (i), (ii), and (ix) to (xii)): a fine of not more than one hundred million yen; and

四 第百七条、第百八条第一号若しくは第七号、第百九条第一号、第百十二条第一号、第二号若しくは第九号から第十二号まで、第百十三条又は前条 各本条の罰金刑

(iv) Article 107, Article 108, item (i) or (vii), Article 109, item (i), Article 112, item (i), (ii), or (ix) through (xii), Article 113, or the preceding Article: a fine prescribed in the respective Articles.

2 人格のない社団又は財団について前項の規定の適用がある場合には、その代表者又は管理人がその訴訟行為につきその人格のない社団又は財団を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) If the provisions of the preceding paragraph apply to an association or foundation without juridical personality, the representative person or administrator thereof represents the association or foundation without juridical personality with regard to the procedural act, and the provisions of Acts concerning criminal procedures where a corporation is the defendant or a suspect apply *mutatis mutandis*.

第百十六条 次の各号のいずれかに該当する者は、百万円以下の過料に処する。

Article 116 Any person who falls under any of the following items is subject to a civil fine of not more than one million yen:

一 第二十条第四項、第六十一条第七項又は第六十三条の二十第七項において準用する会社法第九百四十一条の規定に違反して、同条の調査を求めなかった者

(i) a person who, in violation of Article 941 of the Companies Act as applied *mutatis mutandis* pursuant to Article 20, paragraph (4), Article 61, paragraph (7) or Article 63-20, paragraph (7), fails to request an investigation referred to in that Article;

二 第二十条第四項、第六十一条第七項若しくは第六十三条の二十第七項において準用する会社法第九百四十六条第三項の規定に違反して、報告をせず、又は虚偽の報告をした者

(ii) a person who, in violation of Article 946, paragraph (3) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7) or Article 63-20, paragraph (7), fails to make a report or makes a false report; or

三 正当な理由がないのに、第二十条第四項、第六十一条第七項又は第六十三条の二十第七項において準用する会社法第九百五十一条第二項各号又は第九百五十五条第二項各号に掲げる請求を拒んだ者

(iii) a person who refuses any requests listed in the items of Article 951, paragraph (2) or the items of Article 955, paragraph (2) of the Companies Act as applied mutatis mutandis pursuant to Article 20, paragraph (4), Article 61, paragraph (7) or Article 63-20, paragraph (7) without reasonable grounds.

第百十七条 次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

Article 117 Any person who falls under any of the following items is subject to a civil fine of not more than five hundred thousand yen:

一 第三十三条第一項、第六十一条第一項若しくは第四項若しくは第六十三条の二十第一項若しくは第四項の規定による届出をせず、又は虚偽の届出をした者

(i) a person who fails to make a notification under the provisions of Article 33, paragraph (1), Article 61, paragraph (1) or (4) or Article 63-20, paragraph (1) or (4), or makes a false notification; or

二 正当な理由がないのに第八十九条第一項の規定による名簿の縦覧を拒んだ者

(ii) a person who refuses to make the membership list available for public inspection under the provisions of Article 89, paragraph (1) without justifiable grounds.

第百十八条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 118 Any person who falls under any of the following items is subject to a civil fine of not more than one hundred thousand yen:

一 第十四条第二項の規定による届出をせず、又は虚偽の届出をした者

(i) a person who fails to make a notification under the provisions of Article 14, paragraph (2) or makes a false notification; or

二 第八十九条第二項の規定に違反して、その名称中に認定資金決済事業者協会と誤認されるおそれのある文字を用いた者

(ii) a person who, in violation of the provisions of Article 89, paragraph (2), uses certain wording in its name which is likely to mislead the public into believing that the person is an association for certified payment service providers.