

金融サービスの提供に関する法律施行令

Order for Enforcement of the Act on Provision of Financial Services

(平成十二年十一月十七日政令第四百八十四号)
(Cabinet Order No. 484 of November 17, 2000)

内閣は、金融商品の販売等に関する法律（平成十二年法律第百一号）第二条第一項第三号、第四号、第十二号及び第十三号、第三条第二項、第三項ただし書及び第四項第一号並びに第八条第一項ただし書及び第三項の規定に基づき、この政令を制定する。

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 2, paragraph (1), item (iii), item (iv), item (xii), and item (xiii); Article 3, paragraph (2), proviso to paragraph (3) and paragraph (4), item (i); Article 8, proviso to paragraph (1) and paragraph (3) of the Act on Provision of Financial Services (Act No. 101 of 2000).

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第一章 総則

Chapter I General Provisions

(定義)

(Definitions)

第一条 この政令において「預金等」、「保険契約」、「有価証券」、「市場デリバティブ取引」又は「外国市場デリバティブ取引」とは、それぞれ金融サービスの提供に関する法律（平成十二年法律第百一号。以下「法」という。）第二条に規定する預金等、保険契約、有価証券、市場デリバティブ取引又は外国市場デリバティブ取引をいう。

Article 1 The terms, "deposits, etc.," "insurance policy," "securities," "market derivatives transactions," and "foreign market derivatives transactions," as used in this Cabinet Order, mean, respectively, the deposits, etc., the insurance policy, the securities, the market derivatives transactions, and the foreign market derivatives transactions prescribed in Article 2 of the Act on Provision of Financial Services (Act No. 101 of 2000; hereinafter referred to as "the Act").

第二章 金融商品の販売等

Chapter II Sale of Financial Instruments

(定義)

(Definitions)

第二条 この章において「金融商品の販売」、「金融商品の販売等」、「金融商品販売業者等」又は「勧誘方針」とは、それぞれ法第三条又は第十条第一項に規定する金融商品の販売、金融商品の販売等、金融商品販売業者等又は勧誘方針をいう。

Article 2 The terms, "sale of financial instruments," "sale, etc. of financial instruments," "financial instruments provider, etc.," and "solicitation policy," as used in this Chapter, mean, respectively, the sale of financial instruments, the sale, etc. of financial instruments, the financial instruments provider, etc., and the solicitation policy prescribed in Article 3 and Article 10, paragraph (1) of the Act.

(金銭の信託の要件)

(Requirements for a Money Trust)

第三条 法第三条第一項第三号に規定する政令で定める要件は、信託財産の運用方法が特定されていないこととする。

Article 3 The requirement specified by Cabinet Order that is provided for in Article 3, paragraph (1), item (iii) of the Act is that the investment method for the trust property is not specified.

(保険又は共済に係る契約)

(Contract Related to Insurance or Mutual Aid)

第四条 法第三条第一項第四号に規定する政令で定める契約は、次に掲げる法律の規定により締結される保険又は共済に係る契約に該当しない保険又は共済に係る契約とする。

Article 4 The contract specified by Cabinet Order that is provided for in Article 3, paragraph (1), item (iv) of the Act is a contract related to insurance or mutual aid that does not fall under the contract related to insurance or mutual aid that is entered into pursuant to the provisions of the following laws:

一 健康保険法（大正十一年法律第七十号）

(i) Health Insurance Act (Act No. 70 of 1922);

二 森林保険法（昭和十二年法律第二十五号）

(ii) Forest Insurance Act (Act No. 25 of 1937);

三 船員保険法（昭和十四年法律第七十三号）

(iii) Mariners Insurance Act (Act No. 73 of 1939);

四 労働者災害補償保険法（昭和二十二年法律第五十号）

(iv) Industrial Accident Compensation Insurance Act (Act No. 50 of 1947);

五 貿易保険法（昭和二十五年法律第六十七号）

(v) Trade and Investment Insurance Act (Act No. 67 of 1950);

六 中小企業信用保険法（昭和二十五年法律第二百六十四号）

(vi) Small and Medium-Sized Enterprise Credit Insurance Act (Act No. 264 of 1950);

七 中小漁業融資保証法（昭和二十七年法律第三百四十六号）

(vii) Act on Loan Security for Small and Medium-Sized Fishery Industry (Act No. 346 of 1952);

八 私立学校教職員共済法（昭和二十八年法律第二百四十五号）

(viii) Private School Personnel Mutual Aid Association Act (Act No. 245 of 1953);

九 厚生年金保険法（昭和二十九年法律第百十五号）

(ix) Employee's Pension Insurance Act (Act No. 115 of 1954);

十 住宅融資保険法（昭和三十年法律第六十三号）

(x) Housing Loan Insurance Act (Act No. 63 of 1955);

十一 消防団員等公務災害補償等責任共済等に関する法律（昭和三十一年法律第百七号）

(xi) Act on Mutual Aid Association for Liabilities for Occupational Accident Compensation for Firefighters (Act No. 107 of 1956);

十二 国家公務員共済組合法（昭和三十三年法律第二百二十八号）

(xii) National Government Employees' Mutual Aid Association Act (Act No. 128 of 1958);

十三 国民健康保険法（昭和三十三年法律第百九十二号）

(xiii) National Health Insurance Act (Act No. 192 of 1958);

- 十四 国民年金法（昭和三十四年法律第百四十一号。第十章を除く。）
(xiv) National Pension Act (Act No. 141 of 1959; excluding Chapter X);
- 十五 中小企業退職金共済法（昭和三十四年法律第百六十号）
(xv) Small and Medium-Sized Enterprise Retirement Allowance Cooperative Act (Act No. 160 of 1959);
- 十六 社会福祉施設職員等退職手当共済法（昭和三十六年法律第百五十五号）
(xvi) Act on Mutual Aid Association for Retirement Allowances of Personnel of Social Welfare Facilities and Other Personnel (Act No. 155 of 1961);
- 十七 農業信用保証保険法（昭和三十六年法律第二百四号）
(xvii) Agricultural Credit Guarantee Insurance Act (Act No. 204 of 1961);
- 十八 地方公務員等共済組合法（昭和三十七年法律第百五十二号）
(xviii) Local Government Employees' Mutual Aid Association Act (Act No. 152 of 1962);
- 十九 小規模企業共済法（昭和四十年法律第百二号）
(xix) Small Enterprise Mutual Relief Projects Act (Act No. 102 of 1965);
- 二十 独立行政法人農業者年金基金法（平成十四年法律第百二十七号）
(xx) Act on the Farmers Pension Fund, Independent Administrative Agency (Act No. 127 of 2002);
- 二十一 預金保険法（昭和四十六年法律第三十四号）
(xxi) Deposit Insurance Act (Act No. 34 of 1971);
- 二十二 農水産業協同組合貯金保険法（昭和四十八年法律第五十三号）
(xxii) Agricultural and Fishery Cooperative Savings Insurance Act (Act No. 53 of 1973);
- 二十三 雇用保険法（昭和四十九年法律第百十六号）
(xxiii) Employment Insurance Act (Act No. 116 of 1974);
- 二十四 中小企業倒産防止共済法（昭和五十二年法律第八十四号）
(xxiv) Act on Mutual Relief System for the Prevention of Bankruptcies of Small and Medium-Sized Enterprises (Act No. 84 of 1977);
- 二十五 独立行政法人日本スポーツ振興センター法（平成十四年法律第百六十二号）
(xxv) Act on the National Agency for the Advancement of Sports and Health, Independent Administrative Agency (Act No. 162 of 2002);
- 二十六 介護保険法（平成九年法律第百二十三号）
(xxvi) Long-Term Care Insurance Act (Act No. 123 of 1997);
- 二十七 破綻金融機関等の融資先である中堅事業者に係る信用保険の特例に関する臨時措置法（平成十年法律第百五十一号）
(xxvii) Act on Temporary Measures concerning Special Provisions of Credit Insurance for Medium-Sized Enterprise Financed by Bankrupt Financial Institution (Act No. 151 of 1998); and
- 二十八 住宅確保要配慮者に対する賃貸住宅の供給の促進に関する法律（平成十九年法律第百十二号）
(xxviii) Act on Promotion of Offering of Rental Housing to Persons Requiring

Special Assistance in Securing Housing (Act No. 112 of 2007).

(差金の授受を約する取引)

(Transactions in Which the Parties Agree to Pay or Receive the Difference)

第五条 法第三条第一項第十号に規定する政令で定める取引は、金利、通貨の価格その他の指標の数値としてあらかじめ当事者間で約定された数値と将来の一定の時期における現実の当該指標の数値の差に基づいて算出される金銭の授受を約する取引（商品先物取引法（昭和二十五年法律第二百三十九号）第二条第十項に規定する商品市場における取引、同条第十三項に規定する外国商品市場取引及び同条第十四項に規定する店頭商品デリバティブ取引（次条第二号において「商品先物取引等」という。）に該当するものを除く。）とする。

Article 5 The transactions specified by Cabinet Order that are provided for in Article 3, paragraph (1), item (x) of the Act are transactions in which the parties agree to pay or receive money calculated based on the difference between the figure to which the parties have agreed in advance as a figure of the interest rate, the currency value, or any other indicator, and the actual figure of the relevant indicator at a fixed time in the future (excluding transactions on a commodity market as defined in Article 2, paragraph (10) of the Commodity Derivatives Transaction Act (Act No. 239 of 1950), foreign commodity market transactions as defined in paragraph (13) of that Article and over-the-counter commodity derivative transactions as defined in paragraph (14) of that Article (referred to as "commodity futures transactions, etc." in item (ii) of the following Article)).

(金融商品の販売となる行為)

(Acts that Constitute Sale of Financial Instruments)

第六条 法第三条第一項第十一号に規定する政令で定める行為は、次に掲げる行為とする。

Article 6 The acts specified by Cabinet Order that are provided for in Article 3, paragraph (1), item (xi) of the Act are the following acts:

一 金銭の信託以外の信託であって信託財産の運用方法が特定されていないものに係る信託契約（当該信託契約に係る受益権が金融商品取引法（昭和二十三年法律第二十五号）第二条第二項第一号又は第二号に掲げる権利であるものに限る。）の委託者との締結

(i) concluding a trust agreement (limited to when the beneficial interest under the trust agreement is a right set forth in Article 2, paragraph (2), item (i) or item (ii) of the Financial Instruments and Exchange Act (Act No. 25 of 1948)) involving a trust other than a money trust for which the investment method for the trust property has not been specified with the settler of the trust agreement; and

二 銀行法（昭和五十六年法律第五十九号）第十条第二項第十四号に規定する金融等

デリバティブ取引（前条の取引及び商品先物取引等を除く。）又は当該取引の取次ぎ

- (ii) conducting financial derivative transactions (excluding transactions and commodity futures transactions, etc. referred to in the preceding Article) prescribed in Article 10, paragraph (2), item (xiv) of the Banking Act (Act No. 59 of 1981), or commission of the relevant transactions.

（金銭相当物の範囲）

(Scope of Monetary Equivalent)

第七条 法第四条第三項に規定する政令で定める金銭以外の財産は、次に掲げる財産とする。

Article 7 The property other than money specified by Cabinet Order that is provided for in Article 4, paragraph (3) of the Act is the following property:

一 前条第一号に規定する信託契約の締結に伴い顧客の譲渡することとなる金銭以外の財産

(i) property other than money to be transferred upon conclusion of a trust agreement prescribed in item (i) of the preceding Article; or

二 暗号資産（資金決済に関する法律（平成二十一年法律第五十九号）第二条第五項に規定する暗号資産をいう。第九条において同じ。）であつて、前号に掲げるものに該当するもの以外のもの

(ii) crypto-assets (meaning the crypto-assets as defined in Article 2, paragraph (5) of the Payment Services Act (Act No. 59 of 2009); the same applies in Article 9), except for those falling under cases set forth in the preceding item.

（当初元本を上回る損失が生ずるおそれを生じさせる行為）

(Acts That Causes a Risk of Incurring a Loss Exceeding the Initial Principal)

第八条 法第四条第四項第一号に規定する政令で定める行為は、第六条第二号に掲げる行為とする。

Article 8 The acts specified by Cabinet Order that are provided for in Article 4, paragraph (4), item (i) of the Act are the acts set forth in Article 6, item (ii).

（保証金相当物の範囲）

(Scope of Security Deposit Equivalent)

第九条 法第四条第四項第一号に規定する政令で定める金銭以外の財産は、暗号資産とする。

Article 9 The property other than money specified by Cabinet Order that is provided for in Article 4, paragraph (4), item (i) of the Act is crypto-assets.

（金融商品の販売に係る取引の仕組み）

(Structure of Transactions Involving the Sale of Financial Instruments)

第十条 法第四条第五項第七号に規定する政令で定める事項は、次に掲げる事項とする。

Article 10 The matters specified by Cabinet Order that are provided for in Article 4, paragraph (5), item (vii) of the Act are the following matters:

- 一 第六条第一号に掲げる行為にあつては、同号に規定する信託契約の内容
(i) for the act set forth in Article 6, item (i), the content of the trust agreement prescribed in that item; and
- 二 第六条第二号に掲げる行為にあつては、同号に規定する金融等デリバティブ取引の仕組み
(ii) for the act set forth in Article 6, item (ii), the structure of the financial derivative transactions prescribed in that item.

(重要事項について説明をすることを要しない者から除かれる者)

(Persons Excluded from Those That Are Not Required to Explain Important Matters)

第十一条 法第四条第六項ただし書に規定する政令で定める者は、金融商品の販売が行われる場合において顧客の行う行為を代理する者とする。

Article 11 The person specified by Cabinet Order that is provided for in the proviso to Article 4, paragraph (6) of the Act is a person that acts on behalf of the customer as an agent in executing the sale of a financial instrument.

(特定顧客)

(Specified Customer)

第十二条 法第四条第七項第一号に規定する政令で定める者は、金融商品販売業者等又は金融商品取引法第二条第三十一項に規定する特定投資家（次項において「特定投資家」という。）とする。

Article 12 (1) The person specified by Cabinet Order that is provided for in Article 4, paragraph (7), item (i) of the Act is a financial instruments provider, etc., or a professional investor as defined in Article 2, paragraph (31) of the Financial Instruments and Exchange Act (referred to as the "professional investor" in the following paragraph).

- 2 前項の「特定投資家」には、金融商品の販売等に係る契約が金融商品取引法第三十四条の三第二項第二号（同法第三十四条の四第六項（銀行法等の規定において準用する場合を含む。）及び銀行法等の規定において準用する場合を含む。）に規定する対象契約に該当する場合にあつては、当該金融商品の販売等に関しては同法第三十四条の三第四項（同法第三十四条の四第六項（銀行法等の規定において準用する場合を含む。）及び銀行法等の規定において準用する場合を含む。）又は同法第三十四条の三第六項（同法第三十四条の四第六項において準用する場合を含む。）の規定により当該対象契約に関して特定投資家とみなされる者を含み、金融商品の販売等に係る契約が同法第三十四条の二第二項（銀行法等の規定において準用する場合を含む。）に規定する対象契約に該当する場合にあつては、当該金融商品の販売等に関しては同条第五項（銀行法等の規定において準用する場合を含む。）又は第八項の規定により当該対象契約に関して特定投資家以外の顧客とみなされる者を含まないものとする。

(2) When a contract for the sale, etc. of financial instruments falls under the subject contract prescribed in Article 34-3, paragraph (2), item (ii) of the Financial Instruments and Exchange Act (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act (including as applied mutatis mutandis pursuant to the provisions of the Banking Act, etc.) and the Banking Act, etc.), the "professional investor" set forth in the preceding paragraph includes a person that, as regards the relevant sale, etc. of financial instruments, is deemed to be a professional investor connected with the subject contract pursuant to the provisions of Article 34-3, paragraph (4) of that Act (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act (including as applied mutatis mutandis pursuant to the provisions of the Banking Act, etc.) and the Banking Act, etc.) or Article 34-3, paragraph (6) of that Act (including when applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of that Act), and when a contract for the sale, etc. of financial instruments falls under the subject contract prescribed in Article 34-2, paragraph (2) of that Act (including as applied mutatis mutandis pursuant to the provisions of the Banking Act, etc.), as regards the relevant sale, etc. of financial instruments, the "professional investor" set forth in the preceding paragraph excludes a person who is deemed to be a customer other than a professional investor that is connected with the relevant subject contract, pursuant to the provisions of paragraph (5) (including as applied mutatis mutandis pursuant to the provisions of the Banking Act, etc.) or paragraph (8) of that Article.

3 前項の「銀行法等の規定」とは、次に掲げるものをいう。

(3) The "provisions of the Banking Act, etc." as referred to in the preceding paragraph mean the following provisions:

一 法第三十一条第二項

(i) the provisions of Article 31, paragraph (2) of the Act;

二 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）第二条の二

(ii) the provisions of Article 2-2 of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943);

三 農業協同組合法（昭和二十二年法律第三百二十二号）第十一条の五又は第十一条の二十七

(iii) the provisions of Article 11-5 or Article 11-27 of the Agricultural Cooperatives Act (Act No. 132 of 1947);

四 水産業協同組合法（昭和二十三年法律第二百四十二号）第十一条の十一（同法第九十二条第一項、第九十六条第一項又は第百条第一項において準用する場合を含む。）又は第十五条の十二（同法第九十六条第一項又は第百五条第一項において準用する場合を含む。）

(iv) the provisions of Article 11-11 of the Fisheries Cooperatives Act (Act No.

- 242 of 1948) (including as applied mutatis mutandis pursuant to Article 92, paragraph (1), Article 96, paragraph (1) or Article 100, paragraph (1) of that Act) or Article 15-12 (including as applied mutatis mutandis pursuant to Article 96, paragraph (1) or Article 105, paragraph (1) of that Act);
- 五 中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の七の五第二項（同法第九条の九第五項又は第八項において準用する場合を含む。）
- (v) the provisions of Article 9-7-5, paragraph (2) of the Small and Medium-Sized Enterprises Cooperatives Act (Act No. 181 of 1949) (including as applied mutatis mutandis pursuant to Article 9-9, paragraph (5) or paragraph (8) of that Act);
- 六 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）第六条の五の十一
- (vi) the provisions of Article 6-5-11 of the Act on Financial Business by Cooperatives (Act No. 183 of 1949);
- 七 信用金庫法（昭和二十六年法律第二百三十八号）第八十九条の二
- (vii) the provisions of Article 89-2 of the Shinkin Bank Act (Act No. 238 of 1951);
- 八 長期信用銀行法（昭和二十七年法律第百八十七号）第十七条の二
- (viii) the provisions of Article 17-2 of the Long-Term Credit Bank Act (Act No. 187 of 1952);
- 九 労働金庫法（昭和二十八年法律第二百二十七号）第九十四条の二
- (ix) the provisions of Article 94-2 of the Labor Bank Act (Act No. 227 of 1953);
- 十 銀行法第十三条の四
- (x) the provisions of Article 13-4 of the Banking Act;
- 十一 保険業法（平成七年法律第百五号）第三百条の二
- (xi) the provisions of Article 300-2 of the Insurance Business Act (Act No. 105 of 1995);
- 十二 農林中央金庫法（平成十三年法律第九十三号）第五十九条の三
- (xii) the provisions of Article 59-3 of the Norinchukin Bank Act (Act No. 93 of 2001);
- 十三 信託業法（平成十六年法律第百五十四号）第二十四条の二（保険業法第九十九条第八項において準用する場合を含む。）
- (xiii) the provisions of Article 24-2 of the Trust Business Act (Act No. 154 of 2004) (including as applied mutatis mutandis pursuant to Article 99, paragraph (8) of the Insurance Business Act); and
- 十四 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）第二十九条
- (xiv) the provisions of Article 29 of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007).

（勧誘方針の策定を要しない者）

(Persons That Are Not Required to Establish a Solicitation Policy)

第十三条 法第十条第一項ただし書に規定する政令で定める者は、法律により直接に設立された法人又は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（総務省設置法（平成十一年法律第九十一号）第四条第一項第八号の規定の適用を受けない法人を除く。）であつて国又は地方公共団体の全額出資に係る法人とする。

Article 13 The person specified by Cabinet Order that is provided for in the proviso to Article 10, paragraph (1) of the Act is a corporation directly established pursuant to a law or established by a special act of incorporation pursuant to a specific law (excluding a corporation that is not subject to the application of the provisions of Article 4, paragraph (1), item (viii) of the Act for Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999)) that is wholly owned by the State or a local government.

（勧誘方針の公表の方法）

(Method for Making a Solicitation Policy Public)

第十四条 法第十条第三項に規定する政令で定める方法は、金融商品販売業者等の本店又は主たる事務所（金融商品販売業者等が個人である場合にあっては、住所。第一号において同じ。）において勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法及び次の各号に掲げる場合に該当するときは、当該各号に定める方法とする。

Article 14 The method specified by Cabinet Order that is provided for in Article 10, paragraph (3) of the Act is the method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at the head office or principal office of a financial instruments provider, etc. (or, if the financial instruments provider, etc. is an individual, that individual's address; the same applies in item (i)), and, in the cases set forth in each of the following items, the method specified in the relevant item:

一 金融商品販売業者等が、その営業所、事務所その他の場所（その本店又は主たる事務所を除く。以下この号において「営業所等」という。）において金融商品の販売等を行う場合 金融商品の販売等を行う営業所等ごとに、勧誘方針を見やすいように掲示する方法又は勧誘方針を閲覧に供する方法

(i) if the financial instruments provider, etc. conducts sales, etc. of financial instruments at its place of business, office or any other place (excluding its head office or principal office; hereinafter referred to as "place of business" in this item): the method of posting the solicitation policy in a clearly visible manner or providing the solicitation policy for public inspection at each place of business where sales, etc. of financial instruments are conducted;

二 金融商品販売業者等が、公衆によって直接受信されることを目的として公衆からの求めに応じ自動的に無線通信又は有線電気通信の送信を行うこと（以下この号において「自動送信」という。）により金融商品の販売等を行う場合（前号に掲げる場合に該当する場合を除く。） 勧誘方針を自動送信する方法

(ii) if the financial instruments provider, etc. conducts sales, etc. of financial

instruments by implementing automatic transmission by wireless communications or wire telecommunications for the public to receive the solicitation policy directly, at the request of the public (hereinafter referred to as "automatic transmission" in this item) (excluding cases that fall under the cases set forth in the preceding item): the method of implementing automatic transmission of the solicitation policy.

第三章 金融サービス仲介業

Chapter III Financial Service Intermediary Business

第一節 総則

Section 1 General Provisions

(定義)

(Definitions)

第十五条 この章において「金融サービス仲介業」、「預金等媒介業務」、「保険媒介業務」、「有価証券等仲介業務」、「貸金業貸付媒介業務」、「金融サービス仲介業者」、「認定金融サービス仲介業協会」又は「金融サービス仲介業務」とは、それぞれ法第十一条第一項から第八項までに規定する金融サービス仲介業、預金等媒介業務、保険媒介業務、有価証券等仲介業務、貸金業貸付媒介業務、金融サービス仲介業者、認定金融サービス仲介業協会又は金融サービス仲介業務をいう。

Article 15 The terms, "financial service intermediary business," "deposits, etc. intermediary business operations," "insurance intermediary business operations," "securities, etc. intermediary business operations," "loan intermediary business operations," "financial service intermediary," "certified financial service intermediary business association," and "financial service intermediary business operations," as used in this Chapter, mean, respectively, the financial service intermediary business, the deposits, etc. intermediary business operations, the insurance intermediary business operations, the securities, etc. intermediary business operations, the loan intermediary business operations, the financial service intermediary, the certified financial service intermediary business association, and the financial service intermediary business operations prescribed in Article 11, paragraphs (1) through (8) of the Act.

(預金等媒介業務を行う者から除かれる者)

(Persons Excluded from Persons Engaged in Deposits Intermediary Business Operations)

第十六条 法第十一条第二項に規定する政令で定める者は、次に掲げる者とする。

Article 16 The persons specified by Cabinet Order that are provided for in Article 11, paragraph (2) of the Act are the following persons:

一 農業協同組合法第九十二条の二第三項に規定する特定信用事業代理業者

- (i) a specified credit business agent prescribed in Article 92-2, paragraph (3) of the Agricultural Cooperatives Act;
二 農業協同組合法第九十二条の三第三項の規定による届出をして同法第九十二条の二第二項に規定する特定信用事業代理業を行う同法第九十二条の三第一項に規定する銀行等
- (ii) deposit-taking institutions prescribed in Article 92-3, paragraph (1) of the Agricultural Cooperatives Act that engage in the specified credit business agency service prescribed in Article 92-2, paragraph (2) of that Act by making a notification under the provisions of Article 92-3, paragraph (3) of that Act;
三 水産業協同組合法第百六条第三項に規定する特定信用事業代理業者
- (iii) a specified credit business agent prescribed in Article 106, paragraph (3) of the Fisheries Cooperatives Act;
四 水産業協同組合法第百七条第三項の規定による届出をして同法第百六条第二項に規定する特定信用事業代理業を行う同法第百七条第一項に規定する銀行等
- (iv) deposit-taking institutions prescribed in Article 107, paragraph (1) of the Fisheries Cooperatives Act that engage in the specified credit business agency service prescribed in Article 106, paragraph (2) of that Act by making a notification under the provisions of Article 107, paragraph (3) of that Act;
五 協同組合による金融事業に関する法律第六条の三第三項に規定する信用協同組合代理業者
- (v) a credit cooperative agent prescribed in Article 6-3, paragraph (3) of the Act on Financial Business by Cooperatives;
六 協同組合による金融事業に関する法律第六条の五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六十一第三項の規定による届出をして協同組合による金融事業に関する法律第六条の三第二項に規定する信用協同組合代理業を行う同法第六条の四に規定する信用組合等
- (vi) a credit cooperative, etc. prescribed in Article 6-4 of the Act on Financial Businesses by Cooperatives that engages in the credit cooperative agency service prescribed in Article 6-3, paragraph (2) of that Act by making a notification under the provisions of Article 52-61, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to Article 6-5, paragraph (1) of the Act on Financial Businesses by Cooperatives following the deemed replacement of terms;
七 信用金庫法第八十五条の二第三項に規定する信用金庫代理業者
- (vii) a shinkin bank agent prescribed in Article 85-2, paragraph (3) of the Shinkin Bank Act;
八 信用金庫法第八十九条第五項において読み替えて準用する銀行法第五十二条の六十一第三項の規定による届出をして信用金庫法第八十五条の二第二項に規定する信用金庫代理業を行う同法第八十五条の三に規定する金庫等
- (viii) a shinkin bank, etc. prescribed in Article 85-3 of the Shinkin Bank Act

that engages in the shinkin bank agency service prescribed in Article 85-2, paragraph (2) of that Act by making a notification under the provisions of Article 52-61, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to Article 89, paragraph (5) of the Shinkin Bank Act following the deemed replacement of terms;

九 長期信用銀行法第十六条の五第三項に規定する長期信用銀行代理業者

(ix) a long-term credit bank agent prescribed in Article 16-5, paragraph (3) of the Long-Term Credit Bank Act;

十 長期信用銀行法第十七条において準用する銀行法第五十二条の六十一第三項の規定による届出をして長期信用銀行法第十六条の五第二項に規定する長期信用銀行代理業を営む同法第十六条の七に規定する長期信用銀行等

(x) a long-term credit bank, etc. prescribed in Article 16-7 of the Long-Term Credit Bank Act that engages in the long-term credit bank agency service prescribed in Article 16-5, paragraph (2) of that Act by making a notification under the provisions of Article 52-61, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to Article 17 of the Long-Term Credit Bank Act following the deemed replacement of terms;

十一 労働金庫法第八十九条の三第三項に規定する労働金庫代理業者

(xi) a labor bank agent prescribed in Article 89-3, paragraph (3) of the Labor Bank Act;

十二 労働金庫法第九十四条第三項において読み替えて準用する銀行法第五十二条の六十一第三項の規定による届出をして労働金庫法第八十九条の三第二項に規定する労働金庫代理業を行う同法第八十九条の四に規定する金庫等

(xii) a labor bank, etc. prescribed in Article 89-4 of the Labor Bank Act that engages in the labor bank agency service prescribed in Article 89-3, paragraph (2) of that Act by making a notification under the provisions of Article 52-61, paragraph (3) of the Banking Act as applied mutatis mutandis pursuant to Article 94, paragraph (3) of the Labor Bank Act following the deemed replacement of terms;

十三 銀行法第五十二条の六十一第三項の規定による届出をして同法第二条第十四項に規定する銀行代理業を営む同法第五十二条の六十一第一項に規定する銀行等

(xiii) deposit-taking institutions prescribed in Article 52-61, paragraph (1) of the Banking Act that engage in the bank agency service prescribed in Article 2, paragraph (14) of that Act by making a notification under the provisions of Article 52-61, paragraph (3) of that Act;

十四 農林中央金庫及び特定農水産業協同組合等による信用事業の再編及び強化に関する法律（平成八年法律第百十八号）第四十二条第三項の認可に係る業務の代理を行う農業協同組合、漁業協同組合及び水産加工業協同組合

(xiv) an agricultural cooperative, fisheries cooperative, and fishery processing cooperative that engage in the agency service for the business operations to which the authorization under Article 42, paragraph (3) of the Act on

Enhancement and Restructuring of Credit Business Conducted by The Norinchukin Bank and Specified Agricultural and Fishery Cooperative Savings Insurance Cooperation (Act No. 118 of 1996) pertains;

十五 農林中央金庫法第九十五条の二第三項に規定する農林中央金庫代理業者
(xv) a Norinchukin Bank agent prescribed in Article 95-2, paragraph (3) of the Norinchukin Bank Act;

十六 農林中央金庫法第九十五条の三第三項の規定による届出をして同法第九十五条の二第二項に規定する農林中央金庫代理業を営む同法第九十五条の三第一項に規定する銀行等

(xvi) deposit-taking institutions prescribed in Article 95-3, paragraph (1) of the Norinchukin Bank Act that engage in the Norinchukin Bank agency service prescribed in Article 95-2, paragraph (2) of that Act by making a notification under the provisions of Article 95-3, paragraph (3) of that Act; and

十七 資金の貸付け又は手形の割引を内容とする契約の締結の媒介（他の法律（貸金業法（昭和五十八年法律第三十二号）を除く。）の規定に基づき業として行うもの及び同法第二条第一項各号（第二号を除く。）に掲げるものに限る。）を行う者（銀行法第二条第十五項に規定する銀行代理業者及び前各号に掲げる者を除く。）

(xvii) a person that conducts intermediation of the conclusion of a contract for the lending of funds or the discounting of bills (limited to those conducting these services on a regular basis based on the provisions of other laws (excluding the Money Lending Business Act (Act No. 32 of 1983) and those set forth in the items of Article 2, paragraph (1) of that Act (excluding item (ii)) (excluding the bank agent prescribed in Article 2, paragraph (15) of the Banking Act and the persons set forth in the preceding items).

（顧客に対し高度に専門的な説明を必要とする預金等の受入れを内容とする契約等）
(Contracts for Acceptance of Deposits Requiring Highly Professional Explanations to Customers)

第十七条 法第十一条第二項第一号に規定する政令で定めるものは、次に掲げる契約とする。

Article 17 (1) What are specified by Cabinet Order that are provided for in Article 11, paragraph (2), item (i) of the Act are the following contracts:

一 法第二十九条において読み替えて準用する銀行法第五十二条の四十四第二項に規定する特定預金等契約（国民の日常生活において利用される取引に係るものとして内閣府令で定めるものを除く。）

(i) a contract for specified deposits, etc. prescribed in Article 52-44, paragraph (2) of the Banking Act as applied mutatis mutandis pursuant to Article 29 of the Act following the deemed replacement of terms (excluding a contract specified by Cabinet Office Order as one related to transactions that are used in the day-to-day lives of the people); and

二 払戻しについて期限の定めがある預金等で譲渡禁止の特約のないものの受入れを

内容とする契約

(ii) a contract for the acceptance of deposits, etc. with a due date for refund but without special agreement prohibiting assignment.

2 法第十一条第二項第二号に規定する政令で定めるものは、次に掲げる契約とする。

(2) What are specified by Cabinet Order that are provided for in Article 11, paragraph (2), item (ii) of the Act are the following contracts:

一 個人（事業として又は事業のために契約の当事者となる場合におけるものを除く。第二十条第一号において同じ。）である顧客との間の資金の貸付け又は手形の割引を内容とする契約のうち、当該顧客によりあらかじめ定められた条件に従った返済が行われることを条件として、当該顧客の請求に応じ、極度額の限度内において資金の貸付け又は手形の割引を行うことを約するもの（国民の日常生活において利用される取引に係るものとして内閣府令で定めるものを除く。）

(i) a contract for the lending of funds or the discounting of bills concluded with a customer who is an individual (excluding an individual who becomes a party to a contract as a business or for the purpose of business; the same applies in Article 20, item (i)), which is based on a promise that funds are to be provided or bills are to be discounted for the customer upon their request, within the limit of the maximum amount, on the condition that the customer is to repay the loans according to predetermined conditions (excluding a contract specified by Cabinet Office Order as one related to transactions that are used in the day-to-day lives of the people); and

二 前号に掲げる契約に基づく資金の貸付け又は手形の割引に係る契約

(ii) a contract related to the lending of funds or the discounting of bills based on the contract set forth in the preceding item.

（顧客に対し高度に専門的な説明を必要とする保険契約）

(Insurance Policies Requiring Highly Professional Explanations to Customers)

第十八条 法第十一条第三項に規定する政令で定めるものは、次に掲げる保険契約とする。

Article 18 What are specified by Cabinet Order that are provided for in Article 11, paragraph (3) of the Act are the following insurance policies:

一 保険業法第三百条の二に規定する特定保険契約

(i) a specified insurance contract prescribed in Article 300-2 of the Insurance Business Act;

二 不動産及び動産を主たる保険の目的とし、主として火災によって生ずる損害を填補することを約する保険契約（専ら動産を保険の目的とするものを除く。）

(ii) an insurance policy under which the main objects of insurance are real property and movables and there is a promise to mainly compensate for loss or damage that arises from fires (excluding those under which only movables are the objects of insurance);

三 再保険契約

(iii) a reinsurance contract;

四 法人その他の団体又は個人（事業として又は事業のために保険契約者となる場合におけるものに限る。）を保険契約者とする保険契約

(iv) an insurance policy under which a corporation or any other organization, or an individual (limited to an individual who becomes a policyholder as a business or for the purpose of business) is a policyholder;

五 団体保険（団体又はその代表者を保険契約者とし、当該団体に所属する者を被保険者とする保険をいう。）に係る保険契約（保険契約者等（法第十七条第一項に規定する保険契約者等をいう。第七号イにおいて同じ。）の保護に欠けるおそれがないものとして内閣府令で定めるものを除く。）

(v) an insurance policy for group insurance (meaning insurance for which an organization or its representative is the policyholder and the persons who belong to that organization are the insured) (excluding those specified by Cabinet Office Order as being unlikely to result in insufficient protection of policyholders, etc. (meaning the policyholders, etc. prescribed in Article 17, paragraph (1) of the Act; the same applies in item (vii), (a)));

六 保険料の計算の基礎となる係数その他の事項について、顧客に対して必要な情報が適切に提供されることが特に必要なものとして内閣府令で定める保険契約

(vi) an insurance policy specified by Cabinet Office Order as one under which it is particularly necessary to appropriately provide customers with necessary information on matters such as coefficients that serve as the basis of calculation of insurance premiums; and

七 前各号に掲げる保険契約以外の保険契約で次のいずれかに該当するもの

(vii) an insurance policy other than the insurance policies set forth in the preceding items, which falls under any of the following:

イ 次の（１）から（３）までのいずれかに掲げる保険に係る保険契約（保険契約者等の保護に欠けるおそれがないものとして内閣府令で定めるものを除く。）であって、一の保険契約者に係る一の被保険者につきそれぞれ当該（１）から（３）までに定める金額を超える保険金の支払又は損害の填補を約するもの

(a) an insurance policy for the insurance set forth in any of 1 through 3 below (excluding those specified by Cabinet Office Order as being unlikely to result in insufficient protection of policyholders, etc.), under which there is a promise to pay insurance proceeds or compensate for loss or damage in an amount exceeding the relevant amount among the amounts specified respectively in 1 through 3 below per insured person under a single policyholder:

（１） 保険業法第三条第四項第一号に掲げる保険 千万円

1. the insurance set forth in Article 3, paragraph (4), item (i) of the Insurance Business Act: 10 million yen;

（２） 保険業法第三条第四項第二号又は第五項第二号に掲げる保険 六百万円

2. the insurance set forth in Article 3, paragraph (4), item (ii) or paragraph

- (5), item (ii) of the Insurance Business Act: six million yen; or
- (3) 保険業法第三条第五項第一号に掲げる保険 二千万円
- 3. the insurance set forth in Article 3, paragraph (5), item (i) of the Insurance Business Act: 20 million yen; or
- ロ 保険期間が被保険者の終身である保険に係る保険契約
- (b) an insurance policy for insurance for which the insurance period is for the lifetime of the insured.

(顧客に対し高度に専門的な説明を必要とする有価証券の売買等)

(Purchase and Sale of Securities Requiring Highly Professional Explanations to Customers)

第十九条 法第十一条第四項第一号に規定する政令で定めるものは、次に掲げる売買とする。

Article 19 (1) What are specified by Cabinet Order that are provided for in Article 11, paragraph (4), item (i) of the Act are the following purchases and sales:

一 有価証券（次に掲げる有価証券を除く。）の売買

(i) the purchase and sale of securities (excluding the following securities):

イ 金融商品取引法第二条第一項第一号から第三号まで又は第五号に掲げる有価証券（新株予約権付社債券を除く。）のうち、次のいずれにも該当するもの

(a) the securities set forth in Article 2, paragraph (1), items (i) through (iii), or item (v) of the Financial Instruments and Exchange Act (excluding corporate bond certificates with share options), which fall under all of the following:

- (1) その取得勧誘（金融商品取引法第二条第三項に規定する取得勧誘をいう。以下この号において同じ。）が同項第一号に掲げる場合に該当するもの又はその売付け勧誘等（同条第四項に規定する売付け勧誘等をいう。以下この号において同じ。）が同条第四項第一号に掲げる場合に該当するもの

1. the securities for which the solicitation of offers to acquire (meaning the solicitation of offers to acquire prescribed in Article 2, paragraph (3) of the Act; hereinafter the same applies in this item) falls under the case set forth in item (i) of that paragraph or for which the offer to sell, etc. (meaning the offer to sell, etc. prescribed in paragraph (4) of that Article; hereinafter the same applies in this item) falls under the case set forth in paragraph (4), item (i) of that Article; or

- (2) 償還の方法、期限その他の条件が内閣府令で定める要件に該当するもの

2. the securities for which the method and due date for redemption and other conditions satisfy the requirements specified by Cabinet Office Order;

ロ 金融商品取引法第二条第一項第六号、第七号又は第九号に掲げる有価証券（新株予約権証券を除く。）のうち、同条第十六項に規定する金融商品取引所若しく

はこれに類似する取引所で外国に所在するもの（以下この号において「金融商品取引所等」という。）に上場されているもの（内閣府令で定めるものを除く。）又は金融商品取引所等が売買のため上場することを承認したもの

(b) the securities set forth in Article 2, paragraph (1), item (vi), (vii), or (ix) of the Financial Instruments and Exchange Act (excluding share option certificates), which are listed on the financial instruments exchange prescribed in paragraph (16) of that Article or an exchange similar thereto that is located in a foreign state (hereinafter referred to as a "financial instruments exchange, etc." in this item) (excluding those specified by Cabinet Office Order) or those for which a financial instruments exchange, etc. has approved the listing for purchase and sale;

ハ 金融商品取引法第二条第一項第十号に掲げる有価証券のうち、次のいずれにも該当するもの

(c) the securities set forth in Article 2, paragraph (1), item (x) of the Financial Instruments and Exchange Act, which fall under all of the following:

(1) 次のいずれかに該当するもの

1. the securities that fall under either of the following:

(i) その取得勧誘が金融商品取引法第二条第三項第一号に掲げる場合に該当するもの又はその売付け勧誘等が同条第四項第一号に掲げる場合に該当するもの

i. the securities for which the solicitation of offers to acquire falls under the case set forth in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act or for which the offer to sell, etc. falls under the case set forth in paragraph (4), item (i) of that Article; or

(i i) 金融商品取引所等に上場されているもの（内閣府令で定めるものを除く。）又は金融商品取引所等が売買のため上場することを承認したもの

ii. the securities which are listed on a financial instruments exchange, etc. (excluding those specified by Cabinet Office Order) or those for which a financial instruments exchange, etc. has approved the listing for purchase and sale; and

(2) 有価証券（イからリまで（イ（1）、ハ（1）、ニ（1）及びホ（1）に係る部分を除く。）に掲げる有価証券を除く。ニ（2）及びへ（2）において同じ。）又はデリバティブ取引（金融商品取引法第二条第二十項に規定するデリバティブ取引をいう。以下この項において同じ。）（これに類するものとして内閣府令で定める取引を含む。ニ（2）及びへ（2）において同じ。）に係る権利を信託財産とするもの（内閣府令で定める目的により信託財産とするものを除く。）でないもの

2. the securities other than those for which securities (excluding the securities set forth in (a) through (i) (excluding the parts concerning (a) 1, (c) 1, (d) 1, and (e) 1) the same applies in (d) 2 and (f) 2) or rights

related to derivatives transactions (meaning the derivatives transactions as defined in Article 2, paragraph (20) of the Financial Instruments and Exchange Act; hereinafter the same applies in this paragraph) (including transactions specified by Cabinet Office Order as being similar to derivatives transactions; the same applies in (d) 2 and (f) 2) are entrusted as trust property (excluding those for which the securities or rights are entrusted as trust property for the purposes specified by Cabinet Office Order);

ニ 金融商品取引法第二条第一項第十一号に掲げる有価証券（投資証券（投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第十五項に規定する投資証券をいう。ニにおいて同じ。）又は外国投資証券（投資信託及び投資法人に関する法律第二百二十条第一項に規定する外国投資証券をいう。ホにおいて同じ。）で投資証券に類する証券に限る。）のうち、次のいずれにも該当するもの

(d) the securities set forth in Article 2, paragraph (1), item (xi) of the Financial Instruments and Exchange Act (limited to investment securities (meaning the investment securities as defined in Article 2, paragraph (15) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951); the same applies in (d)) or foreign investment securities (meaning the foreign investment securities prescribed in Article 220, paragraph (1) of the Act on Investment Trusts and Investment Corporations; the same applies in (e)) that are similar to investment securities), which fall under all of the following:

(1) 次のいずれかに該当するもの

1. the securities that fall under either of the following:

(i) その取得勧誘が金融商品取引法第二条第三項第一号に掲げる場合に該当するもの又はその売付け勧誘等が同条第四項第一号に掲げる場合に該当するもの

i. the securities for which the solicitation of offers to acquire falls under the case set forth in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act or for which the offer to sell, etc. falls under the case set forth in paragraph (4), item (i) of that Article; or

(i i) 金融商品取引所等に上場されているもの（内閣府令で定めるものを除く。）又は金融商品取引所等が売買のため上場することを承認したものの

ii. the securities which are listed on a financial instruments exchange, etc. (excluding those specified by Cabinet Office Order) or those for which a financial instruments exchange, etc. has approved the listing for purchase and sale; and

(2) 有価証券又はデリバティブ取引に係る権利を投資の対象とする資産とするもの（内閣府令で定める目的により投資の対象とする資産とするものを除く。）でないもの

2. the securities other than those for which securities or rights related to derivatives transactions are assets to be the subject of investment (excluding those for which the securities or rights are assets to be the subject of investment for the purposes specified by Cabinet Office Order);
- ホ 金融商品取引法第二条第一項第十一号に掲げる有価証券（投資法人債券（投資信託及び投資法人に関する法律第二条第二十項に規定する投資法人債券をいう。ホにおいて同じ。）又は外国投資証券で投資法人債券に類する証券に限る。）のうち、次のいずれにも該当するもの
- (e) the securities set forth in Article 2, paragraph (1), item (xi) of the Financial Instruments and Exchange Act (limited to investment corporation bond certificates (meaning the investment corporation bond certificates as defined in Article 2, paragraph (20) of the Act on Investment Trusts and Investment Corporations; the same applies in (e)) or foreign investment securities that are similar to investment corporation bond certificates), which fall under all of the following:
- (1) その取得勧誘が金融商品取引法第二条第三項第一号に掲げる場合に該当するもの又はその売付け勧誘等が同条第四項第一号に掲げる場合に該当するもの
1. the securities for which the solicitation of offers to acquire falls under the case set forth in Article 2, paragraph (3), item (i) of the Financial Instruments and Exchange Act or for which the offer to sell, etc. falls under the case set forth in paragraph (4), item (i) of that Article; and
- (2) 償還の方法、期限その他の条件が内閣府令で定める要件に該当するもの
2. the securities for which the method and due date for redemption and other conditions satisfy the requirements specified by Cabinet Office Order;
- ヘ 金融商品取引法第二条第一項第十四号に掲げる有価証券のうち、次のいずれにも該当するもの
- (f) the securities set forth in Article 2, paragraph (1), item (xiv) of the Financial Instruments and Exchange Act, which fall under all of the following:
- (1) 金融商品取引所等に上場されているもの（内閣府令で定めるものを除く。）又は金融商品取引所等が売買のため上場することを承認したもの
1. the securities which are listed on a financial instruments exchange, etc. (excluding those specified by Cabinet Office Order) or those for which a financial instruments exchange, etc. has approved the listing for purchase and sale; and
- (2) 主として特定資産（投資信託及び投資法人に関する法律第二条第一項に規定する特定資産をいう。）を信託財産とするもののうち、有価証券又はデリバティブ取引に係る権利を信託財産とするもの（内閣府令で定める目的に

より信託財産とするものを除く。)でないもの

2. the securities for which mainly specified assets (meaning the specified assets as defined in Article 2, paragraph (1) of the Act on Investment Trusts and Investment Corporations) are entrusted as trust property, other than those for which securities or rights related to derivatives transactions are entrusted as trust property (excluding those for which the securities or rights are entrusted as trust property for the purposes specified by Cabinet Office Order);

ト 金融商品取引法第二条第一項第十七号に掲げる有価証券のうちイ、ロ又はへに掲げる有価証券の性質を有するもの

(g) the securities set forth in Article 2, paragraph (1), item (xvii) of the Financial Instruments and Exchange Act, which have the nature of the securities set forth in (a), (b), or (f);

チ 金融商品取引法第二条第一項第二十号に掲げる有価証券でイからトまでに掲げる有価証券に係る権利を表示するもののうち、金融商品取引所等に上場されているもの（内閣府令で定めるものを除く。）又は金融商品取引所等が売買のため上場することを承認したもの

(h) the securities set forth in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act indicating rights related to the securities set forth in (a) through (g), which are listed on a financial instruments exchange, etc. (excluding those specified by Cabinet Office Order) or those for which a financial instruments exchange, etc. has approved the listing for the purchase and sale; and

リ イからチまでに掲げる有価証券に表示されるべき権利であって、金融商品取引法第二条第二項の規定により有価証券とみなされるもの

(i) the rights required to be indicated on the securities set forth in (a) through (h), which are deemed to be securities pursuant to the provisions of Article 2, paragraph (2) of the Financial Instruments and Exchange Act;

二 前号イからリまでに掲げる有価証券の売買のうち、デリバティブ取引、信用取引（法第三十一条第二項において読み替えて準用する金融商品取引法第三十七条の三第一項第一号に規定する相手方金融機関であって、金融商品取引業者（同法第二条第九項に規定する金融商品取引業者をいう。第三十条第一項において同じ。）である者が顧客に信用を供与して行うものをいう。）その他内閣府令で定める取引に該当するもの

(ii) the purchase and sale of the securities set forth in (a) through (i) of the preceding item, which fall under derivatives transactions, margin transactions (meaning transactions conducted based on the credit granted to a customer by the counterpart financial institution prescribed in Article 37-3, paragraph (1), item (i) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act following the deemed replacement of terms, which is a financial instrument

- business operator (meaning the financial instrument business operator as defined in Article 2, paragraph (9) of that Act; the same applies in Article 30, paragraph (1)), or any other transactions specified by Cabinet Office Order.
- 2 法第十一条第四項第二号に規定する政令で定めるものは、次に掲げる取引とする。
- (2) What are specified by Cabinet Order that are provided for in Article 11, paragraph (4), item (ii) of the Act are the following transactions:
- 一 前項各号に掲げる有価証券の売買
- (i) the purchase and sale of securities set forth in the items of the preceding paragraph; and
- 二 市場デリバティブ取引及び外国市場デリバティブ取引
- (ii) market derivatives transactions and foreign market derivatives transactions.
- 3 法第十一条第四項第三号に規定する政令で定めるものは、有価証券の募集（金融商品取引法第二条第三項に規定する有価証券の募集をいう。）若しくは有価証券の売出し（金融商品取引法第二条第四項に規定する有価証券の売出しをいう。）の取扱い（第一項第一号イからリまでに掲げる有価証券に係るものを除く。）又は有価証券の私募（金融商品取引法第二条第三項に規定する有価証券の私募をいう。）若しくは特定投資家向け売付け勧誘等（金融商品取引法第二条第六項に規定する特定投資家向け売付け勧誘等をいう。）の取扱いとする。
- (3) What is specified by Cabinet Order that is provided for in Article 11, paragraph (4), item (iii) of the Act is handling of the public offering of securities (meaning the public offering of securities as defined in Article 2, paragraph (3) of the Financial Instruments and Exchange Act) or secondary distribution of securities (meaning the secondary distribution of securities as defined in Article 2, paragraph (4) of the Financial Instruments and Exchange Act) (excluding those involving the securities set forth in paragraph (1), item (i), (a) through (i)), or the handling of private placement of securities (meaning the private placement of securities as defined in Article 2, paragraph (3) of the Financial Instruments and Exchange Act) or exclusive offer to sell, etc. to professional investors (meaning the exclusive offer to sell, etc. to professional investors as defined in Article 2, paragraph (6) of the Financial Instruments and Exchange Act).
- 4 法第十一条第四項第四号に規定する政令で定める投資顧問契約は、金融商品取引法第二条第八項第十一号に規定する投資顧問契約（有価証券の価値等（同号イに規定する有価証券の価値等をいい、第一項第一号イからリまでに掲げる有価証券に係るものを除く。）又は金融商品の価値等（同条第八項第十一号ロに規定する金融商品の価値等をいう。）の分析に基づく投資判断（同号ロに規定する投資判断をいい、前三項に該当しない取引及び取扱いに係るものを除く。次項において同じ。）に関し助言を行うものに限る。）とする。
- (4) The investment advisory contract specified by Cabinet Order that is provided for in Article 11, paragraph (4), item (iv) of the Act is an investment advisory

contract as defined in Article 2, paragraph (8), item (xi) of the Financial Instruments and Exchange Act (limited to those for providing advice concerning the values, etc. of securities (meaning the values, etc. of securities as defined in (a) of that item, excluding those involving the securities set forth in paragraph (1), item (i), (a) through (i)) or concerning investment decisions based on an analysis of the values, etc. of financial instruments (meaning the values, etc. of financial instruments as defined in paragraph (8), item (xi), (b) of that Article) (meaning the investment decisions prescribed in Article 2, paragraph (8), item (xi), (b) of that Act, excluding those related to transactions and handling that do not fall under any of the preceding three paragraphs; the same applies in the following paragraph)).

5 法第十一条第四項第四号に規定する政令で定める投資一任契約は、金融商品取引法第二条第八項第十二号ロに規定する投資一任契約（投資判断に基づき投資を行うものに限る。）とする。

(5) The discretionary investment contract specified by Cabinet Order that is provided for in Article 11, paragraph (4), item (iv) of the Act is a discretionary investment contract as defined in Article 2, paragraph (8), item (xii), (b) of the Financial Instruments and Exchange Act (limited to those for making investments based on investment decisions).

（顧客に対し高度に専門的な説明を必要とする資金の貸付け又は手形の割引を内容とする契約）

(Contract for Lending of Funds or Discounting of Bills Requiring Highly Professional Explanations to Customers)

第二十条 法第十一条第五項に規定する政令で定めるものは、次に掲げる契約とする。

Article 20 What are specified by Cabinet Order that are provided for in Article 11, paragraph (5) of the Act are the following contracts:

一 個人である顧客との間の資金の貸付け又は手形の割引を内容とする契約のうち、当該顧客によりあらかじめ定められた条件に従った返済が行われることを条件として、当該顧客の請求に応じ、極度額の限度内において資金の貸付け又は手形の割引を行うことを約するもの

(i) a contract for the lending of funds or the discounting of bills concluded with a customer who is an individual, which is based on a promise that funds are to be provided or bills are to be discounted for the customer upon their request within the limit of the maximum amount on the condition that the customer is to repay the loans according to predetermined conditions; and

二 前号に掲げる契約に基づく資金の貸付け又は手形の割引に係る契約

(ii) a contract related to the lending of funds or the discounting of bills based on the contract set forth in the preceding item.

（登録の基準となる法律）

(Laws That Serve as Criteria for Registration)

第二十一条 法第十五条第一号ワに規定する政令で定める法律は、次のとおりとする。

Article 21 The laws specified by Cabinet Order that are provided for in Article 15, item (i), (m) of the Act are as follows:

一 特許法（昭和三十四年法律第百二十一号）

(i) Patent Act (Act No. 121 of 1959);

二 実用新案法（昭和三十四年法律第百二十三号）

(ii) Utility Model Act (Act No. 123 of 1959);

三 意匠法（昭和三十四年法律第百二十五号）

(iii) Design Act (Act No. 125 of 1959);

四 商標法（昭和三十四年法律第百二十七号）

(iv) Trademark Act (Act No. 127 of 1959);

五 著作権法（昭和四十五年法律第四十八号）

(v) Copyright Act (Act No. 48 of 1970);

六 半導体集積回路の回路配置に関する法律（昭和六十年法律第四十三号）

(vi) Act on the Circuit Layout of a Semiconductor Integrated Circuit (Act No. 43 of 1985);

七 金融機関等の更生手続の特例等に関する法律（平成八年法律第九十五号）

(vii) Act on Special Measures for the Reorganization Proceedings of Financial Institutions (Act No. 95 of 1996);

八 種苗法（平成十年法律第八十三号）

(viii) Plant Variety Protection and Seed Act (Act No. 83 of 1998);

九 民事再生法（平成十一年法律第二百二十五号）

(ix) Civil Rehabilitation Act (Act No. 225 of 1999);

十 外国倒産処理手続の承認援助に関する法律（平成十二年法律第二百二十九号）

(x) Act on Recognition of and Assistance for Foreign Insolvency Proceedings (Act No. 129 of 2000);

十一 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）

(xi) Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006);

十二 公益社団法人及び公益財団法人の認定等に関する法律（平成十八年法律第四十九号）

(xii) Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundations (Act No. 49 of 2006);

十三 会社更生法（平成十四年法律第百五十四号）

(xiii) Corporate Reorganization Act (Act No. 154 of 2002);

十四 破産法（平成十六年法律第七十五号）

(xiv) Bankruptcy Act (Act No. 75 of 2004);

十五 会社法（平成十七年法律第八十六号）

(xv) Companies Act (Act No. 86 of 2005); and

十六 資金決済に関する法律

(xvi) Payment Services Act.

(法第十五条第六号に規定する政令で定める者)

(Persons Specified by Cabinet Order as Provided for in Article 15, Item (vi) of the Act)

第二十二條 法第十五条第六号（法第十六条第二項において読み替えて準用する場合を含む。）に規定する政令で定める者は、次に掲げる者とする。

Article 22 The persons specified by Cabinet Order that are provided for in Article 15, item (vi) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act following the deemed replacement of terms are the following persons:

一 無尽会社

(i) a mutual loan company;

二 農業協同組合等（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及び農業協同組合連合会をいう。第二十五条第一項第一号において同じ。）

(ii) an agricultural cooperative, etc. (meaning an agricultural cooperative and a federation of agricultural cooperatives that engage in the business referred to in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act; the same applies in Article 25, paragraph (1), item (i));

三 金融商品取引法第二条第三十項に規定する証券金融会社

(iii) a securities finance company as defined in Article 2, paragraph (30) of the Financial Instruments and Exchange Act;

四 金融商品取引法第二十八条第一項に規定する第一種金融商品取引業を行う者及び同法第二条第十一項に規定する登録金融機関の役員（取締役、会計参与、監査役若しくは執行役又はこれらに準ずる者をいう。）及び使用人

(iv) a person engaged in type-I financial instruments business prescribed in Article 28, paragraph (1) of the Financial Instruments and Exchange Act and officers (meaning directors, accounting advisors, company auditors, executive officers, or other persons equivalent to them) and employees of a registered financial institution as defined in Article 2, paragraph (11) of that Act;

五 漁業協同組合等（水産業協同組合法第十一条第一項第四号の事業を行う漁業協同組合、同法第八十七条第一項第四号の事業を行う漁業協同組合連合会、同法第九十三条第一項第二号の事業を行う水産加工業協同組合及び同法第九十七条第一項第二号の事業を行う水産加工業協同組合連合会をいう。第二十五条第一項第二号において同じ。）

(v) a fisheries cooperative, etc. (meaning a fisheries cooperative that engages in the business referred to in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act, a federation of fisheries cooperatives that engages in the business referred to in Article 87, paragraph (1), item (iv) of that Act, a fishery processing cooperative that engages in the business referred to in Article 93, paragraph (1), item (ii) of that Act, and a federation

of fishery processing cooperatives that engages in the business referred to in Article 97, paragraph (1), item (ii) of that Act; the same applies in Article 25, paragraph (1), item (ii));

六 信用協同組合及び協同組合連合会（中小企業等協同組合法第九条の九第一項第一号の事業を行うものに限る。第二十五条第一項第三号において同じ。）

(vi) a credit cooperative and a federation of credit cooperatives (limited to those that engage in the business referred to in Article 9-9, paragraph (1), item (i) of the Small and Medium-Sized Enterprises Cooperatives Act; the same applies in Article 25, paragraph (1), item (iii));

七 信用金庫及び信用金庫連合会

(vii) a shinkin bank and a federation of shinkin banks;

八 長期信用銀行（長期信用銀行法第二条に規定する長期信用銀行をいう。第二十五条第一項第五号において同じ。）

(viii) a long-term credit bank (meaning a long-term credit bank as defined in Article 2 of the Long-Term Credit Bank Act; the same applies in Article 25, paragraph (1), item (v));

九 労働金庫及び労働金庫連合会

(ix) a labor bank and the Rokinren Bank ;

十 保険会社（保険業法第二条第二項に規定する保険会社をいい、同条第七項に規定する外国保険会社等を含む。第二十七条において同じ。）

(x) an insurance company (meaning an insurance company as defined in Article 2, paragraph (2) of the Insurance Business Act, including a foreign insurance company, etc. as defined in paragraph (7) of that Article; the same applies in Article 27);

十一 農林中央金庫

(xi) the Norinchukin Bank;

十二 株式会社商工組合中央金庫

(xii) the Shoko Chukin Bank Limited; and

十三 主としてコール資金の貸付け又はその貸借の媒介を業として行う者のうち金融庁長官の指定するもの

(xiii) among the persons who mainly engage in making call loans or in acting as an intermediary in the lending and borrowing of call money on a regular basis, those designated by the Commissioner of the Financial Services Agency.

（法第十五条第七号に規定する政令で定める使用人）

(Employees Specified by Cabinet Order as Provided for in Article 15, Item (vii) of the Act)

第二十三条 法第十五条第七号（法第十六条第二項において読み替えて準用する場合を含む。）に規定する政令で定める使用人は、貸金業貸付媒介業務に関し営業所又は事務所の業務を統括する者その他これに準ずる者で内閣府令で定めるものとする。

Article 23 The employees specified by Cabinet Order that are provided for in Article 15, item (vii) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act following the deemed replacement of terms) are persons who supervises business in the place of business or office regarding the loan intermediary business operations, or any other person equivalent to them specified by Cabinet Office Order.

(内閣総理大臣に届け出なければならない者)

(Persons Who Must Make a Notification to the Prime Minister)

第二十四条 法第十六条第三項第八号イに規定する政令で定める者は、第十六条第一号から第十六号までに掲げる者とする。

Article 24 The persons specified by Cabinet Order that are provided for in Article 16, paragraph (3), item (viii), (a) of the Act are the persons set forth in Article 16, items (i) through (xvi).

(保険媒介業務を行うことができる者等)

(Persons Who May Engage in Insurance Intermediary Business Operations)

第二十五条 法第十七条第一項に規定する政令で定める者は、次に掲げる者とする。

Article 25 (1) The persons specified by Cabinet Order that are provided for in Article 17, paragraph (1) of the Act are the following persons:

一 農業協同組合等

(i) an agricultural cooperative, etc.;

二 漁業協同組合等

(ii) a fisheries cooperative, etc.;

三 信用協同組合及び協同組合連合会

(iii) a credit cooperative and a federation of credit cooperatives;

四 信用金庫及び信用金庫連合会

(iv) a shinkin bank and a federation of shinkin banks;

五 長期信用銀行

(v) a long-term credit bank;

六 労働金庫及び労働金庫連合会

(vi) a labor bank and the Rokinren Bank;

七 農林中央金庫

(vii) the Norinchukin Bank; and

八 株式会社商工組合中央金庫

(viii) the Shoko Chukin Bank Limited.

2 法第十七条第一項に規定する政令で定める法律は、次のとおりとする。

(2) The laws specified by Cabinet Order that are provided for in Article 17, paragraph (1) of the Act are as follows:

一 農業協同組合法

(i) Agricultural Cooperatives Act;

- 二 水産業協同組合法
(ii) Fisheries Cooperatives Act;
- 三 中小企業等協同組合法
(iii) Small and Medium-Sized Enterprises Cooperatives Act;
- 四 信用金庫法
(iv) Shinkin Bank Act;
- 五 長期信用銀行法
(v) Long-Term Credit Bank Act;
- 六 労働金庫法
(vi) Labor Bank Act;
- 七 農林中央金庫法
(vii) Norinchukin Bank Act; and
- 八 株式会社商工組合中央金庫法
(viii) Shoko Chukin Bank Limited Act.

(保証金の額)

(Amount of Security Deposits)

第二十六条 法第二十二条第二項の政令で定める額は、次の各号に掲げる期間の区分に応じ、当該各号に定める額とする。

Article 26 The amount specified by Cabinet Order that is provided for in Article 22, paragraph (2) of the Act is the amount specified in the following items in accordance with the category of period set forth in each item:

一 事業開始の日から最初の事業年度の終了の日後三月を経過する日までの間 千万円

(i) for the period from the date of commencement of business to the day on which three months have elapsed since the last day of the first business year: ten million yen; and

二 各事業年度（最初の事業年度を除く。）の開始の日以後三月を経過した日（次条第一号及び第二十九条第一項第三号において「改定日」という。）から当該各事業年度終了の日後三月を経過する日までの間 千万円に当該各事業年度の前事業年度の年間受領手数料（一事業年度において金融サービス仲介業務に関して受領した手数料、報酬その他の対価を合計した金額をいう。）に百分の五を乗じた額（その額に十万円未満の端数があるときは、これを切り捨てるものとする。）を加えた額

(ii) for the period from the day on which three months have elapsed from the first day of each business year (excluding the first business year) (the day is referred to as the "reference date" in item (i) of the following Article and Article 29, paragraph (1), item (iii)) to the day on which three months have elapsed since the last day of the relevant business year: the amount obtained by adding the amount of the annual insurance premiums collected in the previous business year of the relevant business year (meaning the total of the amount of commission, reward or any other consideration received in

connection with financial service intermediary business operations in a single business year) multiplied by 5 percent (if the amount obtained includes a fraction of less than one hundred thousand yen, the fraction is to be rounded off) to ten million yen.

(保証金の全部又は一部に代わる契約)

(Contract that Wholly or Partially Replaces Security Deposits)

第二十七条 金融サービス仲介業者は、法第二十二条第三項の契約を締結する場合には、銀行（銀行法第二条第一項に規定する銀行をいう。第三十条第一項において同じ。）、保険会社（保険業法第二百十九条第一項の免許を受けた同項に規定する特定法人の同項に規定する引受社員を含む。）その他内閣府令で定める金融機関を相手方とし、その内容を次に掲げる要件に適合するものとしなければならない。

Article 27 When concluding a contract referred to in Article 22, paragraph (3) of the Act, a financial service intermediary must conclude the contract with a bank (meaning a bank as defined in Article 2, paragraph (1) of the Banking Act; the same applies in Article 30, paragraph (1)), an insurance company (including the underwriting member prescribed in Article 219, paragraph (1) of the Insurance Business Act of the specified corporation prescribed in that paragraph which has obtained the license referred to in that paragraph), or any other financial institution specified by Cabinet Office Order, and the content of that contract must conform to the following requirements:

一 次に掲げる場合のいずれかに該当することとなったときは、当該金融サービス仲介業者のために法第二十二条第四項の規定による内閣総理大臣の命令（以下この号において単に「命令」という。）に係る額の供託金が遅滞なく供託されるものであること。

(i) if the financial service intermediary comes to fall under any of the following cases, the amount of deposit under an order issued by the Prime Minister pursuant to the provisions of Article 22, paragraph (4) of the Act (hereinafter simply referred to as the "order" in this item) is to be deposited without delay on behalf of the financial service intermediary:

イ 当該金融サービス仲介業者の業務開始の日又は改定日からこれらの日後の最初の改定日の前日までの間に命令を受けた場合

(a) the financial service intermediary has been issued the order within the period from the date of commencement of the financial service intermediary's business operations or the reference date to the day preceding the first reference date that comes after either of these dates; or

ロ 当該金融サービス仲介業者がイに規定する最初の改定日に係る法第二十二条第一項の保証金につき当該最初の改定日以後においても供託（同条第三項の契約の締結を含む。）をしていない場合において、当該契約の相手方が命令を受けたとき。

(b) the financial service intermediary has failed to make a deposit (including

the conclusion of a contract referred to in Article 22, paragraph (3) of the Act) with regard to a security deposit referred to in paragraph (1) of that Article for the first reference date prescribed in (a) even after the relevant first reference date, and the other party to the contract has been issued the order; and

二 金融庁長官の承認を受けた場合を除き、契約を解除し、又は契約の内容を変更することができないものであること。

(ii) the contract may not be canceled and the content of the contract may not be amended, unless approved by the Commissioner of the Financial Services Agency.

(権利の実行の手続)

(Procedure for Enforcement of the Right)

第二十八条 法第二十二条第六項の権利（以下この条において単に「権利」という。）を有する者は、金融庁長官に対し、その権利の実行の申立てをすることができる。

Article 28 (1) A person who holds the right referred to in Article 22, paragraph (6) of the Act (hereinafter simply referred to as the "right" in this Article) may file a petition for the enforcement of the right with the Commissioner of the Financial Services Agency.

2 金融庁長官は、前項の申立てがあった場合において、当該申立てを理由があると認めるときは、法第二十二条第一項、第四項又は第八項の規定により供託された保証金につき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権利の申出をすべきこと及びその期間内に申出をしないときは配当手続から除斥されるべきことを公示し、かつ、その旨を前項の申立てをした者（次項及び第四項において「申立人」という。）及び当該保証金に係る金融サービス仲介業者（当該金融サービス仲介業者が同条第三項の契約を締結している場合にあっては、当該契約の相手方を含む。第四項及び第五項において同じ。）に通知しなければならない。

(2) If a petition referred to in the preceding paragraph has been filed and the Commissioner of the Financial Services Agency finds that there are grounds for the petition, the Commissioner must give public notice to persons holding the right in relation to the security deposits that have been deposited pursuant to the provisions of Article 22, paragraph (1), (4), or (8), to the effect that they are required to report the right within a fixed period of not less than 60 days and that the persons not reporting their right within that period are required to be excluded from the distribution procedures, and must also notify the person that has filed the petition under the preceding paragraph (referred to as the "petitioner" in the following paragraph and paragraph (4)) and the financial service intermediary to which the security deposit pertains (if the financial service intermediary has concluded the contract referred to in paragraph (3) of that Article, including the other party to the contract; the same applies in paragraphs (4) and (5)) to that effect.

3 前項の規定による公示があった後は、申立人がその申立てを取り下げた場合においても、権利の実行の手の続の進行は、妨げられない。

(3) Once the public notice under the provisions of the preceding paragraph is given, even if the petitioner has withdrawn the petition, this does not prevent the procedures for the enforcement of the right from proceeding.

4 金融庁長官は、第二項の期間が経過した後、遅滞なく、権利の調査をしなければならない。この場合において、金融庁長官は、あらかじめ期日及び場所を公示し、かつ、当該金融サービス仲介業者に通知して、申立人、当該期間内に権利の申出をした者及び当該金融サービス仲介業者に対し、権利の存否及びその権利によって担保される債権の額について証拠を提示し、及び意見を述べる機会を与えなければならない。

(4) The Commissioner of the Financial Services Agency must conduct an investigation of the right without delay after the period referred to in paragraph (2) has elapsed. In this case, the Commissioner of the Financial Services Agency must give the petitioner, the persons who reported their right within the relevant period, and the relevant financial service intermediary an opportunity to present evidence and state opinions with regard to the presence or absence of the right and the amount of claims secured by the right, by giving public notice and giving notice to the relevant financial service intermediary of the date and the place of the investigation in advance.

5 金融庁長官は、前項の規定による調査の結果に基づき、遅滞なく配当表を作成し、これを公示し、かつ、当該金融サービス仲介業者に通知しなければならない。

(5) Based on the results of the investigation under the provisions of the preceding paragraph, the Commissioner of the Financial Services Agency must prepare a distribution list and give public notice of the list, as well as notify the relevant financial service intermediary to that effect, without delay.

6 金融庁長官は、前項の規定による公示をした日から百十日を経過した後、配当表に従い配当を実施する。

(6) The Commissioner of the Financial Services Agency implements the distribution in accordance with the distribution list after 110 days have elapsed from the day on which the public notice under the provisions of the preceding paragraph was given.

7 金融庁長官は、金融サービス仲介業者の営業所又は事務所の所在地を確知できないときは、第二項、第四項及び第五項の規定による金融サービス仲介業者への通知をすることを要しない。

(7) If the locations of places of business or offices of a financial service intermediary cannot be ascertained, the Commissioner of the Financial Services Agency is not required to give notice under the provisions of paragraphs (2), (4), and (5) to the relevant financial service intermediary.

8 金融庁長官は、法第二十二條第九項の規定により有価証券が供託されている場合において、権利の実行に必要なときは、当該有価証券を換価することができる。この場合において、換価の費用は、換価代金から控除する。

(8) If securities have been deposited pursuant to the provisions of Article 22, paragraph (9) of the Act, and it is necessary for the enforcement of the right, the Commissioner of the Financial Services Agency may realize these securities. In this case, the costs for realization are deducted from the proceeds of the realization.

(保証金の一部に代わる金融サービス仲介業者賠償責任保険契約)

(Financial Service Intermediary Liability Insurance Contract Partially Replacing Security Deposits)

第二十九条 金融サービス仲介業者は、法第二十三条第一項に規定する金融サービス仲介業者賠償責任保険契約を締結する場合には、保険業法第二条第四項に規定する損害保険会社（同条第九項に規定する外国損害保険会社等及び同法第二百十九条第五項の特定損害保険業免許を受けた者の同条第一項に規定する引受社員を含む。）その他内閣府令で定める者を相手方とし、その内容を次に掲げる要件に適合するものとしなければならない。

Article 29 (1) When a financial service intermediary concludes a financial service intermediary liability insurance contract prescribed in Article 23, paragraph (1) of the Act, the counterparty must be a non-life insurance company as defined in Article 2, paragraph (4) of the Insurance Business Act (including a foreign non-life insurance company, etc. as defined in paragraph (9) of that Article and the underwriting member prescribed in Article 219, paragraph (1) of that Act of a person that has obtained the specified non-life insurance business license referred to in paragraph (5) of that Article), or any other person specified by Cabinet Office Order, and the content of the contract must conform to the following requirements:

一 金融サービス仲介業者に金融サービス仲介業務に関して生じた損害の賠償の責任が発生した場合において、当該損害のうち一定の事由によるものを当該金融サービス仲介業者が賠償することにより生ずる損失（次号において「一定の事由による損失」という。）が填補されるものであること。

(i) if a financial service intermediary has incurred any liability to compensate for damage in connection with its financial service intermediary business operations, loss the financial service intermediary incurs through the compensation of damage due to specific grounds (referred to as "loss due to specific grounds" in the following item) is to be covered;

二 一定の事由による損失の額が一定の金額を超える場合に限りその超える部分の額につき損失が填補されるものである場合には、当該一定の金額が、金融サービス仲介業務の状況及び顧客等（法第二十二条第二項に規定する顧客等をいう。第五号及び第四十五条において同じ。）の保護を考慮して金融庁長官の定める額以下であること。

(ii) if the loss is to be covered only when the amount of loss due to specific grounds exceeds a fixed amount of money and is limited to the part of the

loss that is greater than that fixed amount of money, the fixed amount is not more than the amount specified by the Commissioner of the Financial Services Agency in consideration of the status of the financial service intermediary business operations and the protection of customers, etc. (meaning the customers, etc. prescribed in Article 22, paragraph (2) of the Act; the same applies in item (v) and Article 45);

三 当該金融サービス仲介業者の業務開始の日又は改定日から一年以上の期間にわたって有効な契約であること。

(iii) the contract will remain in effect for a period of one year or longer starting from the date of commencement of the financial service intermediary's business operations or the reference date;

四 金融庁長官の承認を受けた場合を除き、契約を解除し、又は契約の内容を変更することができないものであること。

(iv) the contract may not be canceled and the content of the contract may not be amended, unless approved by the Commissioner of the Financial Services Agency; and

五 その他顧客等の保護のため必要なものとして金融庁長官の定める要件

(v) any other requirements specified by the Commissioner of the Financial Services Agency as necessary for the protection of customers, etc.

2 前項の金融サービス仲介業者賠償責任保険契約を締結した金融サービス仲介業者が法第二十二條第一項の保証金の一部の供託をしないことができる額として内閣総理大臣が承認することができる額は、当該保証金の額から千万円を控除した額に相当する金額を限度とする。

(2) The amount that the Prime Minister may approve as the part of the security deposit referred to in Article 22, paragraph (1) of the Act that the financial service intermediary which has concluded the financial service intermediary liability insurance contract referred to in the preceding paragraph need not deposit is limited to the amount equivalent to the amount obtained by deducting ten million yen from the amount of security deposit.

第二節 業務

Section 2 Business Operations

(金融サービス仲介業者と密接な関係を有する者)

(Persons Closely Related to Financial Service Intermediary)

第三十條 法第二十七條に規定する政令で定める者は、銀行、金融商品取引業者（有価証券等管理業務（金融商品取引法第二十八條第五項に規定する有価証券等管理業務をいう。）を行う者に限る。）その他内閣府令で定める者以外の者であつて、次に掲げるものとする。

Article 30 (1) The persons specified by Cabinet Order that are provided for in Article 27 of the Act are the following persons, other than a bank, financial

instruments business operator (limited to one that engages in the securities, etc. management work (meaning the securities, etc. management work prescribed in Article 28, paragraph (5) of the Financial Instruments and Exchange Act)) or any other person specified by Cabinet Office Order:

一 当該金融サービス仲介業者（個人である者に限る。）の親族（配偶者並びに三親等以内の血族及び姻族に限る。）

(i) a relative (limited to the spouse and a relative by blood or affinity within the third degree of kinship) of the financial service intermediary (limited to one who is an individual);

二 当該金融サービス仲介業者（法人である者に限る。次号及び第四号において同じ。）の役員（法第十三条第一項第二号に規定する役員をいい、役員が法人であるときは、その職務を行うべき者を含む。）又は使用人

(ii) an officer (meaning the officer prescribed in Article 13, paragraph (1), item (ii) of the Act; if an officer is a corporation, this includes a person required to perform the duties of the corporation) or an employee of the financial service intermediary (limited to one that is a corporation; the same applies in the following item and item (iv));

三 当該金融サービス仲介業者の親法人等又は子法人等

(iii) the parent corporation, etc. or subsidiary corporation, etc. of the financial service intermediary;

四 当該金融サービス仲介業者の総株主等の議決権（総株主、総社員、総会員、総組合員又は総出資者の議決権をいい、株式会社にあつては、株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式についての議決権を除き、会社法第八百七十九条第三項の規定により議決権を有するものとみなされる株式についての議決権を含む。次項第四号において同じ。）の百分の五十を超える議決権を保有する個人（同号において「特定個人株主」という。）（第二号に掲げる者を除く。）

(iv) an individual who holds voting rights exceeding 50 percent of the voting rights held by all shareholders, etc. (meaning voting rights of all shareholders, all members, all association members, all partners, or all equity investors; in the case of a stock company, excluding voting rights of shares which may not be exercised for all matters that are subject to a resolution of a general meeting of shareholders, and including voting rights of shares regarding which the shareholder is deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act; the same applies in item (iv) of the following paragraph) of the financial service intermediary (referred to as a "specified individual shareholder" in that item) (excluding the person set forth in item (ii)); and

五 前各号に掲げる者に準ずる者として内閣府令で定める者

(v) a person specified by Cabinet Office Order as a person equivalent to any of the persons set forth in the preceding items.

2 前項第三号の「親法人等」とは、次に掲げる者（内閣府令で定める者を除く。）をいう。

(2) The term "parent corporation, etc." referred to in item (iii) of the preceding paragraph means any of the following persons (excluding the persons specified by Cabinet Office Order):

一 その親会社等

(i) the financial service intermediary's parent company, etc.;

二 その親会社等の子会社等（自己並びに前号及び次項第一号に掲げる者を除く。）

(ii) a subsidiary company, etc. of the financial service intermediary's parent company, etc. (excluding the financial service intermediary and the persons set forth in the preceding item and item (i) of the following paragraph);

三 その親会社等の関連会社等（次項第二号に掲げる者を除く。）

(iii) an affiliated company of the financial service intermediary's parent company, etc. (excluding the person set forth in item (ii) of the following paragraph); and

四 その特定個人株主に係る次に掲げる会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含み、自己並びに前三号及び次項各号に掲げる者を除く。以下この号において「会社等」という。）

(iv) the following companies, partnerships, or any other business entity equivalent to them (including those equivalent to them in a foreign state, and excluding the financial service intermediary and the persons set forth in the preceding three items and the items of the following paragraph; hereinafter referred to as a "company, etc." in this item) related to the financial service intermediary's specified individual shareholder:

イ 当該特定個人株主が総株主等の議決権の百分の五十を超える議決権を保有する会社等（当該会社等の子会社等及び関連会社等を含む。）

(a) a company, etc. (including a subsidiary company, etc. and affiliated company, etc. of the company, etc.) in which that specified individual shareholder holds voting rights that constitute over 50 percent of the voting rights held by all the shareholders, etc.; and

ロ 当該特定個人株主が総株主等の議決権の百分の二十以上百分の五十以下の議決権を保有する会社等

(b) a company, etc. in which that specified individual shareholder holds voting rights that constitute not less than 20 percent but not more than 50 percent of the voting rights held by all the shareholders, etc.

3 第一項第三号の「子法人等」とは、次に掲げる者（内閣府令で定める者を除く。）をいう。

(3) The term "subsidiary corporation, etc." referred to in paragraph (1), item (iii) means any of the following persons (excluding the persons specified by Cabinet Office Order):

一 その子会社等

(i) the financial service intermediary's subsidiary company, etc.; and
二 その関連会社等

(ii) the financial service intermediary's affiliated company, etc.

4 この条において「親会社等」とは、他の会社等（会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含む。）をいう。以下この項及び次項において同じ。）の財務及び営業又は事業の方針を決定する機関（株主総会その他これに準ずる機関をいう。以下この項において「意思決定機関」という。）を支配している会社等として内閣府令で定めるものをいい、「子会社等」とは、親会社等によりその意思決定機関を支配されている他の会社等をいう。この場合において、親会社等及び子会社等又は子会社等が他の会社等の意思決定機関を支配している場合における当該他の会社等は、その親会社等の子会社等とみなす。

(4) The term "parent company, etc." as used in this Article means those specified by Cabinet Office Order as a company, etc. which has control over the organizations (meaning the shareholders meeting and any other equivalent organizations; hereinafter referred to as the "decision making organizations" in this paragraph) which are responsible for deciding the policies for finance, operations, and business of other companies, etc. (meaning a company, partnership, or any other business entity equivalent to them (including those equivalent to them in a foreign state); hereinafter the same applies in this paragraph and the following paragraph) and the term "subsidiary company, etc." as used in this Article means other companies, etc. whose decision making organizations are controlled by a parent company, etc. In this case, if the parent company, etc. and subsidiary company, etc. or the subsidiary company, etc. has control over the decision making organizations of other companies, etc., the other companies, etc. are deemed to be the subsidiary companies, etc. of the parent company, etc.

5 第二項第三号及び第四号イ並びに第三項第二号の「関連会社等」とは、会社等（当該会社等の子会社等を含む。）が出資、取締役その他これに準ずる役職への当該会社等の役員（法第十三条第一項第二号に規定する役員をいう。第三十九条第一項第三号において同じ。）若しくは使用人である者若しくはこれらであった者の就任、融資、債務の保証若しくは担保の提供、技術の提供又は営業上若しくは事業上の取引等を通じて、財務及び営業又は事業の方針の決定に対して重要な影響を与えることができる他の会社等（子会社等を除く。）として内閣府令で定めるものをいう。

(5) The term "affiliated company, etc." referred to in paragraph (2), item (iii) and item (iv), (a), and paragraph (3), item (ii) means companies, etc. (including their subsidiary companies, etc.) specified by Cabinet Office Order as other companies, etc. (excluding subsidiary companies, etc.) that are capable of exerting a material influence through investment, assumption of office as a director or other equivalent position by a person that is or has been an officer (meaning the officer prescribed in Article 13, paragraph (1), item (ii) of the Act; the same applies in Article 39, paragraph (1), item (iii)) or an employee of that

company, etc., financing, guarantee of obligations, provision of collateral, provision of technology, or transactions, etc. in operations and business.

6 第一項第四号及び第二項第四号に規定する議決権の保有の判定に関し必要な事項は、その保有の態様その他の事情を勘案して、内閣府令で定める。

(6) The necessary matters for determining the holding of voting rights prescribed in paragraph (1), item (iv) and paragraph (2), item (iv) are specified by Cabinet Office Order in consideration of the manner in which the voting rights are held and other circumstances.

(預金等媒介業務を行う金融サービス仲介業者について準用する銀行法の規定の読替え)

(Deemed Replacement of Terms of the Provisions of the Banking Act as Applied Mutatis Mutandis to Financial Service Intermediary Engaging in Deposits Intermediary Business Operations)

第三十一条 法第二十九条の規定による技術的読替えは、次の表のとおりとする。

Article 31 The technical replacement of terms pursuant to the provisions of Article 29 of the Act is as given in the following table:

読み替える銀行法の規定 Provisions of the Banking Act Whose Terms Are Deemed to be Replaced	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Replacement Terms
第五十二条の四十五第三号 Article 52-45, item (iii)	者（次号において「密接関係者」という。） person closely related to the bank agent as specified by Cabinet Office Order (referred to as "closely related party" in the following item)	者 person closely related to the bank agent as specified by Cabinet Office Order

<p>第五十二条の四十五第四号 Article 52-45, item (iv)</p>	<p>密接関係者 closely related party</p>	<p>相手方金融機関（金融サービスの提供に関する法律第十一条第六項（定義）に規定する金融サービス仲介業者が行う同条第二項に規定する預金等媒介業務により顧客が締結する預金等の受入れ、資金の貸付け若しくは手形の割引又は為替取引を内容とする契約の相手方をいう。）の特定関係者（第十三条の二に規定する特定関係者その他当該相手方金融機関と内閣府令で定める特殊の関係のある者をいう。） specified related party of the counterparty financial institution (meaning a counterparty to a contract for the acceptance of deposit, etc., the lending of funds or the discounting of bills and notes, or funds transfer transactions that a customer concludes through deposit, etc. intermediary business as defined in Article 11, paragraph (2) (Definitions) of the Act on the Provision of Financial Services conducted by a financial service intermediary as defined in paragraph (6) of that Article) (meaning the specified related party prescribed in Article 13-2 or any other person in a unique relationship specified by Cabinet Office Order with the counterparty financial institution)</p>
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（有価証券等仲介業務を行う金融サービス仲介業者について準用する金融商品取引法の規定の読替え）

(Deemed Replacement of Terms of the Provisions of the Financial Instruments and Exchange Act as Applied Mutatis Mutandis to Financial Service Intermediary Engaging in Securities Intermediary Business Operations)

第三十二条 法第三十一条第一項の規定による技術的読替えは、次の表のとおりとする。

Article 32 The technical replacement of terms pursuant to the provisions of Article 31, paragraph (1) of the Act is as given in the following table:

読み替える金融商品取引法の規定 Provisions of the Financial Instruments and Exchange Act Whose Terms Are Deemed to be Replaced	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Replacement Terms
第六十六条の十四第一号 Article 66-14, item (i)	に関連し in connection with financial instruments intermediary services	(金融サービスの提供に関する法律第十一条第四項第一号から第三号までに掲げる行為を行う業務を含む。以下この号及び次号において同じ。) に関連し in connection with financial instruments intermediary services (including the acts set forth in Article 11, paragraph (4), items (i) through (iii) of the Act on Provision of Financial Services; the same applies in this item and the following item)

(情報通信の技術を利用した提供)

(Provision of Matters Using Information and Communications Technology)

第三十三条 金融サービス仲介業者は、次の各号に掲げる規定によりそれぞれ当該各号に定める事項を提供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、当該事項を提供する相手方に対し、その用いる当該各号に掲げる規定に規定する方法（以下この条において「電磁的方法」という。）の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 33 (1) When seeking to provide the matters specified in the following items pursuant to the provisions set forth in each item, pursuant to the provisions of Cabinet Office Order, a financial service intermediary must indicate the type and content of the means prescribed in the provisions set forth in the respective items that they will use (hereinafter referred to as "electronic or magnetic means" in this Article) to the person to whom they will provide the matters and obtain approval for this in writing or by electronic or magnetic means, in advance:

- 一 法第三十一条第二項において準用する金融商品取引法（以下この条から第三十五条までにおいて「準用金融商品取引法」という。）第三十四条の二第四項（準用金融商品取引法第三十四条の三第十二項（準用金融商品取引法第三十四条の四第六項において準用する場合を含む。）、第三十四条の四第三項、第三十七条の三第二項及び第三十七条の四第二項において準用する場合を含む。以下この号において同じ。） 準用金融商品取引法第三十四条の二第四項に規定する事項

- (i) the provisions of Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act (hereinafter referred to as the "Financial Instruments and Exchange Act applied mutatis mutandis" in this Article through Article 35) (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (12) of the Financial Instruments and Exchange Act applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act applied mutatis mutandis), and Article 34-4, paragraph (3), Article 37-3, paragraph (2), and Article 37-4, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis; hereinafter the same applies in this item): the matters prescribed in Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act applied mutatis mutandis;
- 二 法第三十二条において準用する貸金業法（以下この節において「準用貸金業法」という。）第十六条の二第四項 同項に規定する事項
- (ii) the provisions of Article 16-2, paragraph (4) of the Money Lending Business Act as applied mutatis mutandis pursuant to Article 32 of the Act (hereinafter referred to as the "Money Lending Business Act applied mutatis mutandis" in this Section): the matters prescribed in Article 16-2, paragraph (4);
- 三 準用貸金業法第十六条の三第二項 同項に規定する事項
- (iii) the provisions of Article 16-3, paragraph (2) of the Money Lending Business Act applied mutatis mutandis: the matters prescribed in that paragraph;
- 四 準用貸金業法第十七条第七項 同条第一項から第六項までに規定する事項又は同項の内閣府令で定める書面に記載すべき事項
- (iv) the provisions of Article 17, paragraph (7) of the Money Lending Business Act applied mutatis mutandis: the matters prescribed in paragraphs (1) through (6) of that Article or the matters required to be stated in the documents specified by Cabinet Office Order referred to in paragraph (7) of that Article; and
- 五 準用貸金業法第十八条第四項 同条第一項若しくは第三項に規定する事項又は同項の内閣府令で定める書面に記載すべき事項
- (v) the provisions of Article 18, paragraph (4) of the Money Lending Business Act applied mutatis mutandis: the matters prescribed in paragraph (1) or (3) of that Article or the matters to be stated in the documents specified by Cabinet Office Order referred to in paragraph (4) of that Article.
- 2 前項の規定による承諾を得た金融サービス仲介業者は、当該相手方から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があったときは、当該相手方に対し、同項各号に定める事項の提供を電磁的方法によってしてはならない。ただし、当該相手方が再び同項の規定による承諾をした場合は、この限りでない。

(2) If a financial service intermediary that has obtained approval under the provisions of the preceding paragraph receives a notice from the relevant person, either in writing or by electronic or magnetic means, indicating that the person is not willing to be provided with the matters by electronic or magnetic means, the financial service intermediary must not use electronic or magnetic means to provide the person with the matters specified in the items of the same paragraph; provided, however, that this does not apply if the person has once again given approval under the provisions of the preceding paragraph.

(情報通信の技術を利用した同意の取得)

(Obtaining Consent Using Information and Communications Technology)

第三十四条 金融サービス仲介業者は、準用金融商品取引法第三十四条の二第十二項（準用金融商品取引法第三十四条の三第三項（準用金融商品取引法第三十四条の四第六項において準用する場合を含む。）において準用する場合を含む。以下この条において同じ。）の規定により、準用金融商品取引法第三十四条の二第十一項又は準用金融商品取引法第三十四条の三第二項（準用金融商品取引法第三十四条の四第六項において読み替えて準用する場合を含む。）の規定による書面による同意に代えて準用金融商品取引法第三十四条の二第十二項に規定する内閣府令で定める方法（以下この条において「電磁的方法」という。）により同意を得ようとするときは、内閣府令で定めるところにより、あらかじめ、当該同意を得ようとする相手方に対し、その用いる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

Article 34 (1) When seeking to obtain consent by the means specified by Cabinet Office Order that are provided for in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act applied mutatis mutandis (hereinafter referred to as "electronic or magnetic means" in this Article), in lieu of consent in writing pursuant to the provisions of Article 34-2, paragraph (11) of the Financial Instruments and Exchange Act applied mutatis mutandis or Article 34-3, paragraph (2) of the Financial Instruments and Exchange Act applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act applied mutatis mutandis following the deemed replacement of terms), pursuant to the provisions of Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-3, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis (including as applied mutatis mutandis pursuant to Article 34-4, paragraph (6) of the Financial Instruments and Exchange Act applied mutatis mutandis); hereinafter the same applies in this Article), pursuant to the provisions of Cabinet Office Order, a financial service intermediary must indicate to the

person from whom they seek to obtain consent the type and content of the electronic or magnetic means that they will use, and obtain approval for this in written form or by electronic or magnetic means, in advance.

- 2 前項の規定による承諾を得た金融サービス仲介業者は、当該相手方から書面又は電磁的方法により電磁的方法による同意を行わない旨の申出があったときは、当該相手方に対し、準用金融商品取引法第三十四条の二第十二項に規定する同意の取得を電磁的方法によってしてはならない。ただし、当該相手方が再び前項の規定による承諾をした場合は、この限りでない。

- (2) If a financial service intermediary that has obtained approval under the provisions of the preceding paragraph receives a notice from the relevant person, either in writing or by electronic or magnetic means, indicating that the person is not willing to give consent by electronic or magnetic means, the financial service intermediary must not use electronic or magnetic means to obtain consent prescribed in Article 34-2, paragraph (12) of the Financial Instruments and Exchange Act applied mutatis mutandis from the person; provided, however, that this does not apply if the person has once again given approval under the provisions of the preceding paragraph.

(顧客の判断に影響を及ぼす重要事項)

(Important Matters That Impact Customers' Judgment)

第三十五条 準用金融商品取引法第三十七条第一項第三号に規定する政令で定めるものは、次に掲げる事項とする。

Article 35 (1) What are specified by Cabinet Order that are provided for in Article 37, paragraph (1), item (iii) of the Financial Instruments and Exchange Act applied mutatis mutandis are the following matters:

一 特定金融サービス契約（法第三十一条第二項に規定する特定金融サービス契約をいう。次号及び次項第一号において同じ。）に関して顧客が支払うべき手数料、報酬その他の対価に関する事項であって内閣府令で定めるもの

- (i) the matters concerning commission, reward or any other consideration payable by a customer with regard to a specified financial service contract (meaning the specified financial service contract prescribed in Article 31, paragraph (2) of the Act; the same applies in the following item and item (i) of the following paragraph), which are specified by Cabinet Office Order; and
- 二 顧客が行う特定金融サービス契約の締結について金利、通貨の価格、金融商品市場（金融商品取引法第二条第十四項に規定する金融商品市場をいう。次項第一号において同じ。）における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあっては、次に掲げる事項
- (ii) the following matters, if the conclusion of a specified financial service contract by customers involves the risk of incurring a loss with fluctuations in the interest rate, the currency value, quotations on a financial instruments market (meaning the financial instruments market as defined in

Article 2, paragraph (14) of the Financial Instruments and Exchange Act; the same applies in item (i) of the following paragraph), or any other indicators related to fluctuations considered to be their direct causes:

イ 当該指標

(a) the relevant indicator; and

ロ 当該指標に係る変動により損失が生ずるおそれがある旨及びその理由

(b) a statement to the effect that there is a risk of a loss to be incurred due to fluctuations related to the relevant indicator, and the reason therefor; and

三 前二号に掲げる事項に準ずるものとして内閣府令で定める事項

(iii) the matters specified by Cabinet Office Order as being equivalent to the matters set forth in the preceding two items.

2 準用金融商品取引法第三十七条第一項に規定する行為を基幹放送事業者（放送法（昭和二十五年法律第百三十二号）第二条第二十三号に規定する基幹放送事業者をいい、日本放送協会及び放送大学学園（放送大学学園法（平成十四年法律第百五十六号）第三条に規定する放送大学学園をいう。）を除く。）の放送設備により放送をさせる方法その他これに準ずるものとして内閣府令で定める方法によりする場合における同項第三号に規定する政令で定めるものは、前項の規定にかかわらず、次に掲げる事項とする。

(2) Notwithstanding the provisions of the preceding paragraph, if the acts prescribed in Article 37, paragraph (1) of the Financial Instruments and Exchange Act applied mutatis mutandis are to be carried out by means of broadcasting, using the broadcast equipment of a basic broadcaster (meaning a basic broadcaster as defined in Article 2, item (xxiii) of the Broadcasting Act (Act No. 132 of 1950) and excluding the Japan Broadcasting Corporation and the Open University of Japan (meaning the Open University of Japan prescribed in Article 3 of the Act on the Open University of Japan (Act No. 156 of 2002)), or any other means specified by Cabinet Office Order as being equivalent thereto, the matters specified by Cabinet Order as provided for in Article 37, paragraph (1), item (iii) of the Financial Instruments and Exchange Act applied mutatis mutandis are the following matters:

一 顧客が行う特定金融サービス契約の締結について金利、通貨の価格、金融商品市場における相場その他の指標に係る変動を直接の原因として損失が生ずることとなるおそれがある場合にあつては、当該おそれがある旨

(i) if a specified financial service contract to be concluded by a customer involves the risk of incurring a loss with fluctuations in the interest rate, the currency value, quotations on a financial instruments market, or any other indicators related to fluctuations considered to be their direct causes, a statement to the effect that there is such risk; and

二 前号に掲げる事項に準ずるものとして内閣府令で定める事項

(ii) the matters specified by Cabinet Office Order as being equivalent to the matters set forth in the preceding items.

(利息とみなされない費用)

(Costs Not Deemed to Be Interest)

第三十六条 準用貸金業法第十二条の八第二項に規定する政令で定めるものは、次に掲げる費用（消費税額及び当該消費税額を課税標準として課されるべき地方消費税額に相当する額（次条において「消費税額等相当額」という。）を含む。）とする。

Article 36 The costs specified by Cabinet Order that are provided for in Article 12-8, paragraph (2) of the Money Lending Business Act applied mutatis mutandis are to be the following costs (including amounts equivalent to the amount of consumption tax and the amount of local consumption tax to be imposed on the amount of consumption tax as the tax base (referred to as the "amounts equivalent to consumption tax, etc." in the following Article)):

一 金銭の貸付け及び弁済に用いるため債務者に交付されたカードの再発行の手数料

(i) fees for the reissuance of a card issued to the obligor to be used for lending money and performing obligations;

二 貸金業法の規定により金銭の貸付けに関して債務者に交付された書面の再発行及び当該書面の交付に代えて同法第二条第十二項に規定する電磁的方法により債務者に提供された事項の再提供の手数料

(ii) fees for the reissuance of documents delivered to the obligor in relation to lending of money pursuant to the provisions of the Money Lending Business Act, or fees for the repeat provision of the matters provided to the obligor by electronic or magnetic means as defined in Article 2, paragraph (12) of that Act in lieu of the delivery of those documents; and

三 口座振替の方法による弁済において、債務者が弁済期に弁済できなかった場合に行う再度の口座振替手続に要する費用

(iii) costs necessary for the account transfer procedure to be conducted again if the obligor fails to perform obligations by the due date for performance of obligation by the method of account transfer.

(利息とみなされない現金自動支払機その他の機械の利用料の範囲)

(Scope of Charges That Are Not Deemed to Be Interest for Using Mono-function Automated Teller Machine or Any Other Machine)

第三十七条 準用貸金業法第十二条の八第二項第三号の政令で定める額は、現金自動支払機その他の機械を利用して受け取り、又は支払う次の各号に掲げる額の区分に応じ、当該各号に定める額（消費税額等相当額を含む。）とする。

Article 37 The amount specified by Cabinet Order that is provided for in Article 12-8, paragraph (2), item (iii) of the Money Lending Business Act applied mutatis mutandis is the amount specified in the following items in accordance with the category of amounts set forth respectively in the items, which are received or paid using a mono-function automated teller machine or any other machine (including the amounts equivalent to consumption tax, etc.):

一 一万円以下の額 百十円

(i) an amount not more than 10,000 yen: 110 yen; and

二 一万円を超える額 二百二十円

(ii) an amount exceeding 10,000 yen: 220 yen.

(貸金業貸付媒介業務を行う金融サービス仲介業者について準用する貸金業法の規定の読替え)

(Deemed Replacement of Terms of the Provisions of the Money Lending Business Act as Applied Mutatis Mutandis to Financial Service Intermediary Engaging in Loan Intermediary Business Operations)

第三十八条 法第三十二条の規定による技術的読替えは、次の表のとおりとする。

Article 38 The technical replacement of terms under the provisions of Article 32 of the Act is as given in the following table:

読み替える貸金業法の規定 Provisions of the Money Lending Business Act Whose Terms Are Deemed to be Replaced	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Replacement Terms
第十二条の八第五項 Article 12-8, paragraph (5)	に際し when concluding a loan contract	の媒介に際し when conducting intermediation for concluding a loan contract
	条件と as a condition for	条件とするものの締結の媒介を as a condition for conducting intermediation for
第十二条の八第六項 Article 12-8, paragraph (6)	業として保証を行う者（以下「保証業者」という） person who provides guarantees on a regular basis (hereinafter referred to as the "guarantee business operator")	保証業者（金融サービスの提供に関する法律第三十五条第二項に規定する保証業者をいう。第八項及び第九項において同じ） guarantee business operator (meaning a guarantee business operator prescribed in Article 35, paragraph (2) of the Act on Provision of Financial Services; the same applies in paragraphs (8) and (9))
第十二条の八第八項 Article 12-8, paragraph (8)	に際し when concluding a loan contract	の媒介に際し when conducting intermediation for concluding a loan contract

	条件と as a condition for	条件とするものの締結の媒介を as a condition for conducting intermediation for
第十二条の八第九項 Article 12-8, paragraph (9)	を締結しよう When concluding	の締結の媒介をしよう When conducting intermediation for concluding
	を締結して must not conclude	の締結の媒介をして must not conduct intermediation for concluding
第十六条の二第四項 Article 16-2, paragraph (4)	電磁的方法 electronic or magnetic means	電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて内閣府令で定めるものをいう。次条第二項、第十七条第七項及び第十八条第四項において同じ。） electronic or magnetic means (meaning the means of using an electronic data processing system or other means of using information and communications technology that are specified by Cabinet Office Order; the same applies in paragraph (2) of the following Article, Article 17, paragraph (7), and Article 18, paragraph (4))

第三節 認定金融サービス仲介業協会

Section 3 Certified Financial Service Intermediary Business Association

第三十九条 法第四十条の規定による認定の申請は、次に掲げる事項を記載した申請書を金融庁長官に提出してしなければならない。

Article 39 (1) The application for certification under the provisions of Article 40 of the Act must be made by submitting a written application stating the following matters to the Commissioner of the Financial Services Agency:

一 名称

(i) the name;

二 事務所の所在地

(ii) the locations of offices;

三 役員の氏名

(iii) the names of officers; and

四 会員（法第四十条第二号に規定する会員をいう。第四十四条第二項において同じ。）の商号、名称又は氏名

(iv) the trade names or the names of association members (meaning association members prescribed in Article 40, item (ii) of the Act; the same applies in

Article 44, paragraph (2)).

2 前項の申請書には、定款、登記事項証明書その他内閣府令で定める書類を添付しなければならない。

(2) The articles of incorporation, a certificate of registered information, and any other documents specified by Cabinet Office Order must be attached to the written application referred to in the preceding paragraph.

第四節 指定紛争解決機関

Section 4 Designated Dispute Resolution Organization

(紛争解決等業務に相当する業務に係る他の法律の規定による指定)

(Designation under the Provisions of Other Laws in Connection with Services Equivalent to Dispute Resolution Services)

第四十条 法第五十一条第一項第二号及び第四号ニ、第五十五条並びに第七十二条第三項に規定する政令で定めるものは、次に掲げる指定とする。

Article 40 The designations specified by Cabinet Order that is provided for in Article 51, paragraph (1), item (ii) and item (iv), (d), Article 55, and Article 72, paragraph (3) of the Act are the following designations:

一 金融商品取引法第百五十六条の三十九第一項の規定による指定

(i) the designation under the provisions of Article 156-39, paragraph (1) of the Financial Instruments and Exchange Act; and

二 第四十二条各号に掲げる指定

(ii) the designation set forth in the items of Article 42.

(異議を述べた金融サービス仲介業者の数の金融サービス仲介業者の総数に占める割合)

(Ratio of the Number of Financial Service Intermediaries that Have Raised Objections to the Total Number of Financial Service Intermediaries)

第四十一条 法第五十一条第一項第八号に規定する政令で定める割合は、三分の一とする。

Article 41 The ratio specified by Cabinet Order that is provided for in Article 51, paragraph (1), item (viii) of the Act is one third.

(指定紛争解決機関に係る名称等の使用制限の適用除外)

(Exemptions to Restrictions on Use of Names for Designated Dispute Resolution Organizations)

第四十二条 法第六十六条に規定する政令で定めるものは、次に掲げる指定のいずれかを受けた者とする。

Article 42 What is specified by Cabinet Order that is provided for in Article 66 of the Act is a person that has obtained any of the following designations:

一 無尽業法（昭和六年法律第四十二号）第三十五条の二第一項の規定による指定

- (i) the designation under the provisions of Article 35-2, paragraph (1) of the Mutual Loan Business Act (Act No. 42 of 1931);
二 金融機関の信託業務の兼営等に関する法律第十二条の二第一項の規定による指定
- (ii) the designation under the provisions of Article 12-2, paragraph (1) of the Act on Engagement in Trust Business by Financial Institutions;
三 農業協同組合法第九十二条の六第一項の規定による指定
- (iii) the designation under the provisions of Article 92-6, paragraph (1) of the Agricultural Cooperatives Act;
四 水産業協同組合法第一百八条第一項の規定による指定
- (iv) the designation under the provisions of Article 118, paragraph (1) of the Fisheries Cooperatives Act;
五 中小企業等協同組合法第六十九条の二第一項の規定による指定
- (v) the designation under the provisions of Article 69-2, paragraph (1) of the Small and Medium-Sized Enterprise Cooperatives Act;
六 信用金庫法第八十五条の十二第一項の規定による指定
- (vi) the designation under the provisions of Article 85-12, paragraph (1) of the Shinkin Bank Act;
七 長期信用銀行法第十六条の八第一項の規定による指定
- (vii) the designation under the provisions of Article 16-8, paragraph (1) of the Long-Term Credit Bank Act;
八 労働金庫法第八十九条の十三第一項の規定による指定
- (viii) the designation under the provisions of Article 89-13, paragraph (1) of the Labor Bank Act;
九 銀行法第五十二条の六十二第一項の規定による指定
- (ix) the designation under the provisions of Article 52-62, paragraph (1) of the Banking Act;
十 貸金業法第四十一条の三十九第一項の規定による指定
- (x) the designation under the provisions of Article 41-39, paragraph (1) of the Money Lending Business Act;
十一 保険業法第三百八条の二第一項の規定による指定
- (xi) the designation under the provisions of Article 308-2, paragraph (1) of the Insurance Business Act;
十二 農林中央金庫法第九十五条の六第一項の規定による指定
- (xii) the designation under the provisions of Article 95-6, paragraph (1) of the Norinchukin Bank Act;
十三 信託業法第八十五条の二第一項の規定による指定
- (xiii) the designation under the provisions of Article 85-2, paragraph (1) of the Trust Business Act; or
十四 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
- (xiv) the designation under the provisions of Article 99, paragraph (1) of the Payment Services Act.

第五節 雑則

Section 5 Miscellaneous Provisions

(登録手数料)

(Registration Fees)

第四十三条 法第七十九条第一項の規定による登録手数料の額は、外務員（法第七十五条第一項に規定する外務員をいう。第四十六条第四項及び第四十七条第四項において同じ。）一人につき三千円を超えない範囲内において実費を勘案して内閣府令で定める額とする。

Article 43 (1) The registration fee under the provisions of Article 79, paragraph (1) of the Act is the amount specified by Cabinet Office Order in consideration of actual costs, within three thousand yen for one sales representative (meaning a sales representative prescribed in Article 75, paragraph (1) of the Act; the same applies in Article 46, paragraph (4) and Article 47, paragraph (4)).

2 前項の登録手数料は、国に納める場合にあっては、登録申請書に、同項に規定する登録手数料の額に相当する額の収入印紙を貼って納めなければならない。

(2) The registration fee referred to in the preceding paragraph must be paid by affixing revenue stamps in an amount equivalent to the registration fee prescribed in that paragraph to a written application for registration if it is paid to the State.

(証券取引等監視委員会への有価証券の売買の媒介等の公正の確保に係る検査等の権限の委任)

(Delegation of Authority of Inspection for Ensuring Fairness in Intermediation for Purchase and Sale of Securities to the Securities and Exchange Surveillance Commission)

第四十四条 法第八十二条第二項第一号及び第二号に規定する政令で定める規定は、法第二十五条及び第二十六条、法第三十一条第一項において読み替えて準用する金融商品取引法第六十六条の十四（第一号イ及びロ並びに第三号を除く。）及び第六十六条の十四の二、法第三十一条第二項において読み替えて準用する金融商品取引法第三十七条及び第三十七条の三（第三項を除く。）、法第三十一条第二項において準用する金融商品取引法第三十七条の四並びに同項において読み替えて準用する同法第三十七条の六（第一項、第二項、第四項ただし書及び第五項を除く。）、第三十八条（第七号及び第八号を除く。）、第三十九条及び第四十条の規定（法第十一条第四項第一号から第三号までに掲げる行為の公正の確保に係るものに限る。）とする。

Article 44 (1) The provisions specified by Cabinet Order that are provided for in Article 82, paragraph (2), items (i) and (ii) of the Act are the provisions of the following Articles: Article 25 and Article 26 of the Act; Article 66-14 (excluding item (i) (a) and (b) and item (iii)) and Article 66-14-2 of the Financial

Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (1) of the Act following the deemed replacement of terms; Article 37 and Article 37-3 (excluding paragraph (3)) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act following the deemed replacement of terms; Article 37-4 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act; Article 37-6 (excluding paragraph (1), paragraph (2), the proviso to paragraph (4), and paragraph (5)), Article 38 (excluding items (vii) and (viii)), Article 39, and Article 40 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act following the deemed replacement of terms (limited to those related to ensuring fairness in the acts set forth in Article 11, paragraph (4), items (i) through (iii) of the Act).

2 法第八十二条第二項第三号に規定する政令で定める業務は、会員の行為が次に掲げる行為に該当するかどうかの認定に関する法第四十一条第四号に規定する調査に係る業務及び会員の次に掲げる行為に関する法第四十六条の規定により定款において定められた同条に規定する措置に係る業務とする。

(2) The business operations specified by Cabinet Order that are provided for in Article 82, paragraph (2), item (iii) of the Act are business operations concerning the investigation prescribed in Article 41, item (iv) of the Act related to the recognition of whether an association member's act falls under any of the following acts, and the business operations concerning the measures prescribed in Article 46 of the Act that are provided in the articles of incorporation pursuant to the provisions of that Article concerning any of the following acts of an association member:

一 法第二十五条及び第二十六条、法第三十一条第一項において読み替えて準用する金融商品取引法第六十六条の十四（第一号イ及びロ並びに第三号を除く。）及び第六十六条の十四の二、法第三十一条第二項において読み替えて準用する金融商品取引法第三十七条及び第三十七条の三（第三項を除く。）、法第三十一条第二項において準用する金融商品取引法第三十七条の四並びに同項において読み替えて準用する同法第三十七条の六（第一項、第二項、第四項ただし書及び第五項を除く。）、第三十八条（第七号及び第八号を除く。）、第三十九条及び第四十条の規定（金融サービス仲介業（有価証券等仲介業務に係るものに限る。次号及び次条において同じ。）の適正の確保に係るものに限る。）に違反する行為

(i) acts in violation of the provisions of the following Articles: Article 25 and Article 26 of the Act; Article 66-14 (excluding item (i), (a) and (b) and item (iii)) and Article 66-14-2 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (1) of the Act following the deemed replacement of terms; Article 37 and Article 37-3 (excluding paragraph (3)) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act

following the deemed replacement of terms; Article 37-4 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act; Article 37-6 (excluding paragraph (1), paragraph (2), the proviso to paragraph (4), and paragraph (5)), Article 38 (excluding items (vii) and (viii)), Article 39, and Article 40 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act following the deemed replacement of terms (limited to those related to ensuring appropriateness of financial service intermediary business (limited to those related to securities, etc. intermediary business operations; the same applies in the following item and the following Article)); and

二 認定金融サービス仲介業協会の定款その他の規則又は当該定款その他の規則に定める取引の信義則（金融サービス仲介業の適正の確保に係るものに限る。）に違反し、又は背反する行為

(ii) acts in violation of or contrary to the articles of incorporation or other rules of a certified financial service intermediary business association, or the fair and equitable principles of transactions specified in the articles of incorporation or those other rules (limited to those related to ensuring appropriateness of financial service intermediary business).

(証券取引等監視委員会への有価証券の売買の媒介等の公正の確保に係る検査等以外の検査等の権限の委任)

(Delegation of Authority of Inspection Other Than Inspection for Ensuring Fairness in Intermediation for Purchase and Sale of Securities to the Securities and Exchange Surveillance Commission)

第四十五条 法第八十二条第一項の規定により金融庁長官に委任された権限及びこの政令による金融庁長官の権限（以下この節において「長官権限」という。）（同条第二項の規定により証券取引等監視委員会（以下この節において「委員会」という。）に委任された権限を除く。）のうち、法第三十五条第一項及び第二項並びに第三十六条第一項及び第二項の規定（金融サービス仲介業の健全かつ適切な運営の確保に係るものに限る。）並びに法第四十八条第一項及び第二項並びに第四十九条第一項及び第二項の規定（金融サービス仲介業の適正の確保に係るものに限る。）による権限は、委員会に委任する。ただし、これらの規定による報告又は資料の提出を命ずる権限並びに公益又は顧客等の保護のため緊急の必要があると認められる場合及び検査の効果的かつ効率的な実施に特に資すると認められる場合における検査の権限は、金融庁長官が自ら行うことを妨げない。

Article 45 Within the scope of authority delegated to the Commissioner of the Financial Services Agency pursuant to the provisions of Article 82, paragraph (1) of the Act and the authority of the Commissioner of the Financial Services Agency under this Cabinet Order (hereinafter the authority is referred to as the "Commissioner's authority" in this Section) (excluding the authority

delegated to the Securities and Exchange Surveillance Commission (hereinafter referred to as the "Commission") pursuant to the provisions of paragraph (2) of that Article), the authority under the provisions of Article 35, paragraphs (1) and (2) and Article 36, paragraphs (1) and (2) of the Act (limited to the authority related to ensuring the sound and appropriate management of financial service intermediary business) and the provisions of Article 48, paragraphs (1) and (2) and Article 49, paragraphs (1) and (2) of the Act (limited to the authority related to ensuring the appropriateness of financial service intermediary business) is delegated to the Commission; provided, however, that this does not preclude the Commissioner of the Financial Services Agency from personally exercising the authority to order the submission of reports or materials under these provisions and the authority for inspection if an urgent necessity is found for the public interest or protection of customers, etc. or if the authority is found to particularly contribute to the effective and efficient implementation of the inspection.

(金融サービス仲介業者に関する権限の財務局長等への委任)

(Delegation of Authority Over Financial Service Intermediaries to the Director-General of Local Finance Bureaus)

第四十六条 長官権限のうち次に掲げるものは、法第十三条第一項に規定する登録申請者又は金融サービス仲介業者の主たる営業所又は事務所（以下この節において「主たる営業所等」という。）の所在地（第八号に掲げる権限にあつては、同号に規定する確認に係る事故の発生した営業所又は事務所の所在地）を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては福岡財務支局長、当該登録申請者又は金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあつては関東財務局長）に委任する。ただし、第九号及び第十号に掲げる権限は、金融庁長官が自ら行うことを妨げない。

Article 46 (1) Within the scope of the Commissioner's authority, the following authority delegated to the Director-General of a Local Finance Bureau who has jurisdiction over the location of the principal place of business or office (hereinafter referred to as the "principal place of business, etc." in this Section) of a registration applicant prescribed in Article 13, paragraph (1) of the Act or a financial service intermediary (for the authority set forth in item (viii), the location of the place of business or office where the problematic conduct related to the confirmation referred to in that item has taken place) (if the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau; and if the registration applicant or financial service intermediary has no place of business or office in Japan, the authority is delegated to the Director-General of the Kanto Finance Bureau); provided, however, that this does not preclude the Commissioner of the Financial

Services Agency from personally exercising the authority set forth in items (ix) and (x):

一 法第十二条、第十四条第一項（法第十六条第二項において読み替えて準用する場合を含む。）及び第十六条第五項の規定による登録並びに法第十五条（法第十六条第二項において読み替えて準用する場合を含む。）の規定による登録の拒否

(i) the refusal of registration under the provisions of Article 12 of the Act, Article 14, paragraph (1) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act following the deemed replacement of terms), and Article 16, paragraph (5) of the Act, and of the registration under the provisions of Article 15 of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act following the deemed replacement of terms);

二 法第十三条及び第三十四条第一項の規定による書類の受理並びに法第十六条第三項、第十八条第三項並びに第二十二条第三項、第五項及び第八項の規定による届出の受理

(ii) the receipt of documents under the provisions of Article 13 and Article 34, paragraph (1) of the Act, and the receipt of notification under the provisions of Article 16, paragraph (3), Article 18, paragraph (3), and Article 22, paragraphs (3), (5), and (8) of the Act;

三 法第十四条第二項（法第十六条第二項において準用する場合を含む。）の規定による通知

(iii) the notice under the provisions of Article 14, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act);

四 法第十四条第三項（法第十六条第二項において準用する場合を含む。）及び第十八条第五項の規定による公衆への縦覧

(iv) the public inspection of the register under the provisions of Article 14, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 16, paragraph (2) of the Act) and Article 18, paragraph (5) of the Act;

五 法第二十二条第四項及び第二十三条第二項の規定による供託の命令

(v) the order of a deposit under the provisions of Article 22, paragraph (4) and Article 23, paragraph (2) of the Act;

六 法第二十二条第十項及び第二十三条第一項並びに第二十七条第二号及び第二十九条第一項第四号の規定による承認

(vi) the approval under the provisions of Article 22, paragraph (10) and Article 23, paragraph (1) of the Act and the provisions of Article 27, item (ii) and Article 29, paragraph (1), item (iv);

七 法第二十二条第十一項の規定による指定

(vii) the designation under the provisions of Article 22, paragraph (11) of the Act;

八 法第三十一条第二項において読み替えて準用する金融商品取引法第三十九条第三

項ただし書の規定による確認及び法第三十一条第二項において準用する金融商品取引法第三十九条第七項の規定による書類の受理

(viii) the confirmation under the provisions of the proviso to Article 39, paragraph (3) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act following the deemed replacement of terms, and the receipt of documents under the provisions of Article 39, paragraph (7) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act;

九 法第三十五条第一項及び第二項の規定による報告及び資料の提出の求め（法第八十二条第二項第一号の規定及び前条の規定により委員会に委任されたものを除く。）

(ix) the request for submission of reports and materials under the provisions of Article 35, paragraphs (1) and (2) of the Act (excluding the authority delegated to the Commission pursuant to the provisions of Article 82, paragraph (2), item (i) of the Act and the provisions of the preceding Article);

十 法第三十六条第一項及び第二項の規定による質問及び立入検査（法第八十二条第二項第二号の規定及び前条の規定により委員会に委任されたものを除く。）

(x) the questioning and on-site inspection under the provisions of Article 36, paragraphs (1) and (2) of the Act (excluding the authority delegated to the Commission pursuant to the provisions of Article 82, paragraph (2), item (ii) of the Act and the provisions of the preceding Article);

十一 法第三十七条の規定による命令

(xi) the order under the provisions of Article 37 of the Act;

十二 法第三十八条第一項から第三項までの規定による処分

(xii) the disposition under the provisions of Article 38, paragraphs (1) through (3) of the Act;

十三 法第三十八条第四項の規定による公告及び登録の取消し

(xiii) the public notice and rescission of registration under the provisions of Article 38, paragraph (4) of the Act;

十四 法第三十九条の規定による登録の抹消

(xiv) the deletion of registration under the provisions of Article 39 of the Act; and

十五 第二十八条第一項の規定による申立ての受理、同条第二項の規定による公示及び通知、同条第四項の規定による調査、公示、通知及び意見を述べる機会の付与、同条第五項の規定による配当表の作成、公示及び通知、同条第六項の規定による配当並びに同条第八項の規定による換価

(xv) the receipt of a petition under the provisions of Article 28, paragraph (1), the public notice and the notice under the provisions of paragraph (2) of that Article, the investigation, public notice, notice, and grant of an opportunity to state opinions under the provisions of paragraph (4) of that Article, the

preparation, public notice, and notice of a distribution list under the provisions of paragraph (5) of that Article, the distribution under the provisions of paragraph (6) of that Article, and realization of securities under the provisions of paragraph (8) of that Article.

- 2 前項第九号及び第十号に掲げる権限で金融サービス仲介業者の主たる営業所等以外の営業所若しくは事務所その他の施設（以下この項及び次項において「従たる営業所等」という。）又は金融サービス仲介業者と金融サービス仲介業務に関して取引する者、金融サービス仲介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。次項並びに第四十八条第二項及び第六項において同じ。）若しくは保証業者（法第三十五条第二項に規定する保証業者をいう。次項において同じ。）に関するものについては、前項に規定する財務局長又は福岡財務支局長のほか、当該従たる営業所等又は当該金融サービス仲介業者と金融サービス仲介業務に関して取引する者、当該金融サービス仲介業者から業務の委託を受けた者若しくは当該保証業者の所在地（当該金融サービス仲介業者と金融サービス仲介業務に関して取引する者、当該金融サービス仲介業者から業務の委託を受けた者及び当該保証業者が個人の場合にあっては、その住所又は居所。第四項において同じ。）を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては福岡財務支局長、当該所在地が国外にある場合にあっては関東財務局長）も行うことができる。

- (2) The authority set forth in items (ix) and (x) of the preceding paragraph related to a place of business or office or any other facilities of a financial service intermediary other than their principal place of business, etc. (hereinafter referred to as the "secondary place of business, etc.), or related to a person conducting transactions with a financial service intermediary concerning financial service intermediary business operations, a person that is entrusted with business operations by a financial service intermediary (including a person that is entrusted by that person (including entrustment at two or more degrees of separation from the original entrustment); the same applies in the following paragraph, Article 48, paragraphs (2) and (6)), or a guarantee business operator (meaning a guarantee business operator prescribed in Article 35, paragraph (2) of the Act; the same applies in the following paragraph) may also be exercised by the Director-General of a Local Finance Bureaus who has jurisdiction over the location of the secondary place of business, etc. or the location of the person conducting transactions with a financial service intermediary concerning financial service intermediary business operations, the person that is entrusted with business operations by a financial service intermediary, or the guarantee business operator (if the person conducting transactions with the financial service intermediary concerning financial service intermediary business operations, the person that is entrusted with business operations by the financial service intermediary, or if the guarantee business operator is an individual, that individual's address or

residence; the same applies in paragraph (4)) (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, by the Director-General of the Fukuoka Local Finance Branch Bureau; if that location is outside Japan, by the Director-General of the Kanto Finance Bureau), in addition to the Director-General of a Local Finance Bureau or the Director General of the Fukuoka Local Finance Branch Bureau prescribed in the preceding paragraph.

3 前項の規定により金融サービス仲介業者の検査対象営業所等（従たる営業所等又は金融サービス仲介業者と金融サービス仲介業務に関して取引する者、金融サービス仲介業者から業務の委託を受けた者若しくは保証業者をいう。以下この項において同じ。）に対して検査等（報告若しくは資料の提出の求め又は質問若しくは立入検査をいう。以下この節において同じ。）を行った財務局長又は福岡財務支局長は、当該金融サービス仲介業者の主たる営業所等又は当該検査対象営業所等以外の検査対象営業所等に対して検査等の必要を認めたときは、当該金融サービス仲介業者の主たる営業所等又は当該検査対象営業所等以外の検査対象営業所等に対し、検査等を行うことができる。

(3) When the Director-General of a Local Finance Bureau or the Director-General of the Fukuoka Local Finance Branch Bureau who has conducted inspection, etc. (meaning requesting the submission of reports or materials, or conducting questioning or on-site inspection; hereinafter the same applies in this Section) of a financial service intermediary's place of business, etc. subject to inspection (meaning the secondary place of business, etc. or a person conducting transactions with a financial service intermediary concerning financial service intermediary business operations, a person that is entrusted with business operations by a financial service intermediary, or the guarantee business operator; hereinafter the same applies in this paragraph) pursuant to the provisions of the preceding paragraph finds the necessity to conduct inspection, etc. of the principal place of business, etc. or of a secondary place of business, etc. subject to inspection other than the aforementioned secondary place of business, etc. subject to inspection of the financial service intermediary, the Director-General may conduct inspection, etc. of the principal place of business, etc. or of a secondary place of business, etc. subject to inspection other than the aforementioned secondary place of business, etc. subject to inspection of the financial service intermediary.

4 長官権限のうち次に掲げるもの（法第七十八条第一項又は第二項の規定により届出受理事務（同条第一項に規定する届出受理事務をいう。）又は登録事務（同条第一項に規定する登録事務をいう。）を認定金融サービス仲介業協会等（同条第一項に規定する認定金融サービス仲介業協会等をいう。）に行わせる場合における当該届出受理事務又は当該登録事務に係る権限を除く。）は、法第七十四条に規定する届出を行う金融サービス仲介業者又は外務員の所属する金融サービス仲介業者の主たる営業所等の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合に

あつては福岡財務支局長、当該金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあつては関東財務局長) に委任する。

- (4) Within the scope of the Commissioner's authority, the following authority (if the Prime Minister, pursuant to the provisions of Article 78, paragraph (1) or (2) of the Act, has a certified financial service intermediary business association, etc. (meaning the certified financial service intermediary business association, etc. prescribed in paragraph (1) of that Article) engage in the notification receipt work (meaning the notification receipt work prescribed in paragraph (1) of that Article) or the registration work (meaning the registration work prescribed in paragraph (1) of that Article), excluding the authority related to the notification receipt work or the registration work) is delegated to the Director-General of a Local Finance Bureau who has jurisdiction over the location of the principal place of business, etc. of a financial service intermediary making a notification under the provisions of Article 74 of the Act or a financial service intermediary to which a sales representative belongs (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau; and if the financial service intermediary has no place or business or office in Japan, the authority is delegated to the Director-General of the Kanto Finance Bureau):
- 一 法第七十四条の規定による届出の受理
 - (i) the receipt of a notification under the provisions of Article 74 of the Act;
 - 二 法第七十七条において読み替えて準用する金融商品取引法第六十四条第三項及び第四項の規定による書類の受理
 - (ii) the receipt of documents under the provisions of Article 64, paragraphs (3) and (4) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms;
 - 三 法第七十七条において読み替えて準用する金融商品取引法第六十四条第五項の規定による登録
 - (iii) the registration under the provisions of Article 64, paragraph (5) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms;
 - 四 法第七十七条において読み替えて準用する金融商品取引法第六十四条第六項の規定による通知
 - (iv) the notice under the provisions of Article 64, paragraph (6) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms;
 - 五 法第七十七条において読み替えて準用する金融商品取引法第六十四条の二第一項の規定による登録の拒否
 - (v) the refusal of registration under the provisions of Article 64-2, paragraph

(1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms;

六 法第七十七条において読み替えて準用する金融商品取引法第六十四条の四の規定による届出の受理

(vi) the receipt of a notification under the provisions of Article 64-4 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms;

七 法第七十七条において読み替えて準用する金融商品取引法第六十四条の五第一項の規定による登録の取消し及び職務の停止の命令

(vii) the rescission of registration and order of suspension of duties under the provisions of Article 64-5, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms; and

八 法第七十七条において読み替えて準用する金融商品取引法第六十四条の六の規定による登録の抹消

(viii) the deletion of registration under the provisions of Article 64-6 of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act following the deemed replacement of terms.

5 前各項の規定は、第一項各号に掲げる長官権限及び前項各号に掲げる長官権限のうち金融庁長官の指定するものについては、適用しない。

(5) The provisions of the preceding paragraphs do not apply to the Commissioner's authority designated by the Commissioner of the Financial Services Agency within the scope of the Commissioner's authority set forth in the items of paragraph (1) and of the Commissioner's authority set forth in the items of the preceding paragraph.

6 金融庁長官は、前項の規定による指定をした場合には、その旨を告示するものとする。これを廃止し、又は変更したときも、同様とする。

(6) If the Commissioner of the Financial Services Agency has made a designation under the provisions of the preceding paragraph, the Commissioner is to give a public notice to that effect. The same applies if the Commissioner has abolished or changed the designation.

(認定金融サービス仲介業協会等に関する権限の財務局長等への委任)

(Delegation of Authority Over Certified Financial Service Intermediary

Business Associations to the Director-General of Local Finance Bureaus)

第四十七条 長官権限のうち法第四十八条第一項及び第二項並びに第四十九条第一項及び第二項の規定による権限（法第八十二条第二項第三号及び第四号の規定並びに第四十五条の規定により委員会に委任されたものを除く。）は、認定金融サービス仲介業協会の主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては、福岡財務支局長）に委任する。ただし、金融庁長官が

自らその権限を行うことを妨げない。

Article 47 (1) Within the scope of the Commissioner's authority, the authority under the provisions of Article 48, paragraphs (1) and (2) and Article 49, paragraphs (1) and (2) of the Act (excluding the authority delegated to the Commission pursuant to the provisions of Article 82, paragraph (2), items (iii) and (iv) of the Act and the provisions of Article 45) is delegated to the Director-General of a Local Finance Bureau who has jurisdiction over the location of the principal office of a certified financial service intermediary business association (if the location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau); provided, however, that this does not preclude the Commissioner of the Financial Services Agency from personally exercising that authority.

2 前項に規定する権限で認定金融サービス仲介業協会の主たる事務所以外の事務所その他の施設又は認定金融サービス仲介業協会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。次条第二項及び第七項において同じ。）（以下この項及び次項において「従たる事務所等」という。）に関するものについては、前項に規定する財務局長又は福岡財務支局長のほか、従たる事務所等の所在地（当該認定金融サービス仲介業協会から業務の委託を受けた者が個人の場合にあっては、その住所又は居所）を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては福岡財務支局長、当該所在地が国外にある場合にあっては関東財務局長）も行うことができる。

(2) The authority prescribed in the preceding paragraph that is related to an office other than the principal office or any other facilities of a certified financial service intermediary business association, or related to a person that is entrusted with business operations by a certified financial service intermediary business association (including a person that is entrusted by that person (including entrustment at two or more degrees of separation from the original entrustment); the same applies in paragraphs (2) and (7) of the following paragraph) (hereinafter referred to as the "secondary office, etc." in this paragraph and the following paragraph) may also be exercised by the Director-General of a Local Finance Bureaus who has jurisdiction over the location of the secondary office, etc. (if the person that is entrusted with business operations by the certified financial service intermediary business association is an individual, that individual's address or residence) (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, by the Director-General of the Fukuoka Local Finance Branch Bureau; if that location is outside Japan, by the Director-General of the Kanto Finance Bureau), in addition to the Director-General of a Local Finance Bureau and the Director General of the Fukuoka Local Finance Branch Bureau prescribed in the preceding paragraph.

3 前項の規定により従たる事務所等に対して検査等を行った財務局長又は福岡財務支局長は、認定金融サービス仲介業協会の主たる事務所又は当該従たる事務所等以外の従たる事務所等に対して検査等の必要を認めるときは、当該主たる事務所又は当該従たる事務所等以外の従たる事務所等に対し、検査等を行うことができる。

(3) When the Director-General of a Local Finance Bureau or the Director-General of the Fukuoka Local Finance Branch Bureau who has conducted inspection, etc. of the secondary office, etc. pursuant to the provisions of the preceding paragraph finds the necessity to conduct inspection, etc. of the principal office or of a secondary office, etc. other than the aforementioned secondary office, etc. of the certified financial service intermediary business association, the Director-General may conduct inspection, etc. of the principal business office or of a secondary office, etc. other than the aforementioned secondary office, etc.

4 長官権限のうち次の各号に掲げるものは、当該各号に定める所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては福岡財務支局長、当該金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあつては関東財務局長）に委任する。

(4) Within the scope of the Commissioner's authority, the authority set forth in the following items is delegated to the Director-General of a Local Finance Bureau who has jurisdiction over the location prescribed in the respective items (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau; and if the financial service intermediary has no place of business or office in Japan, the authority is delegated to the Director-General of the Kanto Finance Bureau):

一 法第七十八条第五項の規定による届出の受理 当該届出に係る法第七十四条に規定する届出を行う金融サービス仲介業者又は外務員の所属する金融サービス仲介業者の主たる営業所等の所在地

(i) the receipt of a notification under the provisions of Article 78, paragraph (5) of the Act: the location of the principal place of business, etc. of a financial service intermediary making a notification under the provisions of Article 74 of the Act that is related to the relevant notification or a financial service intermediary to which a sales representative related to the relevant notification belongs; and

二 法第七十八条第七項の規定による命令 法第七十七条において読み替えて準用する金融商品取引法第六十四条の五第一項各号のいずれかに該当する外務員の所属する金融サービス仲介業者の主たる営業所等の所在地

(ii) the order under the provisions of Article 78, paragraph (7) of the Act: the location of the principal place of business, etc. of a financial service intermediary to which a sales representative who falls under any of the items of Article 64-5, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 77 of the Act

following the deemed replacement of terms belongs.

(委員会の金融サービス仲介業者等に関する権限の財務局長等への委任)

(Delegation of Authority of the Commission Over Certified Financial Service Intermediary Business Associations to the Director-General of Local Finance Bureaus)

第四十八条 長官権限のうち次に掲げるものは、金融サービス仲介業者の主たる営業所等又は認定金融サービス仲介業協会の主たる事務所の所在地を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあつては福岡財務支局長、当該金融サービス仲介業者が国内に営業所又は事務所を有しない場合にあつては関東財務局長）に委任する。ただし、委員会が自らその権限を行うことを妨げない。

Article 48 (1) Within the scope of the Commissioner's authority, the following authority is delegated to the Director-General of a Local Finance Bureau who has jurisdiction over the location of the principal place of business, etc. of a financial service intermediary or the principal office of a certified financial service intermediary business association (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, the authority is delegated to the Director-General of the Fukuoka Local Finance Branch Bureau; and if the financial service intermediary has no place of business or office in Japan, the authority is delegated to the Director-General of the Kanto Finance Bureau); provided, however, that this does not preclude the Commission from personally exercising that authority:

一 法第八十二条第二項の規定により委員会に委任された同項各号に掲げる権限

(i) the authority set forth in the items of Article 82, paragraph (2) of the Act that is delegated to the Commission pursuant to the provisions of that paragraph; and

二 第四十五条の規定により委員会に委任された法第三十五条第一項及び第二項並びに第三十六条第一項及び第二項の規定（金融サービス仲介業の健全かつ適切な運営の確保に係るものに限る。）並びに法第四十八条第一項及び第二項並びに第四十九条第一項及び第二項の規定（金融サービス仲介業の適正の確保に係るものに限る。）による権限

(ii) the authority under the provisions of Article 35, paragraphs (1) and (2) and Article 36, paragraphs (1) and (2) of the Act (limited to the authority related to ensuring the sound and appropriate management of financial service intermediary business) and the provisions of Article 48, paragraphs (1) and (2) and Article 49, paragraphs (1) and (2) of the Act (limited to the authority related to ensuring the appropriateness of financial service intermediary business), which is delegated to the Commission pursuant to the provisions of Article 45.

2 前項各号に掲げる委員会の権限で金融サービス仲介業者従属営業所等又は協会従属事務所等（以下この項及び次項において「従属営業所等」という。）に関するものに

については、前項に規定する財務局長又は福岡財務支局長のほか、当該従属営業所等の所在地（当該金融サービス仲介業者と金融サービス仲介業務に関して取引する者若しくは当該金融サービス仲介業者から業務の委託を受けた者又は当該認定金融サービス仲介業協会から業務の委託を受けた者が個人の場合にあっては、その住所又は居所）を管轄する財務局長（当該所在地が福岡財務支局の管轄区域内にある場合にあっては福岡財務支局長、当該所在地が国外にある場合にあっては関東財務局長）も行うことができる。

(2) The authority of the Commission prescribed in the items of the preceding paragraph that is related to a financial service intermediary's dependent place of business, etc. or an association's dependent office, etc. (hereinafter referred to as a "dependent place of business, etc." in this paragraph and the following paragraph) may also be exercised by the Director-General of a Local Finance Bureau who has jurisdiction over the location of the dependent place of business, etc. (if a person conducting transactions with the financial service intermediary concerning financial service intermediary business operations, a person that is entrusted with business operations by the financial service intermediary, or person that is entrusted with business operations by the certified financial service intermediary business association is an individual, that individual's address or residence) (if that location is within the jurisdictional district of the Fukuoka Local Finance Branch Bureau, by the Director-General of the Fukuoka Local Finance Branch Bureau; if that location is outside Japan, by the Director-General of the Kanto Finance Bureau), in addition to the Director-General of a Local Finance Bureau and the Director General of the Fukuoka Local Finance Branch Bureau prescribed in the preceding paragraph.

3 前項の規定により従属営業所等に対して検査等を行った財務局長又は福岡財務支局長は、当該金融サービス仲介業者の主たる営業所等若しくは当該認定金融サービス仲介業協会の主たる事務所又は当該従属営業所等以外の従属営業所等に対して検査等の必要を認めたときは、当該金融サービス仲介業者の主たる営業所等若しくは当該認定金融サービス仲介業協会の主たる事務所又は当該従属営業所等以外の従属営業所等に対し、検査等を行うことができる。

(3) When the Director-General of a Local Finance Bureau or the Director-General of the Fukuoka Local Finance Branch Bureau who has conducted inspection, etc. of the dependent place of business, etc. pursuant to the provisions of the preceding paragraph finds the necessity to conduct inspection, etc. of the principal place of business, etc. of the financial service intermediary or the principal office of the certified financial service intermediary business association, or a dependent place of business, etc. other than the aforementioned dependent place of business, etc., the Director-General may conduct inspection, etc. of the principal place of business, etc. of the financial service intermediary or principal office of the certified financial service

intermediary business association, or a dependent place of business, etc. other than the aforementioned dependent place of business, etc.

4 第一項の規定は、同項各号に掲げる委員会の権限のうち委員会の指定するものについては、適用しない。この場合における第二項の規定の適用については、同項中「前項に規定する財務局長又は福岡財務支局長」とあるのは、「委員会」とする。

(4) The provisions of paragraph (1) do not apply to the authority of the Commission set forth in the items of that paragraph that is designated by the Commission. In this case, in applying the provisions of paragraph (2), the phrase "Director-General of a Local Finance Bureau and the Director General of the Fukuoka Local Finance Branch Bureau prescribed in the preceding paragraph" in paragraph (2) is deemed to be replaced with "the Commission."

5 委員会は、前項の規定による指定をした場合には、その旨を公示するものとする。これを廃止し、又は変更したときも、同様とする。

(5) If the Commission has made a designation under the provisions of the preceding paragraph, the Commission is to give a public notice to that effect. The same applies if the Commission has abolished or changed the designation.

6 第二項の「金融サービス仲介業者従属営業所等」とは、金融サービス仲介業者の主たる営業所等以外の営業所若しくは事務所その他の施設、金融サービス仲介業者と金融サービス仲介業務に関して取引する者又は金融サービス仲介業者から業務の委託を受けた者をいう。

(6) The term "financial service intermediary's dependent place of business, etc." in paragraph (2) means a place of business or office or other facilities of a financial service intermediary other than their principal place of business, etc., a person conducting transactions with a financial service intermediary concerning financial service intermediary business operations, or a person that is entrusted with business operations by a financial service intermediary.

7 第二項の「協会従属事務所等」とは、認定金融サービス仲介業協会の主たる事務所以外の事務所その他の施設又は当該認定金融サービス仲介業協会から業務の委託を受けた者をいう。

(7) The term "association's dependent office, etc." in paragraph (2) means an office or other facilities of a certified financial service intermediary business association other than the principal office, or a person that is entrusted with business operations by the certified financial service intermediary business association.

第四章 犯則事件の調査等

Chapter IV Investigation into Criminal Cases

第四十九条 法第百二条に規定する政令で定めるものは、次に掲げる罪とする。

Article 49 What are specified by Cabinet Order that are provided for in Article 102 of the Act are the following crimes:

- 一 法第八十五条第四号から第六号までの罪
(i) a crime referred to in Article 85, items (iv) through (vi) of the Act;
- 二 法第八十七条第四号の罪
(ii) a crime referred to in Article 87, item (iv) of the Act;
- 三 法第八十八条第三号（法第三十一条第二項において準用する金融商品取引法第三十七条の三第一項又は法第三十一条第二項において準用する金融商品取引法第三十七条の三第二項において準用する同法第三十四条の二第四項に係る部分に限る。）
、第四号又は第五号の罪（法第十一条第四項各号に掲げる行為に係るものに限る。）
(iii) a crime referred to in Article 88, item (iii) of the Act (limited to the part concerning Article 37-3, paragraph (1) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act or concerning Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act that is applied mutatis mutandis pursuant to Article 37-3, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act), item (iv) or item (v) of that paragraph (limited to the crimes related to the acts set forth in the items of Article 11, paragraph (4) of the Act); and
- 四 法第九十一条第三号（法第三十一条第二項において準用する金融商品取引法第三十七条第二項に係る部分に限る。）又は第四号（法第三十一条第二項において準用する金融商品取引法第三十七条の四第一項又は法第三十一条第二項において準用する金融商品取引法第三十七条の四第二項において準用する同法第三十四条の二第四項に係る部分に限る。）の罪（法第十一条第四項各号に掲げる行為に係るものに限る。）
(iv) a crime referred to in Article 91, item (iii) of the Act (limited to the part concerning Article 37-3, paragraph (2) of the Financial Instruments and Exchange Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act) or item (iv) of that Article (limited to the part concerning Article 37-4, paragraph (1) of the Financial Instruments and Exchange Act that is applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act or concerning Article 34-2, paragraph (4) of the Financial Instruments and Exchange Act that is applied mutatis mutandis pursuant to Article 37-4, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 31, paragraph (2) of the Act) (limited to the crimes related to the acts set forth in the items of Article 11, paragraph (4) of the Act).