

資金移動業者に関する内閣府令

Cabinet Office Order on Funds Transfer Service Providers

(平成二十二年三月一日内閣府令第四号)
(Cabinet Office Order No. 4 of March 1, 2010)

資金決済に関する法律（平成二十一年法律第五十九号）及び資金決済に関する法律施行令（平成二十二年政令第十九号）の規定に基づき、並びに同法及び同令を実施するため、資金移動業者に関する内閣府令を次のように定める。

The Cabinet Office Order on Funds Transfer Service Providers based on the provisions of and for the purpose of enforcing the Payment Services Act (Act No. 59 of 2009) and the Order for Enforcement of the Payment Services Act (Cabinet Order No. 19 of 2010) is prescribed as follows.

第一章 総則（第一条—第十条）

Chapter I General Provisions (Article 1 - Article 10)

第二章 業務（第十一条—第三十二条の四）

Chapter II Business (Article 11 - Article 32-4)

第三章 監督（第三十三条—第三十六条）

Chapter III Supervision (Article 33 - Article 36)

第四章 雑則（第三十六条の二—第四十二条）

Chapter IV Miscellaneous Provisions (Article 36-2 - Article 42)

附 則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(定義)

(Definition)

第一条 この府令において「資金移動業」、「資金移動業者」、「外国資金移動業者」、「認定資金決済事業者協会」、「信託会社等」又は「銀行等」とは、それぞれ資金決済に関する法律（以下「法」という。）第二条に規定する資金移動業、資金移動業者、外国資金移動業者、認定資金決済事業者協会、信託会社等又は銀行等をいう。

Article 1 (1) The terms "funds transfer services", "funds transfer service provider", "foreign funds transfer service provider", "certified association for payment service providers", "trust company, etc." and "deposit-taking institutions" as used in this Cabinet Office Order mean, respectively, the "funds transfer services", "funds transfer service provider", "foreign funds

transfer service provider", "certified association for payment service providers", "trust company, etc.", and "deposit-taking institutions" that are provided for in Article 2 of the Payment Services Act (hereinafter referred to as the "Act").

2 この府令において「第一種資金移動業」、「第二種資金移動業」又は「第三種資金移動業」とは、それぞれ法第三十六条の二に規定する第一種資金移動業、第二種資金移動業又は第三種資金移動業をいう。

(2) The terms "type I funds transfer services", "type II funds transfer services" and "type III funds transfer services" as used in this Cabinet Office Order mean, respectively, the "type I funds transfer services", "type II funds transfer services", and "type III funds transfer services" that are provided for in Article 36-2 of the Act.

第一条の二 法第二条の二に規定する内閣府令で定める要件は、受取人（同条に規定する受取人をいう。以下この条において同じ。）が個人（事業として又は事業のために受取人となる場合におけるものを除く。）であり、かつ、次に掲げる要件のいずれかに該当することとする。

Article 1-2 The requirements specified by Cabinet Office Order that is provided for in Article 2-2 of the Act are that the beneficiary (meaning the beneficiary prescribed in that Article; hereinafter the same applies in this Article) is an individual (excluding an individual who becomes a beneficiary as a business or for the purpose of business), and that the relevant act satisfies any of the following requirements:

一 受取人が有する金銭債権に係る債務者又は当該債務者からの委託（二以上の段階にわたる委託を含む。）その他これに類する方法により支払を行う者（第三号において「債務者等」という。）から弁済として資金を受け入れた時（他の者に資金を受け入れさせる場合にあつては、当該他の者が弁済として資金を受け入れた時）までに当該債務者の債務が消滅しないものであること。

(i) that the debt of the debtor against which the beneficiary holds the monetary claim will not be extinguished until the time that the beneficiary receives funds as performance (or, if applicable, until the time that the other person that the beneficiary is having receive those funds receives them) from that debtor or from a person making a payment on entrustment by that debtor (including under multi-tier entrustment arrangements) or through another method similar to this (referred to as the "debtor or entrusted person" in item (iii));

二 受取人が有する金銭債権が、資金の貸付け、連帯債務者の一人としてする弁済その他これらに類する方法によってする当該金銭債権に係る債務者に対する信用の供与をしたことにより発生したものである場合に、当該金銭債権の回収のために資金を移動させるものであること。

(ii) that it is an act through which funds will be made to be transferred in order to collect on a monetary claim that the beneficiary holds, in a case in which

that monetary claim has arisen as a result of the beneficiary having granted credit to the debtor against which the beneficiary holds the monetary claim by lending the debtor funds, by performing an obligation as one of multiple joint and several obligors, or by other similar means;

三 次に掲げる要件のいずれにも該当すること。

(iii) that the act satisfies both of the following requirements:

イ 受取人がその有する金銭債権に係る債務者に対し反対給付をする義務を負っている場合に、当該反対給付に先立って又はこれと同時に当該金銭債権に係る債務者等から弁済として資金を受け入れ、又は他の者に受け入れさせ、当該反対給付が行われた後に当該受取人に当該資金を移動させるものでないこと。

(a) that, if it is a case in which the beneficiary has a duty to provide counter-performance to the debtor against which the beneficiary holds the monetary claim, the act is not one through which the person in question receives funds or has another person receive funds as performance from the debtor or entrusted person connected with the monetary claim before or at the same time as providing counter-performance, nor is it an act through which funds are transferred to the beneficiary after the beneficiary provides counter-performance; and

ロ 受取人が有する金銭債権の発生原因である契約の締結の方法に関する定めをすることその他の当該契約の成立に不可欠な関与を行い、当該金銭債権に係る債務者等から弁済として資金を受け入れ、又は他の者に受け入れさせ、当該受取人の同意の下に、当該契約の内容に応じて当該資金を移動させるものでないこと。

(b) that the act is not one through which the person in question prescribes the method of entering into the contract giving rise to the monetary claim that the beneficiary holds or becomes otherwise indispensably involved in the formation of the contract; receives funds or has another person receive funds as performance from the debtor or entrusted person connected with the monetary claim; and transfers funds to the beneficiary according to the terms and conditions of the contract and with the agreement of the beneficiary.

(訳文の添付)

(Attachment of a Translation)

第二条 法（第三章に限る。次条において同じ。） 、 資金決済に関する法律施行令（以下「令」といい、第三章に限る。次条において同じ。） 又はこの府令の規定により金融庁長官（令第三十条第一項の規定により財務局長又は福岡財務支局長（以下「財務局長等」という。） に金融庁長官の権限が委任されている場合にあつては、当該財務局長等。第十二条、第十九条第五号、第二十条、第二十一条の五、第四十条及び第四十一条を除き、以下同じ。） に提出する書類で、特別の事情により日本語をもって記載することができないものがあるときは、その訳文を付さなければならない。ただし、当該書類が定款であり、かつ、英語で記載されたものであるときは、その概要の訳文

を付すことをもって足りるものとする。

Article 2 If there is a document to be submitted to the Commissioner of the Financial Services Agency (or, if applicable, to the Directors-General of Local Finance Bureaus or the Director-General of the Fukuoka Local Finance Branch Bureau (hereinafter referred to as the "Director-General") to whom the authority of the Commissioner of the Financial Services Agency has been delegated pursuant to the provisions of Article 30, paragraph (1) of the Order for Enforcement of the Payment Services Act (hereinafter referred to as the "Order"); hereinafter the same applies except in Article 12, Article 19, item (v), Article 20, Article 21-5, Article 40, and Article 41) pursuant to the provisions of the Act (limited to Chapter III; the same applies in the following Article), the Order (limited to Chapter III; the same applies in the following Article), or this Cabinet Office Order which, due to special circumstances, cannot be prepared in Japanese, a Japanese translation must be attached to it; provided, however, that if the document in question is the articles of incorporation prepared in English, it is to be sufficient to attach a Japanese translation of a summary of it.

(外国通貨の換算)

(Foreign Currency Translation)

第三条 法、令又はこの府令の規定により金融庁長官に提出する書類中、外国通貨をもって金額を表示するものがあるときは、当該金額を本邦通貨に換算した金額及びその換算に用いた標準を付記しなければならない。

Article 3 If a document to be submitted to the Commissioner of the Financial Services Agency pursuant to the provisions of the Act, the Order, or this Cabinet Office Order contains items indicated in a foreign currency, the equivalent amounts translated into Japanese currency and the standard used for the translation must be included in the document's supplementary notes.

(登録の申請)

(Application for Registration)

第四条 法第三十七条の登録を受けようとする者は、別紙様式第一号（外国資金移動業者にあつては、別紙様式第二号）により作成した法第三十八条第一項の登録申請書に、同条第二項の書類を添付して、金融庁長官に提出しなければならない。

Article 4 A person seeking the registration referred to in Article 37 of the Act must submit to the Commissioner of the Financial Services Agency a written application for registration set forth in Article 38, paragraph (1) of the Act prepared based on Appended Form No. 1 (or, in the case of a foreign funds transfer service provider, Appended Form No. 2), attaching the documents set forth in paragraph (2) of that Article.

(登録申請書のその他の記載事項)

(Other Particulars to Be Stated in Written Application for Registration)

第五条 法第三十八条第一項第十一号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 5 The particulars specified by Cabinet Office Order that are provided for in Article 38, paragraph (1), item (xi) of the Act are:

一 資金移動業の利用者からの苦情又は相談に応ずる営業所の所在地及び連絡先

(i) the location and contact address of the business office that will respond to complaints or requests for consultation from the users of the funds transfer services;

二 主要株主（総株主の議決権（株主総会において決議をすることができる事項の全部につき議決権を行使することができない株式会社についての議決権を除き、会社法（平成十七年法律第八十六号）第八百七十九条第三項の規定により議決権を有するものとみなされる株式会社についての議決権を含む。）の百分の十以上の議決権を保有している株主をいう。第十条第二項第七号において同じ。）の氏名、商号又は名称

(ii) the name, trade name, or other appellation of the major shareholders (meaning a shareholder holding at least 10 percent of the total shareholder voting rights (excluding the voting rights associated with shares that do not allow the holder to exercise their voting right regarding all of the matters that are subject to a resolution at a general meeting of shareholders, but including the voting rights associated with shares whose holders are deemed to have voting rights pursuant to the provisions of Article 879, paragraph (3) of the Companies Act (Act No. 86 of 2005); the same applies in Article 10, paragraph (2), item (vii)); and

三 加入する認定資金決済事業者協会の名称

(iii) name of the certified association for payment service providers of which the person who submits the written application for registration is a member.

(登録申請書の添付書類)

(Documents to Be Attached to Written Applications for Registration)

第六条 法第三十八条第二項に規定する内閣府令で定める書類は、次に掲げる書類（官公署が証明する書類については、申請の日前三月以内に発行されたものに限る。）とする。

Article 6 The documents specified by Cabinet Office Order that are provided for in Article 38, paragraph (2) of the Act are the following documents (limited to one issued within three months prior to the date of application, if the document is certified by a public agency):

一 別紙様式第三号により作成した法第四十条第一項各号に該当しないことを誓約する書面

(i) a document prepared based on Appended Form No. 3 in which the applicant pledges that it does not fall under any of the items of Article 40, paragraph

(1) of the Act;

二 取締役等（法第四十条第一項第十号に規定する取締役等をいう。以下同じ。）の住民票の抄本（当該取締役等が外国人である場合には、出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第十九条の三に規定する在留カードの写し、日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（平成三年法律第七十一号）第七条第一項に規定する特別永住者証明書の写し又は住民票の抄本）又はこれに代わる書面

(ii) an extract of the resident record of the applicants directors, etc. (meaning directors, etc. prescribed in Article 40, paragraph (1), item (x) of the Act; hereinafter the same applies) (or, if a director, etc. is a foreign national, a copy of a residence card prescribed in Article 19-3 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), a copy of a special permanent resident certificate prescribed in Article 7, paragraph (1) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991), or extract of the resident record) or a document that substitutes for this;

三 取締役等の旧氏（住民基本台帳法施行令（昭和四十二年政令第二百九十二号）第三十条の十三に規定する旧氏をいう。以下同じ。）及び名を当該取締役等の氏名に併せて第四条の規定による登録申請書に記載した場合において、前号に掲げる書類が当該旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

(iii) a document certifying the former surname (meaning the former surname prescribed in Article 30-13 of the Order for Enforcement of the Act for Basic Register of Residents (Cabinet Order No. 292 of 1967; the same applies hereinafter) and given name of a director, etc., if these are stated together with the current surname and given name of that director, etc. in a written application for registration under Article 4 but the document set forth in the preceding item does not certify the former surname and given name;

四 取締役等が法第四十条第一項第十号ロに該当しない旨の官公署の証明書（当該取締役等が外国人である場合には、別紙様式第四号により作成した誓約書）又はこれに代わる書面

(iv) a certificate from a public agency indicating that the directors, etc. of the applicant do not fall under Article 40, paragraph (1), item (x), (b) of the Act (or, if a director, etc. is a foreign national, a written pledge prepared based on Appended Form 4) or a document that substitutes for this;

五 別紙様式第五号又は第六号により作成した取締役等の履歴書又は沿革

(v) a curriculum vitae or history of the directors, etc. prepared using Appended Form No. 5 or No. 6;

六 別紙様式第七号により作成した株主の名簿並びに定款及び登記事項証明書又はこれに代わる書面

(vi) a register of shareholders prepared based on Appended Form No. 7, the

articles of incorporation, and a certificate of registered information or a document that substitutes for this;

七 外国資金移動業者である場合にあっては、外国の法令の規定により当該外国において法第三十七条の登録と同種類の登録（当該登録に類する許可その他の行政処分を含む。）を受けて為替取引を業として営む者であることを証する書面

(vii) if the applicant is a foreign funds transfer service provider, a document certifying that it is a person that carries out exchange transactions in the course of trade in a foreign state pursuant to the provisions of laws and regulations of that foreign state (including permission or other administrative dispositions similar to the relevant registration), under a registration of the same kind as the registration under Article 37 of the Act;

八 最終の貸借対照表（関連する注記を含む。）及び損益計算書（関連する注記を含む。）又はこれらに代わる書面（登録の申請の日を含む事業年度に設立された法人にあっては、会社法第四百三十五条第一項の規定により作成するその成立の日における貸借対照表又はこれに代わる書面）

(viii) the latest balance sheet (including the related notes) and profit and loss statement (including the related notes) or a document that substitutes for these (if the applicant is a corporation that was incorporated in the business year that includes the date of the application for registration, this means the balance sheet as of the date of incorporation prepared pursuant to the provisions of Article 435, paragraph (1) of the Companies Act or a document that substitutes for this);

九 会計監査人設置会社である場合にあっては、登録の申請の日を含む事業年度の前事業年度の会社法第三百九十六条第一項の規定による会計監査報告の内容を記載した書面

(ix) if the applicant is a company with accounting auditors, a document containing the details of the accounting audit report under Article 396, paragraph (1) of the Companies Act for the business year immediately preceding the business year that includes the date of the application for registration;

十 事業開始後三事業年度における資金移動業の種別（法第三十八条第一項第七号に規定する資金移動業の種別をいう。以下同じ。）ごとの収支の見込みを記載した書面

(x) a document stating the expected income and expenditures for each of the categories of funds transfer services (meaning the categories of funds transfer services prescribed in Article 38, paragraph (1), item (vii) of the Act; the same applies hereinafter) for the three business years after the commencement of the business;

十一 資金移動業に関する組織図（内部管理に関する業務を行う組織を含む。）

(xi) an organizational chart concerning the funds transfer services (including organs that perform operations related to internal controls);

十二 資金移動業を管理する責任者の履歴書

(xii) a curriculum vitae of the person responsible for the management of the funds transfer services;

十三 資金移動業に関する社内規則等（社内規則その他これに準ずるものをいう。第三十二条において同じ。）

(xiii) internal rules concerning the funds transfer services (meaning internal rules and other documents equivalent thereto; the same applies in Article 32);

十四 資金移動業の利用者と為替取引を行う際に使用する契約書類

(xiv) contract documents used when carrying out exchange transactions with the users of the funds transfer services;

十五 資金移動業の一部を第三者に委託する場合にあっては、当該委託に係る契約の契約書

(xv) if part of the funds transfer services are entrusted to a third party, the contract document associated with the entrustment contract;

十六 次に掲げる場合の区分に応じ、それぞれ次に定める事項を記載した書面

(xvi) a document stating the particulars specified as follows for the categories of cases respectively prescribed therein:

イ 指定資金移動業務紛争解決機関（法第五十一条の四第一項第一号に規定する指定資金移動業務紛争解決機関をいう。以下この号及び第二十九条第一項第一号ホにおいて同じ。）が存在する場合 当該資金移動業者が法第五十一条の四第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定資金移動業務紛争解決機関の商号又は名称

(a) if there is a designated dispute resolution organization for funds transfer business (meaning the designated dispute resolution organization for funds transfer business prescribed in Article 51-4, paragraph (1), item (i) of the Act; hereinafter the same applies in this item and Article 29, paragraph (1), item (i), (e)): The trade name or other name of the designated dispute resolution organization for funds transfer business that would be the other party to the basic contract for the implementation of dispute resolution procedures prescribed in Article 51-4, paragraph (1), item (i) of the Act that the funds transfer service provider is taking measures to conclude;

ロ 指定資金移動業務紛争解決機関が存在しない場合 当該資金移動業者の法第五十一条の四第一項第二号に定める苦情処理措置及び紛争解決措置の内容

(b) if there are no designated dispute resolution organizations for funds transfer services: The details of the complaint processing measures and dispute resolution measures prescribed in Article 51-4, paragraph (1), item (ii) of the Act carried out by the funds transfer service provider; and

十七 その他参考となる事項を記載した書面

(xvii) other documents containing other relevant particulars.

(登録申請者への通知)

(Notifying Registration Applicants)

第七条 金融庁長官は、法第三十九条第二項に規定する登録の通知をするときは、別紙様式第八号により作成した登録済通知書により行うものとする。

Article 7 If the Commissioner of the Financial Services Agency gives the notice of registration provided for in Article 39, paragraph (2) of the Act, the Commissioner is to use a written notice of registration that has been prepared based on Appended Form No. 8 to give it.

(資金移動業者登録簿の縦覧)

(Public Inspection of the Funds Transfer Service Provider Register)

第八条 金融庁長官は、その登録をした資金移動業者に係る資金移動業者登録簿を当該資金移動業者の本店（外国資金移動業者にあつては、国内における主たる営業所。以下同じ。）の所在地を管轄する財務局又は福岡財務支局に備え置き、公衆の縦覧に供するものとする。

Article 8 The Commissioner of the Financial Services Agency is to keep a register of funds transfer service providers that concerns the funds transfer service providers which the Commissioner has registered, at the local finance bureau or the Fukuoka Local Finance Branch Bureau having jurisdiction over the location of the head office of the relevant funds transfer service provider (or, for a foreign funds transfer service provider, its principal business office in Japan; hereinafter the same applies) and make it available for public inspection.

(登録の拒否)

(Denial of Registration)

第九条 法第四十条第一項第十号イに規定する内閣府令で定める者は、精神の機能の障害のため資金移動業に係る職務を適正に執行するに当たって必要な認知、判断及び意思疎通を適切に行うことができない者とする。

Article 9 (1) The person specified by Cabinet Office Order that is provided for in Article 40, paragraph (1), item (x), (a) of the Act is a person who is unable to adequately make use of the cognitive functioning, decision making, and communication skills needed to properly perform the duties involved in funds transfer services, due to a mental impairment.

2 金融庁長官は、法第四十条第二項の規定による通知をするときは、別紙様式第九号により作成した登録拒否通知書により行うものとする。

(2) If the Commissioner of the Financial Services Agency gives the notice under Article 40, paragraph (2) of the Act, the Commissioner is to use a written notice of registration denial that has been prepared based on Appended Form No. 9 to give it.

(業務実施計画の認可の申請)

(Application for Authorization of Business Implementation Plan)

第九条の二 資金移動業者は、法第四十条の二第一項の認可を受けようとするときは、別紙様式第九号の二により作成した認可申請書に、別紙様式第九号の三により作成した同項の業務実施計画及び当該業務実施計画に関し参考となる事項を記載した書類を添付して、金融庁長官に提出しなければならない。

Article 9-2 A funds transfer service provider seeking to obtain the authorization referred to in Article 40-2, paragraph (1) of the Act must submit to the Commissioner of the Financial Services Agency a written application for authorization prepared based on Appended Form No. 9-2, attaching the business implementation plan referred to in that paragraph that has been prepared based on Appended Form No. 9-3 and documents stating the particulars that are relevant to the business implementation plan.

(業務実施計画のその他の記載事項)

(Other Particulars to Be Stated in Business Implementation Plans)

第九条の三 法第四十条の二第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 9-3 The particulars specified by Cabinet Office Order that are provided for in Article 40-2, paragraph (1), item (iii) of the Act are:

一 為替取引に係る業務の提供方法

(i) the method of carrying out business involved in the exchange transactions;

二 為替取引による資金の移動が生じる国及び地域

(ii) the countries and regions where the transfer of funds through exchange transactions takes place;

三 犯罪による収益の移転防止（犯罪による収益の移転防止に関する法律（平成十九年法律第二十二号）第一条に規定する犯罪による収益の移転防止をいう。）及びテロリズムに対する資金供与の防止等を確保するために必要な体制に関する事項

(iii) particulars of the systems that are necessary for ensuring things such as the prevention of the transfer of criminal proceeds (meaning the prevention of the transfer of criminal proceeds prescribed in Article 1 of the Act on Prevention of Transfer of Criminal Proceeds (Act No. 22 of 2007)) and the prevention of financing of terrorism;

四 法第五十一条の二の規定を遵守するために必要な体制に関する事項

(iv) particulars of the systems that are necessary for ensuring compliance with the provisions of Article 51-2 of the Act;

五 為替取引に関する事故その他の資金移動業の適正かつ確実な遂行に支障を来す事態が発生した場合の対応に関する方針

(v) a policy for response to the occurrence of an accident involving exchange transactions or any other event that could hinder the proper and steady operation of funds transfer services; and

六 その他第一種資金移動業の適正かつ確実な遂行を確保するための重要な事項
(vi) other important particulars meant to ensure the proper and steady
operation of type I funds transfer services.

(業務実施計画の変更の認可の申請等)

(Application for Authorization of Changes to Business Implementation Plans)

第九条の四 資金移動業者は、業務実施計画の変更の認可を受けようとするときは、別紙様式第九号の四により作成した変更認可申請書に、変更しようとする事項に関し参考となる事項を記載した書類を添付して、金融庁長官に提出しなければならない。

Article 9-4 (1) A funds transfer service provider seeking to obtain authorization for changes to a business implementation plan must submit to the Commissioner of the Financial Services Agency a written application for authorization of changes prepared based on Appended Form No. 9-4, attaching documents stating the particulars that are relevant to the particulars it seeks to change.

2 法第四十条の二第一項後段に規定する内閣府令で定める軽微な変更は、次に掲げる変更とする。

(2) The minor changes specified by Cabinet Office Order that are provided for in the second sentence of Article 40-2, paragraph (1) of the Act are:

一 法第四十条の二第一項第一号に規定する上限額を引き下げる変更

(i) a change that lowers the upper limit provided for in Article 40-2, paragraph (1), item (i) of the Act; and

二 前条第二号に規定する国及び地域を減ずる変更

(ii) a change that reduces the countries and regions provided for in item (ii) of the preceding Article.

3 資金移動業者は、法第四十条の二第二項の規定による届出をしようとするときは、別紙様式第九号の五により作成した変更届出書を金融庁長官に提出しなければならない。

(3) A funds transfer service provider seeking to make a notification under Article 40-2, paragraph (2) of the Act must submit to the Commissioner of the Financial Services Agency a written change notification prepared based on Appended Form No. 9-5.

(変更登録の申請)

(Application for Registration of Changes)

第九条の五 資金移動業者は、法第四十一条第一項の変更登録を受けようとするときは、別紙様式第九号の六により作成した変更登録申請書に、同条第二項において読み替えて準用する法第三十八条第二項の書類を添付して、金融庁長官に提出しなければならない。

Article 9-5 A funds transfer service provider seeking to have a change registered as referred to in Article 41, paragraph (1) of the Act must submit to the

Commissioner of the Financial Services Agency a written application for registration of changes prepared based on Appended Form No. 9-6, attaching the documents referred to in Article 38, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 41, paragraph (2) of the Act following a deemed replacement of terms.

(変更登録申請書の添付書類)

(Documents to Be Attached to Written Applications for Registration of Changes)

第九条の六 法第四十一条第二項において読み替えて準用する法第三十八条第二項に規定する内閣府令で定める書類は、次に掲げる書類とする。

Article 9-6 The documents specified by Cabinet Office Order that are provided for in Article 38, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 41, paragraph (2) of the Act following a deemed replacement of terms, are:

一 別紙様式第九号の七により作成した法第四十条第一項第三号から第五号までに該当しないことを誓約する書面

(i) a document prepared based on Appended Form No. 9-7 in which the applicant pledges that it does not fall under Article 40, paragraph (1), items (iii) through (v) of the Act;

二 最終の貸借対照表（関連する注記を含む。）及び損益計算書（関連する注記を含む。）又はこれらに代わる書面（変更登録の申請の日を含む事業年度に設立された法人にあっては、会社法第四百三十五条第一項の規定により作成するその成立の日における貸借対照表又はこれに代わる書面）

(ii) the latest balance sheet (including the related notes) and profit and loss statement (including the related notes) or documents that substitute for these (or, if the applicant is a corporation established in a business year that includes the date of the application for registration, the balance sheet as of the date of establishment prepared pursuant to the provisions of Article 435, paragraph (1) of the Companies Act or a document that substitutes for this);

三 会計監査人設置会社である場合にあっては、変更登録の申請の日を含む事業年度の前事業年度の会社法第三百九十六条第一項の規定による会計監査報告の内容を記載した書面

(iii) if the applicant is a company with accounting auditors, a document containing the details of the accounting audit report under Article 396, paragraph (1) of the Companies Act for the business year immediately preceding the business year that includes the date of the application for registration;

四 新たに営もうとする種別の資金移動業に係る事業の開始後三事業年度における当該種別の資金移動業に係る収支の見込みを記載した書面

(iv) a document stating the expected income and expenditure for the new

category of funds transfer services that the applicant seeks to provide, for the three business years after the commencement of the business in that relevant category of funds transfer services;

五 新たに営もうとする種別の資金移動業に係る第六条第十一号から第十五号までに掲げる書類

(v) the documents set forth in Article 6, items (xi) through (xv) in relation to the new category of funds transfer services that the applicant seeks to provide; and

六 その他参考となる事項を記載した書面

(vi) other documents containing other relevant particulars.

(変更登録申請者への通知)

(Notifying the Change Registration Applicant)

第九条の七 金融庁長官は、法第四十一条第二項において準用する法第三十九条第二項の規定による通知をするときは、別紙様式第九号の八により作成した変更登録済通知書により行うものとする。

Article 9-7 If the Commissioner of the Financial Services Agency gives the notice under Article 39, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 41, paragraph (2) of the Act, the Commissioner is to use a written notice of the registration of changes that has been prepared based on Appended Form No. 9-8 to give it.

(変更登録の拒否の通知)

(Notice of Denial of Registration of Changes)

第九条の八 金融庁長官は、法第四十一条第二項において準用する法第四十条第二項の規定による通知をするときは、別紙様式第九号の九により作成した変更登録拒否通知書により行うものとする。

Article 9-8 If the Commissioner of the Financial Services Agency gives the notice under Article 40, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 41, paragraph (2) of the Act, the Commissioner is to use a written notice of denial of a registration of changes that has been prepared based on Appended Form No. 9-9 to give it.

(あらかじめ届け出ることを要する変更)

(Changes Requiring Advance Notification)

第九条の九 法第四十一条第三項に規定する内閣府令で定める変更は、次に掲げる変更（法第三十八条第一項第七号に掲げる事項の変更に伴うものを除く。）とする。

Article 9-9 The changes specified by Cabinet Office Order that are provided for in Article 41, paragraph (3) of the Act are the following changes (excluding those accompanying the change set forth in Article 38, paragraph (1), item (vii) of the Act):

一 各営業日における未達債務の額（法第四十三条第二項に規定する未達債務の額をいう。以下同じ。）の算出時点（第十一条第三項及び第四項第二号並びに第三十三条第一項第六号において「未達債務算出時点」という。）及びその算出方法の変更

(i) a change to the timing at which the amount of outstanding obligations in the process of being transferred (meaning the amount of outstanding obligations in the process of being transferred prescribed in Article 43, paragraph (2) of the Act) is calculated each business day (referred to as the "timing for calculating the amount of outstanding obligations in the process of being transferred" in Article 11, paragraph (3) and paragraph (4), item (ii), and Article 33, paragraph (1), item (vi)) or in the method for calculating that amount;

二 第二種資金移動業又は第三種資金移動業に係る算定期間（法第五十八条の二第五項第一号に規定する算定期間をいう。第二十九条の二第三号及び第三十六条の二第二項第三号において同じ。）の変更（当該算定期間を短縮する変更を除く。）

(ii) a change to the calculation period (meaning the calculation period prescribed in Article 58-2, paragraph (5), item (i) of the Act; the same applies in Article 29-2, item (iii) and Article 36-2, paragraph (2), item (iii)) for the type II funds transfer services or type III funds transfer services (excluding a change to shorten the calculation period);

三 供託期限（法第五十八条の二第五項第三号に規定する供託期限をいう。以下同じ。）の変更（供託期限を短縮する変更を除く。）

(iii) a change in the due date for deposit (meaning the due date for deposit prescribed in Article 58-2, paragraph (5), item (iii) of the Act; the same applies hereinafter) (excluding a change that moves up the due date for deposit); and

四 履行完了額算出時点（第十一条第四項第二号に規定する履行完了額算出時点をいう。）の変更

(iv) a change of the timing for calculating the amount of fully performed obligations (meaning the timing for calculating the amount of fully performed obligations prescribed in Article 11, paragraph (4), item (ii)).

(変更の届出)

(Notification of Changes)

第十条 資金移動業者は、法第四十一条第三項の規定による届出をしようとするときは、別紙様式第十号により作成した変更届出書に、前条各号に掲げる変更に係る第六条第十三号及び第十四号に掲げる書類を添付して、金融庁長官に提出しなければならない。

Article 10 (1) A funds transfer service provider seeking to make a notification under Article 41, paragraph (3) of the Act must submit to the Commissioner of the Financial Services Agency a written notice of changes prepared based on Appended Form No. 10, attaching the documents set forth in Article 6, items (xiii) and (xiv) relating to the changes sets forth in the items of the preceding

Article.

- 2 資金移動業者は、法第四十一条第四項の規定による届出をしようとするときは、別紙様式第十号により作成した変更届出書に、次の各号に掲げる場合の区分に応じ当該各号に定める書類（官公署が証明する書類については、届出の日前三月以内に発行されたものに限る。）を添付して、金融庁長官に提出しなければならない。

(2) If a funds transfer service provider seeks to file a notification under Article 41, paragraph (4) of the Act, it must submit to the Commissioner of the Financial Services Agency a written notification of changes prepared based on Appended Form 10, attaching documents specified in the following items for the categories of cases respectively prescribed therein (limited to one issued within three months prior to the date of notification, if the document is certified by a public agency):

- 一 商号を変更した場合 当該変更に係る事項を記載した登記事項証明書又はこれに代わる書面及び別紙様式第三号により作成した法第四十条第一項各号に該当しないことを誓約する書面

(i) if it has changed its trade name: A certificate of registered information that contains the particulars of the change or a document that substitutes for this, and a document prepared based on Appended Form No. 3 in which the funds transfer service provider pledges that it does not fall under any of the items of Article 40, paragraph (1) of the Act;

- 二 資本金の額を変更した場合 当該変更に係る事項を記載した登記事項証明書又はこれに代わる書面

(ii) if it has changed its amount of capital: A certificate of registered information that contains the particulars of the change or a document that substitutes for this;

- 三 営業所の設置、位置の変更又は廃止をした場合（第九号に掲げる場合を除く。）当該変更に係る事項を記載した登記事項証明書

(iii) if it has established, changed the location of, or closed a business office (excluding cases as listed in item (ix)): A certificate of registered information that contains the particulars of the change;

- 四 取締役等に変更があった場合 次に掲げる書類

(iv) if its directors, etc. have changed: The following documents:

- イ 新たに取締役等になった者に係る第六条第二号、第四号及び第五号に掲げる書類並びに当該変更に係る同条第六号に掲げる書類

(a) documents listed in Article 6, item (ii), (iv), and (v) concerning the new person who has become a director, etc. and documents listed in item (vi) of that Article concerning the change;

- ロ 新たに取締役等になった者の旧氏及び名を当該新たに取締役等になった者の氏名に併せて当該変更届出書に記載した場合において、イに掲げる書類（第六条第二号に掲げる書類に限る。）が当該旧氏及び名を証するものでないときは、当該旧氏及び名を証する書面

- (b) a document certifying the former surname and given name of the new person who has become a director, etc., if these are stated together with the person's current surname and given name in a written notice of changes but a document as set forth in (a) above (limited to one that is also set forth in Article 6, item (ii)) does not certify the former surname and given name; and
- ハ 別紙様式第三号により作成した法第四十条第一項各号に該当しないことを誓約する書面
- (c) a document prepared based on Appended Form No. 3 in which the funds transfer service provider pledges that it does not fall under any of the items of Article 40, paragraph (1) of the Act;
- 五 資金移動業の内容又は方法に変更があった場合 当該変更があった事項に係る第六条第十一号から第十四号までに掲げる書類
- (v) if the content or means of the funds transfer services have changed: The documents listed in Article 6, item (xi) through (xiv) concerning the particulars that have changed;
- 六 委託に係る業務の内容又は委託先に変更があった場合 当該変更があった事項に係る第六条第十五号に掲げる書類
- (vi) if the content of business with which it has entrusted another person or the person with which it has entrusted that business has changed: The documents listed in Article 6, item (xv) concerning the particulars that have changed;
- 七 主要株主に変更があった場合 別紙様式第七号により作成した株主の名簿
- (vii) if there has been a change in the major shareholders: A register of shareholders prepared based on Appended Form 7;
- 八 他に行っている事業に変更があった場合 当該変更に係る事項を記載した登記事項証明書又はこれに代わる書面
- (viii) if there has been a change in other business it conducts: A certificate of registered information that contains the particulars of the change, or a document that substitutes for this;
- 九 法第三十七条の登録を財務局長等から受けている資金移動業者が本店の所在地を他の財務局長等の管轄する区域に変更した場合 第三号に定める書類及び当該変更前に交付を受けた第七条の登録済通知書
- (ix) if a funds transfer service provider that has obtained the registration under Article 37 of the Act from the Director-General of a Local Finance Bureau, etc. has changed the location of its head office to an area over which the Director-General of another Local Finance Bureau, etc. has jurisdiction: The document prescribed in item (iii) and a written notice of registration under Article 7 that was delivered prior to the relevant change; and
- 十 認定資金決済事業者協会に加入し、又は脱退した場合 認定資金決済事業者協会に加入し、又は脱退した事実が確認できる書面

- (x) if the funds transfer service provider has become a member of a certified association for payment service providers or has withdrawn from one: a document that makes it possible to confirm the fact that the funds transfer service provider has become a member of a certified association for payment service providers or has withdrawn from one.
- 3 財務局長等は、前項第九号に掲げる場合における同項の規定による届出があったときは、同号の他の財務局長等に当該届出があった旨を通知しなければならない。
- (3) If a notification under the provisions of the preceding paragraph has been filed in a case set forth in item (ix) of that paragraph, the Director-General in question must notify the other Directors-General referred to in that item to the effect that the notification has been filed.
- 4 前項の通知を受けた財務局長等は、通知を受けた事項を資金移動業者登録簿に登録するとともに、当該届出をした者に対し第七条の登録済通知書により通知するものとする。
- (4) A Director-General who is notified as referred to in the preceding paragraph is to register the particulars of which the Director-General has been notified in the register of funds transfer service providers and notify the person that made the notification using a written notice of registration provided for in Article 7.

第二章 業務

Chapter II Business

(履行保証金の供託)

(Making Security Deposits for Providing Funds Transfer Services to the Official Depository)

第十一条 法第四十三条第一項第一号に規定する内閣府令で定める期間は、二営業日（日曜日、土曜日、国民の祝日に関する法律（昭和二十三年法律第百七十八号）に規定する休日、一月二日、同月三日及び十二月二十九日から同月三十一日までの日数は算入しないものとし、一週間を超える場合にあっては、一週間）とする。

Article 11 (1) The period specified by Cabinet Office Order that is provided for in Article 43, paragraph (1), item (i) of the Act is two business days (Sundays, Saturdays, holidays prescribed in the Act on National Holidays (No. 178 of 1948), January 2, January 3, and December 29 to 31 are not to be counted as part of that period, but if this would cause the period in question to exceed one week, that period is to be one week).

2 法第四十三条第一項第二号に規定する内閣府令で定める期間は、三営業日（日曜日、土曜日、国民の祝日に関する法律に規定する休日、一月二日、同月三日及び十二月二十九日から同月三十一日までの日数は算入しないものとし、一週間を超える場合にあっては、一週間）とする。

(2) The period specified by Cabinet Office Order that is provided for in Article 43, paragraph (1), item (ii) of the Act is three business days (Sundays, Saturdays,

holidays prescribed in the Act on National Holidays, January 2, January 3, and December 29 to 31 are not to be counted as part of that period, but if this would cause the period in question to exceed one week, that period is to be one week).

3 未達債務の額は、次の各号に掲げる場合の区分に応じ、当該各号に定める額（既に法第五十九条第一項の権利の実行の手續が終了した資金移動業がある場合にあつては当該資金移動業に係る為替取引に関し負担する債務の額を、為替取引に関し負担する債務の履行を完了した場合として令第十七条第二項に定める場合に該当することとなつた資金移動業がある場合にあつては当該資金移動業に係る為替取引に関し負担する債務の額を、当該各号に定める額から控除した額）とする。

(3) The amount of outstanding obligations in the process of being transferred is the amount specified in each of the following items for the categories of cases prescribed in those items (or the amount arrived at when the amount of obligations owed in relation to exchange transactions involved in any funds transfer services in connection with which the enforcement of the right referred to in Article 59, paragraph (1) of the Act has already been completed, or the amount of obligations owed in relation to the exchange transactions involved in any funds transfer services that have come to fall under the case specified in Article 17, paragraph (2) of the Order as one in which the performance of obligations owed in relation to exchange transactions has been completed, is deducted from the amount specified in the relevant item):

一 国内にある利用者に対して負担する債務の額と国外にある利用者に対して負担する債務の額とを区分することができない場合 各営業日における未達債務算出時点において、資金移動業者が全ての利用者に対して負担する為替取引に関する債務の額

(i) if the amount of obligations owed to users in Japan cannot be distinguished from the amount of obligations owed to overseas users: The amount of obligations that the funds transfer service provider owes to all users in connection with exchange transactions at the timing for calculating the amount of outstanding obligations in the process of being transferred as of each business day; or

二 前号に掲げる場合以外の場合 各営業日における未達債務算出時点において、資金移動業者が国内にある利用者に対して負担する為替取引に関する債務の額

(ii) in cases other than those prescribed in the preceding item: The amount of obligations that the funds transfer service provider owes to users in Japan in connection with exchange transactions at the timing for calculating the amount of outstanding obligations in the process of being transferred as of each business day.

4 前項の規定にかかわらず、資金移動業者は、次の各号に掲げる場合には、前項各号に定める額から次の各号に定める額を控除した額を未達債務の額とすることができる。

(4) Notwithstanding the provisions of the preceding paragraph, in the cases set

forth in the following items, a funds transfer service provider may treat the amount arrived at when the amount specified in each of the following items is deducted from the amount specified in each of the items of the preceding paragraph as the amount of outstanding obligations in the process of being transferred:

- 一 資金移動業者がその行う為替取引に関し負担する債務に係る債権者である利用者に対して当該為替取引に関する債権を有する場合 当該利用者ごとに算定した当該債権の額（当該債権の額が当該利用者に対し負担する当該債務の額を上回る場合にあっては、当該債務の額）の合計額
 - (i) if the funds transfer service provider holds claims against users who are creditors of obligations owed by the funds transfer service provider in relation to exchange transactions that it carries out: the total of the amounts of the claims calculated for each of these users (or the obligations owed to a user if the amount of the claims exceeds the amount of the obligations); or
 - 二 資金移動業者が第一種資金移動業を営む場合であつて、前項の規定により算出した額（第一種資金移動業に係るものに限る。）が履行完了額算出時点（未達債務算出時点から供託期限までの間で当該資金移動業者が定める時点をいう。第三十三条第一項第六号において同じ。）を未達債務算出時点とみなして前項の規定の例により算出した額を上回るとき 当該上回る額
 - (ii) if the funds transfer service provider provides type I funds transfer services, and the amount calculated pursuant to the provisions of the preceding paragraph (limited to the amount associated with type I funds transfer services) exceeds the amount calculated as governed by the same rules as the preceding paragraph when the timing for calculating the amount of fully performed obligations (meaning the point in time specified by the funds transfer service provider during the period between the timing for calculating the amount of outstanding obligations in the process of being transferred and the due date for deposit; the same applies in Article 33, paragraph (1), item (vi)) is deemed to be the timing for calculating the amount of outstanding obligations in the process of being transferred: the amount in excess.
- 5 為替取引が外国通貨で表示された金額で行われる場合における未達債務の額の算出は、各営業日における外国為替の売買相場により、外国通貨で表示された金額を本邦通貨で表示された金額へ換算して行うものとする。
- (5) If an exchange transaction is carried out in an amount indicated in foreign currency, the amount of outstanding obligations in the process of being transferred is to be calculated by translating the amount indicated in foreign currency to an amount indicated in Japanese currency using the foreign exchange rate as of each business day.
- 6 法第四十三条第二項に規定する権利の実行の手続に関する費用の額は、次の各号に掲げる区分に応じ当該各号に定める方法により算出した額とする。

(6) The amount of costs associated with the procedures for the enforcement of the right which are provided for in Article 43, paragraph (2) of the Act is to be the amount calculated in accordance with the methods prescribed in the following items for the categories respectively prescribed in those items:

一 未達債務の額（法第四十五条の二第一項の規定の適用を受けている資金移動業者が営む第三種資金移動業にあつては、未達債務の額から当該未達債務の額に預貯金等管理割合（同項に規定する預貯金等管理割合をいう。第二十一条の四第五項第四号及び第五号並びに第二十九条の二第四号において同じ。）を乗じて得た額を控除した額。次号において同じ。）が一億円以下であるとき 当該未達債務の額に百分の五を乗じて得た額

(i) if the amount of outstanding obligations in the process of being transferred (or, for type III funds transfer services provided by a funds transfer service provider to which the provisions of Article 45-2, paragraph (1) of the Act apply, the amount arrived at when the amount of outstanding obligations in the process of being transferred multiplied by the rate of management by bank deposits or savings (meaning the rate of management by bank deposits or savings prescribed in paragraph (1) of that Article; the same applies in Article 21-4, paragraph (5), items (iv) and (v), and Article 29-2, item (iv)) is deducted from the amount of outstanding obligations in the process of being transferred; the same applies in the following item) is not more than 100 million yen: The amount arrived at when that amount of outstanding

obligations in the process of being transferred is multiplied by 5 percent; and
二 未達債務の額が一億円を超えるとき 当該未達債務の額から一億円を控除した残額に百分の一を乗じて得た額に五百万円を加えた額

(ii) if the amount of outstanding obligations in the process of being transferred is more than 100 million yen: The amount arrived at when 5 million yen is added to the product arrived at when the difference remaining after 1 hundred million yen is deducted from the amount of outstanding obligations in the process of being transferred is multiplied by 1 percent.

7 為替取引に係る業務の承継が行われた場合には、当該業務を承継した者が法第四十三条第一項の規定により要供託額（法第四十七条第一号に規定する要供託額をいう。第二十一条の四第五項第四号及び第七項第三号並びに第三十六条の二第五項を除き、以下同じ。）以上の額の履行保証金の供託（法第四十四条の規定による履行保証金保全契約（同条に規定する履行保証金保全契約をいう。以下同じ。）を締結した旨の届出及び法第四十五条第一項の規定による履行保証金信託契約（同項に規定する履行保証金信託契約をいう。以下同じ。）を締結した旨の届出をして行う信託財産の信託を含む。）を行うまでの間は、当該業務を承継させた者が供託した履行保証金又は締結した履行保証金保全契約若しくは履行保証金信託契約は、当該業務を承継した者のために供託され、又は締結されたものとみなす。

(7) If business involved in exchange transactions has been succeeded to, until the person succeeding to the relevant business makes security deposits for

providing funds transfer services with the official depository in an amount not less than the amount required to be deposited (meaning the amount required to be deposited prescribed in Article 47, item (i) of the Act; hereinafter the same applies except in Article 21-4, paragraph (5), item (iv) and paragraph (7), item (iii), and Article 36-2, paragraph (5)) pursuant to the provisions of Article 43, paragraph (1) of the Act (or until that person makes a notification to the effect that the person has concluded a guarantee contract for security deposits for providing funds transfer services (meaning the guarantee contract for security deposits for providing funds transfer services prescribed in Article 44 of the Act; hereinafter the same applies) under Article 44 of the Act, or places trust property in the trust with a notification being made to the effect that the person has concluded a trust agreement for security deposits for providing funds transfer services (meaning the trust agreement for security deposits for providing funds transfer services prescribed in Article 45, paragraph (1) of the Act; hereinafter the same applies) under Article 45, paragraph (1) of the Act), the security deposits for providing funds transfer services, guarantee contract for security deposits for providing funds transfer services, or trust agreement for security deposits for providing funds transfer services that has been made or concluded by the person from which the business has been succeeded is deemed to be made or concluded on behalf of the person that has succeeded to the business.

(履行保証金に充てることのできる債券の種類)

(Types of Bond Certificates That Can Be Used for Security Deposits for Providing Funds Transfer Services)

第十二条 法第四十三条第三項に規定する内閣府令で定める債券は、次に掲げる債券とする。

Article 12 The bond certificates specified by Cabinet Office Order that are provided for in Article 43, paragraph (3) of the Act are the following bond certificates:

一 国債証券（その権利の帰属が社債、株式等の振替に関する法律（平成十三年法律第七十五号）の規定による振替口座簿の記載又は記録により定まるものとされるものを含む。第十九条第五号において同じ。）

(i) national government bond certificates (including those for which ownership of associated rights is determined based on entries or records in the book-entry account register under the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001); the same applies in Article 19, item (v));

二 地方債証券

(ii) local government bond certificates;

三 政府保証債券（金融商品取引法（昭和二十三年法律第二十五号）第二条第一項第

三号に掲げる有価証券のうち政府が元本の償還及び利息の支払について保証しているものをいう。第二十条第二項第三号において同じ。)

(iii) government guaranteed bond certificates (meaning those securities listed in Article 2, paragraph (1), item (iii) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) for which the government guarantees payment of the principal and interest; the same applies in Article 20, paragraph (2), item (iii)), and

四 金融庁長官の指定する社債券その他の債券

(iv) corporate bond certificates or any other bond certificates specified by the Commissioner of the Financial Services Agency.

(履行保証金に充てることのできる債券の評価額)

(Estimated Value of Bond Certificates That Can Be Used for Security Deposits for Providing Funds Transfer Services)

第十三条 法第四十三条第三項の規定により債券を履行保証金に充てる場合における当該債券の評価額は、次の各号に掲げる債券の区分に応じ、当該各号に定める額とする。

Article 13 (1) The estimated value of bond certificates that are deposited to cover the security deposits for providing funds transfer services pursuant to the provisions of Article 43, paragraph (3) of the Act is the amount specified in the following items for the categories of bond certificates respectively prescribed in those items:

一 前条第一号に掲げる債券 額面金額 (その権利の帰属が社債、株式等の振替に関する法律の規定による振替口座簿の記載又は記録により定まるものにあつては、振替口座簿に記載又は記録された金額。以下この条において同じ。)

(i) bond certificates specified in item (i) of the preceding Article: The face value (for those for which ownership of associated rights of is determined based on entries or records in the book-entry account register under the Act on Book-Entry Transfer of Corporate Bonds and Shares, the amount stated or recorded in the book-entry account register; hereinafter the same applies in this Article);

二 前条第二号に掲げる債券 額面金額百円につき九十円として計算した額

(ii) bond certificates specified in item (ii) of the preceding Article: The amount arrived at when every 100 yen of face value is calculated as being 90 yen;

三 前条第三号に掲げる債券 額面金額百円につき九十五円として計算した額

(iii) bond certificates specified in item (iii) of the preceding Article: The amount arrived at when every 100 yen of the face value is calculated as being 95 yen; and

四 前条第四号に掲げる債券 額面金額百円につき八十円として計算した額

(iv) bond certificates specified in item (iv) of the preceding Article: The amount arrived at when every 100 yen of the face value is calculated as being 80 yen.

2 割引の方法により発行した債券については、その発行価額に次の算式により算出し

た額を加えた額を額面金額とみなして、前項の規定を適用する。

(2) The amount arrived at when the amount calculated by the following formula is added to the issue price is deemed to be the face value of bond certificates that have been issued on a discount basis, and the provisions of the preceding paragraph apply:

((額面金額—発行価額) ÷ 発行の日から償還の日までの年数) × 発行の日から供託の日までの年数

((face value - issue price) / number of years from the issue date to the redemption date) x (number of years from the issue date to the deposit date)

3 前項の算式による計算において、発行の日から償還の日までの年数及び発行の日から供託の日までの年数について生じた一年未満の端数並びに額面金額と発行価額との差額を発行の日から償還の日までの年数で除した金額について生じた一円未満の端数は、切り捨てる。

(3) In the calculation by the formula set forth in the preceding paragraph, the number of years from the issue date to the redemption date and the number of years from the issue date to the deposit date are rounded down to the nearest full year, and the amount arrived at when the difference between the face value and the issue price is divided by the number of years from the issue date to the redemption date is rounded down to the nearest whole yen.

(履行保証金保全契約の届出)

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

第十四条 資金移動業者は、法第四十四条の規定による届出をしようとするときは、別紙様式第十一号により作成した履行保証金保全契約届出書に、履行保証金保全契約に係る契約書の写しを添付して、金融庁長官に提出しなければならない。

Article 14 A funds transfer service provider seeking to make a notification under Article 44 of the Act must submit to the Commissioner of the Financial Services Agency a written notification concerning a guarantee contract for security deposits for providing funds transfer services prepared based on Appended Form No. 11, attaching a copy of the written guarantee contract for security deposits for providing funds transfer services.

(履行保証金保全契約の内容)

(Terms and Conditions of Guarantee Contracts for Security Deposits for Providing Funds Transfer Services)

第十四条の二 令第十五条に規定する内閣府令で定める事項は、次に掲げる場合以外の場合には、履行保証金保全契約の全部又は一部の解除を行うことができないこととする。

Article 14-2 The provisions specified by Cabinet Office Order that are provided for in Article 15 of the Order are provisions to the effect that except in the

following cases, all or part of the guarantee contract for security deposits for providing funds transfer services may not be canceled:

一 履行保証金保全契約に係る種別の資金移動業に係る直前の算定日（令第十七条第一項第一号に規定する算定日をいう。以下同じ。）における要供託額が、当該算定日における当該種別の資金移動業に係る履行保証金等合計額（同号に規定する履行保証金等合計額をいう。以下この条及び第十九条第八号において同じ。）を下回る場合であって、保全金額（法第四十四条に規定する保全金額をいう。以下同じ。）の範囲内において、その下回る額に達するまでの額に係る当該種別の資金移動業に係る履行保証金保全契約の全部又は一部の解除を行うとき。

(i) if the amount required to be deposited as of the immediately preceding calculation date (meaning the calculation date prescribed in Article 17, paragraph (1), item (i) of the Order; the same applies hereinafter) for the category of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services falls below the total of the amount of security deposits for providing funds transfer services (meaning the total of the amount of the security deposits for providing funds transfer services, etc. prescribed in that item; hereinafter the same applies in this Article and Article 19, item (viii)) for that category of funds transfer services on the calculation date, and all or part of the guarantee contract for security deposits for providing funds transfer services for the relevant category of funds transfer services is canceled, up to the amount by which the amount required to be deposited falls below the amount of security deposits, within the scope of the secured amount (meaning the secured amount prescribed in Article 44 of the Act; the same applies hereinafter);

二 履行保証金保全契約に係る種別の資金移動業の全部について法第五十九条第一項の権利の実行の手續が終了した場合であって、当該種別の資金移動業に係る履行保証金保全契約の全部の解除を行うとき。

(ii) if the procedures for the enforcement of the right referred to in Article 59, paragraph (1) of the Act have been completed for all of the category of funds transfer services that is covered by the guarantee contract for security deposits for providing funds transfer services, and all of the guarantee contract that is connected with that category of funds transfer services is canceled;

三 履行保証金保全契約に係る種別の資金移動業の一部について法第五十九条第一項の権利の実行の手續が終了した場合であって、当該権利の実行の手續が終了した日における当該種別の資金移動業に係る保全金額の範囲内において、同日における当該種別の資金移動業に係る履行保証金等合計額から同日における当該種別の資金移動業に係る法第四十三条第二項に規定する要履行保証額（同日が営業日でない場合には、直前の営業日における同項に規定する要履行保証額）を控除した残額に達するまでの額に係る当該種別の資金移動業に係る履行保証金保全契約の全部又は一部の解除を行うとき。

(iii) if the procedures for the enforcement of the right referred to in Article 59, paragraph (1) of the Act have been completed for part of the category of funds transfer services that is covered by the guarantee contract for security deposits for providing funds transfer services, and all or part of the guarantee contract for security deposits for providing funds transfer services that is connected with the relevant category of funds transfer services is canceled, up to the amount remaining after the amount required for security deposits for providing funds transfer services prescribed in Article 43, paragraph (2) of the Act which is associated with the relevant category of funds transfer services as of the day on which the procedures for the enforcement of the right have been completed (if that day is not a business day, the amount required for security deposits for providing funds transfer services as of the immediately preceding business day) is deducted from the total of the amount of security deposits for providing funds transfer services, etc. that is associated with the relevant category of funds transfer services as of that day, within the scope of the secured amount for that category of funds transfer services as of that day;

四 履行保証金保全契約に係る種別の資金移動業の全部を廃止しようとする場合であつて、為替取引に関し負担する債務の履行を完了した場合として令第十七条第二項に定める場合に該当するときに、当該種別の資金移動業に係る履行保証金保全契約の全部の解除を行うとき。

(iv) if a funds transfer service provider seeks to discontinue all of the category of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services, and falls under the case prescribed in Article 17, paragraph (2) of the Order as one in which it has finished performing the obligations it owes in connection with exchange transactions, and all of the guarantee contract for security deposits for providing funds transfer services associated with the relevant categories of funds transfer services is canceled; and

五 履行保証金保全契約に係る種別の資金移動業の一部を廃止しようとする場合であつて、為替取引に関し負担する債務の履行を完了した場合として令第十七条第二項に定める場合に該当するときに、同項に定める場合に該当することとなった日における当該種別の資金移動業に係る保全金額の範囲内において、同日における当該種別の資金移動業に係る履行保証金等合計額から同日における当該種別の資金移動業に係る法第四十三条第二項に規定する要履行保証額（同日が営業日でない場合にあつては、直前の営業日における同項に規定する要履行保証額）を控除した残額に達するまでの額に係る当該種別の資金移動業に係る履行保証金保全契約の全部又は一部の解除を行うとき。

(v) if a funds transfer service provider seeks to discontinue part of the category of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services, and falls under the case

prescribed in Article 17, paragraph (2) of the Order as one in which it has finished performing the obligations it owes in connection with exchange transactions, and all or part of the guarantee contract associated with the relevant category of funds transfer services is canceled, up to the amount remaining after the amount required for security deposits for providing funds transfer services prescribed in Article 43, paragraph (2) of the Act which is associated with the relevant category of funds transfer services as of the day on which it came to fall under the case specified in that paragraph (if that day is not a business day, the amount required for security deposits for providing funds transfer services as of the immediately preceding business day) is deducted from the total of the amount of security deposits for providing funds transfer services, etc. which is associated with the relevant category of funds transfer services as of that day, within the scope of the secured amount for the category of funds transfer services as of that day.

(履行保証金保全契約を締結することができる銀行等が満たすべき要件等)

(Requirements to Be Satisfied by Deposit-taking Institutions for Conclusion of a Guarantee Contract for Security Deposits for Providing Funds Transfer Services)

第十五条 令第十六条第一項に規定する内閣府令で定める健全な自己資本の状況にある旨の区分は、次の各号に掲げる銀行等の種類に応じ、当該各号に掲げる区分とする。

Article 15 (1) The categories for those that are determined to have sound equity capital as specified by Cabinet Office Order that are provided for in Article 16, paragraph (1) of the Order are the categories set forth in the following items for the types of deposit-taking institutions set forth in each of those items:

一 海外営業拠点を有する銀行（外国銀行支店（銀行法（昭和五十六年法律第五十九号）第四十七条第二項に規定する外国銀行支店をいう。第六号において同じ。）を除く。第二号において同じ。） 最終の業務及び財産の状況に関する説明書類（当該説明書類に係る事業年度の翌事業年度の間事業年度に係る説明書類がある場合にあっては、当該説明書類）における国際統一基準に係る単体自己資本比率が、次のイからハまでに掲げる比率の区分に応じ、当該イからハまでに定める要件の全てを満たすこと。

(i) banks (excluding branch offices of foreign banks (meaning the branch offices of foreign banks prescribed in Article 47, paragraph (2) of the Banking Act (Act No. 59 of 1981); the same applies in item (vi)); the same applies in item (ii)) that have overseas business locations: the non-consolidated capital adequacy ratio under the International Uniform Standard included in the latest explanatory document on the status of business and property (or in the explanatory document concerning the interim business year that is associated with the business year immediately following the business year that the relevant explanatory document concerns, if applicable) satisfies all

requirements specified in (a) to (c) below for the categories of ratios prescribed in those clauses:

イ 単体普通株式等Tier 1比率 四・五パーセント以上であること。

(a) non-consolidated common equity tier 1 ratio: Not less than 4.5 percent;

ロ 単体Tier 1比率 六パーセント以上であること。

(b) non-consolidated tier 1 ratio: Not less than 6 percent;

ハ 単体総自己資本比率 八パーセント以上であること。

(c) non-consolidated total capital adequacy ratio: Not less than 8 percent;

一の二 海外営業拠点を有する長期信用銀行 最終の業務及び財産の状況に関する説明書類（当該説明書類に係る事業年度の翌事業年度の間事業年度に係る説明書類がある場合にあっては、当該説明書類）における国際統一基準に係る単体自己資本比率が八パーセント以上であること。

(i)-2 long term credit banks that have overseas business locations: the non-consolidated capital adequacy ratio under the International Uniform Standard included in the latest explanatory document on the status of business and property (or in the explanatory document concerning the interim business year that is associated with the business year immediately following the business year that the relevant explanatory document concerns, if applicable) is not less than 8 percent;

一の三 海外拠点を有する信用金庫連合会 最終の業務及び財産の状況に関する説明書類（当該説明書類に係る事業年度の翌事業年度の間事業年度に係る説明書類がある場合にあっては、当該説明書類）における国際統一基準に係る単体自己資本比率が、次のイからハまでに掲げる比率の区分に応じ、当該イからハまでに定める要件の全てを満たすこと。

(i)-3 federations of shinkin banks that have overseas locations: the non-consolidated capital adequacy ratio under the International Uniform Standard included in the latest explanatory document on the status of business and property (or in the explanatory document concerning the interim business year that is associated with the business year immediately following the business year that the relevant explanatory document concerns, if applicable) satisfies all requirements specified in (a) to (c) below for the categories of ratios prescribed in each of those clauses:

イ 単体普通出資等Tier 1比率 四・五パーセント以上であること。

(a) non-consolidated common capital contribution tier 1 ratio: Not less than 4.5 percent;

ロ 単体Tier 1比率 六パーセント以上であること。

(b) non-consolidated tier 1 ratio: Not less than 6 percent;

ハ 単体総自己資本比率 八パーセント以上であること。

(c) non-consolidated total capital adequacy ratio: Not less than 8 percent;

二 海外営業拠点を有しない銀行若しくは長期信用銀行又は海外拠点を有しない信用金庫連合会若しくは信用金庫 最終の業務及び財産の状況に関する説明書類（当該

説明書類に係る事業年度の翌事業年度の間事業年度に係る説明書類がある場合にあっては、当該説明書類)における国内基準に係る単体自己資本比率が四パーセント以上であること。

(ii) banks or long term credit banks that do not have overseas business locations, or federations of shinkin banks or shinkin banks that do not have overseas locations: the non-consolidated capital adequacy ratio under the domestic standard included in the latest explanatory document on the status of business and property (or in the explanatory document concerning the interim business year that is associated with the business year immediately following the business year that the relevant explanatory document concerns, if applicable) is not less than 4 percent;

三 労働金庫、労働金庫連合会、信用協同組合、中小企業等協同組合法（昭和二十四年法律第百八十一号）第九条の九第一項第一号の事業を行う協同組合連合会、農業協同組合法（昭和二十二年法律第百三十二号）第十条第一項第三号の事業を行う農業協同組合若しくは農業協同組合連合会、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又は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 最終の業務及び財産の状況に関する説明書類における単体自己資本比率が四パーセント以上であること。

(iii) labor banks, federations of labor banks, credit cooperatives, federations of credit cooperatives engaging in the business prescribed in Article 9-9, paragraph (1), item (i) of the Small and Medium Sized Enterprise Cooperatives Act (Act No. 181 of 1949), agricultural cooperative or federations of agricultural cooperatives engaging in the business prescribed in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act (Act No. 132 of 1947), fisheries cooperatives engaging in the business prescribed in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act (Act No. 242 of 1948), federations of fisheries cooperatives engaging in the business prescribed in Article 87, paragraph (1), item (iv) of that Act, fishery processing cooperatives engaging in the business prescribed in Article 93, paragraph (1), item (ii) of that Act, or federations of fishery processing cooperatives engaging in the business prescribed in Article 97, paragraph (1), item (ii) of that Act: The non-consolidated capital adequacy ratio included in the latest explanatory document on the status of business and property is not less than 4 percent;

四 農林中央金庫 最終の業務及び財産の状況に関する説明書類における単体自己資本比率が、次のイからハまでに掲げる比率の区分に応じ、当該イからハまでに定める要件の全てを満たすこと。

(iv) The Norinchukin Bank: The non-consolidated capital adequacy ratio included in the latest explanatory document on the status of business and

property satisfies all requirements specified in (a) to (c) below for the categories of ratios prescribed in each of those clauses:

イ 単体普通出資等Tier 1比率 四・五パーセント以上であること。

(a) non-consolidated common capital contribution tier 1 ratio: Not less than 4.5 percent;

ロ 単体Tier 1比率 六パーセント以上であること。

(b) non-consolidated tier 1 ratio: Not less than 6 percent;

ハ 単体総自己資本比率 八パーセント以上であること。

(c) non-consolidated total capital adequacy ratio: Not less than 8 percent;

五 株式会社商工組合中央金庫 最終の業務及び財産の状況に関する説明書類（当該説明書類に係る事業年度の翌事業年度の間事業年度に係る説明書類がある場合にあっては、当該説明書類）における単体自己資本比率が、次のイからハまでに掲げる比率の区分に応じ、当該イからハまでに定める要件の全てを満たすこと。

(v) The Shoko Chukin Bank Limited: The non-consolidated capital adequacy ratio included in the latest explanatory document on the status of business and property (or in the explanatory document concerning the interim business year that is associated with the business year immediately following the business year that the relevant explanatory document concerns, if applicable) satisfies all requirements specified in (a) to (c) below for the categories of ratios prescribed in each of those clauses:

イ 単体普通株式等Tier 1比率 四・五パーセント以上であること。

(a) non-consolidated common equity tier 1 ratio: Not less than 4.5 percent;

ロ 単体Tier 1比率 六パーセント以上であること。

(b) non-consolidated tier 1 ratio: Not less than 6 percent;

ハ 単体総自己資本比率 八パーセント以上であること。

(c) non-consolidated total capital adequacy ratio: Not less than 8 percent; and

六 外国銀行支店 当該外国銀行支店に係る外国銀行（銀行法第十条第二項第八号に規定する外国銀行をいう。）が外国において適用される同法第十四条の二に規定する基準に相当する基準を満たしていること。

(vi) branch offices of foreign banks: The foreign bank (meaning a foreign bank as prescribed in Article 10, paragraph (2), item (viii) of the Banking Act) to which the relevant branch office is connected satisfies criteria that are equivalent to the criteria prescribed in Article 14-2 of that Act and that apply in the relevant foreign state.

2 前項第一号、第一号の二及び第二号の「海外営業拠点」とは、銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省令第三十九号）第一条第三項又は長期信用銀行法第十七条において準用する銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省令第四十号）第一条第三項に規定する海外営業拠点をいう。

(2) The term "overseas business locations" as used in items (i), (i)-2, and (ii) of the preceding paragraph means the overseas business locations prescribed in

Article 1, paragraph (3) of the Order to Define the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act (Order of the Prime Minister's Office and the Ministry of Finance No. 39 of 2000) or in Article 1, paragraph (3) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 17 of the Long Term Credit Bank Act (Order of the Prime Minister's Office and the Ministry of Finance No. 40 of 2000).

3 第一項第一号の三及び第二号の「海外拠点」とは、信用金庫法第八十九条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省令第四十一号）第三条第三項に規定する海外拠点をいう。

(3) The term "overseas locations" as used in paragraph (1), items (i)-3 and (ii) means the overseas locations prescribed in Article 3, paragraph (3) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 89, Paragraph (1) of the Shinkin Bank Act (Order of the Prime Minister's Office and the Ministry of Finance No. 41 of 2000).

4 第一項第一号から第一号の三までの「国際統一基準」とは、銀行法第二十六条第二項に規定する区分等を定める命令第一条第四項若しくは第三条第三項、長期信用銀行法第十七条において準用する銀行法第二十六条第二項に規定する区分等を定める命令第一条第四項又は信用金庫法第八十九条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令第三条第五項に規定する国際統一基準をいう。

(4) The term "International Uniform Standard" as used in paragraph (1), items (i) through (i)-3 means the International Uniform Standard prescribed in Article 1, paragraph (4) or Article 3, paragraph (3) of the Order Providing for the Categories, Prescribed in Article 26, Paragraph (2) of the Banking Act, in Article 1, paragraph (4) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 17 of the Long Term Credit Bank Act, or in Article 3, paragraph (5) of the Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 89, Paragraph (1) of the Shinkin Bank Act.

5 第一項第一号から第二号までの「単体自己資本比率」とは、銀行法第二十六条第二項に規定する区分等を定める命令第一条第七項、長期信用銀行法第十七条において準用する銀行法第二十六条第二項に規定する区分等を定める命令第一条第六項又は信用金庫法第八十九条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令第三条第六項に規定する単体自己資本比率をいい、第一項第一号の「単体普通株式等Tier 1比率」、「単体Tier 1比率」及び「単体総自己資本比率」とは、それぞれ銀行法第二十六条第二項に規定する区分等を定める命令第一条第七項に規定する単体普通株式等Tier 1比率、単体Tier 1比率及び単体総自己資本比率をいい、第一項第一号の三の「単体普通出資等Tier 1比率」、「単体Tier 1比率」及び「単体総自己資本比率」とは、それぞれ信用金庫法第八十九条第

一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令第三条第六項に規定する単体普通出資等Tier 1比率、単体Tier 1比率及び単体総自己資本比率をいう。

(5) The term "non-consolidated capital adequacy ratio" as used in paragraph (1), items (i) through (ii) means the non-consolidated capital adequacy ratio prescribed in Article 1, paragraph (7) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act, in Article 1, paragraph (6) of Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 17 of the Long Term Credit Bank Act, or in Article 3, paragraph (6) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 89, Paragraph (1) of the Shinkin Bank Act; the terms "non-consolidated common equity tier 1 ratio", "non-consolidated tier 1 ratio", and "non-consolidated total capital adequacy ratio" as used in paragraph (1), item (i) mean the non-consolidated common equity tier 1 ratio, non-consolidated tier 1 ratio, and non-consolidated total capital adequacy ratio prescribed in Article 1, paragraph (7) of the Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act; and the terms "non-consolidated common capital contribution tier 1 ratio", "non-consolidated tier 1 ratio", and "non-consolidated total capital adequacy ratio" as used in paragraph (1), item (i)-3 mean the non-consolidated common capital contribution tier 1 ratio, non-consolidated tier 1 ratio, and non-consolidated total capital adequacy ratio prescribed in Article 3, paragraph (6) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 89, Paragraph (1) of the Shinkin Bank Act.

6 第一項第二号の「国内基準」とは、銀行法第二十六条第二項に規定する区分等を定める命令第一条第五項若しくは第三条第四項、長期信用銀行法第十七条において準用する銀行法第二十六条第二項に規定する区分等を定める命令第一条第五項又は信用金庫法第八十九条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令第三条第四項に規定する国内基準をいう。

(6) The term "domestic standard" as used in paragraph (1), item (ii) means the domestic standard prescribed in Article 1, paragraph (5) or Article 3, paragraph (4) of the Order Providing for the Categories, etc. Prescribed in Article 26, Paragraph (2) of the Banking Act, in Article 1, paragraph (5) of the Order Providing for the Categories. Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 17 of the Long Term Credit Bank Act, or in Article 3, paragraph (4) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 89, Paragraph (1) of the Shinkin Bank Act.

7 第一項第三号の「単体自己資本比率」とは、労働金庫又は労働金庫連合会にあっては労働金庫法第九十四条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省・労働省令第八号）第二条第三項に規定する単体自己資本比率を、信用協同組合又は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協同組合連合会にあっては協同組合による金融事業に関する法律第六条第一項において準用する銀行法第二十六条第二項に規定する区分等を定める命令（平成十二年総理府・大蔵省令第四十二号）第一条第三項に規定する単体自己資本比率を、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又は農業協同組合連合会にあっては農業協同組合法第九十四条の二第三項に規定する区分等を定める命令（平成十二年総理府・大蔵省・農林水産省令第十三号）第一条第三項に規定する単体自己資本比率を、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又は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にあっては水産業協同組合法第二百三十三条の二第三項に規定する区分等を定める命令（平成十二年総理府・大蔵省・農林水産省令第十五号）第一条第三項に規定する単体自己資本比率を、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又は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にあっては同令第三条第三項に規定する単体自己資本比率をいう。

(7) The term "non-consolidated capital adequacy ratio" as used in paragraph (1), item (iii) means: for labor banks or federations of labor banks, the non-consolidated capital adequacy ratio prescribed in Article 2, paragraph (3) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 94, Paragraph (1) of the Labor Bank Act (Order of the Prime Minister's Office, the Ministry of Finance and the Ministry of Labour No. 8 of 2000); for credit cooperatives or federations of cooperatives engaging in the business prescribed in Article 9-9, paragraph (1), item (i) of the Small and Medium Sized Enterprise Cooperatives Act, the non-consolidated capital adequacy ratio prescribed in Article 1, paragraph (3) of the Order Providing for the Categories Prescribed in Article 26, Paragraph (2) of the Banking Act as Applied Mutatis Mutandis Pursuant to Article 6, Paragraph (1) of the Act on Financial Businesses by Cooperatives (Order of the Prime Minister's Office and the Minister of Finance No. 42 of 2000); for agricultural cooperatives or federations of agricultural cooperatives engaging in the business prescribed in Article 10, paragraph (1), item (iii) of the Agricultural Cooperatives Act, the non-consolidated capital adequacy ratio prescribed in Article 1, paragraph (3) of the Order Providing for the Categories Prescribed in Article 94-2, Paragraph (3) of the Agricultural Cooperatives Act (Order of the Prime Minister's Office, the Ministry of Finance and the Ministry of Agriculture, Forestry and Fisheries No. 13 of 2000); for fisheries cooperatives engaging in the business prescribed in Article 11, paragraph (1), item (iv) of the Fisheries Cooperatives Act or fishery processing cooperatives engaging in the business prescribed in Article 93,

paragraph (1), item (ii) of that Act, the non-consolidated capital adequacy ratio prescribed in Article 1, paragraph (3) of the Order Providing for the Categories Prescribed in Article 123-2, Paragraph (3) of the Fisheries Cooperatives Act (Order of the Prime Minister's Office, the Ministry of Finance and the Ministry of Agriculture, Forestry and Fisheries No. 15 of 2000); and for federations of fisheries cooperatives engaging in the business prescribed in Article 87, paragraph (1), item (iv) of that Act or federations of fishery processing cooperatives engaging in the business prescribed in Article 97, paragraph (1), item (ii) of that Act, the non-consolidated capital adequacy ratio prescribed in Article 3, paragraph (3) of the relevant Order.

8 第一項第四号の「単体自己資本比率」、「単体普通出資等Tier 1比率」、「単体Tier 1比率」及び「単体総自己資本比率」とは、それぞれ農林中央金庫法第八十五条第二項に規定する区分等を定める命令（平成十三年内閣府・財務省・農林水産省令第三号）第一条第三項に規定する単体自己資本比率、単体普通出資等Tier 1比率、単体Tier 1比率及び単体総自己資本比率をいう。

(8) The terms "non-consolidated capital adequacy ratio", "non-consolidated common capital contribution tier 1 ratio", "non-consolidated tier 1 ratio", and "non-consolidated total capital adequacy ratio" as used in paragraph (1), item (iv) mean the non-consolidated capital adequacy ratio, non-consolidated common capital contribution tier 1 ratio, non-consolidated tier 1 ratio, and non-consolidated total capital adequacy ratio prescribed in Article 1, paragraph (3) of the Order Providing for the Categories Prescribed in Article 85, Paragraph (2) of the Norinchukin Bank Act (Order of the Cabinet Office, the Ministry of Finance and the Ministry of Agriculture, Forestry and Fisheries No. 3 of 2001).

9 第一項第五号の「単体自己資本比率」とは、株式会社商工組合中央金庫法（平成十九年法律第七十四号）第二十三条第一項第一号に規定する基準に係る算式により得られる比率をいい、「単体普通株式等Tier 1比率」、「単体Tier 1比率」及び「単体総自己資本比率」とは、単体自己資本比率のうち当該算式により得られる比率をいう。

(9) The term "non-consolidated capital adequacy ratio" as used in paragraph (1), item (v) means the ratio arrived at using the formula for the standard prescribed in Article 23, paragraph (1), item (i) of the Shoko Chukin Bank Limited Act (Act No. 74 of 2007), and the terms "non-consolidated common equity tier 1 ratio", "non-consolidated tier 1 ratio", and "non-consolidated total capital adequacy ratio" as used in paragraph (1), item (v) mean the ratios arrived at using the relevant formula out of the non-consolidated capital adequacy ratio.

(履行保証金保全契約を締結することができる銀行等以外の者が満たすべき要件等)
(Requirements to Be Satisfied by Persons Other Than Deposit-taking
Institutions for Conclusion of Guarantee Contracts for Security Deposits for

Providing Funds Transfer Services)

第十六条 令第十六条第二項第一号に規定する内閣府令で定める健全な保険金等の支払能力の充実の状況にある旨の区分は、最終の業務及び財産の状況に関する説明書類における保険金等の支払能力の充実の状況を示す比率が二百パーセント以上であることとする。

Article 16 (1) The category for those that are determined to be at the level of solvency in terms of the ability to pay out insurance proceeds, etc. as specified by Cabinet Office Order which is provided for in Article 16, paragraph (2), item (i) of the Order is one in which the ratio indicating the level of solvency in terms of ability to pay out insurance proceeds, etc. that is included in the latest explanatory documents on the status of business and property is at least 200 percent.

2 前項に規定する「保険金等の支払能力の充実の状況を示す比率」とは、次の各号に掲げる区分に応じ、当該各号に定める基準に係る算式により得られる比率をいう。

(2) The term "ratio indicating the level of solvency in terms of ability to pay out insurance proceeds, etc." as prescribed in the preceding paragraph means a rate arrived at using the formula associated with the standard prescribed in the relevant of the following items for the category prescribed in that item:

一 保険会社（保険業法（平成七年法律第百五号）第二条第二項に規定する保険会社をいう。以下この号及び次項において同じ。） 同法第百三十条に規定する基準のうち、保険会社に係る同条各号に掲げる額を用いて定めるもの

(i) insurance companies (meaning the insurance companies prescribed in Article 2, paragraph (2) of the Insurance Business Act (Act No. 105 of 1995); hereinafter the same applies in this item and the following paragraph): the standard provided for in Article 130 of that Act that is established using the amounts set forth in the items of that Article as they relate to insurance companies;

二 外国保険会社等（保険業法第二条第七項に規定する外国保険会社等をいう。次項において同じ。） 同法第二百二条に規定する基準

(ii) foreign insurance companies, etc. (meaning the foreign insurance companies, etc. prescribed in Article 2, paragraph (7) of the Insurance Business Act; the same applies in the following paragraph): The standard provided for in Article 202 of that Act; and

三 引受社員（保険業法第二百十九条第一項の引受社員をいう。次項において同じ。） 同法第二百二十八条に規定する基準

(iii) underwriting members (meaning the underwriting members prescribed in Article 219, paragraph (1) of the Insurance Business Act; the same applies in the following paragraph): The standard provided for in Article 228 of that Act.

3 令第十六条第二項第一号に規定する内閣府令で定める者は、保険会社、外国保険会社等又は引受社員とする。

(3) The persons specified by Cabinet Office Order that are provided for in Article

16, paragraph (2), item (i) of the Order are insurance companies, foreign insurance companies, etc., or underwriting members.

(履行保証金保全契約の全部の解除)

(Cancellation of All of a Guarantee Contract for Security Deposits for Providing Funds Transfer Services)

第十七条 資金移動業者は、履行保証金保全契約の全部を解除しようとするときは、別紙様式第十二号により作成した履行保証金保全契約解除届出書を金融庁長官に提出するものとする。

Article 17 If a funds transfer service provider seeks to cancel all of a guarantee contract for security deposits for providing funds transfer services, it is to submit to the Commissioner of the Financial Services Agency a written notification of the cancellation of a guarantee contract for security deposits for providing funds transfer services prepared based on Appended Form No. 12.

(履行保証金信託契約の届出)

(Notification of a Trust Agreement for Security Deposits for Providing Funds Transfer Services)

第十八条 資金移動業者は、法第四十五条第一項の規定による届出をしようとするときは、別紙様式第十三号により作成した履行保証金信託契約届出書に、履行保証金信託契約に係る契約書の写しを添付して、金融庁長官に提出しなければならない。

Article 18 A funds transfer service provider seeking to file a notification under Article 45, paragraph (1) of the Act must submit to the Commissioner of the Financial Services Agency a written notification of a trust agreement for security deposits for providing funds transfer services prepared based on Appended Form No. 13, attaching a copy of the written trust agreement for security deposits for providing funds transfer services.

(履行保証金信託契約の内容)

(Terms and Conditions of the Trust Agreement for Security Deposits for Providing Funds Transfer Services)

第十九条 法第四十五条第二項第四号に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 19 The particulars specified by Cabinet Office Order that are provided for in Article 45, paragraph (2), item (iv) of the Act are the following:

- 一 履行保証金信託契約を締結する資金移動業者（以下この条、第三十三条第一項第九号及び第三十五条の二第一項第二号ホにおいて「信託契約資金移動業者」という。）を委託者とし、信託会社等を受託者とし、かつ、当該信託契約資金移動業者がその行う為替取引（履行保証金信託契約に係る種別の資金移動業に係るものに限る。以下この号において同じ。）の全ての利用者（信託契約資金移動業者が国内にある利用者に対して負担する債務の額と国外にある利用者に対して負担する債務の

額とを区分することができる場合にあつては、当該資金移動業者が行う為替取引の利用者のうち国内にある利用者)を信託財産の元本の受益者とすること。

(i) that the funds transfer service provider that is the party to the trust agreement for security deposits for providing funds transfer services (hereinafter referred to as a "trust agreement funds transfer service provider" in this Article, Article 33, paragraph (1), item (ix), and Article 35-2, paragraph (1), item (ii), (e)) is the settlor, a trust company, etc. is the trustee, and all users of exchange transactions (limited to those in relation to the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services; hereinafter the same applies in this item) carried out by the relevant trust agreement funds transfer service provider (if the amount of obligations owed by the relevant trust agreement funds transfer service provider to the users in Japan can be distinguished from those owed to overseas users, the users in Japan among the users of the exchange transactions carried out by the relevant trust agreement funds transfer service provider) are the beneficiaries of the principal of the trust property;

二 複数の履行保証金信託契約を締結する場合にあつては、当該複数の履行保証金信託契約について同一の受益者代理人を選任すること。

(ii) that, if more than one trust agreement for security deposits for providing funds transfer services is concluded, the same person is appointed as the beneficiary's agent for all of the relevant contracts;

三 信託契約資金移動業者が次に掲げる要件に該当することとなった場合には、信託契約資金移動業者が信託会社等に対して信託財産の運用の指図を行わないこと。

(iii) that, if the trust agreement funds transfer service provider comes to fall under any of the following conditions, it will not give instructions to the trust company, etc. regarding investment of trust property:

イ 法第五十六条第一項又は第二項の規定により法第三十七条の登録を取り消されたとき。

(a) if it has the registration referred to in Article 37 of the Act rescinded pursuant to the provisions of Article 56, paragraph (1) or (2) of the Act;

ロ 破産手続開始の申立て等（法第二条第十八項に規定する破産手続開始の申立て等をいう。）が行われたとき。

(b) if a petition to commence bankruptcy proceedings, etc. (meaning the petition to commence bankruptcy proceedings, etc. prescribed in Article 2, paragraph (18) of the Act) is filed concerning the trust agreement funds transfer service provider;

ハ 履行保証金信託契約に係る種別の資金移動業の全部の廃止（外国資金移動業者にあつては、国内に設けた全ての営業所における当該種別の資金移動業の廃止。ハにおいて同じ。）をしたとき、又は法第六十一条第三項の規定による当該種別の資金移動業の全部の廃止の公告をしたとき。

- (c) if it discontinues all of the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services (in the case of a foreign funds transfer service provider, discontinuation of the relevant category of funds transfer services at all business offices in Japan; the same applies in (c)) or has given a public notice of the discontinuation of all of the relevant category of funds transfer services under Article 61, paragraph (3) of the Act;
- ニ 法第五十六条第一項の規定により履行保証金信託契約に係る種別の資金移動業の全部又は一部の停止の命令（同項第四号に該当する場合に限る。）を受けたとき。
- (d) if it is ordered to suspend all or part of the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services pursuant to the provisions of Article 56, paragraph (1) of the Act (limited to a case falling under item (iv) of that paragraph);
- or
- ホ 金融庁長官が供託命令を発したとき。
- (e) if the Commissioner of the Financial Services Agency issues it a deposit order;
- 四 信託契約資金移動業者が前号に掲げる要件に該当することとなった場合には、受益者及び受益者代理人が信託会社等に対して受益債権を行使することができないこと。
- (iv) that if the trust agreement funds transfer service provider comes to fall under any of the conditions listed in the preceding item, the beneficiary and the beneficiary's agent may not exercise beneficial claims against the trust company, etc.;
- 五 履行保証金信託契約（信託業務を営む金融機関（金融機関の信託業務の兼営等に関する法律（昭和十八年法律第四十三号）第一条第一項の認可を受けた金融機関をいう。以下この条、第二十一条の三第二号及び第三十五条の二第二項第二号ハにおいて同じ。）へ金銭を信託するものであって元本の補填があるものを除く。次号において同じ。）に基づき信託される信託財産の運用を行う場合にあっては、その運用が次に掲げる方法によること。
- (v) that if it invests the trust property under the trust agreement for security deposits for providing funds transfer services (excluding those under which money is placed in the trust with a financial institution engaging in the trust business (meaning a financial institution that has obtained the authorization under Article 1, paragraph (1) of the Act on Engagement in Trust Business by Financial Institutions (Act No. 43 of 1943); hereinafter the same applies in this Article, Article 21-3, item (ii), and Article 35-2, paragraph (2), item (ii), (c)) and compensation for the principal is provided; the same applies in the following item), the investment will be made in the following ways:
- イ 国債証券その他金融庁長官の指定する債券の保有

(a) through the holding of government bond certificates and other bond certificates specified by the Commissioner of the Financial Services Agency;

ロ 銀行等に対する預貯金

(b) through bank deposits and savings with a deposit-taking institution; or
ハ 次に掲げる方法

(c) in any of the following ways:

(1) コール資金の貸付け

1. through the lending of call money;

(2) 受託者である信託業務を営む金融機関に対する銀行勘定貸

2. through dues from bank accounts of the financial institution engaging in trust business that is the trustee; or

(3) 金融機関の信託業務の兼営等に関する法律第六条の規定により元本の補填の契約をした金銭信託

3. through a money trust for which compensation for the principal is provided under the terms and conditions of the contract pursuant to the provisions of Article 6 of the Act on Engagement in Trust Business by Financial Institutions;

六 信託契約資金移動業者が信託財産を債券とし、又は履行保証金信託契約に基づき信託される信託財産を前号イに掲げる方法により運用する場合にあっては、信託会社等又は信託契約資金移動業者がその評価額を第二十一条に規定する方法により算定すること。

(vi) that if the trust agreement funds transfer service provider maintains the trust property in the form of bond certificates or invests the trust property under the trust agreement for security deposits for providing funds transfer services in the way set forth in (a) of the preceding item, the trust company, etc. or the trust agreement funds transfer service provider will determine the estimated value of this in accordance with the method prescribed in Article 21;

七 履行保証金信託契約が信託業務を営む金融機関への金銭信託契約で元本の補填がある場合にあっては、その信託財産の元本の評価額を当該金銭信託契約の元本額とすること。

(vii) that if the trust agreement for security deposits for providing funds transfer services is a money trust agreement with a financial institution engaging in the trust business under which compensation for the principal is provided, the estimated value of the principal of the trust property is the principal amount of the relevant money trust agreement;

八 次に掲げる場合以外の場合には、履行保証金信託契約の全部又は一部の解除を行うことができないこと。

(viii) that except in the following cases, all or part of the trust agreement for security deposits for providing funds transfer services may not be canceled;

イ 履行保証金信託契約に係る種別の資金移動業に係る直前の算定日における要供託額が、当該算定日における当該種別の資金移動業に係る履行保証金等合計額を下回る場合であって、信託財産の額（法第四十五条第一項に規定する信託財産の額をいう。以下同じ。）の範囲内において、その下回る額に達するまでの額に係る当該種別の資金移動業に係る履行保証金信託契約の全部又は一部の解除を行うとき。

(a) if the amount required to be deposited as of the immediately preceding calculation date in connection with the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services falls below the total amount of security deposits for providing funds transfer services, etc. for that category of funds transfer services on the calculation date, and all or part of the trust agreement for security deposits for providing funds transfer services for the relevant category of funds transfer services is canceled, up to the amount by which the amount required to be deposited falls below the amount of security deposits, within the scope of the amount of the trust property (meaning the amount of the trust property prescribed in Article 45, paragraph (1) of the Act; the same applies hereinafter);

ロ 履行保証金信託契約に基づき信託されている信託財産を当該履行保証金信託契約に係る種別の資金移動業に係る他の履行保証金信託契約に基づき信託される信託財産として信託することを目的として履行保証金信託契約の全部又は一部の解除を行う場合

(b) if the intention is to place the trust property that is being held in trust under a first trust agreement for security deposits for providing funds transfer services into trust under a second trust agreement for security deposits for providing funds transfer services that is connected with the category of funds transfer services covered by the first trust agreement, and all or part of the first trust agreement is canceled;

ハ 履行保証金信託契約に係る種別の資金移動業の全部について法第五十九条第一項の権利の実行の手續が終了した場合であって、当該種別の資金移動業に係る履行保証金信託契約の全部の解除を行うとき。

(c) if the procedures for the enforcement of the right referred to in Article 59, paragraph (1) of the Act have been completed for all of the category of funds transfer services that is covered by the trust agreement for security deposits for providing funds transfer services, and all of the trust agreement for security deposits for providing funds transfer services that is connected with the relevant category of funds transfer services is canceled;

ニ 履行保証金信託契約に係る種別の資金移動業の一部について法第五十九条第一項の権利の実行の手續が終了した場合であって、当該権利の実行の手續が終了した日における当該種別の資金移動業に係る信託財産の額の範囲内において、同日

における当該種別の資金移動業に係る履行保証金等合計額から同日における当該種別の資金移動業に係る法第四十三条第二項に規定する要履行保証額（同日が営業日でない場合にあつては、直前の営業日における同項に規定する要履行保証額）を控除した残額に達するまでの額に係る当該種別の資金移動業に係る履行保証金信託契約の全部又は一部の解除を行うとき。

- (d) if the procedures for the enforcement of the right referred to in Article 59, paragraph (1) of the Act have been completed for part of the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services, and all or part of the trust agreement for security deposits for providing funds transfer services that is connected with the relevant category of funds transfer services is canceled, up to the amount remaining after the amount required for security deposits for providing funds transfer services prescribed in Article 43, paragraph (2) of the Act which is associated with the relevant category of funds transfer services as of the day on which those procedures have been completed (or, if that day is not a business day, the amount required for security deposits for providing funds transfer services as of the immediately preceding business day) is deducted from the total amount of security deposits for providing funds transfer services, etc. that is associated with the relevant category of funds transfer services as of that day, within the scope of the amount of the trust property connected with those categories of funds transfer services as of that day;

ホ 履行保証金信託契約に係る種別の資金移動業の全部を廃止しようとする場合であつて、為替取引に関し負担する債務の履行を完了した場合として令第十七条第二項に定める場合に該当するときに、当該種別の資金移動業に係る履行保証金信託契約の全部の解除を行うとき。

- (e) if a funds transfer service provider seeks to discontinue all of the category of funds transfer services that is covered by the trust agreement for security deposits for providing funds transfer services, and falls under the case prescribed in Article 17, paragraph (2) of the Order as one in which it has finished performing the obligations it owes in connection with exchange transactions, and all of the trust agreement for security deposits for providing funds transfer services that is connected with the relevant category of funds transfer services is canceled; and

ヘ 履行保証金信託契約に係る種別の資金移動業の一部を廃止しようとする場合であつて、為替取引に関し負担する債務の履行を完了した場合として令第十七条第二項に定める場合に該当するときに、当該場合に該当することとなった日における当該種別の資金移動業に係る信託財産の額の範囲内において、同日における当該種別の資金移動業に係る履行保証金等合計額から同日における当該種別の資金移動業に係る法第四十三条第二項に規定する要履行保証額（同日が営業日でない場合にあつては、直前の営業日における同項に規定する要履行保証額）を控除し

た残額に達するまでの額に係る当該種別の資金移動業に係る履行保証金信託契約の全部又は一部の解除を行うとき。

(f) if a funds transfer service provider seeks to discontinue part of the category of funds transfer services that is covered by the trust agreement for security deposits for providing funds transfer services, and falls under the case prescribed in Article 17, paragraph (2) of the Order as one in which it has finished performing the obligations it owes in connection with exchange transactions, and all or part of the trust agreement for security deposits for providing funds transfer services which is associated with the relevant category of funds transfer services is canceled, up to the amount remaining after the amount required for security deposits for providing funds transfer services prescribed in Article 43, paragraph (2) of the Act that is associated with the relevant category of funds transfer services as of the day on which it came to fall under the case specified in Article 17, paragraph (2) of the Order (or, if that day is not a business day, the amount required for security deposits for providing funds transfer services as of the immediately preceding business day) is deducted from the total of the amount of security deposits for providing funds transfer services, etc. in relation to the relevant category of funds transfer services as of that day, within the scope of the amount of the trust property that is associated with the relevant category of funds transfer services as of that day;

九 前号に掲げる場合に行う履行保証金信託契約の全部又は一部の解除に係る信託財産を信託契約資金移動業者に帰属させるものであること。

(ix) that the trust property connected with the full or partial cancellation of a trust agreement for security deposits for providing funds transfer services which is effected in a case set forth in the preceding item will belong to the trust agreement funds transfer service provider;

十 信託会社等が法第四十六条の規定による命令に応じて、遅滞なく信託財産を換価し、金融庁長官が指定する供託所に供託すること。

(x) that the trust company, etc., without delay in response to the order under Article 46 of the Act will realize the trust property and deposit the proceeds to the official depository specified by the Commissioner of the Financial Services Agency;

十一 信託会社等が法第四十六条の規定による命令に応じて供託した場合には、当該履行保証金信託契約を終了することができること。

(xi) that once the trust company, etc. has made a deposit in response to the order under Article 46 of the Act, it may end the trust agreement for security deposits for providing funds transfer services;

十二 前号の場合であって、当該履行保証金信託契約が終了したときにおける残余財産を信託契約資金移動業者に帰属させることができること。

(xii) that in the case referred to in the preceding item, any residual property

remaining after the trust company, etc. ends the trust agreement for security deposits for providing funds transfer services may be decided to belong to the trust agreement funds transfer service provider; and

十三 信託契約資金移動業者が信託会社等又は受益者代理人に支払うべき報酬その他一切の費用及び当該信託会社等が信託財産の換価に要する費用が信託財産の元本以外の財産をもって充てられること。

(xiii) that remuneration and any other costs to be paid by the trust agreement funds transfer service provider to the trust company, etc. or the beneficiary's agent and the costs required for the realization of the trust property by the relevant trust company, etc. are paid out of property other than the principal of the trust property.

(信託財産とすることができる預貯金等の種類)

(Types of Bank Deposits and Savings Qualified to Be Trust Property)

第二十条 法第四十五条第三項に規定する内閣府令で定める預貯金は、銀行等に対する預貯金とする。

Article 20 (1) The bank deposits and savings specified by Cabinet Office Order that are provided for in Article 45, paragraph (3) of the Act are bank deposits and savings with a deposit-taking institution.

2 法第四十五条第三項に規定する内閣府令で定める債券は、次に掲げる債券（その権利の帰属が社債、株式等の振替に関する法律の規定による振替口座簿の記載又は記録により定まるものとされるものを含む。以下同じ。）とする。

(2) The bond certificates specified by Cabinet Office Order that are provided for in Article 45, paragraph (3) of the Act are the following bond certificates (including those for which ownership of associated rights is determined based on entries or records in the book-entry account register under the provisions of the Act on Book-Entry Transfer of Corporate Bonds and Shares; hereinafter the same applies):

一 国債証券

(i) national government bond certificates;

二 地方債証券

(ii) local government bond certificates;

三 政府保証債券

(iii) government guaranteed bond certificates;

四 金融商品取引法施行令（昭和四十年政令第三百二十一号）第二条の十一に規定する債券

(iv) bond certificates prescribed in Article 2-11 of the Order for Enforcement of the Financial Instruments and Exchange Act (Cabinet Order No. 321 of 1965);

五 外国の発行する債券（証券情報等の提供又は公表に関する内閣府令（平成二十年内閣府令第七十八号）第十三条第三号に掲げる場合に該当するものに限る。）

(v) bond certificates issued by a foreign state (limited to those falling under Article 13, item (iii) of the Cabinet Office Order on the Provision and Publication of Information on Securities (Cabinet Office Order No. 78 of 2008)); and

六 金融庁長官の指定する社債券その他の債券

(vi) corporate bond certificates or any other bond certificates specified by the Commissioner of the Financial Services Agency.

(信託財産とすることができる債券の評価額)

(Estimated Value of Bond Certificates Qualified to Be Trust Property)

第二十一条 法第四十五条第三項の規定により債券を信託財産とし、又は第十九条第五号イの規定により信託財産の運用として債券を保有する場合の当該債券の評価額は、次の各号に掲げる債券の区分に応じ、当該各号に定める率を資金移動業者の各営業日における当該債券の時価に乗じて得た額を超えない額とする。

Article 21 If the bond certificates are used as trust property pursuant to the provisions of Article 45, paragraph (3) of the Act or if the bond certificates are held as the investment of trust property pursuant to the provisions of Article 19, item (v), (a), the estimated value of the relevant bond certificates is an amount not exceeding the amount arrived at when the market value of the relevant bond certificates as of each business day of the funds transfer service provider is multiplied by the percentage specified in the following items for the categories of bond certificates prescribed in those items:

一 前条第二項第一号に掲げる債券 百分の百

(i) bond certificates specified in paragraph (2), item (i) of the preceding Article: 100 percent;

二 前条第二項第二号に掲げる債券 百分の九十

(ii) bond certificates specified in paragraph (2), item (ii) of the preceding Article: 90 percent;

三 前条第二項第三号に掲げる債券 百分の九十五

(iii) bond certificates specified in paragraph (2), item (iii) of the preceding Article: 95 percent;

四 前条第二項第四号に掲げる債券 百分の九十

(iv) bond certificates specified in paragraph (2), item (iv) of the preceding Article: 90 percent;

五 前条第二項第五号に掲げる債券 百分の八十五

(v) bond certificates specified in paragraph (2), item (v) of the preceding Article: 85 percent; and

六 前条第二項第六号に掲げる債券 百分の八十

(vi) bond certificates specified in paragraph (2), item (vi) of the preceding Article: 80 percent.

(履行保証金信託契約の全部の解除)

(Cancellation of All of a Trust Agreement for Security Deposits for Providing Funds Transfer Services)

第二十一条の二 資金移動業者は、履行保証金信託契約の全部を解除しようとするときは、別紙様式第十四号により作成した履行保証金信託契約解除届出書を金融庁長官に提出するものとする。

Article 21-2 If a funds transfer service provider seeks to cancel all of a trust agreement for security deposits for providing funds transfer services, the provider is to submit to the Commissioner of the Financial Services Agency a written notification of the cancellation of the trust agreement for security deposits for providing funds transfer services prepared based on Appended Form No. 14.

(預貯金等による管理の方法)

(Method of Management by Bank Deposits or Savings)

第二十一条の三 法第四十五条の二第一項第一号に規定する内閣府令で定める方法は、次に掲げる方法とする。

Article 21-3 The methods specified by Cabinet Office Order that are provided for in Article 45-2, paragraph (1), item (i) of the Act are the following methods:

一 銀行等に対する預貯金により管理する方法（法第四十五条の二第一項により管理しなければならないものとされている金銭であることがその名義により明らかなものに限る。）

(i) the method of managing the money through bank deposits or savings

(limited to bank deposits or savings for which it is obvious from the name of the account holder that the money must be managed pursuant to the provisions of Article 45-2, paragraph (1) of the Act); or

二 信託業務を営む金融機関への金銭信託で元本補填の契約のあるものにより管理する方法（法第四十五条の二第一項により管理しなければならないものとされている金銭であることがその名義により明らかなものに限る。）

(ii) the method of managing the money by means of a money trust created with a financial institution engaging in the trust business with a contractual agreement on principal protection (limited to a money trust for which it is obvious from the holder's name that the money must be managed pursuant to the provisions of Article 45-2, paragraph (1) of the Act).

(預貯金等による管理に係る届出等)

(Notification of Management Through Bank Deposits or Savings)

第二十一条の四 資金移動業者は、法第四十五条の二第一項の規定による届出をしようとするときは、別紙様式第十五号により作成した届出書を金融庁長官に提出しなければならない。

Article 21-4 (1) A funds transfer service provider seeking to make a notification

under Article 45-2, paragraph (1) of the Act must submit to the Commissioner of the Financial Services Agency a written notification prepared based on Appended Form No. 15.

2 法第四十五条の二第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 45-2, paragraph (1), item (iii) of the Act are the following particulars:

一 商号

(i) the trade name;

二 登録年月日及び登録番号

(ii) date of registration and registration number;

三 次のイ及びロに掲げる金銭の管理の方法の区分に応じ当該イ及びロに定める事項

(iii) the particulars specified in (a) and (b) below for the categories of methods of managing money set forth in those clauses:

イ 前条第一号に掲げる方法 次に掲げる事項

(a) the method set forth in item (i) of the preceding Article: the following particulars:

(1) 預貯金口座のある銀行等の商号又は名称

1. the trade name or any other name of the deposit-taking institution with which the deposit or savings account is held;

(2) 預貯金口座に係る営業所又は事務所の名称及び所在地

2. the name and location of the business office or any other office related to the deposit or savings account;

(3) 預貯金の名義

3. the name of the holder of the deposits or savings; and

(4) 預貯金の口座番号その他の当該預貯金を特定するために必要な事項

4. the account number of the deposits or savings and other necessary particulars to identify the deposits or savings; and

ロ 前条第二号に掲げる方法 次に掲げる事項

(b) the method set forth in item (ii) of the preceding Article: the following particulars:

(1) 金銭信託の受託者の商号又は名称

1. the trade name or any other name of the trustee of the money trust;

(2) 金銭信託に係る営業所又は事務所の名称及び所在地

2. the name and location of the business office or any other office related to the money trust;

(3) 金銭信託の名義

3. the name of the holder of the money trust; and

(4) 金銭信託の口座番号その他の当該金銭信託を特定するために必要な事項

4. the account number of the money trust and other necessary particulars to specify the money trust;

四 法第四十五条の二第二項の規定に基づき監査を行う公認会計士（公認会計士法（昭和二十三年法律第百三号）第十六条の二第五項に規定する外国公認会計士を含む。以下同じ。）又は監査法人の氏名又は名称

(iv) the name of the certified public accountant (including a foreign certified public accountant prescribed in Article 16-2, paragraph (5) of the Certified Public Accountants Act (Act No. 103 of 1948); the same applies hereinafter) or audit corporation that conducts an audit based on the provisions of Article 45-2, paragraph (2) of the Act; and

五 その他参考となる事項

(v) other relevant particulars.

3 法第四十五条の二第三項に規定する預貯金等管理割合その他内閣府令で定める事項は、前項第三号及び第四号に掲げる事項とする。

(3) The rate of management by bank deposits or savings and other particulars specified by Cabinet Office Order that are provided for in Article 45-2, paragraph (3) of the Act are the particulars set forth in items (iii) and (iv) of the preceding paragraph.

4 資金移動業者は、法第四十五条の二第三項の規定による届出をしようとするときは、別紙様式第十六号により作成した変更届出書を金融庁長官に提出しなければならない。

(4) A funds transfer service provider seeking to make a notification under Article 45-2, paragraph (3) of the Act must submit to the Commissioner of the Financial Services Agency a written notice of changes prepared based on Appended Form No. 16.

5 法第四十五条の二第三項に規定する当該変更を行う日その他内閣府令で定める事項は、次に掲げる事項とする。

(5) The particulars specified by Cabinet Office Order that are provided for in Article 45-2, paragraph (3) of the Act are the following particulars:

一 商号

(i) the trade name;

二 登録年月日及び登録番号

(ii) date of registration and registration number;

三 変更に係る事項

(iii) particulars of the change;

四 当該変更が預貯金等管理割合を引き下げる変更である場合にあっては、当該変更を行う日の直前の基準日（法第四十三条第一項第二号に規定する基準日をいう。第七項第三号において同じ。）における第三種資金移動業に係る要供託額（法第四十五条の二第四項に規定する要供託額をいう。）

(iv) if the relevant change is a change to lower the rate of management by bank deposits or savings, the amount required to be deposited (meaning the amount required to be deposited prescribed in Article 45-2, paragraph (4) of the Act) for type III funds transfer services as of the base date (meaning the base date prescribed in Article 43, paragraph (1), item (ii) of the Act; the

same applies in paragraph (7), item (iii)) immediately preceding the day on which the relevant change is to be made;

五 当該変更が預貯金等管理割合を引き下げる変更である場合にあっては、当該変更を行う日における第三種資金移動業に係る履行保証金の額、保全金額及び信託財産の額又はこれらの見込額

(v) if the relevant change is a change to lower the rate of management by bank deposits or savings, the amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property associated with type III funds transfer services as of the day on which the relevant change is to be made, or estimated amounts for these; and

六 その他参考となる事項

(vi) other relevant particulars.

6 資金移動業者は、法第四十五条の二第五項の規定による届出をしようとするときは、別紙様式第十七号により作成した届出書を金融庁長官に提出しなければならない。

(6) A funds transfer service provider seeking to make a notification under Article 45-2, paragraph (5) of the Act must submit to the Commissioner of the Financial Services Agency a written notification prepared based on Appended Form No. 17.

7 法第四十五条の二第五項に規定する内閣府令で定める事項は、次に掲げる事項とする。

(7) The particulars specified by Cabinet Office Order that are provided for in Article 45-2, paragraph (5) of the Act are the following particulars:

一 商号

(i) the trade name;

二 登録年月日及び登録番号

(ii) date of registration and registration number;

三 預貯金等管理終了日（法第四十五条の二第五項に規定する預貯金等管理終了日をいう。次号において同じ。）の直前の基準日における第三種資金移動業に係る要供託額（同項に規定する要供託額をいう。）

(iii) the amount required to be deposited (meaning the amount required to be deposited prescribed in Article 45-2, paragraph (5) of the Act) for type III funds transfer services on the base date immediately preceding the day on which the management by bank deposits or savings ends (meaning the day on which the management by bank deposits or savings ends prescribed in that paragraph; the same applies in the following item);

四 預貯金等管理終了日における第三種資金移動業に係る履行保証金の額、保全金額及び信託財産の額又はこれらの見込額

(iv) the amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property associated with type III funds transfer services as of the day on which the management by bank deposits or savings ends, or estimated amounts for these.

(預貯金等管理方法に係る監査)

(Auditing Concerning the Method of Management by Bank Deposits or Savings)

第二十一条の五 資金移動業者（法第四十五条の二第一項の規定の適用を受けている者に限る。以下この条において同じ。）は、同条第二項の規定に基づき、預貯金等管理方法（同条第一項第一号に規定する預貯金等管理方法をいう。第三十三条第一項第十号ロにおいて同じ。）による管理の状況について、金融庁長官の指定する規則の定めるところにより、毎年一回以上、公認会計士又は監査法人の監査（次項、第三十三条第一項第十号ハ及び第三十五条の二第二項第二号ニにおいて「預貯金等管理監査」という。）を受けなければならない。

Article 21-5 (1) A funds transfer service provider (limited to one to which the provisions of Article 45-2, paragraph (1) of the Act apply; hereinafter the same applies in this Article) must have a certified public accountant or an audit corporation audit the status of money management that it does through the method of management by bank deposits or savings (meaning the method of management by bank deposits or savings prescribed in Article 45-2, paragraph (1), item (i) of the Act; the same applies in Article 33, paragraph (1), item (x), (b)) (hereinafter this audit is referred to as an "audit of the management of money by the bank deposits or savings method" in the following paragraph, Article 33, paragraph (1), item (x), (c), and Article 35-2, paragraph (2), item (ii), (d)) based on the provisions of Article 45-2, paragraph (2) of the Act, at least once each year, in accordance with the rules designated by the Commissioner of the Financial Services Agency.

2 次に掲げる者は、預貯金等管理監査をすることができない。

(2) The following persons may not conduct an audit of the management of money by the bank deposits or savings method:

一 公認会計士法の規定により、法第四十五条の二第二項の規定による監査に係る業務をすることができない者

(i) a person that may not conduct the services related to auditing under the provisions of Article 45-2, paragraph (2) of the Act, pursuant to the provisions of the Certified Public Accountants Act;

二 資金移動業者の子会社（会社法第二条第三号に規定する子会社をいう。）若しくはその取締役、会計参与、監査役若しくは執行役から公認会計士若しくは監査法人の業務以外の業務により継続的な報酬を受けている者又はその配偶者

(ii) a person that receives remuneration for a service other than the service of a certified public accountant or an audit corporation, on a regular basis, from a subsidiary company (meaning the subsidiary company prescribed in Article 2, item (iii) of the Companies Act) of the funds transfer service provider or from any of its director, accounting advisor, company auditor or executive officer, or the spouse of that person; or

三 監査法人でその社員の半数以上が前号に掲げる者であるもの

(iii) an audit corporation at least one-half of whose members are persons as set forth in the preceding item.

(金融庁長官の命令に基づく履行保証金の供託)

(Making of Security Deposits for Providing Funds Transfer Services to the Official Depository Based on the Order of the Commissioner of the Financial Services Agency)

第二十二条 法第四十六条の規定による命令に基づき履行保証金の供託を行う場合においては、履行保証金保全契約又は履行保証金信託契約を締結した資金移動業者の本店の最寄りの供託所に供託しなければならない。

Article 22 (1) If any security deposits for providing funds transfer services are required based on the order under Article 46 of the Act, the deposits must be made to the official depository nearest to the head office of the funds transfer service provider that concluded the guarantee contract for security deposits for providing funds transfer services or trust agreement for security deposits for providing funds transfer services.

2 前項の供託をした者は、遅滞なく、別紙様式第十八号により作成した届出書に、当該供託に係る供託書正本を添付して、金融庁長官に提出しなければならない。

(2) A person that has made the deposit set forth in the preceding paragraph must submit to the Commissioner of the Financial Services Agency a written notification prepared based on Appended Form No. 18 without delay, attaching the authenticated copy of the certificate of that deposit .

(債務の履行をすることができない場合の公告)

(Public Notice When Performance of Obligations Is Impossible)

第二十三条 令第十七条第二項第二号の規定による公告は、官報、時事に関する事項を掲載する日刊新聞紙又は電子公告（会社法第二条第三十四号に規定する電子公告をいう。）により行うものとする。

Article 23 The public notice under Article 17, paragraph (2), item (ii) of the Order is to be given by publication in the Official Gazette or in a daily newspaper that publishes information on current events, or as an electronic public notice (meaning the electronic public notice prescribed in Article 2, item (xxxiv) of the Companies Act).

(資金移動業に係る情報の安全管理措置)

(Measures to Manage the Security of Information Connected with Funds Transfer Services)

第二十四条 資金移動業者は、その業務の内容及び方法に応じ、資金移動業に係る電子情報処理組織の管理を十分に行うための措置を講じなければならない。

Article 24 A funds transfer service provider, in keeping with the content of its business and its business methods, must take measures to sufficiently manage

the electronic data processing systems associated with its funds transfer services.

(個人利用者情報の安全管理措置等)

(Measures to Manage the Security of Individual Users' Information)

第二十五条 資金移動業者は、その取り扱う個人である資金移動業の利用者に関する情報の安全管理、従業者の監督及び当該情報の取扱いを委託する場合にはその委託先の監督について、当該情報の漏えい、滅失又は毀損の防止を図るために必要かつ適切な措置を講じなければならない。

Article 25 A funds transfer service provider must take necessary and appropriate measures to prevent leakage, loss, or damage of the information it handles concerning individuals who are users of its funds transfer services, as it relates to managing the security of that information, supervising its employees, and, if applicable, to supervising the person it has entrusted with handling that information.

(特別の非公開情報の取扱い)

(Handling of Special Non-public Information)

第二十六条 資金移動業者は、その取り扱う個人である資金移動業の利用者に関する人種、信条、門地、本籍地、保健医療又は犯罪経歴についての情報その他の特別の非公開情報（その業務上知り得た公表されていない情報をいう。）を取り扱うときは、適切な業務の運営の確保その他必要と認められる目的以外の目的のために利用しないことを確保するための措置を講じなければならない。

Article 26 When a funds transfer service provider handles information concerning the race, creed, family origin, registered domicile, healthcare treatment, criminal background of an individual user of the funds transfer services or any other such special non-public information concerning such a user (meaning information it has learned in the course of business that is not available to the public), it must take measures to ensure that the information is not used for a purpose other than ensuring the appropriate operation of its services and for other purposes which are found to be necessary.

(委託業務の適正かつ確実な遂行を確保するための措置)

(Measures to Ensure Proper and Steady Operation of Entrusted Services)

第二十七条 資金移動業者は、資金移動業の一部を第三者に委託する場合には、委託する業務の内容に応じ、次に掲げる措置を講じなければならない。

Article 27 If a funds transfer service provider entrusts a third party with some of its funds transfer services, it must take the following measures in accordance with the details of the entrusted services:

- 一 当該業務を適正かつ確実に遂行することができる能力を有する者に委託するための措置

(i) measures to ensure that the person being entrusted with the services has the ability to perform those services in a proper and steady manner;

二 委託先における当該業務の実施状況を、定期的に又は必要に応じて確認すること等により、委託先が当該業務を適正かつ確実に遂行しているかを検証し、必要に応じて改善させる等、委託先に対する必要かつ適切な監督等を行うための措置

(ii) measures to ensure, among other things, that the entrusted person is subject to necessary and appropriate supervision, such as those for verifying whether the person is performing the services properly and reliably and for having the person make any necessary improvements, in ways such as checking the status of the person's implementation of the services regularly or as necessary;

三 委託先が行う資金移動業に係る利用者からの苦情を適切かつ迅速に処理するために必要な措置

(iii) necessary measures to ensure proper and prompt processing of complaints from the users of the funds transfer services conducted by the entrusted person;

四 委託先が当該業務を適切に行うことができない事態が生じた場合には、他の適切な第三者に当該業務を速やかに委託する等、資金移動業の利用者の保護に支障が生じること等を防止するための措置

(iv) measures to prevent things such as impediments to the protection of the users of funds transfer services, including measures to ensure that in the case where circumstances have arisen in which the entrusted person is unable to perform the entrusted services appropriately, the services will be promptly entrusted to another appropriate third party; and

五 資金移動業者の業務の適正かつ確実な遂行を確保し、当該業務に係る利用者の保護を図るため必要がある場合には、当該業務の委託に係る契約の変更又は解除をする等の必要な措置を講ずるための措置

(v) measures to ensure that, if it is necessary for the purpose of ensuring the proper and steady operation of a funds transfer service provider's services and protection of the users of those services, necessary measures will be taken such as amending or canceling the service entrustment contract.

(銀行等が行う為替取引との誤認防止)

(Preventing the Misconception That an Exchange Transaction Is Being Carried Out by a Deposit-taking Institution)

第二十八条 資金移動業者は、資金移動業の利用者との間で為替取引を行うときは、あらかじめ、当該利用者に対し、書面の交付その他の適切な方法により、銀行等が行う為替取引との誤認を防止するための説明を行わなければならない。

Article 28 (1) Before carrying out an exchange transaction with the user of funds transfer services, a funds transfer service provider must first provide the user with an explanation intended to prevent the misconception that the exchange

transaction will be carried out by a deposit-taking institution, by delivering documents or any other appropriate methods.

2 資金移動業者は、前項に規定する説明を行う場合には、次に掲げる事項を説明するものとする。

(2) When a funds transfer service provider provides the explanation prescribed in the preceding paragraph, it is to explain the following particulars:

一 銀行等が行う為替取引ではないこと。

(i) the fact that the exchange transaction is not being carried out by a deposit-taking institution;

二 預金若しくは貯金又は定期積金等（銀行法第二条第四項に規定する定期積金等をいう。）を受け入れるものではないこと。

(ii) the fact that the exchange transaction does not constitute acceptance of bank deposits or savings or installment savings, etc. (meaning the installment savings, etc. prescribed in Article 2, paragraph (4) of the Banking Act);

三 預金保険法（昭和四十六年法律第三十四号）第五十三条又は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）第五十五条に規定する保険金の支払の対象とはならないこと。

(iii) the fact that the exchange transaction is not subject to the payment of insurance claims under Article 53 of the Deposit Insurance Act (Act No. 34 of 1971) or Article 55 of the Agricultural and Fishery Cooperatives Savings Insurance Act (Act No. 53 of 1973); and

四 その他銀行等が行う為替取引との誤認防止に関し参考となると認められる事項

(iv) other particulars found to be useful for preventing the misconception that an exchange transaction is being carried out by a deposit-taking institution.

(利用者に対する情報の提供)

(Provision of Information to Users)

第二十九条 資金移動業者は、資金移動業の利用者との間で為替取引を行うときは、次の各号に掲げる場合の区分に応じ、当該各号に定める方法により、当該為替取引に係る契約の内容についての情報を提供しなければならない。

Article 29 (1) Before carrying out an exchange transaction with a user of its funds transfer services, a funds transfer service provider must provide the user with information about the terms and conditions of the contract concerning the exchange transaction by the means prescribed in the following items for the categories of cases prescribed in those items:

一 為替取引を継続的に又は反復して行うことを内容とする契約を締結することなく為替取引を行う場合 為替取引に係る指図を行う利用者に対して次に掲げる事項を明示する方法

(i) if they will carry out an exchange transaction without entering into a contract for exchange transactions to be carried out on an ongoing or

recurring basis: A means through which it clearly indicates the following particulars to the user who will give the instructions concerning the exchange transaction:

イ 標準履行期間

(a) the standard performance period;

ロ 利用者が支払うべき手数料、報酬若しくは費用の金額若しくはその上限額又はこれらの計算方法

(b) the amount or the maximum amount of the fees, remuneration, or costs to be paid by the user or how these are calculated;

ハ 利用者からの苦情又は相談に応ずる営業所の所在地及び連絡先

(c) the location and contact address of the business office that will respond to complaints or requests for consultation from the users;

ニ 為替取引が外国通貨で表示された金額で行われる場合においては当該金額を本邦通貨に換算した金額及びその換算に用いた標準又はこれらの計算方法

(d) if the exchange transaction is carried out in an amount indicated in foreign currency, the amount in Japanese currency translated from the relevant amount and the translation standard or the way these are calculated;

ホ 次に掲げる場合の区分に応じ、それぞれ次に定める事項

(e) the particulars specified as follows for the categories of cases respectively prescribed therein:

(1) 指定資金移動業務紛争解決機関が存在する場合 当該資金移動業者が法第五十一条の四第一項第一号に定める手続実施基本契約を締結する措置を講ずる当該手続実施基本契約の相手方である指定資金移動業務紛争解決機関の商号又は名称

1. if there is a designated dispute resolution organization for funds transfer services: The trade name or other name of the designated dispute resolution organization for funds transfer services that is the counterparty to the basic contract for the implementation of dispute resolution procedures, with which the funds transfer service provider takes the measures to conclude a basic contract for implementation of dispute resolution procedures specified in Article 51-4, paragraph (1), item (i) of the Act;

(2) 指定資金移動業務紛争解決機関が存在しない場合 当該資金移動業者の法第五十一条の四第一項第二号に定める苦情処理措置及び紛争解決措置の内容

2. if there are no designated dispute resolution organizations for funds transfer services: The details of the complaint processing measures and dispute resolution measures of the funds transfer service provider specified in Article 51-4, paragraph (1), item (ii) of the Act; and

ヘ その他当該為替取引の内容に関し参考となると認められる事項

- (f) other particulars found to be relevant to the details of the exchange transaction.
- 二 為替取引を継続的に又は反復して行うことを内容とする契約を締結する場合 当該契約の相手方となる利用者に対して次に掲げる事項を明示する方法
- (ii) if they will enter into a contract under which exchange transactions will be carried out on an ongoing or recurring basis: A means through which it clearly indicates the following particulars to the user who will be the counterparty to the contract:
- イ 取り扱う為替取引の額の上限
- (a) the maximum amount of the exchange transactions to be carried out;
- ロ 前号イからホまでに掲げる事項
- (b) particulars listed in (a) through (e) of the preceding item;
- ハ 契約期間
- (c) the contract period;
- ニ 契約期間の途中で解約時の取扱い（手数料、報酬又は費用の計算方法を含む。）
- (d) handling of the cancellation of contract before the expiration of the contract period (including calculation method for fees, remuneration, or costs); and
- ホ その他当該契約の内容に関し参考となると認められる事項
- (e) other particulars found to be relevant to the terms and conditions of the relevant contract.
- 2 資金移動業者がその行う為替取引に関し負担する債務に係る権利を表章する証書その他の物（以下「為替証書等」という。）を発行して為替取引を行う場合であって、当該為替証書等に次に掲げる事項を表示したときは、前項の規定は、適用しない。
- (2) If a funds transfer service provider carries out an exchange transaction in which it issues an exchange certificate or other instrument representing the rights associated with the obligations it owes in connection with the exchange transactions that it carries out (hereinafter referred to as "exchange certificate or other such instrument"), and it has indicated the following particulars on the exchange certificate or other such instrument, the provisions of the preceding paragraph do not apply:
- 一 当該為替証書等によって権利を行使することができる額又はその上限
- (i) the amount or the maximum amount subject to the exercising of rights based on the exchange certificate or other such instrument;
- 二 当該為替証書等によって権利を行使することができる期間又は期限が設けられている場合は、当該期間又は期限
- (ii) the period or expiration date for exercising rights based on the exchange certificate or other such instrument, if applicable;
- 三 前項第一号ロからホまでに掲げる事項
- (iii) particulars listed in item (i), (b) through (e) of the preceding paragraph;

四 当該為替証書等によって権利を行使することができる施設又は場所の範囲
(iv) the scope of facilities or places where rights can be exercised based on exchange certificate or other such instrument;

五 当該為替証書等の利用上の必要な注意
(v) necessary instructions for the use of the exchange certificate or other such instrument; and

六 電磁的方法（電子的方法、磁気的方法その他の人の知覚によって認識することができない方法をいう。）により金額を記録している為替証書等にあつては、その残高又は当該残高を知ることができる方法

(vi) the balance of the recorded amount or the means by which it can be ascertained, if it is an exchange certificate or other such instrument whose amount is recorded by electronic or magnetic means (meaning electronic, magnetic, or other means that cannot be perceived by the human senses).

第二十九条の二 資金移動業者は、資金移動業の利用者との間で為替取引を行うときは、当該利用者に対し、書面の交付その他の適切な方法により、次に掲げる事項についての情報を提供しなければならない。

Article 29-2 Before carrying out an exchange transaction with a user of its funds transfer services, a funds transfer service provider must provide the user with information about the following particulars by delivering documents or any other appropriate means:

一 その営む資金移動業の種別

(i) the category of the funds transfer services that the funds transfer service provider provides;

二 履行保証金の供託、履行保証金保全契約又は履行保証金信託契約の別及び履行保証金保全契約又は履行保証金信託契約を締結している場合にあつては、これらの契約の相手方の氏名、商号又は名称

(ii) whether the funds transfer service provider has made security deposits for providing funds transfer services to the official depository or concluded a guarantee contract for security deposits for providing funds transfer services or a trust agreement for security deposits for providing funds transfer services on behalf of the user, and if a guarantee contract for security deposits for providing funds transfer services or a trust agreement for security deposits for providing funds transfer services has been concluded, the name, trade name, or any other name of the counterparty thereto;

三 その営む資金移動業の種別ごとの算定期間及び供託期限

(iii) the calculation period and due date for deposit for each category of funds transfer services that the funds transfer service provider provides;

四 法第四十五条の二第一項の規定の適用を受けている場合にあつては、預貯金等管理割合及び法第五十九条第一項ただし書に規定する権利の内容

(iv) if the provisions of Article 45-2, paragraph (1) of the Act apply, the rate of

management by bank deposits or savings and the details of the right prescribed in the proviso to Article 59, paragraph (1) of the Act;

五 為替取引に係る業務に関し利用者の意思に反して権限を有しない者の指図が行われたことにより発生した利用者の損失の補償その他の対応に関する方針

(v) a policy for compensation for or any other response to loss incurred by users due to instructions given by an unauthorized person in connection with the services involved in the exchange transactions, against the intention of the users; and

六 その他前各号に掲げる事項に関し参考となると認められる事項

(vi) other particulars found to be relevant to the particulars set forth in the preceding items.

(受取証書の交付)

(Delivery of Receipt)

第三十条 資金移動業者は、その行う為替取引に関し、資金移動業の利用者から金銭その他の資金を受領したときは、遅滞なく、次に掲げる事項を記載した書面を当該利用者に交付しなければならない。ただし、資金移動業者が、為替証書等を発行して為替取引を行う場合は、この限りでない。

Article 30 (1) When a funds transfer service provider has received money or other funds from a user of its funds transfer services in connection with the exchange transactions that it carries out, it must deliver a document containing the following particulars to the relevant user without delay; provided, however, that this does not apply if the funds transfer service provider issues an exchange certificate or other such instrument when carrying out an exchange transaction.

一 資金移動業者の商号及び登録番号

(i) the trade name and the registration number of the funds transfer service provider;

二 当該利用者から受領した資金の額

(ii) the amount of the funds received from the user; and

三 受領年月日

(iii) the date of receipt.

2 前項の規定は、預金又は貯金の口座に対する払込みにより資金を受領する場合にあつては、当該利用者の請求があつたときに限り、適用する。

(2) When funds are received through a transfer of funds to a bank account for bank deposits or savings, the provisions of the preceding paragraph apply only if the delivery of the referenced document is requested by the user.

3 資金移動業者は、第一項に規定する書面の交付に代えて、次項の規定により当該利用者の承諾を得て、第一項に掲げる事項を電磁的方法により提供することができる。この場合において、資金移動業者は、同項に規定する書面の交付を行ったものとみなす。

(3) After obtaining the consent of the user pursuant to the provisions of the following paragraph, a funds transfer service provider may provide the user with the particulars listed in paragraph (1) by electronic or magnetic means in lieu of delivering the document prescribed in that paragraph. In such a case, the funds transfer service provider is deemed to have delivered the document prescribed in that paragraph.

4 資金移動業者は、前項の規定により第一項に掲げる事項を提供しようとするときは、あらかじめ、当該利用者に対し、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。

(4) A funds transfer service provider seeking to provide the particulars listed in paragraph (1) pursuant to the provisions of the preceding paragraph must indicate to the user the type and details of the electronic and magnetic means to be used and obtain the consent of the user in advance, in writing or by electronic or magnetic means.

5 前項に規定する承諾を得た資金移動業者は、当該利用者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、当該利用者に対し、第一項に掲げ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、当該利用者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。

(5) If a funds transfer service provider that had received the consent under the preceding paragraph has received a notice from the relevant user in writing or by electronic or magnetic means indicating that the user is no longer willing to be provided with information by electronic or magnetic means, the funds transfer service provider must not provide the user with the particulars listed in paragraph (1) by electronic or magnetic means; provided, however, that this does not apply if the user gives the consent under the preceding paragraph again.

6 前三項の「電磁的方法」とは、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って次の各号に掲げる場合の区分に応じ、当該各号に定める方法とする。

(6) The "electronic or magnetic means" referred to in the preceding three paragraphs are those of the means of using an electronic data processing system and of otherwise employing information and communications technology that are provided for in the following items for the categories of cases set forth in those items:

一 電磁的方法による提供を受ける旨の承諾又は受けない旨の申出をする場合 次に掲げる方法

(i) if the user consents to being provided with information by electronic or magnetic means or if the user gives notice of their unwillingness to be provided with information by electronic or magnetic means: The following means;

イ 承諾若しくは申出を受ける者又は同意を得る者の使用に係る電子機器に備えら

れたファイルにその旨を記録する方法

(a) a means that causes this to be recorded in a file prepared on the electronic equipment used by the person receiving the consent or notice or the person obtaining the agreement; and

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

(b) a means through which a file containing a record of the consent or notice that which has been prepared on a magnetic disk, CD-ROM, or any other object with an equivalent means of reliably storing a fixed set of information is delivered to the user; or

二 前号に掲げる場合以外の場合 次に掲げる方法

(ii) in cases other than those prescribed in the preceding item: The following means:

イ 電子情報処理組織を使用する方法のうち次に掲げるもの

(a) the following means of using an electronic data processing system:

(1) 送信者の使用に係る電子機器と受信者の使用に係る電子機器とを接続する電気通信回線を通じて送信し、当該受信者の使用に係る電子機器に備えられたファイルに記録する方法

1. a means that causes information to be transmitted through telecommunication lines connecting the electric equipment used by the sender with the electric equipment used by the recipient and recorded in a file prepared on the electric equipment used by the recipient;

(2) 送信者の使用に係る電子機器に備えられたファイルに記録された情報の内容を電気通信回線を通じて受信者の閲覧に供し、当該受信者の使用に係る電子機器に備えられたファイルに当該情報を記録する方法

2. a means that causes information recorded in a file prepared on the electric equipment used by the sender to be made available for inspection by the recipient through telecommunication lines and recorded in a file prepared on the electric equipment used by the recipient; and

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

(b) the means of delivering a file containing a record of information that has been prepared on a magnetic disk, CD-ROM, or other object with an equivalent means of reliably storing a fixed set of information to the user.

7 前項各号に定める方法は、次に掲げる基準に適合するものでなければならない。

(7) The means prescribed in the items of the preceding paragraph must satisfy the following criteria:

一 前項第一号に定める方法にあつては、承諾又は申出を受ける者が承諾又は申出を

する者に対し、電磁的方法による提供を受ける旨の承諾又は受けない旨の申出の内容を書面その他の適切な方法により通知するものであること。

(i) the means prescribed in item (i) of the preceding paragraph, must be a means that involves the person receiving the consent notifying the person giving it, in writing or by other appropriate means, of the details of the consent to be provided with information by electronic or magnetic means, or that involves the person receiving the notice notifying the person giving it, in writing or by other appropriate means, of the content of the notice of the unwillingness to be provided with information by electronic or magnetic means;

二 前項第二号に定める方法にあつては、受信者がファイルへの記録を出力すること（当該記録を他の電子機器に送信することその他の方法を用いて出力することを含む。）により書面を作成できるものであること。

(ii) the means prescribed in item (ii) of the preceding paragraph must be a means that enables the recipient to create a document by outputting the information recorded in the file (including outputting the recorded information by transmitting it to other electronic equipment or any other means); and

三 前項第二号イに掲げる方法のうち受信者の電子機器として携帯電話又はPHSを用いるものにあつては、送信した日又は閲覧に供した日から三月間、受信者の請求により、送信者が電磁的方法により提供した事項に係る書面の交付を行うものであること。

(iii) if a mobile phone or PHS phone is used as the recipient's electronic equipment, the means provided for in item (ii), (a) of the preceding paragraph must be a means that involves the sender, at the request of the recipient, delivering a document concerning the particulars that the sender has provided by electronic or magnetic means, during the period of three months from the day on which the sender transmitted that information or made it available for inspection.

8 第六項第二号イの「電子情報処理組織」とは、送信者の使用に係る電子機器と、受信者の使用に係る電子機器とを電気通信回線で接続した電子情報処理組織をいう。

(8) The term "electronic data processing system" as used in paragraph (6), item (ii), (a) means an electronic data processing system through which the electronic device used by the sender is connected with the electronic device used by the recipient over telecommunication lines.

（為替取引に用いられることがないと認められる利用者の資金を保有しないための措置）

(Measures to Avoid Holding Funds of Users That Are Found Unlikely to Be Used for Exchange Transactions)

第三十条の二 資金移動業者（第二種資金移動業を営む者に限る。）は、各利用者に対

して負担している為替取引（第二種資金移動業に係るものに限る。以下この項において同じ。）に関する債務の額が、令第十二条の二第一項に規定する額を超える場合は、当該債務に係る債権者である利用者の資金（第二種資金移動業に係るものに限る。）が為替取引に用いられるものであるかどうかを確認するための体制を整備しなければならない。

Article 30-2 (1) A funds transfer service provider (limited to one that provides type II funds transfer services) must establish a system through which, if the amount of obligations it owes in connection with exchange transactions (limited to those involving type II funds transfer services; hereinafter the same applies in this paragraph) exceeds the amount prescribed in Article 12-2, paragraph (1) of the Order, the funds transfer service provider will confirm whether the funds (limited to those involving type II funds transfer services) of the users who are creditors of these obligations are likely to be used for exchange transactions.

2 資金移動業者は、利用者から受け入れた資金のうち為替取引に用いられることがないと認められるものについて、当該利用者への返還その他の当該資金を保有しないための措置を講じなければならない。

(2) A funds transfer service provider must take measures to return part of the funds received from users that is found unlikely to be used for exchange transactions or other measures to avoid holding that part of the funds.

（利用者から受け入れた資金を原資として貸付け等を行うことを防止するための措置）

(Measures to Prevent Lending of Funds Using Funds Received from Users)

第三十条の三 履行保証金保全契約を締結している資金移動業者は、利用者から受け入れた資金を原資として貸付け又は手形の割引を行うことを防止するための措置を講じなければならない。

Article 30-3 A funds transfer service provider that has concluded a guarantee contract for security deposits for providing funds transfer services must take measures to prevent the lending of funds or discounting of bills using the funds it has received from users.

（二以上の種別の資金移動業を営む場合に必要な措置）

(Necessary Measures When Providing Two or More Categories of Funds Transfer Services)

第三十条の四 二以上の種別の資金移動業を営む資金移動業者は、各利用者に対して負担する資金移動業の種別ごとの為替取引に関する債務の額その他の各利用者の資金移動業の種別ごとの利用状況を当該各利用者が容易に知ることができるようにするための措置を講じなければならない。

Article 30-4 (1) A funds transfer service provider that provides two or more categories of funds transfer services must take measures to ensure that each

user can easily learn the amount of obligations it owes to that user in connection with exchange transactions for each category of funds transfer services and other status of use for the user for each category of fund transfer services.

2 資金移動業者（第一種資金移動業及び第二種資金移動業を営む者に限る。）は、利用者から資金（第二種資金移動業に係るものに限る。）を受け入れ、第二種資金移動業に係る為替取引に関する債務を負担している場合にあっては、当該債務を第一種資金移動業に係る為替取引に関する債務に変更することを防止するための措置を講じなければならない。

(2) If a funds transfer service provider (limited to one that provides type I funds transfer services and the type II funds transfer services) receives funds (limited to those involving type II funds transfer services) from users and bears obligations in relation to exchange transactions involving type II funds transfer services, the funds transfer service provider must take measures to prevent the change of these obligations into obligations in relation to exchange transactions involving type I funds transfer services.

（その他利用者保護を図るための措置等）

(Other Measures to Ensure Protection of Users)

第三十一条 資金移動業者は、資金移動業の利用者の保護を図り、及び資金移動業の適正かつ確実な遂行を確保するため、次の各号に掲げる措置を講じなければならない。

Article 31 A funds transfer service provider must take the following measures to ensure the protection of the users of the funds transfer services and ensure the proper and steady operation of funds transfer services:

一 その行う為替取引について、捜査機関等から当該為替取引が詐欺等の犯罪行為に利用された旨の情報の提供があることその他の事情を勘案して犯罪行為が行われた疑いがあると認める場合には、当該為替取引の停止等を行う措置

(i) if a funds transfer service provider finds a possibility that a criminal act has been committed with regard to the exchange transactions that it carries out after considering circumstances such as any provision of information by the investigative authority, etc. to the effect that the relevant exchange transactions were used for the purpose of committing a fraud or other criminal acts, measures to suspend the relevant exchange transactions, etc.;

二 電気通信回線に接続している電子計算機を利用して、資金移動業の利用者と為替取引を行う場合にあっては、当該利用者が当該資金移動業者と他の者を誤認することを防止するための適切な措置

(ii) if a funds transfer service provider carries out exchange transactions with the users of the funds transfer services by using a computer connected with electric telecommunication lines, appropriate measures to prevent the relevant users from mistaking the relevant funds transfer service provider for another person;

三 資金移動業の利用者から電気通信回線に接続している電子計算機を利用して為替取引に係る指図を受ける場合にあっては、当該指図の内容を、当該利用者が当該指図に係る電子計算機の操作を行う際に容易に確認し及び訂正することができるようにするための適切な措置

(iii) if a funds transfer service provider receives instructions regarding exchange transactions from the users of the funds transfer services using a computer connected to a telecommunications line, appropriate measures to enable the relevant user to easily confirm or correct the details of the instructions when they are using the computer to give those instructions;

四 為替取引に係る業務の内容及び方法に照らし必要があると認められる場合にあっては、当該業務に関し資金移動業の利用者以外の者に損失が発生した場合における当該損失の補償その他の対応に関する方針を当該者に周知するための適切な措置

(iv) if it is found necessary in light of the details and means of the business involved in the exchange transactions, appropriate measures to make public to persons other than users of funds transfer services a policy for compensation for or any other response to any loss incurred by these persons in relation to the relevant business.

(社内規則等)

(Internal Rules)

第三十二条 資金移動業者は、その業務の内容及び方法に応じ、資金移動業の利用者の保護を図り、及び資金移動業の適正かつ確実な遂行を確保するための措置（当該資金移動業者が講ずる法第五十一条の四第一項に定める措置の内容の説明及び犯罪を防止するための措置を含む。）に関する社内規則等を定めるとともに、従業者に対する研修、委託先に対する指導その他の当該社内規則等に基づいて業務が運営されるための十分な体制を整備しなければならない。

Article 32 A funds transfer service provider, in accordance with the details and means of its services, must prescribe internal rules, etc. concerning the measures to ensure the protection of the users of the funds transfer services and the proper and steady operation of funds transfer services (including the explanation of the details of the measures taken by the funds transfer service provider as specified in Article 51-4 (1) of the Act and the measures to prevent crimes) and establish a system for providing training to employees, a system for providing guidance to the entrusted person, and other systems sufficient to ensure that the services are operated based on the relevant internal rules, etc.

(第一種資金移動業に関し負担する債務の制限)

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

第三十二条の二 法第五十一条の二第一項に規定する内閣府令で定める事項は、次に掲げる事項とする。

Article 32-2 (1) The particulars specified by Cabinet Office Order that are provided for in Article 51-2, paragraph (1) of the Act are the following particulars:

一 移動する資金の額

(i) the amount of funds to be transferred;

二 資金を移動する日

(ii) the day on which the funds are to be transferred;

三 資金の移動先

(iii) the party to whom the funds are to be transferred.

2 法第五十一条の二第二項に規定する内閣府令で定める期間は、資金の移動に関する事務を処理するために必要な期間（利用者から指図を受けた資金の移動先に誤りがある場合その他の資金移動業者の責めに帰することができない事由により資金を移動することができない場合に、当該事由を解消するために必要な期間を含む。）とする。

(2) The period specified by Cabinet Office Order that is provided for in Article 51-2, paragraph (2) of the Act is the period necessary for processing the transfer of funds (including the period necessary for resolving the cause not attributable to the funds transfer service provider due to which funds cannot be transferred, such as the case where there is an error in the instructions given by the user regarding the party to whom the funds are to be transferred).

(消費生活に関する事項について専門的な知識経験を有する者)

(Persons with Expert Knowledge and Experience in Particulars Related to Consumer Affairs)

第三十二条の三 法第五十一条の四第四項に規定する内閣府令で定める者は、次に掲げるいずれかの資格を有し、かつ、消費生活相談（消費者契約法（平成十二年法律第六十一号）第十三条第三項第五号イに規定する消費生活相談をいう。）に応ずる業務に従事した期間が通算して五年以上である者とする。

Article 32-3 Persons specified by Cabinet Office Order that are provided for in Article 51-4, paragraph (4) of the Act are those who have any of the following qualifications and have engaged in the business of responding to consumer affairs consultations (meaning the consumer affairs consultations prescribed in Article 13, paragraph (3), item (v), (a) of the Consumer Contract Act (Act No. 61 of 2000)) for a period of not less than five years in total:

一 独立行政法人国民生活センターが付与する消費生活専門相談員の資格

(i) the qualification as the consumer-specialized counselor granted by the National Consumer Affairs Center of Japan;

二 一般財団法人日本産業協会が付与する消費生活アドバイザーの資格

(ii) the qualification as the consumer advisor granted by the Japan Industrial Association; or

三 一般財団法人日本消費者協会が付与する消費生活コンサルタントの資格

(iii) the qualification as the consumer consultant granted by the Japan

Consumers' Association.

(資金移動業に関する苦情処理措置及び紛争解決措置)

(Complaint Processing Measures and Dispute Resolution Measures in Relation to Funds Transfer Services)

第三十二条の四 法第五十一条の四第四項に規定する苦情処理措置として内閣府令で定める措置は、次の各号のいずれかとする。

Article 32-4 (1) Measures specified by Cabinet Office Order as Complaint Processing Measures prescribed in Article 51-4, paragraph (4) of the Act are any of the following:

一 次に掲げる全ての措置を講じること。

(i) to take all of the following measures:

イ 資金移動業関連苦情（法第百一条第一項において読み替えて準用する銀行法第二条第二十二項に規定する資金移動業等関連苦情のうち法第二条第十五項に規定する資金移動業務に関するものをいう。以下この項及び第三項において同じ。）の処理に関する業務を公正かつ的確に遂行するに足りる業務運営体制を整備すること。

(a) to establish a business operation system sufficient to execute the business of processing complaints related to the funds transfer services (meaning the complaints related to the funds transfer services prescribed in Article 2, paragraph (15) of the Act out of the complaints related to the funds transfer services, etc. prescribed in Article 2, paragraph (22) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) of the Act following the deemed replacement of terms; hereinafter the same applies in this paragraph and paragraph (3)) in a fair and appropriate manner;

ロ 資金移動業関連苦情の処理に関する業務を公正かつ的確に遂行するための社内規則（当該業務に関する社内における責任分担を明確化する規定を含むものに限る。）を整備すること。

(b) to establish internal rules for the fair and appropriate execution of the business of processing complaints related to the funds transfer services (limited to the internal rules including the provisions clarifying the sharing of responsibility in the company with regard to the relevant business);

ハ 資金移動業関連苦情の申出先を利用者に周知し、並びにイの業務運営体制及びロの社内規則を公表すること。

(c) to inform the users of where to make complaints related to the funds transfer services, and to make the business operation system as provided in (a) and the internal rules provided in (b) above public;

二 認定資金決済事業者協会が行う苦情の解決により資金移動業関連苦情の処理を図ること。

(ii) to seek to process complaints related to the funds transfer services through the resolution of complaints carried out by the certified association for payment service providers;

三 消費者基本法（昭和四十三年法律第七十八号）第十九条第一項又は第二十五条に規定するあっせんにより資金移動業関連苦情の処理を図ること。

(iii) to seek to process complaints related to the funds transfer services through the mediation prescribed in Article 19, paragraph (1) or Article 25 of the Basic Act on Consumer Policies (Act No. 78 of 1968);

四 令第二十四条各号に掲げる指定を受けた者が実施する苦情を処理する手続により資金移動業関連苦情の処理を図ること。

(iv) to seek to process complaints related to the funds transfer services through complaint processing procedures carried out by a person who has obtained any of the designations listed in the items of Article 24 of the Order; or

五 資金移動業関連苦情の処理に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人（法第九十九条第一項第一号に規定する法人をいう。次項第四号において同じ。）が実施する苦情を処理する手続により資金移動業関連苦情の処理を図ること。

(v) to seek to process complaints related to the funds transfer services through complaint processing procedures carried out by a corporation (meaning the corporation prescribed in Article 99, paragraph (1), item (i) of the Act; the same applies in item (iv) of the following paragraph) that has a financial basis and a personnel structure sufficient to execute the business of processing complaints related to the funds transfer services in a fair and appropriate manner.

2 法第五十一条の四第五項に規定する紛争解決措置として内閣府令で定める措置は、次の各号のいずれかとする。

(2) Measures specified by Cabinet Office Order as dispute resolution measures prescribed in Article 51-4, paragraph (5) of the Act are any of the following:

一 弁護士法（昭和二十四年法律第二百五号）第三十三条第一項に規定する会則若しくは当該会則の規定により定められた規則に規定する機関におけるあっせん又は当該機関における仲裁手続により資金移動業関連紛争（法第百一条第一項において読み替えて準用する銀行法第二条第二十三項に規定する資金移動業等関連紛争のうち法第二条第十五項に規定する資金移動業務に関するものをいう。以下この条において同じ。）の解決を図ること。

(i) to seek to resolve disputes related to the funds transfer services (meaning the disputes related to the funds transfer services prescribed in Article 2, paragraph (15) of the Act out of the disputes related to the funds transfer services, etc. prescribed in Article 2, paragraph (23) of the Banking Act as applied mutatis mutandis pursuant to Article 101, paragraph (1) of the Act following the deemed replacement of terms; hereinafter the same applies in this Article) through the mediation by an organization prescribed in the

association rules prescribed in Article 33, paragraph (1) of the Attorneys Act (Act No. 205 of 1949) or in the rules established pursuant to the provisions of the relevant association rules or through the arbitration procedures carried out by the relevant organization;

二 消費者基本法第十九条第一項若しくは第二十五条に規定するあっせん又は同条に規定する合意による解決により資金移動業関連紛争の解決を図ること。

(ii) to seek to resolve disputes related to the funds transfer services through the mediation prescribed in Article 19, paragraph (1) or Article 25 of the Basic Act on Consumer Policies or through the agreement prescribed in that Article;

三 令第二十四条各号に掲げる指定を受けた者が実施する紛争の解決を図る手続により資金移動業関連紛争の解決を図ること。

(iii) to seek to resolve disputes related to the Funds Transfer Service through dispute resolution procedures carried out by a person who has obtained any of the designations listed in the items of Article 24 of the Order; or

四 資金移動業関連紛争の解決に関する業務を公正かつ的確に遂行するに足りる経理的基礎及び人的構成を有する法人が実施する紛争の解決を図る手続により資金移動業関連紛争の解決を図ること。

(iv) to seek to resolve disputes related to the funds transfer services through dispute resolution procedures carried out by a corporation that has a financial basis and a personnel structure sufficient to execute the business of resolving disputes related to the funds transfer services in a fair and appropriate manner.

3 前二項（第一項第五号及び前項第四号に限る。）の規定にかかわらず、資金移動業者は、次の各号のいずれかに該当する法人が実施する手続により資金移動業関連苦情の処理又は資金移動業関連紛争の解決を図ってはならない。

(3) Notwithstanding the provisions of the preceding two paragraphs (limited to paragraph (1), item (v) and item (iv) of the preceding paragraph), a funds transfer service provider must not seek to process complaints related to the funds transfer services or to resolve disputes related to the funds transfer services through the procedures carried out by a corporation falling under any of the following items:

一 法又は弁護士法の規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から五年を経過しない法人

(i) a corporation that has been sentenced to a fine pursuant to the provisions of the Act or the Attorneys Act, and for whom five years have not passed since the day when the execution of the punishment terminated or it became free from execution of the punishment;

二 法第百条第一項の規定により法第九十九条第一項の規定による指定を取り消され、その取消の日から五年を経過しない法人又は令第二十四条各号に掲げる指定を取り消され、その取消の日から五年を経過しない法人

(ii) a corporation whose designation under Article 99, paragraph (1) of the Act has been rescinded pursuant to the provisions of Article 100, paragraph (1) of the Act, and for whom five years have not passed since the day of the relevant rescission, or a corporation whose designation listed in the items of Article 24 of the Order has been rescinded, and for whom five years have not passed since the day of the relevant rescission;

三 その業務を行う役員（役員が法人であるときは、その職務を行うべき者を含む。以下この号において同じ。）のうちに、次のいずれかに該当する者がある法人

(iii) a corporation that has, in its officers conducting the business thereof (if the officer is a corporation, including the person to perform its duties; hereinafter the same applies in this item), those falling under either of the following:

イ 禁錮以上の刑に処せられ、又は法若しくは弁護士法の規定により刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から五年を経過しない者

(a) a person who has been sentenced to imprisonment without work or heavier punishment or has been sentenced pursuant to the provisions of the Act or the Attorneys Act, and for whom five years have not passed since the day when the execution of the punishment terminated or the person became free from execution of the punishment; or

ロ 法第百条第一項の規定により法第九十九条第一項の規定による指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者又は令第二十四条各号に掲げる指定を取り消された法人において、その取消しの日前一月以内にその法人の役員であった者でその取消しの日から五年を経過しない者

(b) a person who was an officer of a corporation whose designation under Article 99 (1) of the Act was rescinded pursuant to the provisions of Article 100 (1) of the Act, within one month before the day of the relevant rescission, and for whom five years have not passed since the day of the relevant rescission; or a person who was an officer of a corporation whose designation listed in the items of Article 24 of the Order was rescinded, within one month before the day of the relevant rescission, and for whom five years have not passed since the day of the relevant rescission.

第三章 監督

Chapter III Supervision

(資金移動業に関する帳簿書類の作成及び保存)

(Preparation and Preservation of Books and Documents on Funds Transfer Services)

第三十三条 法第五十二条に規定する資金移動業に関する帳簿書類は、次に掲げる帳簿

書類とする。

Article 33 (1) The books and documents on funds transfer services as prescribed in Article 52 of the Act are the following books and documents:

一 資金移動業の種別ごとの取引記録

(i) transaction records for each category of funds transfer services;

二 総勘定元帳

(ii) general ledger;

三 資金移動業の利用者との間で為替取引を継続的に又は反復して行うことを内容とする契約を締結している場合にあっては、顧客勘定元帳

(iii) if a funds transfer service provider concludes a contract with the users of the funds transfer services under which exchange transactions are carried out on an ongoing or recurring basis: a customer ledger;

四 各営業日における資金移動業の種別ごとの未達債務の額及び要履行保証額（法第四十三条第二項に規定する要履行保証額をいう。）の記録

(iv) records of the amount of outstanding obligations in the process of being transferred and the amount required for security deposits for providing funds transfer services (meaning the amount required for security deposits for providing funds transfer services prescribed in Article 43, paragraph (2) of the Act) for each category of funds transfer services as of each business day;

五 第十一条第四項（第一号に係る部分に限る。）の規定により算出した額を未達債務の額としている場合にあっては、各営業日における資金移動業の種別ごとの次に掲げる額の記録

(v) if the amount calculated pursuant to the provisions of Article 11, paragraph (4) (limited to the part concerning item (i)) is treated as the amount of outstanding obligations in the process of being transferred: records of the following amounts for each category of funds transfer services as of each business day:

イ 各利用者に対して負担する為替取引に関する債務の額

(a) the amount of obligations it owes to each user in connection with exchange transactions; and

ロ 各利用者に対して有する為替取引に関する債権の額

(b) the amount of claims held in relation to exchange transactions against each user;

六 第十一条第四項（第二号に係る部分に限る。）の規定により算出した額を未達債務の額としている場合にあっては、履行完了額算出時点を未達債務算出時点とみなして同条第三項の規定の例により算出した額及び同号に定める額の記録

(vi) if the amount calculated pursuant to the provisions of Article 11, paragraph (4) (limited to the part concerning item (ii)) is treated as the amount of outstanding obligations in the process of being transferred: records of the amount calculated as governed by the same rules as paragraph (3) of that Article when the timing for calculating the amount of fully

performed obligations is deemed to be the timing for calculating the amount of outstanding obligations in the process of being transferred and records of the amount specified in that item;

七 各算定日における資金移動業の種別ごとの要供託額の記録

(vii) records of the amount required to be deposited for each category of funds transfer services as of each calculation date;

八 履行保証金を供託している場合にあっては、各算定日における資金移動業の種別ごとの履行保証金の額の記録

(viii) if security deposits for providing funds transfer services are made: records of the amount of security deposits for providing funds transfer services for each category of funds transfer services as of each calculation date;

九 信託契約資金移動業者である場合にあっては、各算定日における資金移動業の種別ごとの信託財産の額の記録

(ix) if the funds transfer service provider is a trust agreement funds transfer service provider: records of the amount of trust property for each category of funds transfer services as of each calculation date; and

十 法第四十五条の二第一項の規定の適用を受けている資金移動業者である場合にあっては、次に掲げる記録

(x) if the funds transfer service provider is one to whom the provisions of Article 45-2, paragraph (1) of the Act are applied: the following records:

イ 各営業日における第三種資金移動業の各利用者に対して負担する為替取引に関する債務の額の記録

(a) records of the amount of obligations it owes to each user of type III funds transfer services in connection with exchange transactions, as of each business day;

ロ 各営業日における預貯金等管理方法により管理する金銭の額の記録

(b) records of the amount of money managed by the method of management by bank deposits or savings as of each business day; and

ハ 預貯金等管理監査の結果に関する記録

(c) records concerning the results of the audit of the management of money by the bank deposits or savings method.

2 資金移動業者は、帳簿の閉鎖の日から、前項第一号から第三号までに掲げる帳簿書類にあっては少なくとも十年間、同項第四号から第十号までに掲げる帳簿書類にあっては少なくとも五年間、当該帳簿書類を保存しなければならない。

(2) A funds transfer service provider must preserve the books and documents listed in items (i) through (iii) of the preceding paragraph for at least ten years from the day of the closing of the books, and the books and documents listed in items (iv) through (x) of that paragraph for at least five years from the day of the closing of the books.

(資金移動業に関する報告書)

(Reports on the Funds Transfer Services)

第三十四条 法第五十三条第一項の資金移動業に関する報告書は、事業概況書及び資金移動業の種別ごとの収支の状況を記載した書面に分けて、別紙様式第十九号（外国資金移動業者にあつては、別紙様式第二十号）により作成して、事業年度の末日から三月以内に金融庁長官に提出しなければならない。

Article 34 The written report on the funds transfer services prescribed in Article 53, paragraph (1) of the Act must be prepared based on Appended Form No. 19 (in the case of a foreign funds transfer service provider, Appended Form No. 20) by separating it into a business summary and a document containing the status of income and expenditure for each category of funds transfer services and submitted to the Commissioner of the Financial Services Agency within three months from the last day of the relevant business year.

(未達債務の額等に関する報告書)

(Reports on the Amount of Outstanding Obligations in the Process of Being Transferred)

第三十五条 法第五十三条第二項の報告書は、別紙様式第二十一号により作成し、毎年三月三十一日、六月三十日、九月三十日及び十二月三十一日（以下この条並びに次条第一項第二号及び第二項第二号において「報告基準日」という。）ごとに、当該報告基準日から一月以内に金融庁長官に提出しなければならない。

Article 35 The written report prescribed in Article 53, paragraph (2) of the Act must be prepared based on Appended Form No. 21 and submitted within one month from March 31, June 30, September 30, and December 31 every year (hereinafter each of these dates is referred to as "base date for reporting" in this Article and paragraph (1), item (ii) and paragraph (2), item (ii) of the following Article) to the Commissioner of the Financial Services Agency.

(報告書の添付書類)

(Documents to Be Attached to Written Report)

第三十五条の二 法第五十三条第三項第一号に規定する内閣府令で定める書類は、次の各号に掲げる場合の区分に応じ、当該各号に定める書類とする。

Article 35-2 (1) The documents specified by Cabinet Office Order that are provided for in Article 53, paragraph (3), item (i) of the Act are the documents specified in the following items for the categories of cases respectively prescribed therein:

一 法第五十三条第一項の資金移動業に関する報告書を提出する場合 次に掲げる書類

(i) if the funds transfer service provider submits a written report on its funds transfer services referred to in Article 53, paragraph (1) of the Act: the following documents:

イ 最終の貸借対照表（関連する注記を含む。）及び損益計算書（関連する注記を含む。）

(a) the latest balance sheet (including the related notes) and profit and loss statement (including the related notes);

ロ 直前の事業年度において法第四十五条の二第一項の規定の適用を受けていた場合には、イに掲げる書類についての公認会計士又は監査法人の監査報告書

(b) if the provisions of Article 45-2, paragraph (1) of the Act were applied in the immediately preceding business year: an audit report prepared by a certified public accountant or audit corporation regarding the documents set forth in (a); and

二 法第五十三条第二項の報告書を提出する場合 次に掲げる書類

(ii) if the funds transfer service provider submits a written report on its funds transfer services referred to in Article 53, paragraph (2) of the Act: the following documents:

イ 当該報告書に係る報告基準日の直前の報告基準日の翌日から当該報告書に係る報告基準日までの間（以下この号及び次項第二号ニにおいて「報告対象期間」という。）に法第四十三条第一項の規定による供託をした場合には、供託に係る供託書正本の写し

(a) if the funds transfer service provider has made a deposit under Article 43, paragraph (1) of the Act during the period from the day following the base date for reporting that immediately precedes the base date for reporting associated with the relevant written report, up to the base date for reporting associated with the relevant written report (hereinafter referred to as the "reporting period" in this item and item (ii), (d) of the following paragraph): a copy of the authenticated copy of the certificate of deposit concerning the relevant deposit;

ロ 報告対象期間に令第十七条第一項又は第三項の規定により履行保証金の取戻しをした場合であって、当該取戻しが内渡しであるときは、供託規則（昭和三十四年法務省令第二号）第四十九条第一項の規定により当該内渡しに係る供託金の額又は供託した債券の名称、枚数、総額面及び券面額（振替国債については、その銘柄及び金額）に関する事項につき証明を受けたことを証する書面

(b) if the funds transfer service provider has recovered the security deposits for providing funds transfer services pursuant to the provisions of Article 17, paragraph (1) or (3) of the Order during the reporting period, and the recovery is made for part of the security deposits: a document to prove that the particulars concerning the amount of money deposited, or the name, quantity, face value, and total face value of bond certificates deposited (in the case of book-entry government bonds, the issue and amount thereof) that have been partially recovered have been certified pursuant to the provisions of Article 49, paragraph (1) of the deposit regulation (Order of the Ministry of Justice No. 2 of 1959);

ハ 報告対象期間に履行保証金保全契約の内容の変更又は更新をした場合には、当該変更若しくは更新に係る契約書又は当該変更若しくは更新をした旨を証する書面の写し

(c) if the funds transfer service provider has amended or renewed a guarantee contract for security deposits for providing funds transfer services during the reporting period: a copy of the written contract concerning the amendment or renewal or of a document evidencing the amendment or renewal;

ニ 報告対象期間に履行保証金信託契約の内容の変更又は更新をした場合には、当該変更若しくは更新に係る契約書又は当該変更若しくは更新をした旨を証する書面の写し

(d) if the funds transfer service provider has amended or renewed a trust agreement for security deposits for providing funds transfer services during the reporting period: a copy of the written contract concerning the amendment or renewal or of a document evidencing the amendment or renewal; and

ホ 報告基準日において信託契約資金移動業者であった場合には、信託会社等が発行する当該報告書に係る報告基準日における信託財産の額を証明する書面

(e) if the funds transfer service provider was a trust agreement funds transfer service provider as of the base date for reporting: a document issued by the trust company, etc. to prove the amount of the trust property as of the base date for reporting that is associated with the relevant written report.

2 法第五十三条第三項第二号に規定する内閣府令で定める書類は、次の各号に掲げる場合の区分に応じ、当該各号に定める書類とする。

(2) The documents specified by Cabinet Office Order that are provided for in Article 53, paragraph (3), item (ii) of the Act are the documents specified in the following items for the categories of cases respectively prescribed therein:

一 法第五十三条第一項の資金移動業に関する報告書を提出する場合 前項第一号イに掲げる書類及び当該書類についての公認会計士又は監査法人の監査報告書

(i) if the funds transfer service provider submits a written report on its funds transfer services referred to in Article 53, paragraph (1) of the Act: the documents set forth in item (i), (a) of the preceding paragraph, and an audit report prepared by a certified public accountant or audit corporation regarding these documents;

二 法第五十三条第二項の報告書を提出する場合 次に掲げる書類

(ii) if the funds transfer service provider submits a written report on its funds transfer services referred to in Article 53, paragraph (2) of the Act: the following documents:

イ 前項第二号イからホまでに掲げる書類

(a) the documents set forth in item (ii), (a) through (e) of the preceding

paragraph;

ロ 報告基準日において第二十一条の三第一号に掲げる方法により金銭を管理していた場合には、銀行等が発行する当該報告書に係る報告基準日における残高証明書

(b) if the funds transfer service provider managed money by the method specified in Article 21-3, item (i) as of the base date for reporting: a certificate of the balance as of the base date for reporting associated with the relevant written report, which is issued by the deposit-taking institution;

ハ 報告基準日において第二十一条の三第二号に掲げる方法により金銭を管理していた場合には、信託業務を営む金融機関が発行する当該報告書に係る報告基準日における残高証明書

(c) if the funds transfer service provider managed money by the method specified in Article 21-3, item (ii) as of the base date for reporting: a certificate of the balance as of the base date for reporting associated with the relevant written report, which is issued by the financial institution engaging in the trust business; and

ニ 報告対象期間に預貯金等管理監査を受けた場合には、公認会計士又は監査法人から提出された直近の報告書の写し

(d) if the funds transfer service provider has undergone an audit of money management by the bank deposits or savings method during the reporting period: a copy of the latest report submitted by the certified public accountant or audit corporation.

3 金融庁長官は、必要があると認めるときは、資金移動業者に対し、第一項第二号イの供託書正本又は同号ハ若しくはニの契約書の正本の提出を命ずることができる。

(3) The Commissioner of the Financial Services Agency, if the Commissioner finds it necessary, may order a funds transfer service provider to submit the authenticated copy of the certificate of deposit set forth in paragraph (1), item (ii), (a), or the original of the contract document set forth in (c) or (d) of that item.

(公告の方法)

(Method of Public Notice)

第三十六条 法第五十六条第二項及び第五十八条の規定による公告は、官報によるものとする。

Article 36 The public notice under Article 56, paragraph (2) and Article 58 of the Act is to be given in the Official Gazette.

第四章 雑則

Chapter IV Miscellaneous Provisions

(履行保証金の供託等に係る特例の適用を受ける旨の届出等)

(Notification of Intention to Seek Application of Special Provisions Concerning Security Deposits for Providing Funds Transfer Services)

第三十六条の二 資金移動業者は、法第五十八条の二第一項の規定による届出をしようとするときは、別紙様式第二十二号により作成した届出書を金融庁長官に提出しなければならない。

Article 36-2 (1) A funds transfer service provider seeking to make a notification under Article 58-2, paragraph (1) of the Act must submit to the Commissioner of the Financial Services Agency a written notice prepared based on Appended Form No. 22.

2 法第五十八条の二第一項第三号に規定する内閣府令で定める事項は、次に掲げる事項とする。

(2) The particulars specified by Cabinet Office Order that are provided for in Article 58-2, paragraph (1), item (iii) of the Act are the following particulars:

一 商号

(i) the trade name;

二 登録年月日及び登録番号

(ii) date of registration and registration number;

三 特例対象資金移動業（法第五十八条の二第一項に規定する特例対象資金移動業をいう。以下この項及び次条において同じ。）に係る算定期間

(iii) the calculation period for funds transfer services under the special provisions (meaning the funds transfer services under the special provisions prescribed in Article 58-2, paragraph (1) of the Act; the same applies in this paragraph and the following Article):

四 特例対象資金移動業に係る基準日等（法第五十八条の二第五項第二号に規定する基準日等をいう。第五項において同じ。）

(iv) the base date, etc. (meaning the base date, etc. prescribed in Article 58-2, paragraph (5), item (ii) of the Act; the same applies in paragraph (5)) for funds transfer services under the special provisions;

五 特例対象資金移動業に係る供託期限

(v) the due date for deposit for funds transfer services under the special provisions; and

六 特例適用開始日（法第五十八条の二第一項に規定する特例適用開始日をいう。）における特例対象資金移動業に係る履行保証金の額、保全金額及び信託財産の額又はこれらの見込額

(vi) the amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property associated with funds transfer services under the special provisions as of the day on which the application of special provisions commences (meaning the day on which the application of special provisions commences prescribed in Article 58-2, paragraph (1) of the Act) or estimated amounts thereof.

- 3 資金移動業者は、法第五十八条の二第三項の規定による届出をしようとするときは、別紙様式第二十三号により作成した届出書を金融庁長官に提出しなければならない。
- (3) A funds transfer service provider seeking to make a notification under Article 58-2, paragraph (3) of the Act must submit to the Commissioner of the Financial Services Agency a written notice prepared based on Appended Form No. 23.
- 4 法第五十八条の二第三項に規定する内閣府令で定める事項は、次に掲げる事項とする。
- (4) The particulars specified by Cabinet Office Order that are provided for in Article 58-2, paragraph (3) of the Act are the following particulars:
- 一 商号
 - (i) the trade name;
 - 二 登録年月日及び登録番号
 - (ii) date of registration and registration number; and
 - 三 特例適用終了日（法第五十八条の二第三項に規定する特例適用終了日をいう。次項において同じ。）における特例適用終了資金移動業（法第五十八条の二第三項に規定する特例適用終了資金移動業をいう。次項において同じ。）に係る履行保証金の額、保全金額及び信託財産の額又はこれらの見込額
 - (iii) the amount of security deposits for providing funds transfer services, the secured amount and the amount of trust property associated with funds transfer services for which the application of special provisions is terminated (meaning the funds transfer services for which the application of special provisions is terminated prescribed in Article 58-2, paragraph (3) of the Act; the same applies in the following paragraph) as of the day on which the application of special provisions is terminated (meaning the day on which the application of special provisions is terminated prescribed in Article 58-2, paragraph (3) of the Act; the same applies in the following paragraph); the same applies in the following paragraph) or estimated amounts thereof.
- 5 資金移動業者が法第五十八条の二第三項の規定による届出をしたときは、当該資金移動業者が特例適用終了日において同条第一項の規定により読み替えて適用する法第四十三条第一項の規定により供託していた履行保証金（法第五十八条の二第二項の規定により、同条第一項の規定により読み替えて適用する法第四十三条第一項の規定により供託したとみなされた履行保証金を含む。）のうち、当該履行保証金の額に特例適用終了日の直前の基準日等における一の特例適用終了資金移動業に係る要供託額（法第五十八条の二第四項に規定する要供託額をいう。）の当該基準日等における要供託額（当該資金移動業者が法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項の規定により供託しなければならない履行保証金の額をいう。）に対する割合を乗じて得た額（円未満の端数があるときは、その端数を切り捨てた額）について、当該特例適用終了資金移動業について供託した履行保証金とみなす。
- (5) If a funds transfer service provider makes a notification under Article 58-2,

paragraph (3) of the Act, out of the security deposits for providing funds transfer services made by the funds transfer service provider pursuant to the provisions of Article 43, paragraph (1) of the Act as applied pursuant to the provisions of Article 58-2, paragraph (1) of the Act following the deemed replacement of terms as of the day on which the application of special provisions is terminated (including the security deposits for providing funds transfer services that are, pursuant to the provisions of Article 58-2, paragraph (2) of the Act, deemed to be made pursuant to the provisions of Article 43, paragraph (1) of the Act as applied pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms), the amount obtained by multiplying the amount of such security deposits for providing funds transfer services by the ratio of the amount required to be deposited (meaning the amount required to be deposited prescribed in Article 58-2, paragraph (4) of the Act) for one category of funds transfer services for which the application of special provisions is terminated as of the base date, etc. immediately preceding the day on which the application of special provisions is terminated to the amount required to be deposited as of the relevant base date, etc. (meaning the amount of security deposits for providing funds transfer services which must be made by the funds transfer service provider pursuant to the provisions of Article 43, paragraph (1) of the Act as applied pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms) (if the amount thus obtained includes a fraction of less than one yen, such fraction is rounded down) is deemed to be the security deposits for providing funds transfer services for the relevant funds transfer services for which the application of special provisions is terminated.

(履行保証金の供託等に係る特例を適用する場合の規定の読替え)

(Replacement of Terms When Applying the Special Provisions Concerning Security Deposits for Providing Funds Transfer Services)

第三十六条の三 法第五十八条の二第一項の規定により資金移動業者が特例対象資金移動業について一括供託（同条第五項第四号に規定する一括供託をいう。）をしている場合における当該特例対象資金移動業についての第十一条、第十四条の二、第十九条及び第三十三条の規定の適用については、次の表の上欄に掲げる規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 36-3 With regard to the application of the provisions of Articles 11, 14-2, 19, and 33 to the funds transfer services under the special provisions in the case where a funds transfer service provider has made a lump sum deposit (meaning the lump sum deposit prescribed in Article 58-2, paragraph (5), item (iv) of the Act) for the funds transfer services under the special provisions pursuant to paragraph (1) of that Article, the terms listed in the middle column of the following table in the provisions listed in the left-hand column of the

table are replaced with the terms listed in the right-hand column of the same table.

<p>第十一条第三項 Article 11, paragraph (3)</p>	<p>第五十九条第一項 Article 59, paragraph (1) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第五十九条第一項 Article 59, paragraph (1) of the Act as mutatis mutandis applied pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
<p>第十一条第六項 Article 11, paragraph (6)</p>	<p>第四十三条第二項 Article 43, paragraph (2) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第四十三条第二項 Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
<p>第十一条第六項第一号 Article 11, paragraph (6), item (i)</p>	<p>が一億円 if the amount...is not more than one hundred million yen</p>	<p>の総額が一億円 if the total amount...is not more than one hundred million yen</p>
	<p>当該未達債務の額に百分の五 The amount obtained by multiplying the relevant amount of outstanding obligations in the process of funds transfer by 5 percent</p>	<p>当該額に百分の五 The amount obtained by multiplying the relevant amount by 5 percent</p>
<p>第十一条第六項第二号 Article 11, paragraph (6), item (ii)</p>	<p>が一億円 if the amount... is more than one hundred million yen</p>	<p>の総額が一億円 if the total amount... is more than one hundred million yen</p>
	<p>当該未達債務の額 the relevant amount of outstanding obligations in the process of being transferred</p>	<p>当該額 the relevant amount</p>

<p>第十一条第七項 Article 11, paragraph (7)</p>	<p>第四十三条第一項 Article 43, paragraph (1) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項 Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
	<p>第四十四条 Article 44 of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第四十四条 Article 44 of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
	<p>第四十五条第一項 Article 45, paragraph (1) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第四十五条第一項 Article 45, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
<p>第十四条の二 Article 14-2</p>	<p>第十五条 Article 15 of the Order</p>	<p>第十七条の三第三項の規定により読み替えて適用する令第十五条 Article 15 of the Order as applied mutatis mutandis pursuant to Article 17-3, paragraph (3) of the Order following the deemed replacement of terms</p>

第十四条の二第一号
Article 14-2, item (i)

<p>履行保証金保全契約に係る種別の資金移動業に係る直前の算定日（令第十七条第一項第一号に規定する算定日をいう。以下同じ。） the immediately preceding calculation date (meaning the calculation date prescribed in Article 17, paragraph (1), item (i) of the Order; the same applies hereinafter) for the category of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services</p>	<p>直前の基準日等（法第五十八条の二第五項第二号に規定する基準日等をいう。第十九条第八号イにおいて同じ。） the immediately preceding base date, etc. (meaning the base date, etc. prescribed in Article 58-2, paragraph (5), item (ii) of the Act; the same applies in Article 19, item (viii), (a))</p>
<p>当該算定日 on the calculation date</p>	<p>当該基準日等 on the Base Date, etc.</p>
<p>当該種別の資金移動業に係る履行保証金等合計額（同号 the total of the amount of security deposits for providing funds transfer services, etc. (meaning the total of the amount of the security deposits for providing funds transfer services, etc. prescribed in the relevant item; hereinafter the same applies in this Article and Article 19, item (viii)) in relation to the relevant category of funds transfer services</p>	<p>履行保証金等合計額（令第十七条第一項第一号 the total of the amount of security deposits for providing funds transfer services, etc. (meaning the total of the amount of the security deposits for providing funds transfer services, etc. prescribed in Article 17, paragraph (1), item (i) of the Order; hereinafter the same applies in this Article and Article 19, item (viii))</p>

	<p>第四十四条 Article 44 of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第四十四条 Article 44 of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
	<p>当該種別の資金移動業に係る履行保証金保全契約 guarantee contract of security deposits for providing funds transfer services for the relevant category of funds transfer services</p>	<p>履行保証金保全契約 guarantee contract of security deposits for providing funds transfer services</p>
<p>第十四条の二第二号 Article 14-2, item (ii)</p>	<p>履行保証金保全契約に係る種別の資金移動業 categories of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業（法第五十八条の二第一項に規定する特例対象資金移動業をいう。以下同じ。） funds transfer services under the special provisions (meaning the funds transfer services under the special provisions prescribed in Article 58-2, paragraph (1) of the Act; the same applies hereinafter)</p>
	<p>第五十九条第一項 Article 59, paragraph (1) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第五十九条第一項 Article 59, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
	<p>当該種別の資金移動業に係る履行保証金保全契約 guarantee contract that is connected with the relevant category of funds transfer services</p>	<p>履行保証金保全契約 guarantee contract for security deposits for providing funds transfer services</p>

第十四条の二第三号
Article 14-2, item (iii)

<p>履行保証金保全契約に係る種別の資金移動業 categories of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業 funds transfer services under the special provisions</p>
<p>第五十九条第一項 Article 59, paragraph (1) of the Act</p>	<p>第五十八条の二第一項の規定により読み替えて適用する法第五十九条第一項 Article 59, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>
<p>当該種別の資金移動業に係る保全金額 secured amount for that category of funds transfer services</p>	<p>保全金額 secured amount</p>
<p>当該種別の資金移動業に係る履行保証金等合計額 total of the amount of security deposits for providing funds transfer services, etc. that is associated with the relevant category of funds transfer services</p>	<p>履行保証金等合計額 total of the amount of security deposits for providing funds transfer services, etc.</p>
<p>当該種別の資金移動業に係る法第四十三条第二項 Article 43, paragraph (2) of the Act which is associated with the relevant category of funds transfer services</p>	<p>法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第二項 Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>

	<p>を控除した ... is deducted</p>	<p>の総額（法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項ただし書の規定により政令で定める額以上の額に相当する額の履行保証金を供託している資金移動業者にあつては、当該政令で定める額）を控除した the total of ...(if the funds transfer service provider has made security deposits for providing funds transfer services in an amount equivalent to the amount that is not less than the amount specified by Cabinet Order pursuant to the proviso to Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms: the relevant amount specified by Cabinet Order) is deducted</p>
	<p>当該種別の資金移動業に係る履行保証金保全契約 guarantee contract for security deposits for providing funds transfer services for the relevant category of funds transfer services</p>	<p>履行保証金保全契約 guarantee contract for security deposits for providing funds transfer services</p>
<p>第十四条の二第四号 Article 14-2, item (iv)</p>	<p>履行保証金保全契約に係る種別の資金移動業 category of funds transfer services covered by the guarantee contract for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業 funds transfer services under the special provisions</p>

	<p>当該種別の資金移動業に係る履行保証金保全契約</p> <p>guarantee contract that is connected with that category of funds transfer services</p>	<p>履行保証金保全契約</p> <p>guarantee contract for security deposits for providing funds transfer services</p>
<p>第十四条の二第五号</p> <p>Article 14-2, item (v)</p>	<p>当該種別の資金移動業に係る履行保証金保全契約</p> <p>guarantee contract for security deposits for providing funds transfer services associated with the relevant categories of funds transfer services</p>	<p>特例対象資金移動業</p> <p>funds transfer services under the special provisions</p>
	<p>当該種別の資金移動業に係る保全金額</p> <p>secured amount for those categories of funds transfer services</p>	<p>保全金額</p> <p>secured amount</p>
	<p>当該種別の資金移動業に係る履行保証金等合計額</p> <p>total of the amount of security deposits for providing funds transfer services, etc. which is associated with the relevant categories of funds transfer services</p>	<p>履行保証金等合計額</p> <p>total of the amount of security deposits for providing funds transfer services, etc.</p>
	<p>当該種別の資金移動業に係る法第四十三条第二項</p> <p>Article 43, paragraph (2) of the Act which is associated with the relevant category of funds transfer services</p>	<p>法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第二項</p> <p>Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>

	<p>を控除した ... is deducted</p>	<p>の総額（法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項ただし書の規定により政令で定める額以上の額に相当する額の履行保証金を供託している資金移動業者にあつては、当該政令で定める額）を控除した the total of ...(if the Funds Transfer Service Provider has made security deposits for providing Funds Transfer Services in an amount equivalent to the amount that is not less than the amount specified by Cabinet Order pursuant to the proviso to Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms: the relevant amount specified by Cabinet Order) is deducted</p>
	<p>当該種別の資金移動業に係る履行保証金保全契約 guarantee contract for security deposits for providing associated with the relevant categories of funds transfer services</p>	<p>履行保証金保全契約 guarantee contract for security deposits for providing funds transfer services</p>
<p>第十九条第三号ハ Article 19, item (iii), (c)</p>	<p>履行保証金信託契約に係る種別の資金移動業 category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業 funds transfer services under the special provisions</p>
	<p>当該種別の資金移動業 the categories of funds transfer services</p>	<p>当該特例対象資金移動業 the funds transfer services under the special provisions</p>

第十九条第八号イ Article 19, item (viii), (a)	履行保証金信託契約に係る種別の資金移動業に係る直前の算定日 immediately preceding calculation date in connection with the category of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services	直前の基準日等 immediately preceding base date, etc.
	当該算定日 the calculation date	当該基準日等 the base date, etc.
	当該種別の資金移動業に係る履行保証金等合計額 total of the amount of security deposits for providing funds transfer services, etc. for that category of funds transfer services	履行保証金等合計額 total of the amount of security deposits for providing funds transfer services, etc.
	第四十五条第一項 Article 45, paragraph (1) of the Act	第五十八条の二第一項の規定により読み替えて適用する法第四十五条第一項 Article 45, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms
	当該種別の資金移動業に係る履行保証金信託契約 trust agreement for security deposits for the relevant category of funds transfer services	履行保証金信託契約 trust agreement for security deposits for providing funds transfer services
第十九条第八号ロ Article 19, item (viii), (b)	当該履行保証金信託契約に係る種別の資金移動業 category of funds transfer services covered by the first trust agreement	特例対象資金移動業 funds transfer services under the special provisions

第十九条第八号ハ Article 19, item (viii), (c)	履行保証金信託契約に係る種別の資金移動業 categories of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services	特例対象資金移動業 funds transfer services under the special provisions
	第五十九条第一項 Article 59, paragraph (1) of the Act	第五十八条の二第一項の規定により読み替えて適用する法第五十九条第一項 Article 59, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms
	当該種別の資金移動業に係る履行保証金信託契約 trust agreement for security deposits for providing funds transfer services in relation to the relevant category of funds transfer services	履行保証金信託契約 trust agreement for security deposits for providing funds transfer services
第十九条第八号ニ Article 19, item (viii), (d)	履行保証金信託契約に係る種別の資金移動業 categories of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services	特例対象資金移動業 funds transfer services under the special provisions
	第五十九条第一項 Article 59, paragraph (1) of the Act	第五十八条の二第一項の規定により読み替えて適用する法第五十九条第一項 Article 59, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms

<p>当該種別の資金移動業に係る信託財産 trust property connected with those categories of funds transfer services</p>	<p>信託財産 trust property</p>
<p>当該種別の資金移動業に係る履行保証金等合計額 total amount of security deposits for providing funds transfer services, etc. which is associated with the relevant categories of funds transfer services</p>	<p>履行保証金等合計額 total amount of security deposits for providing funds transfer services, etc.</p>
<p>当該種別の資金移動業に係る法第四十三条第二項 Article 43, paragraph (2) of the Act which is associated with</p>	<p>法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第二項 Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>

	<p>を控除した ... is deducted</p>	<p>の総額（法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項ただし書の規定により政令で定める額以上の額に相当する額の履行保証金を供託している資金移動業者にあつては、当該政令で定める額）を控除した deducting the total of ...(if the funds transfer service provider has made security deposits for providing funds transfer services in an amount equivalent to the amount that is not less than the amount specified by Cabinet Order pursuant to the proviso to Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms: the relevant amount specified by Cabinet Order)</p>
	<p>当該種別の資金移動業に係る履行保証金信託契約 trust agreement for security deposits for providing Funds Transfer Services in relation to the relevant category of Funds Transfer Services</p>	<p>履行保証金信託契約 trust agreement for security deposits for providing Funds Transfer Services</p>
<p>第十九条第八号ホ Article 19, item (viii), (e)</p>	<p>履行保証金信託契約に係る種別の資金移動業 categories of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業 funds transfer services under the special provisions</p>

	<p>当該種別の資金移動業に係る履行保証金信託契約</p> <p>trust agreement for security deposits for providing funds transfer services in relation to the relevant categories of funds transfer services</p>	<p>履行保証金信託契約</p> <p>trust agreement for security deposits for providing funds transfer services</p>
<p>第十九条第八号へ</p> <p>Article 19, item (viii), (f)</p>	<p>履行保証金信託契約に係る種別の資金移動業 categories of funds transfer services covered by the trust agreement for security deposits for providing funds transfer services</p>	<p>特例対象資金移動業</p> <p>funds transfer services under the special provisions</p>
	<p>当該種別の資金移動業に係る信託財産</p> <p>trust property in relation to the relevant category of funds transfer services</p>	<p>信託財産</p> <p>trust property</p>
	<p>当該種別の資金移動業に係る履行保証金等合計額</p> <p>the total of the amount of security deposits for providing funds transfer services, etc. in relation to the relevant category of funds transfer services</p>	<p>履行保証金等合計額</p> <p>the total of the amount of security deposits for providing funds transfer services, etc.</p>
	<p>当該種別の資金移動業に係る法第四十三条第二項</p> <p>Article 43, paragraph (2) of the Act in relation to the relevant category of funds transfer services</p>	<p>法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第二項</p> <p>Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms</p>

	<p>を控除した ... is deducted</p>	<p>の総額（法第五十八条の二第一項の規定により読み替えて適用する法第四十三条第一項ただし書の規定により政令で定める額以上の額に相当する額の履行保証金を供託している資金移動業者にあつては、当該政令で定める額）を控除した the total of ...(if the funds transfer service provider has made security deposits for providing funds transfer services in an amount equivalent to the amount that is not less than the amount specified by Cabinet Order pursuant to the proviso to Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 58-2, paragraph (1) of the Act following the deemed replacement of terms: the relevant amount specified by Cabinet Order) is deducted</p>
	<p>当該種別の資金移動業に係る履行保証金信託契約 trust agreement for security deposits for providing funds transfer services in relation to the relevant categories of funds transfer services</p>	<p>履行保証金信託契約 trust agreement for security deposits for providing funds transfer services</p>
<p>第三十三条第一項第八号 Article 33, paragraph (1), item (viii)</p>	<p>資金移動業の種別ごとの履行保証金 security deposits for providing funds transfer services for each category of funds transfer services</p>	<p>特例対象資金移動業に係る履行保証金 security deposits for providing funds transfer services for funds transfer services under the special provisions</p>

第三十三条第一項第九号 Article 33, paragraph (1), item (ix)	資金移動業の種別ごとの信託財産の額 amount of trust property for each category of funds transfer services	特例対象資金移動業に係る信託財産の額 amount of trust property for funds transfer services under the special provisions
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(権利実行事務代行者への委託)

(Entrustment to Agents for a Regional Finance Office that Distributes Proceedings of Security Deposits to Holders of Prepaid Payment Instruments)

第三十七条 金融庁長官は、法第五十九条第三項に規定する権利実行事務代行者に対し、同条第二項の規定による公示に係る事務、令第十九条第二項の規定による通知に係る事務、同条第四項の規定による権利の調査（同項に規定する公示又は機会の付与を含む。）に係る事務、同条第五項の規定による配当表の作成、公示又は通知に係る事務、同条第十項及び第十一項の規定による仮配当に係る事務その他の権利の実行の手續に関する事務の全部又は一部を委託することができる。

Article 37 The Commissioner of the Financial Services Agency may entrust to the agents for a regional finance office that distributes security deposits to holders of prepaid payment instruments prescribed in Article 59, paragraph (3) of the Act all or part of the functions involved in giving public notices under paragraph (2) of that Article, the functions involved in issuing notices under Article 19, paragraph (2) of the Order, the functions involved in implementing investigations of rights under paragraph (4) of that Article (including the public notice or provision of an opportunity under that paragraph), the functions involved in preparing, giving public notice, and issuing notices of the distribution table under paragraph (5) that Article, the functions involved in implementing the provisional distribution prescribed in paragraphs (10) and (11) of that Article, and other functions involved in implementing the procedures for the enforcement of rights.

(廃止の届出等)

(Notification of Discontinuation of Business)

第三十八条 法第六十一条第一項の規定による届出をしようとする者は、別紙様式第二十四号により作成した届出書を金融庁長官に提出しなければならない。

Article 38 (1) A person seeking to make a notification under Article 61, paragraph (1) of the Act must submit to the Commissioner of the Financial Services Agency a written notice prepared based on Appended Form No. 24.

2 前項の届出書には、次に掲げる事項を記載するものとする。

(2) The written notice set forth in the preceding paragraph is to contain the following particulars:

一 商号

- (i) trade name;
 - 二 登録年月日及び登録番号
 - (ii) date of registration and registration number;
 - 三 届出事由
 - (iii) reason for notification;
 - 四 法第六十一条第一項各号のいずれかに該当することとなった年月日
 - (iv) the date on which the funds transfer service provider came to fall under any of the items of Article 61, paragraph (1) of the Act;
 - 五 資金移動業の全部又は一部を廃止したときは、その理由
 - (v) if the funds transfer service provider has discontinued all or part of the funds transfer services, the reason therefor;
 - 六 一の種別の資金移動業の全部を廃止したときは、当該資金移動業の種別
 - (vi) if the funds transfer service provider has discontinued the whole of one category of funds transfer services, the relevant category of funds transfer services; and
 - 七 事業譲渡、合併又は会社分割その他の事由により資金移動業の全部又は一部を廃止したときは、当該業務の承継方法及びその承継先
 - (vii) if the funds transfer service provider has discontinued all or part of the funds transfer services for the reason such as assignment of business, merger, or company split, the method for succession of the relevant business and the successor.
- 3 法第六十一条第三項の規定による公告は、官報、時事に関する事項を掲載する日刊新聞紙又は会社法第二条第三十四号に規定する電子公告により行うものとする。
- (3) The public notice under Article 61, paragraph (3) of the Act is given by publication in the Official Gazette, in a daily newspaper that publishes information on current events, or as an electronic public notice prescribed in Article 2, item (xxxiv) of the Companies Act.
- 4 法第六十一条第三項の規定による公告及び営業所での掲示には、同条第五項の規定による債務の履行の完了の方法を示すものとする（事業譲渡、合併又は会社分割その他の事由により当該承継に係る公告をする場合を除く。）。
- (4) The public notice and the posting at business offices under Article 61, paragraph (3) of the Act includes the method for completing the performance of obligations pursuant to the provisions of paragraph (5) of that Article (excluding the case where a public notice is given due to succession of business for the reason such as assignment of business, merger, or company split).
- 5 資金移動業者は、法第六十一条第三項の規定による公告をしたときは、直ちに、別紙様式第二十五号により作成した届出書に、当該公告の写しを添付して、金融庁長官に提出しなければならない。
- (5) A funds transfer service provider who has given a public notice under Article 61, paragraph (3) of the Act must immediately submit to the Commissioner of the Financial Services Agency a written notice prepared based on Appended

Form No. 25 by attaching a copy of the relevant public notice.

6 資金移動業者が事業譲渡、合併又は会社分割その他の事由により資金移動業の全部又は一部を廃止しようとするときは、前項の届出書には、当該業務の承継に係る契約の内容及び当該業務の承継方法を記載した書面を添付しなければならない。

(6) If a funds transfer service provider seeks to discontinue all or part of the funds transfer services for the reason such as assignment of business, merger, or company split, a document containing the terms and conditions of the contract concerning the succession of the relevant business and the method for succession of the relevant business must be attached to the written notice set forth in the preceding paragraph.

(法令違反行為等の届出)

(Notification of Violation of Laws and Regulations)

第三十九条 資金移動業者は、取締役等又は従業者に資金移動業に関し法令に違反する行為又は資金移動業の適正かつ確実な遂行に支障を来す行為があったことを知った場合には、当該事実を知った日から二週間以内に、次に掲げる事項を記載した別紙様式第二十六号による届出書を財務局長等に提出するものとする。

Article 39 If a funds transfer service provider comes to know that its director, etc. or employee has committed a violation of laws and regulations with regard to the funds transfer services or an act that hinders the proper and steady operation of funds transfer services, it is to submit to the Director-General of a Local Finance Bureau, etc. a written notice prepared based on Appended Form No. 26 containing the following particulars within two weeks from the day on which it came to know the relevant fact:

一 当該行為が発生した営業所の名称

(i) the name of the business office at which the relevant act occurred;

二 当該行為を行った取締役等又は従業者の氏名又は名称及び役職名

(ii) the name and the title of the director, etc. or employee who committed the relevant act; and

三 当該行為の概要

(iii) summary of the relevant act.

(経由官庁)

(Government Agency Through Which to Submit Written Notice)

第四十条 資金移動業者は、第四条に規定する登録申請書その他法及びこの府令に規定する書類（次項及び次条において「申請書等」という。）を金融庁長官に提出しようとするときは、当該資金移動業者の本店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（財務事務所の管轄区域を除く。）内にある場合にあっては福岡財務支局長とし、当該所在地が財務事務所又は小樽出張所若しくは北見出張所の管轄区域内にある場合にあっては当該財務事務所長又は出張所長（次項及び次条において「財務事務所長等」という。）とする。）を経由してこれを提出しなければならない。

ない。

Article 40 (1) When a funds transfer service provider seeks to submit to the Commissioner of the Financial Services Agency the written application for registration prescribed in Article 4 and other documents prescribed in the Act and this Cabinet Office Order (hereinafter referred to as "written application, etc." in the following paragraph and the following Article), the funds transfer service provider must submit through the Director-General of a Local Finance Bureau having jurisdiction over the location of the principal business office or office of the funds transfer service provider (when the office is located within the jurisdictional district (excluding the jurisdictional district of a local finance office) of the Fukuoka Local Finance Branch Bureau, the Director-General of the Fukuoka Local Finance Branch Bureau; and when the office is located within the jurisdictional district of a local finance office or the Otaru Sub-office or Kitami Sub-office of the Hokkaido Local Finance Bureau, the head of the local finance office or sub-office (referred to as the "head of the local finance office, etc." in the following paragraph and the following Article)).

2 資金移動業者は、申請書等を財務局長等に提出しようとする場合において、当該資金移動業者の本店の所在地を管轄する財務事務所長等があるときは、当該財務事務所長等を経由してこれを提出しなければならない。

(2) If a funds transfer service provider seeks to submit a written application, etc. to the Director-General of a local finance bureau, etc., and there is a head of the local finance office, etc. with jurisdiction over the location of the head office of the funds transfer service provider, the funds transfer service provider must submit the written application, etc. to the Director-General of a Local Finance Bureau, etc. through the Head of the Local Finance Office, etc.

(申請書等の認定資金決済事業者協会の経由)

(Submission of Written Application through the Certified Association for Payment Service Providers)

第四十一条 資金移動業者は、申請書等を金融庁長官又は財務局長等に提出しようとするとき（前条の規定により財務事務所長等を経由するときを含む。）は、認定資金決済事業者協会を経由して提出することができる。

Article 41 A funds transfer service provider seeking to submit a written application, etc. to the Commissioner of the Financial Services Agency or the Director-General of a Local Finance Bureau, etc. (including submission through the Head of the Local Finance Office, etc. pursuant to the provisions of the preceding Article) may submit it through a certified association for payment service providers.

(標準処理期間)

(Standard Processing Period)

第四十二条 金融庁長官は、法第三十七条の登録若しくは法第四十一条第一項の変更登録又は法第四十条の二第一項の認可に関する申請がその事務所に到達してから二月以内に、当該申請に対する処分をするよう努めるものとする。

Article 42 (1) The Commissioner of the Financial Services Agency is to endeavor to process any application for registration under Article 37 of the Act, registration of changes under Article 41, paragraph (1) of the Act, or authorization under Article 40-2, paragraph (1) of the Act within two months from the day on which the relevant application has arrived at the Commissioner's office.

2 前二項に規定する期間には、次に掲げる期間を含まないものとする。

(2) The period prescribed in the preceding two paragraphs does not include the following period:

一 当該申請を補正するために要する期間

(i) the period required to amend the relevant application;

二 当該申請をした者が当該申請の内容を変更するために要する期間

(ii) the period required for the applicant to change the details of the relevant application; and

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

(iii) the period required for the applicant to add materials that are found to be necessary for the examination in relation to the relevant application.