

# 産業競争力強化法（暫定版） Act on Strengthening Industrial Competitiveness (Tentative translation)

(平成二十五年十二月十一日法律第九十八号)  
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## 第一章 総則

### Chapter I General Provisions

（目的）

(Purpose)

第一条 この法律は、我が国経済を再興すべく、我が国の産業を中長期にわたる低迷の状態から脱却させ、持続的発展の軌道に乗せるためには、経済社会情勢の変化に対応して、産業競争力を強化することが重要であることに鑑み、産業競争力の強化に関し、基本理念、国及び事業者の責務を定めるとともに、規制の特例措置の整備等及びこれを通じた規制改革を推進し、併せて、産業活動における新陳代謝の活性化を促進するための措置、株式会社産業革新投資機構に特定事業活動の支援等に関する業務を行わせるための措置及び中小企業の活力の再生を円滑化するための措置を講じ、もって国民生活の向上及び国民経済の健全な発展に寄与することを目的とする。

Article 1 The purpose of this Act is, in view of the importance of strengthening industrial competitiveness in response to changes in the economy and social

circumstances for reconstructing the Japanese economy by leading Japanese industries out of prolonged stagnation and setting them on a sustainable growth track, to establish the basic principles and responsibilities of the State and businesses with regard to the strengthening of industrial competitiveness, and to prepare special measures on regulations and facilitate regulatory reform through those efforts, as well as taking measures to revitalize regenerating industrial activities, measures to have the Japan Investment Corporation engage in business operations concerning support, etc. for specified business activities, and measures to facilitate the revitalization of small and medium-sized enterprises, thereby contributing to enhancing the lives of the public and the sound development of the national economy.

(定義)

(Definitions)

第二条 この法律において「産業競争力」とは、産業活動において、高い生産性及び十分な需要を確保することにより、高い収益性を実現する能力をいう。

Article 2 (1) The term "industrial competitiveness" as used in this Act means the capacity to achieve high profitability in industrial activities by way of ensuring high productivity and sufficient demand.

2 この法律において「規制の特例措置」とは、法律により規定された規制についてのこの法律又は他の法律に規定する法律の特例に関する措置及び政令又は主務省令（以下この項において「政令等」という。）により規定された規制についての政令等で規定する政令等の特例に関する措置であって、第八条の四第二項に規定する認定新技術等実証計画に従って実施する新技術等実証又は第十条第二項に規定する認定新事業活動計画に従って実施する新事業活動について適用されるものをいう。

(2) The term "special measures on regulations" as used in this Act means measures for the special provisions of Acts concerning regulations prescribed in Acts, as prescribed in this Act or other Acts, or the measures for the special provisions of Cabinet Orders or orders of the competent ministries (hereinafter referred to as "Cabinet Orders, etc." in this paragraph) concerning regulations prescribed in Cabinet Orders, etc., as prescribed by Cabinet Orders, etc., which apply to the testing of new technology, etc. implemented in accordance with the approved plan for the testing of new technology, etc. prescribed in Article 8-4, paragraph (2) or to new business activities implemented in accordance with the approved new business activity plan prescribed in Article 10, paragraph (2).

3 この法律において「新技術等実証」とは、次の各号のいずれにも該当するものをいう。

(3) The term "testing of new technology, etc." as used in this Act means what falls under both of the following items:

一 新技術等（我が国において産業競争力を特に強化すべき事業分野に属する事業活動において用いようとする革新的な技術又は手法であって、当該事業分野において

著しい新規性を有するとともに、当該事業活動で用いられることにより、高い付加価値を創出する可能性があるものをいう。以下同じ。) の実用化の可能性について行う実証であって、その実施期間及び当該実証に参加する者(当該実証により権利利益を害されるおそれがある者があるときは、その者を含む。以下この号、第八条の二第三項第四号及び第八条の三第三項において「参加者等」という。) の範囲を特定し、当該参加者等の同意を得ることその他当該実証を適切に実施するために必要となる措置を講じて行うものであること。

(i) the study is to conduct testing on the possibility of putting new technology, etc. (meaning an innovative technology or technique to be used in a business activity that belongs to a field of business where industrial competitiveness should be particularly strengthened in Japan, which is strikingly novel in that field of business and which also has a possibility of creating high added value by being utilized in that business activity; the same applies hereinafter) into practical use, which is conducted by specifying the implementation period and the scope of persons who participate in the testing (if there is any person whose rights and interests are likely to be harmed by the testing, including such person; hereinafter referred to as "participants, etc." in this item, Article 8-2, paragraph (3), item (iv), and Article 8-3, paragraph (3)), obtaining the consent of the participants, etc., and taking any other measures necessary for appropriately implementing the testing; and

二 新技術等の実用化に当たって当該新技術等に関する規制について分析する場合にあっては、当該新技術等を実用化するための規制の在り方を含めた課題についての分析及びその結果の検討を行うものであること。

(ii) in the case of analyzing regulations on new technology, etc. upon putting the new technology, etc. into practical use, the study covers analysis of issues including ideal regulations to be adopted for putting the new technology, etc. into practical use and examination of the analysis results.

4 この法律において「新事業活動」とは、新商品の開発又は生産、新たな役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動であって、産業競争力の強化に資するものとして主務省令で定めるものをいう。

(4) The term "new business activities" as used in this Act means the development or production of new goods, development or provision of new services, introduction of a new method for producing or selling goods, introduction of a new method for providing services, or other new business activities that are specified by orders of the competent ministries as business activities that contribute to strengthening industrial competitiveness.

5 この法律において「産業活動における新陳代謝」とは、産業活動において、新たな事業の開拓、事業適応、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再生、設備投資その他の生産性の向上又は需要の拡大のための事業活動

が行われることをいう。

(5) The term "regenerating industrial activities" as used in this Act means industrial activities that involve the development of new business, business adaptation, the starting of a new business or withdrawal from an unprofitable business through corporate restructuring, corporate rehabilitation, capital investment, or other business activities for improving productivity or expanding demand.

6 この法律において「新事業開拓事業者」とは、新商品の開発又は生産、新たな役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動を行うことにより、新たな事業の開拓を行う事業者（新たに設立される法人を含む。第十五項において同じ。）であって、その事業の将来における成長発展を図るために外部からの投資を受けることが特に必要なものその他の経済産業省令で定めるものをいう。

(6) The term "business developing new business" as used in this Act means a business (including a corporation to be newly incorporated; the same applies in paragraph (15)) that is developing new business through the development or production of new goods, development or provision of new services, introduction of a new method for producing or selling goods, introduction of a new method for providing services, or other new business activities, and is specified by the Order of the Ministry of Economy, Trade and Industry; such as the business in which the investments from the outside are especially necessary for it to achieve growth in the future.

7 この法律において「特定新事業開拓投資事業」とは、投資事業有限責任組合（投資事業有限責任組合契約に関する法律（平成十年法律第九十号）第二条第二項に規定する投資事業有限責任組合をいう。以下同じ。）が行う新事業開拓事業者に対する投資事業（主として事業規模の拡大を図る新事業開拓事業者に対するものであることその他の経済産業省令で定める要件に該当するものに限る。）であって、当該新事業開拓事業者に対する積極的な経営又は技術の指導を伴うことが確実であると見込まれるものとして経済産業省令で定めるものをいう。

(7) The term "specified investment program for developing new business" as used in this Act means an investment program by a limited investment partnership (meaning the limited investment partnership prescribed in Article 2, paragraph (2) of the Limited Partnership Act for Investment (Act No. 90 of 1998); the same applies hereinafter) which targets a business developing new business (limited to an investment program mainly targeting a business developing new business which intends to expand the size of its business or an investment program that falls under other requirements specified by Order of the Ministry of Economy, Trade and Industry), and is specified by Order of the Ministry of Economy, Trade and Industry as a program which is expected with confidence to involve giving proactive management or technical guidance to the business developing new business.

8 この法律において「経営資源」とは、知識及び技能並びに技術、設備、情報システムその他の事業活動に活用される資源をいう。

(8) The term "management resources" as used in this Act means knowledge and skills, as well as technologies, equipment, information systems, and other resources utilized in business activities.

9 この法律において「外部経営資源活用促進投資事業」とは、投資事業有限責任組合が行う事業者に対する投資事業であって、当該事業者がその事業の生産性を向上させること又はその生産し、若しくは販売する商品若しくは提供する役務に係る新たな需要を開拓することを目指して自らの経営資源以外の経営資源を活用して行う事業活動の促進に資するものとして経済産業省令で定めるものをいう。

(9) The term "investment program for promoting utilization of external management resources" as used in this Act means an investment program by a limited investment partnership which targets a business, which is specified by Order of the Ministry of Economy, Trade and Industry as a program which contributes to promoting business activities conducted by the business by utilizing management resources other than the business's own management resources with the aim of improving productivity of its business or creating new demand for the goods it produces or sells or the services it provides.

10 この法律において「特定研究成果活用支援事業」とは、国立大学法人等（国立大学法人法（平成十五年法律第百十二号）第二条第五項に規定する国立大学法人等をいう。第二十一条において同じ。）における技術に関する研究成果を、その事業活動において活用する者に対し、当該事業活動に関する必要な助言、資金供給その他の支援を行う事業であって、当該国立大学法人等における研究の進展に資するものをいう。

(10) The term "program for supporting the utilization of specified research results" as used in this Act means a program to provide advice, funds, or other necessary support for the business activities of a person who utilizes, in its business activities, the results of research on technology conducted by a national university corporation (meaning the national university corporation prescribed in Article 2, paragraph (5) of the National University Corporation Act (Act No. 112 of 2003); the same applies in Article 21), which contributes to the advancement of research at the national university corporation.

11 この法律において「革新的技術研究成果活用事業活動」とは、新事業開拓事業者が自ら行った革新的な技術の研究の成果を活用して行う事業活動であって、その実施のために外部からの資金の借入れを受けることが特に必要なものとして経済産業省令で定めるものをいう。

(11) The term "business activities utilizing innovative technology research results" means business activities conducted by a business developing new business by utilizing the results of research on innovative technology it has conducted, which are specified by Order of the Ministry of Economy, Trade and Industry as business activities for which borrowing of funds from outside is especially necessary for their implementation.

1 2 この法律において「事業適応」とは、事業者が、産業構造又は国際的な競争条件の変化その他の経済社会情勢の変化に対応して、その事業の生産性を相当程度向上させること又はその生産し、若しくは販売する商品若しくは提供する役務に係る新たな需要を相当程度開拓することを目指して行うその事業の全部又は一部の変更（取締役会その他これに準ずる機関による経営の方針に係る決議又は決定を伴うものに限る。）であって、次の各号のいずれかに該当するものをいう。

- (12) The term "business adaptation" as used in this Act means a change which a business makes to all or part of its business (limited to a change with a resolution or decision of the board of directors or any other equivalent organization concerning a management policy) with the aim of responding to changes in the economy and social circumstances, such as changes in the industrial structure and global competitive conditions, and achieving considerable improvements in productivity in its business or creating a considerable amount of new demand for the goods it produces or sells or the services it provides, where that change falls under any of the following items:
- 一 予見し難い経済社会情勢の変化によりその事業の遂行に重大な影響を受けた事業者がその事業の成長発展を図るために行うもの
  - (i) a change which a business whose performance of business has been seriously affected by an unforeseeable change in the economy and social circumstances makes for achieving growth of its business;
  - 二 情報技術の進展による事業環境の変化に対応して行うもの
  - (ii) a change made to respond to changes in the business environment caused by progress of information technology; and
  - 三 エネルギーの消費量の削減、非化石エネルギー源の活用その他のエネルギーの利用による環境への負荷の低減に関する国際的な競争条件の変化に対応して行うもの
  - (iii) a change made to respond to changes in global competitive conditions concerning reduction of the environmental load caused by energy use, such as reduction of energy consumption or utilization of non-fossil energy sources.

1 3 この法律において「生産工程効率化等設備」とは、生産工程の効率化によりエネルギーの利用による環境への負荷の低減に特に資する設備その他の事業適応（前項第三号に該当するものに限る。）に資する設備として主務省令で定めるものをいう。

- (13) The term "equipment that streamlines production processes, etc." as used in this Act means equipment specified by orders of the competent ministries as equipment that contributes to business adaptation (limited to that falling under item (iii) of the preceding paragraph), such as equipment that particularly contributes to reduction of environmental load caused by energy use through streamlining of production processes.

1 4 この法律において「需要開拓商品生産設備」とは、エネルギーの利用による環境への負荷の低減に特に資する商品その他の事業適応（第十二項第三号に該当するものに限る。）を行う事業者による新たな需要の開拓が見込まれる商品として主務省令で定める商品の生産に専ら使用される設備をいう。

(14) The term "equipment for production of demand-creating goods" as used in this Act means equipment solely used for producing goods specified by orders of the competent ministries as goods for which new demand is expected to be created by a business carrying out business adaptation (limited to that falling under paragraph (12), item (iii)), such as goods that particularly contribute to reduction of environmental load caused by energy use.

15 この法律において「関係事業者」とは、事業者であつて、他の事業者がその経営を実質的に支配していると認められるものとして主務省令で定める関係を有するものをいう。

(15) The term "related business" as used in this Act means a business that has a relationship specified by orders of the competent ministries as a relationship in which that business's management is considered to be under the material control of another business.

16 この法律において「外国関係法人」とは、外国法人（新たに設立されるものを含む。）であつて、国内に本店又は主たる事務所を有する事業者がその経営を実質的に支配していると認められるものとして主務省令で定める関係を有するものをいう。

(16) The term "related foreign corporation" as used in this Act means a foreign corporation (including a corporation to be newly incorporated) that has a relationship specified by orders of the competent ministries with as a relationship in which that foreign corporation's management is considered to be under the material control of a business with a head office or principal office in Japan.

17 この法律において「事業再編」とは、事業者がその事業の全部又は一部の生産性を相当程度向上させることを目指した事業活動であつて、次の各号のいずれにも該当するものをいう。

(17) The term "corporate restructuring" as used in this Act means business activities that are carried out by a business with the aim of achieving considerable improvements in productivity in all or part of its business and that fall under both of the following items:

一 次に掲げる措置のいずれかによる事業の全部又は一部の構造の変更（当該事業者の関係事業者及び外国関係法人が行う事業の構造の変更を含む。）を行うものであること。

(i) business activities for making changes to the structure of all or part of the business (including changes to the business structure by a related business or a related foreign corporation of the business) through any of the following measures:

イ 合併

(a) merger;

ロ 会社の分割

(b) company split;

ハ 株式交換



- (c) share exchange;  
ニ 株式移転
- (d) share transfer;  
ホ 株式交付
- (e) share delivery;  
ヘ 事業又は資産の譲受け又は譲渡（外国におけるこれらに相当するものを含む。）
- (f) acceptance or transfer of a business or assets (including the equivalent in foreign countries);  
ト 出資の受入れ
- (g) receipt of contributions;  
チ 他の会社の株式又は持分の取得（当該他の会社が関係事業者である場合又は当該取得により当該他の会社が関係事業者となる場合に限る。）
- (h) acquisition of shares or equity in another company (limited to cases in which the relevant other company is a related business or the relevant other company is to become a related business through that acquisition);  
リ 関係事業者の株式又は持分の譲渡（当該株式又は持分を配当財産とする剰余金の配当をすることを含み、当該譲渡により当該事業者の関係事業者でなくなる場合に限る。）
- (i) transfer of shares or equity in a related business (including distribution of dividends of surplus using those shares or equity as dividend property and limited to cases in which it ceases to be related business of the business through the transfer);  
ヌ 外国法人の株式若しくは持分又はこれらに類似するものの取得（当該外国法人が外国関係法人である場合又は当該取得により当該外国法人が外国関係法人となる場合に限る。）
- (j) acquisition of shares, equity, or the equivalent in a foreign corporation (limited to cases in which the foreign corporation is a related foreign corporation or the foreign corporation is to become a related foreign corporation through that acquisition);  
ル 外国関係法人の株式若しくは持分又はこれらに類似するものの譲渡（当該株式若しくは持分又はこれらに類似するものを配当財産とする剰余金の配当をすることを含み、当該譲渡により当該事業者の外国関係法人でなくなる場合に限る。）
- (k) transfer of shares, equity, or the equivalent in a related foreign corporation (including distribution of dividends of surplus using those shares, equity, or the equivalent as dividend property and limited to cases in which it ceases to be a related foreign corporation of the business through the transfer);  
ヲ 会社又は外国法人の設立又は清算
- (l) establishment or liquidation of a company or a foreign corporation;  
ワ 有限責任事業組合（有限責任事業組合契約に関する法律（平成十七年法律第四

十号) 第二条に規定する有限責任事業組合をいう。第二十六項において同じ。) に対する出資

(m) contributions to a limited liability partnership (meaning the limited liability partnership prescribed in Article 2 of the Limited Liability Partnership Act (Act No. 40 of 2005); the same applies in paragraph (26));  
or

カ 保有する施設の相当程度の撤去又は設備の相当程度の廃棄

(n) dismantling the facilities held by the business to a considerable extent or the disposal of its equipment to a considerable extent; and

二 事業者がその経営資源を活用して行う事業の全部又は一部の分野又は方式の変更であつて、次に掲げるもののいずれかを行うものであること。

(ii) business activities for making changes to the field or format of all or part of its business that it conducts by utilizing its management resources, in which any of the following is carried out:

イ 新商品の開発及び生産又は新たな役務の開発及び提供により、生産若しくは販売に係る商品の構成又は提供に係る役務の構成を相当程度変化させること。

(a) considerable changes through the development and production of new goods to the composition of goods produced or sold, or considerable changes through the development and provision of new services to the composition of services provided;

ロ 商品の新たな生産の方式の導入又は設備の能率の向上により、商品の生産を著しく効率化すること。

(b) significant streamlining in the production of goods through the introduction of a new method for producing goods or through the improvement of the efficiency of equipment;

ハ 商品の新たな販売の方式の導入又は役務の新たな提供の方式の導入により、商品の販売又は役務の提供を著しく効率化すること。

(c) significant streamlining in the sale of goods through the introduction of a new method for selling goods, or significant streamlining in the provision of services through the introduction of a new method for providing services;

or

ニ 新たな原材料、部品若しくは半製品の使用又は原材料、部品若しくは半製品の新たな購入の方式の導入により、商品の生産に係る費用を相当程度低減すること。

(d) considerable reduction of expenses regarding the production of goods, through the use of new raw materials, parts or semi-finished goods, or through the introduction of a new method for purchasing raw materials, parts or semi-finished goods.

18 この法律において「生産性向上設備等」とは、商品の生産若しくは販売又は役務の提供の用に供する施設、設備、機器、装置又はプログラム（情報処理の促進に関する法律（昭和四十五年法律第九十号）第二条第二項に規定するプログラムをいう。）であつて、事業の生産性の向上に特に資するものとして経済産業省令で定めるものを

いう。

(18) The term "equipment for improving productivity, etc." as used in this Act means facilities, equipment, apparatus, devices, or programs (meaning the programs prescribed in Article 2, paragraph (2) of the Act on Facilitation of Information Processing (Act No. 90 of 1970)) to be used for the production or sale of goods or provision of services that are specified by Order of the Ministry of Economy, Trade and Industry as those which particularly contribute to the improvement of productivity in business.

19 この法律において「事業再生」とは、過大な債務を負っている事業者が、その全部又は一部の債権者の協力を得ながらその事業の再生を図ること（再生手続、更生手続その他政令で定める法律に定める手続によりその事業の再生を図ることを除く。）をいう。

(19) The term "corporate rehabilitation" as used in this Act means that a business with extensive obligations rehabilitate its business by gaining the cooperation of all or part of its creditors (excluding cases in which the rehabilitation of the business is to be implemented through rehabilitation proceedings, reorganization proceedings, or other proceedings specified in Acts as specified by Cabinet Order).

20 この法律において「特定認証紛争解決事業者」とは、認証紛争解決事業者（裁判外紛争解決手続の利用の促進に関する法律（平成十六年法律第百五十一号）第二条第四号に規定する者をいう。第四十七条において同じ。）であって、同条第一項の認定を受けたものをいう。

(20) The term "specified certified dispute resolution business" as used in this Act means a certified dispute resolution business (meaning the person prescribed in Article 2, item (iv) of the Act on Promotion of Use of Alternative Dispute Resolution (Act No. 151 of 2004); the same applies in Article 47) that has obtained approval as set forth in Article 49, paragraph (1).

21 この法律において「特定認証紛争解決手続」とは、認証紛争解決手続（裁判外紛争解決手続の利用の促進に関する法律第二条第三号に規定する手続をいう。第四十七条第一項第二号において同じ。）であって、特定認証紛争解決事業者が事業再生に係る紛争について行うものをいう。

(21) The term "specified certified dispute resolution procedures" as used in this Act means certified dispute resolution procedures (meaning the procedures prescribed in Article 2, item (iii) of the Act on Promotion of Use of Alternative Dispute Resolution; the same applies in Article 47, paragraph (1), item (ii)) which are undertaken by a specified certified dispute resolution business with respect to disputes regarding corporate rehabilitation.

22 この法律において「中小企業者」とは、次の各号のいずれかに該当する者をいう。

(22) The term "small or medium-sized enterprise" as used in this Act means a legal person falling under any of the following:

一 資本金の額又は出資の総額が三億円以下の会社並びに常時使用する従業員の数が

三百人以下の会社及び個人であって、製造業、建設業、運輸業その他の業種（次号から第四号までに掲げる業種及び第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの

(i) a company whose amount of stated capital or total amount of contributions is not more than 300,000,000 yen, or, a company or individual that regularly employ 300 employees or fewer, if their principal business is in the manufacturing industry, the construction industry, the transportation industry or any other business type (excluding the business types set forth in the following item to item (iv) and the business types specified by Cabinet Order set forth in item (v));

二 資本金の額又は出資の総額が一億円以下の会社並びに常時使用する従業員の数が百人以下の会社及び個人であって、卸売業（第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの

(ii) a company whose amount of stated capital or total amount of contributions is not more than 100,000,000 yen, or, a company or individual that regularly employ 100 employees or fewer, if their principal business is in the wholesale industry (excluding the business types specified by Cabinet Order set forth in item (v));

三 資本金の額又は出資の総額が五千万円以下の会社並びに常時使用する従業員の数が百人以下の会社及び個人であって、サービス業（第五号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの

(iii) a company whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen, or, a company or individual that regularly employ 100 employees or fewer, if their principal business is in the service industry (excluding the business types specified by Cabinet Order set forth in item (v));

四 資本金の額又は出資の総額が五千万円以下の会社並びに常時使用する従業員の数が五十人以下の会社及び個人であって、小売業（次号の政令で定める業種を除く。）に属する事業を主たる事業として営むもの

(iv) a company whose amount of stated capital or total amount of contributions is not more than 50,000,000 yen, or, a company or individual that regularly employ 50 employees or fewer, if their principal business is in the retail industry (excluding the business types specified by Cabinet Order set forth in the following item);

五 資本金の額又は出資の総額がその業種ごとに政令で定める金額以下の会社並びに常時使用する従業員の数がその業種ごとに政令で定める数以下の会社及び個人であって、その政令で定める業種に属する事業を主たる事業として営むもの

(v) a company whose amount of stated capital or total amount of contributions is not more than an amount specified by Cabinet Order for each business type, or, a company or individual that regularly employ a number of employees not more than a number specified by Cabinet Order for each

business type, if their principal business is in a type specified by Cabinet Order;

六 企業組合

(vi) enterprise cooperatives;

七 協業組合

(vii) cooperative partnerships; or

八 事業協同組合、協同組合連合会その他の特別の法律により設立された組合及びその連合会であつて、政令で定めるもの

(viii) business cooperatives, federations of cooperatives, or other partnerships and their federations established pursuant to a special Act, which are specified by Cabinet Order.

23 この法律において「技術等情報漏えい防止措置」とは、技術及びこれに関する研究開発の成果、生産方法その他の事業活動に有用な情報の漏えいの防止のために事業者が実施する措置をいう。

(23) The term "security measures of companies to prevent technological information from being compromised" as used in this Act means measures taken by a business to prevent leakage of information useful for business activities, including technologies, results of R&D activities thereon, and production methods.

24 この法律において「技術等情報漏えい防止措置認証業務」とは、次に掲げる業務をいう。

(24) The term "business operations to certify security measures of companies to prevent technological information from being compromised" as used in this Act means the following business operations:

一 他の事業者が実施する技術等情報漏えい防止措置が、技術及びこれに関する研究開発の成果、生産方法その他の事業活動に有用な情報の漏えいを防止するために必要なものとして主務大臣が定める基準に適合している旨の認証を行うこと。

(i) to certify that another business's security measures of companies to prevent technological information from being compromised conform to the standards specified by the competent ministers as being necessary for preventing leakage of information useful for business activities, including technologies, results of R&D activities thereon, and production methods; and

二 前号に掲げる業務に附帯して、技術等情報漏えい防止措置を適切に実施するために必要な指導及び助言を行うこと。

(ii) to provide guidance and advice necessary for properly carrying out security measures of companies to prevent technological information from being compromised, as business operations incidental to those set forth in the preceding item.

25 この法律において「特定事業活動」とは、自らの経営資源以外の経営資源を活用し、高い生産性が見込まれる事業を行うこと又は新たな事業の開拓を行うことを目指した事業活動をいう。

(25) The term "specified business activities" as used in this Act means business activities aimed towards undertaking business expected to have high productivity or for the development of new business, by utilizing management resources other than a business's own management resources.

26 この法律において「特定投資事業者」とは、民法（明治二十九年法律第八十九号）第六百六十七条第一項に規定する組合契約によって成立する組合、商法（明治三十二年法律第四十八号）第五百三十五条に規定する匿名組合契約によって成立する匿名組合、投資事業有限責任組合若しくは有限責任事業組合若しくは外国に所在するこれらの組合に類似する団体又は株式会社、合同会社、資産の流動化に関する法律（平成十年法律第百五号）第二条第三項に規定する特定目的会社若しくは投資信託及び投資法人に関する法律（昭和二十六年法律第百九十八号）第二条第十二項に規定する投資法人であって、特定事業活動に対する資金供給その他の支援又は特定事業活動に対する資金供給その他の支援を行う事業活動に対する資金供給その他の支援を行うものをいう。

(26) The term "specified investment business" as used in this Act means any of a partnership established under a partnership agreement prescribed in Article 667, paragraph (1) of the Civil Code (Act No. 89 of 1896), a silent partnership established under a silent partnership agreement prescribed in Article 535 of the Commercial Code (Act No. 48 of 1899), a limited investment partnership, or a limited liability partnership, or an association similar to any of these that is located overseas, or a stock company, a limited liability company, a specified purpose company prescribed in Article 2, paragraph (3) of the Act on the Securitization of Assets (Act No. 105 of 1998), or an investment corporation prescribed in Article 2, paragraph (12) of the Act on Investment Trusts and Investment Corporations (Act No. 198 of 1951), which provides funds or other support for specified business activities or provides funds or other support for business activities to provide funds or other support for specified business activities.

27 この法律において「特定政府出資会社」とは、政府がその発行している株式の総数の二分の一以上に当たる数の株式を保有する株式会社であって、出資を行うことを主たる業務とするもののうち、株式会社産業革新投資機構がその業務の遂行に支障のない範囲内で、その株式を保有する株式会社の業務の支援を行うことにより、当該株式会社が行う出資に係る業務のより効果的な実施を図ることが必要なものとして政令で定めるものをいう。

(27) The term "specified government-funded company" as used in this Act means a stock company, more than half of whose issued shares are held by the national government and whose major business is to make capital contributions, and which is specified by Cabinet Order as a company requiring support by the Japan Investment Corporation to an extent that does not hinder the Corporation's business performance with the aim of ensuring more effective business operations regarding contributions by the company whose shares the

Corporation holds.

28 この法律において「創業」とは、次に掲げる行為をいう。

(28) The term "start up" as used in this Act means the acts set forth as follows:

一 事業を営んでいない個人が新たに事業を開始すること（次号に掲げるものを除く。）。

(i) starting new business operations by an individual not currently engaged in business operations (excluding those set forth in the following item);

二 事業を営んでいない個人が新たに会社を設立し、当該新たに設立された会社が事業を開始すること。

(ii) establishment of a new company by an individual not currently engaged in business operations and starting business operations by the newly established company; or

三 会社が自らの事業の全部又は一部を継続して実施しつつ、新たに会社を設立し、当該新たに設立された会社が事業を開始すること（中小企業者の行為に限る。）。

(iii) establishment of a new company by another company which is continuing all or part of its existing business and starting business operations by the newly established company (limited to acts by small and medium-sized enterprises).

29 この法律において「創業者」とは、次に掲げる者をいう。

(29) The term "founder" as used in this Act means the persons set forth as follows:

一 前項第一号に掲げる創業を行おうとする個人であって、一月以内（認定創業支援等事業計画（第百二十八条第二項に規定する認定創業支援等事業計画をいう。）に記載された特定創業支援等事業（第三号において「認定特定創業支援等事業」という。）により経済産業省令で定めるところにより支援を受けて創業を行おうとする者にあつては、六月以内）に当該創業を行う具体的な計画を有するもの

(i) an individual intending to establish a start-up as set forth in item (i) of the preceding paragraph who has a concrete plan to do so within one month (or within six months for a person intending to establish a start-up by receiving support as prescribed by Order of the Ministry of Economy, Trade and Industry under a specified program for supporting start-ups, etc. recorded in an approved plan for a program for supporting start-ups, etc. (meaning the approved plan for a program for supporting start-ups, etc. prescribed in Article 128, paragraph (2); the relevant program is referred to as an "approved specified program for supporting start-ups, etc." in item (iii)));

二 前項第一号に掲げる創業を行った個人であって、事業を開始した日以後五年を経過していないもの

(ii) an individual who established a start-up as set forth in item (i) of the preceding paragraph if five years have not yet elapsed since the date of the start of the business;

三 前項第二号に掲げる創業を行おうとする個人であって、二月以内（認定特定創業

支援等事業により経済産業省令で定めるところにより支援を受けて創業を行おうとする者（六月以内）に当該創業を行う具体的な計画を有するもの

(iii) an individual intending to establish a start-up as set forth in item (ii) of the preceding paragraph who has concrete plans to do so within two months (or within six months for a person intending to establish a start-up by receiving support as prescribed by Order of the Ministry of Economy, Trade and Industry under an approved specified program for supporting start-ups, etc.);

四 前項第二号に掲げる創業により設立された会社であって、その設立の日以後五年を経過していないもの

(iv) a company established through establishment of a start-up as set forth in item (ii) of the preceding paragraph if five years have not yet elapsed since the date of that establishment:

五 前項第三号に掲げる創業を行おうとする会社であって、当該創業を行う具体的な計画を有するもの

(v) a company intending to establish a start-up as set forth in item (iii) of the preceding paragraph that has a specific plan to establish the start-up; or

六 前項第三号に掲げる創業により設立された会社であって、その設立の日以後五年を経過していないもの

(vi) a company established through establishment of a start-up as set forth in item (iii) of the preceding paragraph if five years have not yet elapsed since the date of that establishment.

30 この法律において「創業支援等事業」とは、次の各号のいずれかに該当する事業をいう。

(30) The term "program for supporting start-ups, etc." as used in this Act means a program falling under any of the following:

一 創業を行おうとする者に対する創業に必要な情報の提供、研修又は創業についての指導若しくは助言、創業者の新たに開始する事業の用に供する工場、事業場、店舗その他の施設の整備並びにこれらの賃貸及び管理その他の取組により創業を支援する事業

(i) a program to support a start-up by providing important information, giving training, guidance or advice, developing factories, workplaces, stores or other facilities to be used for the business that the founder intends to start, and leasing and managing those facilities; or

二 事業を営んでいない個人に対する創業の意義に関する学習の機会を提供するための講座の開設、創業者（前項第二号及び第四号に掲げるものに限る。）の事業の用に供する工場、事業場、店舗その他の施設において職業を体験する機会の提供その他の創業に関する普及啓発を行う事業

(ii) a program to hold lectures to provide individuals not currently engaged in business with opportunities to learn about the significance of start-ups, provide vocational experience opportunities at factories, workplaces, stores



or other facilities to be used for businesses of founders (limited to those set forth in item (ii) and item (iv) of the preceding paragraph), or otherwise carry out dissemination and awareness-raising activities concerning start-ups.

3 1 この法律において「特定創業支援等事業」とは、創業支援等事業（前項第一号に係るものに限る。）のうち、特に創業の促進に寄与するものとして経済産業省令で定めるものをいう。

(31) The term "specified program for supporting start-ups, etc." as used in this Act means a program for supporting start-ups, etc. (limited to a program as in item (i) of the preceding paragraph) specified by Order of the Ministry of Economy, Trade and Industry as that which will particularly contribute to facilitating start-ups.

3 2 この法律において「特定信用状」とは、国内に本店又は主たる事務所を有する事業者の依頼により銀行、信用金庫、信用協同組合その他の政令で定める金融機関（次項において単に「金融機関」という。）が発行する信用状であって、当該事業者の外国関係法人の外国銀行等（銀行法（昭和五十六年法律第五十九号）第四条第三項に規定する外国銀行等をいう。）からの借入れ（手形の割引を受けることを含む。）による債務の不履行が生じた場合に当該信用状に基づく債務を履行する旨を表示するものをいう。

(32) The term "specified letter of credit" as used in this Act means a letter of credit issued by a bank, Shinkin Bank, credit cooperative or other financial institution specified by Cabinet Order (simply referred to as a "financial institution" in the following paragraph) at the request of a business with its head office or principal office in Japan, which states that the financial institution will fulfill the obligations if the non-performance of obligations on loan (including discounts received on negotiable instruments) from a foreign bank, etc. (meaning a foreign bank, etc. as prescribed in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981)) of a related foreign corporation of the business has arisen.

3 3 この法律において「特定信用状発行契約」とは、事業者と金融機関との間で締結される契約であって、当該金融機関が特定信用状を発行することを約し、当該金融機関が当該特定信用状に基づく債務を履行した場合において当該事業者が当該金融機関に対して当該債務を履行した額に相当する金額その他経済産業省令で定める金額を支払うことを約するものをいう。

(33) The term "specified letter of credit issuance contract" as used in this Act means a contract concluded between a business and a financial institution in which the financial institution pledges to issue a specified letter of credit, and the business pledges that if the financial institution has performed obligations based on the specified letter of credit, the business will pay to the financial institution an amount equivalent to the amount resulting from the performance of the obligations or an amount specified by Order of the Ministry of Economy, Trade and Industry.

34 この法律において「特定中小企業者」とは、過大な債務を負っていることその他の事情によって財務の状況が悪化していることにより、事業の継続が困難となっている中小企業者をいう。

(34) The term "specified small or medium-sized enterprise" as used in this Act means a small or medium-sized enterprise that has a difficulty in continuing its business due to the deterioration of the state of the finances resulting from extensive obligations it has or other circumstances.

35 この法律において「中小企業承継事業再生」とは、特定中小企業者が会社の分割又は事業の譲渡によりその事業の全部又は一部を他の事業者に承継させるとともに、当該他の事業者が承継した事業について収支の改善その他の強化を図ることにより、当該事業の再生を図ることをいう。

(35) The term "SME business rehabilitation through succession" as used in this Act means the promotion of the rehabilitation of business through the succession to all or part of the business of a specified small or medium-sized enterprise by another business by way of a company split or transfer of business, together with improvements in the balance of payments or other improvements with respect to the business succeeded to by the relevant other business.

(基本理念)

(Basic Principles)

第三条 産業競争力の強化は、事業者が、経済事情の変動に対応して、経営改革を推進することにより、生産性の向上及び需要の拡大を目指し、新たな事業の開拓、事業適応、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再生、設備投資その他の事業活動を積極的に行うことを基本とし、国が、これらの取組を促進するために、規制の見直しその他の必要な事業環境の整備を行うとともに、事業者に対する支援措置を講ずることを旨として、行われなければならない。

Article 3 The strengthening of industrial competitiveness must be achieved in principle through the proactive activities of businesses, such as the development of new business, business adaptation, the starting of new business or withdrawal from unprofitable business through corporate restructuring, corporate rehabilitation, capital investment, etc. with the aim of improving productivity or expanding demand, while promoting management reforms in response to fluctuations in the state of the economy, with the State's support measures for businesses and initiatives to review regulations or otherwise develop business environments necessary for promoting their efforts.

(国の責務)

(Responsibilities of the State)

第四条 国は、前条に定める基本理念にのっとり、事業者による新たな事業の開拓、事業適応、事業再編による新たな事業の開始又は収益性の低い事業からの撤退、事業再

生、設備投資その他の事業活動が積極的に行われるよう、規制の見直しその他の必要な事業環境の整備及び事業者に対する支援措置を行う責務を有する。

Article 4 The State is responsible for reviewing regulations or otherwise developing business environments and taking support measures for businesses so as to ensure proactive business activities, such as the development of new business, business adaptation, the starting of new business or withdrawal from unprofitable business through corporate restructuring, corporate rehabilitation, capital investment, etc., pursuant to the basic principles prescribed in the preceding Article.

(事業者の責務)

(Responsibilities of Businesses)

第五条 事業者は、第三条に定める基本理念にのっとり、当該事業者の属する事業分野における商品若しくは役務に関する需給の動向又は事業者間の競争の状況その他の当該事業者の事業を取り巻く環境を踏まえて、経営改革を推進することにより、生産性の向上及び需要の拡大を目指し、新たな事業の開拓、事業適応、事業再編による新たな事業の開始若しくは収益性の低い事業からの撤退、事業再生、設備投資その他の事業活動を積極的に行うよう努めなければならない。

Article 5 Each business must make efforts, pursuant to the basic principles prescribed in Article 3, to actively carry out business activities, such as the development of new business, business adaptation, the starting of new business or withdrawal from unprofitable business through corporate restructuring, corporate rehabilitation, capital investment, etc. with the aim of improving productivity or expanding demand, while promoting management reforms in light of the supply and demand trends of goods or services or the state of competition among businesses in the relevant field of business to which the business belongs, or other environments surrounding its business.

## 第二章 新技術等実証及び新事業活動に関する規制の特例措置の整備等及び規制改革の推進

### Chapter II Preparation of Special Measures on Regulations on the Testing of New Technology, etc. and New Business Activities and the Facilitation of Regulatory Reform

#### 第一節 新技術等実証及び新事業活動の促進

##### Section 1 Promotion of the Testing of New Technology, etc. and New Business Activities

(基本方針)

(Basic Policy)

第五条の二 政府は、新技術等実証及び新事業活動の総合的かつ効果的な推進を図るための基本的な方針（以下この条、第八条の二第四項第一号及び第九条第四項第一号に

において「基本方針」という。)を定めるものとする。

Article 5-2 (1) The government is to establish the fundamental policy for comprehensively and effectively promoting the testing of new technology, etc. and new business activities (such policy is hereinafter referred to as the "basic policy" in this Article, Article 8-2, paragraph (4), item (i), and Article 9, paragraph (4), item (i)).

2 基本方針には、次に掲げる事項について定めるものとする。

(2) The basic policy is to specify the following:

一 新技術等実証及び新事業活動の意義に関する事項

(i) particulars concerning the significance of the testing of new technology, etc. and new business activities;

二 新技術等実証及び新事業活動の推進のために政府が実施すべき施策に関する基本的な方針

(ii) the fundamental policy concerning initiatives to be implemented by the government for promoting the testing of new technology, etc. and new business activities;

三 第八条の二第一項に規定する新技術等実証計画及び第九条第一項に規定する新事業活動計画の認定に関する基本的な事項

(iii) basic particulars concerning the approval for plans for the testing of new technology, etc. prescribed in Article 8-2, paragraph (1) and for plans for new business activities prescribed in Article 9, paragraph (1); and

四 その他新技術等実証及び新事業活動に関する重要事項

(iv) other important particulars concerning the testing of new technology, etc. and new business activities.

3 内閣総理大臣は、基本方針の案を作成し、閣議の決定を求めるものとする。

(3) The Prime Minister is to prepare a draft of the basic policy and seek a cabinet decision.

4 政府は、前項の規定による閣議の決定があったときは、遅滞なく、基本方針を公表しなければならない。

(4) The government must publicize the basic policy without delay when a cabinet decision is made under the preceding paragraph.

5 政府は、経済事情の変動その他の情勢の推移により必要が生じたときは、基本方針を変更するものとする。

(5) The government is to revise the basic policy if need arises due to changes in the situation such as fluctuations in the state of the economy.

6 第三項及び第四項の規定は、前項の規定による基本方針の変更について準用する。

(6) The provisions of paragraphs (3) and (4) apply mutatis mutandis to the revision of the basic policy under the preceding paragraph.

(新たな規制の特例措置の求め)

(Request for New Special Measures on Regulations)

第六条 新たな規制の特例措置の適用を受けて新技術等実証又は新事業活動を実施しようとする者は、主務省令で定めるところにより、主務大臣に対し、当該新たな規制の特例措置の整備を求めることができる。

Article 6 (1) A person that intends to start the testing of new technology, etc. or new business activities by receiving the application of new special measures on regulations may request the competent minister to prepare the new special measures on regulations, as prescribed by orders of the competent ministries.

2 前項の規定による求めを受けた主務大臣は、当該求めを踏まえた新たな規制の特例措置を講ずることが必要かつ適当であると認めるときは、遅滞なく、その旨及び講ずることとする新たな規制の特例措置の内容を当該求めをした者に通知するとともに、講ずることとする新たな規制の特例措置の内容を公表するものとする。

(2) If the competent minister receiving a request under the preceding paragraph finds it necessary and appropriate to take new special measures on regulations based on the request, that minister is to give notice to the requester to that effect and give the details of the new special measures on regulations to be taken, and is to publicize the details of the new special measures on regulations to be taken, without delay.

3 第一項の規定による求めを受けた主務大臣は、当該求めを踏まえた新たな規制の特例措置を講ずることが必要でないとき、又は適当でないとき、遅滞なく、その旨及びその理由を当該求めをした者に通知するものとする。

(3) If the competent minister has received a request under paragraph (1) and finds it unnecessary or inappropriate to take new special measures on regulations based on the request, that minister is to give notice to that effect and give the reason therefor to the requester, without delay.

4 第一項の規定による求めを受けた主務大臣は、当該求めを踏まえた新たな規制の特例措置（新技術等実証に係るものに限る。）を講ずるか否かを判断するに当たっては、新技術等効果評価委員会（第十四条の二の新技術等効果評価委員会をいう。以下この節において同じ。）の意見を聴くものとする。

(4) If the competent minister has received a request under paragraph (1) and determines whether or not to take new special measures on regulations (limited to those regarding the testing of new technology, etc.) based on the request, the competent minister is to hear the opinion of the Committee for Evaluation of the Effects of New Technology, etc. (meaning the Committee for Evaluation of the Effects of New Technology, etc. referred to in Article 14-2; hereinafter the same applies in this Section).

5 第一項の規定による求めを受けた主務大臣は、当該求めを踏まえた新たな規制の特例措置（新事業活動に係るものに限る。）を講ずるか否かを判断するに当たって必要があると認めるときは、新技術等効果評価委員会の意見を聴くことができる。

(5) If the competent minister has received a request under paragraph (1) and finds it necessary in determining whether or not to take any new special measures on regulations (limited to those regarding new business activities)

based on the request, the competent minister may hear the opinion of the Committee for Evaluation of the Effects of New Technology, etc.

(解釈及び適用の確認)

(Confirmation Regarding Interpretation and Application)

第七条 新技術等実証又は新事業活動を実施しようとする者は、主務省令で定めるところにより、主務大臣に対し、その実施しようとする新技術等実証又は新事業活動及びこれに関連する事業活動（以下この項及び第十四条において「新事業活動等」という。）に関する規制について規定する法律及び法律に基づく命令（告示を含む。以下この条及び第四百四十七条第一項において同じ。）の規定の解釈並びに当該新技術等実証又は新事業活動等に対するこれらの規定の適用の有無について、その確認を求めることができる。

Article 7 (1) A person that intends to start the testing of new technology, etc. or new business activities may ask for confirmation from the competent minister regarding the interpretation of provisions of Acts and orders based on Acts (including public notices; hereinafter the same applies in this Article and Article 147, paragraph (1)) that provide for regulations on the testing of new technology, etc. or the new business activities and business activities related thereto (hereinafter referred to as the "new business activities, etc." in this paragraph and Article 14) and the applicability of those provisions to the testing of new technology, etc. or the new business activities, etc., as prescribed by orders of the competent ministries.

2 前項の規定による求めを受けた主務大臣は、遅滞なく、当該求めをした者に理由を付して回答するとともに、その回答の内容を公表するものとする。

(2) If the competent minister has been asked for the confirmation under the preceding paragraph, the minister is to give a response to the requester with the reason therefor and publicize the details of the response, without delay.

(情報の提供等)

(Provision of Information)

第八条 主務大臣は、第六条第一項又は前条第一項の規定による求めをしようとする者からの相談に応じ、必要な情報の提供及び助言を行うものとする。

Article 8 The competent minister is to provide necessary information and advice in response to consultations from a person that intends to make a request under Article 6, paragraph (1) or paragraph (1) of the preceding Article.

(新技術等実証計画の認定)

(Approval for Plans for the Testing of New Technology, etc.)

第八条の二 新技術等実証を実施しようとする者は、その実施しようとする新技術等実証に関する計画（以下「新技術等実証計画」という。）を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 8-2 (1) A person that intends to start the testing of new technology, etc. may prepare a plan for that testing of new technology, etc. (hereinafter referred to as a "plan for the testing of new technology, etc."), and submit it to the competent ministers to seek the approval therefor, as prescribed by orders of the competent ministries.

2 二以上の者が新技術等実証を共同して実施しようとする場合にあっては、当該二以上の者は共同して新技術等実証計画を作成し、前項の認定を受けることができる。

(2) If two or more persons intend to coordinate in starting the testing of new technology, etc., those two or more persons may coordinate in preparing a plan for the testing of new technology, etc. to seek the approval therefor as set forth in the preceding paragraph.

3 新技術等実証計画には、次に掲げる事項を記載しなければならない。

(3) A plan for the testing of new technology, etc. must contain the following:

一 新技術等実証の目標

(i) the goal of the testing of new technology, etc.;

二 次に掲げる新技術等実証の内容

(ii) the following details of the testing of new technology, etc.:

イ 新技術等及び当該新技術等を用いて実施しようとする事業活動の内容

(a) the details of the new technology, etc. and the business activities to be implemented by using the new technology, etc.;

ロ 第二条第三項第一号に規定する実証の内容及びその実施方法

(b) the details and the implementation method of the testing prescribed in Article 2, paragraph (3), item (i); and

ハ 第二条第三項第二号に規定する分析の内容及びその実施方法

(c) the details and the implementation method of the analysis prescribed in Article 2, paragraph (3), item (ii);

三 新技術等実証の実施期間及び実施場所

(iii) the implementation period and the place of implementation of the testing of new technology, etc.;

四 参加者等の具体的な範囲及び当該参加者等の同意の取得方法

(iv) the specific scope of participants, etc. and the method of obtaining the consent of the participants, etc.;

五 新技術等実証の実施に必要な資金の額及びその調達方法

(v) the amount of funds necessary for carrying out the testing of new technology, etc. and how to raise them;

六 第二条第三項第二号に規定する規制について規定する法律及び法律に基づく命令の規定

(vi) the provisions of Acts and those of orders based on Acts that provide for the regulations prescribed in Article 2, paragraph (3), item (ii);

七 第十二条の規定による政令又は主務省令で規定された規制の特例措置（新技術等実証に係るものに限る。）の適用を受けようとする場合にあっては、当該規制の特

例措置の内容

(vii) if that person (those persons) intends to receive the application of the special measures on regulations (limited to those regarding the testing of new technology, etc.) prescribed by Cabinet Orders or orders of the competent ministries under Article 12, the details of the special measures on those regulations; and

八 その他新技術等実証の実施に関し必要な事項

(viii) other particulars necessary for carrying out the testing of new technology, etc.

4 主務大臣は、第一項の認定の申請があった場合において、その新技術等実証計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。この場合において、主務大臣は、新技術等効果評価委員会の意見を聴くものとする。

(4) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the plan for the testing of new technology, etc. conforms to all of the following items, the minister is to approve the plan; in this case, the competent minister is to hear the opinion of the Committee for Evaluation of the Effects of New Technology, etc.:

一 基本方針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the basic policy;

二 当該新技術等実証計画に係る新技術等実証（前項第四号に規定する同意の取得を含む。）が円滑かつ確実に実施されると見込まれるものであること。

(ii) the testing of new technology, etc. (including the obtainment of the consent prescribed in item (iv) of the preceding paragraph) under the relevant plan is expected to be carried out smoothly and reliably; and

三 当該新技術等実証計画の内容がこの法律及びこの法律に基づく命令その他関係法令に違反するものでないこと。

(iii) the details of the relevant plan do not violate this Act, orders based on this Act, or other relevant laws and regulations.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る新技術等実証計画の内容を公表するものとする。

(5) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for the testing of new technology, etc. subject to the approval, as prescribed by orders of the competent ministries.

（認定証の交付等）

(Issuance of an Approval Certificate)

第八条の三 主務大臣は、前条第一項の認定をしたときは、主務省令で定めるところにより、速やかに、同項の認定を受けた者（以下「認定新技術等実証実施者」という。）に対し、認定証を交付するものとする。



Article 8-3 (1) If the competent minister has granted approval as set forth in paragraph (1) of the preceding Article, the minister is to promptly issue an approval certificate to the person that obtains the approval referred to in the same paragraph (hereinafter referred to as the "approved implementer of the testing of new technology, etc."), as prescribed by orders of the competent ministries.

2 前項の認定証には、次に掲げる事項を記載しなければならない。

(2) The approval certificate referred to in the preceding paragraph must contain the following:

一 認定の年月日

(i) the date of the approval;

二 認定新技術等実証実施者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(ii) the name and address of the approved implementer of the testing of new technology, etc., and in the case of a corporation, the name of its representative;

三 当該認定に係る新技術等実証計画の内容及び実施期間

(iii) the details and the implementation period of the plan for the testing of new technology, etc. regarding the approval; and

四 当該認定に係る新技術等実証計画が前条第四項各号のいずれにも適合する旨

(iv) the fact that the plan for the testing of new technology, etc. regarding the approval conforms to all of the items of paragraph (4) of the preceding Article.

3 認定新技術等実証実施者は、参加者等の同意を求める場合には、第一項の認定証を提示しなければならない。

(3) When an approved implementer of the testing of new technology, etc. seeks the consent of the participants, etc., the implementer must present the approval certificate referred to in paragraph (1).

4 認定新技術等実証実施者は、前条第三項第四号に規定する同意を取得したときは、その旨を主務大臣に報告しなければならない。

(4) When an approved implementer of the testing of new technology, etc. obtains the consent prescribed in paragraph (3), item (iv) of the preceding Article, the implementer must report that fact to the competent minister.

(新技術等実証計画の変更等)

(Changes to a Plan for the Testing of New Technology, etc.)

第八条の四 認定新技術等実証実施者は、当該認定に係る新技術等実証計画を変更しようとするときは、主務省令で定めるところにより、当該認定に係る認定証を提出して、主務大臣の認定を受けなければならない。

Article 8-4 (1) When an approved implementer of the testing of new technology, etc. intends to make changes to the plan for the testing of new technology, etc. regarding the approval, the implementer must submit the approval certificate

pertaining to the approval and seek the approval of the competent minister, as prescribed by orders of the competent ministries.

2 主務大臣は、認定新技術等実証実施者が当該認定に係る新技術等実証計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定新技術等実証計画」という。）に従って新技術等実証を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved implementer of the testing of new technology, etc. is not carrying out the testing of new technology, etc. in accordance with the plan for the testing of new technology, etc. regarding the approval (or, the plan after changes under the preceding paragraph, if an approval has been granted for those changes; hereinafter referred to as an "approved plan for the testing of new technology, etc."), the minister may rescind the approval.

3 主務大臣は、認定新技術等実証計画が第八条の二第四項各号のいずれかに適合しないものとなったと認めるときは、認定新技術等実証実施者に対して、当該認定新技術等実証計画の変更を指示し、又はその認定を取り消すことができる。この場合において、主務大臣は、新技術等効果評価委員会の意見を聴くものとする。

(3) If the competent minister finds that an approved plan for the testing of new technology, etc. no longer conforms to any of the items of Article 8-2, paragraph (4), the minister may direct the approved implementer of the testing of new technology, etc. to make changes to the approved plan for the testing of new technology, etc. or may rescind the approval. In this case, the competent minister is to hear the opinion of the Committee for Evaluation of the Effects of New Technology, etc.

4 主務大臣は、前二項の規定により第八条の二第一項の認定を取り消したときは、その旨を、当該認定新技術等実証実施者に通知するとともに、公表するものとする。

(4) If the competent minister has rescinded the approval referred to in Article 8-2, paragraph (1) pursuant to the provisions of the preceding two paragraphs, the minister is to notify the approved implementer of the testing of new technology, etc. of that fact and publicize that fact.

5 認定新技術等実証実施者は、第二項又は第三項の規定により第八条の二第一項の認定を取り消されたときは、速やかに、認定証を主務大臣に返納しなければならない。

(5) If the approval set forth in Article 8-2, paragraph (1) has been rescinded pursuant to the provisions of paragraph (2) or (3), the approved implementer of the testing of new technology, etc. must promptly return the approval certificate to the competent minister.

6 第八条の二第四項及び第五項並びに前条の規定は、第一項の認定について準用する。

(6) The provisions of Article 8-2, paragraphs (4) and (5) and the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

（新事業活動計画の認定）

(Approval for Plans for New Business Activities)

第九条 新事業活動を実施しようとする者は、その実施しようとする新事業活動に関する計画（以下「新事業活動計画」という。）を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 9 (1) A person that intends to start new business activities may prepare a plan for those activities (hereinafter referred to as a "plan for new business activities"), and submit it to the competent ministers to seek the approval therefor, as prescribed by orders of the competent ministries.

2 二以上の者が新事業活動を共同して実施しようとする場合にあつては、当該二以上の者は共同して新事業活動計画を作成し、前項の認定を受けることができる。

(2) If two or more persons intend to coordinate in starting new business activities, those two or more persons may coordinate in preparing a plan for new business activities to seek the approval therefor as set forth in the preceding paragraph.

3 新事業活動計画には、次に掲げる事項を記載しなければならない。

(3) A plan for new business activities must contain the following:

一 新事業活動の目標

(i) the goal of the new business activities;

二 新事業活動の内容及び実施時期

(ii) the details of the new business activities and their implementation period;

三 新事業活動の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for carrying out the new business activities and how to raise them;

四 この法律若しくは他の法律に規定する規制の特例措置又は第十二条の規定による政令若しくは主務省令で規定された規制の特例措置（新事業活動に係るものに限る。）の適用を受けようとする場合にあつては、当該規制の特例措置の内容

(iv) if that person (those persons) intends to receive the application of the special measures on regulations prescribed in this Act or other Acts or the special measures on regulations prescribed by Cabinet Orders or orders of the competent ministries under Article 12 (limited to those regarding new business activities), the details of the special measures on those regulations; and

五 その他新事業活動の実施に関し必要な事項

(v) other particulars necessary for carrying out the new business activities.

4 主務大臣は、第一項の認定の申請があつた場合において、その新事業活動計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。この場合において、主務大臣は、必要があると認めるときは、新技術等効果評価委員会の意見を聴くことができる。

(4) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the plan for new business activities conforms to all of the following items, the minister is to approve the plan; in this case, if the competent minister finds it necessary, the minister may hear the opinion of

the Committee for Evaluation of the Effects of New Technology, etc.:

一 基本方針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the basic policy;

二 当該新事業活動計画に係る新事業活動が円滑かつ確実に実施されると見込まれるものであること。

(ii) the new business activities under the relevant plan are expected to be carried out smoothly and reliably; and

三 当該新事業活動計画の内容がこの法律及びこの法律に基づく命令その他関係法令に違反するものでないこと。

(iii) the details of the relevant plan do not violate this Act, orders based on this Act, or other relevant laws and regulations.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る新事業活動計画の内容を公表するものとする。

(5) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for new business activities subject to the approval, as prescribed by orders of the competent ministries.

(新事業活動計画の変更等)

(Changes to Plans for New Business Activities)

第十条 前条第一項の認定を受けた者（以下「認定新事業活動実施者」という。）は、当該認定に係る新事業活動計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 10 (1) If a person that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "approved implementer of new business activities") intends to make changes to the plan for new business activities regarding the approval, the person must seek the approval of the competent ministers, as prescribed by orders of the competent ministries.

2 主務大臣は、認定新事業活動実施者が当該認定に係る新事業活動計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定新事業活動計画」という。）に従って新事業活動を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved implementer of new business activities is not carrying out new business activities in accordance with the plan for new business activities regarding the approval (or, the plan after changes under the preceding paragraph, if an approval has been granted for those changes; hereinafter referred to as an "approved plan for new business activities"), the ministers may rescind the approval.

3 主務大臣は、認定新事業活動計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定新事業活動実施者に対して、当該認定新事業活動計画の変更を指示し、又はその認定を取り消すことができる。この場合において、主務大臣は、必要があると認めるときは、新技術等効果評価委員会の意見を聴くことができる。

(3) If the competent minister finds that an approved plan for new business activities no longer conforms to any of the items of paragraph (4) of the preceding Article, the minister may direct the approved implementer of new business activities to make changes to the approved plan for new business activities or may rescind the approval. In this case, if the competent minister finds it necessary, the minister may hear the opinion of the Committee for Evaluation of the Effects of New Technology, etc.

4 主務大臣は、前二項の規定により前条第一項の認定を取り消したときは、その旨を、当該認定新事業活動実施者に通知するとともに、公表するものとする。

(4) If the competent minister has rescinded the approval referred to in paragraph (1) of the preceding Article pursuant to the provisions of the preceding two paragraphs, the minister is to notify the approved implementer of new business activities of that fact and publicize that fact.

5 前条第四項及び第五項までの規定は、第一項の認定について準用する。

(5) The provisions of paragraphs (4) and (5) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(情報の提供等)

(Provision of Information)

第十一条 主務大臣は、認定新技術等実証実施者が新技術等実証を実施している間又は認定新事業活動実施者が新事業活動を実施している間、必要に応じ、当該認定新技術等実証実施者又は当該認定新事業活動実施者に対し必要な情報の提供及び助言を行うものとする。

Article 11 During the time when an approved implementer of the testing of new technology, etc. implements testing of new technology, etc. or an approved implementer of new business activities implements new business activities, the competent minister is to provide necessary information and advice to the approved implementer of the testing of new technology, etc. or the or approved implementer of new business activities as needed.

(債権譲渡の通知等に関する特例)

(Special Provisions Concerning Notice, etc. of the Assignment of a Claim)

第十一条の二 債権の譲渡（現に発生していない債権の譲渡を含む。）の通知又は承諾（以下この項において「債権譲渡通知等」という。）が認定新事業活動実施者が認定新事業活動計画（次条第一項又は第三項の規定による公示に係るものに限る。）に従って提供する情報システム（次の各号のいずれにも該当するものに限る。）を利用してされたときは、当該債権譲渡通知等は、民法第四百六十七条第二項に規定する確定日付のある証書による通知又は承諾とみなす。この場合においては、当該債権譲渡通知等がされた日付をもって確定日付とする。

Article 11-2 (1) If a notice of or consent to the assignment of a claim (including the assignment of a claim that is yet to arise) (hereinafter referred to as a

"notice, etc. of the assignment of a claim" in this paragraph) is given by using an information system (limited to that falling under both of the following items) provided by an approved implementer of new business activities in accordance with an approved plan for new business activities (limited to that regarding a public notice under the provisions of paragraph (1) or (3) of the following Article), the notice, etc. of the assignment of a claim is deemed to be the notice or consent that is made using an instrument bearing a certified date prescribed in Article 467, paragraph (2) of the Civil Code; in this case, the date on which the notice, etc. of the assignment of a claim is given is to be the certified date:

一 債権譲渡通知等をした者及びこれを受けた者が当該債権譲渡通知等がされた日時及びその内容を容易に確認することができること。

(i) the system allows the person that gives the notice, etc. of the assignment of a claim and the person that receives it to easily check the time, date, and details of the notice, etc. of the assignment of a claim; and

二 債権譲渡通知等がされた日時及びその内容の記録を保存し、及びその改変を防止するために必要な措置として主務省令で定める措置が講じられていること。

(ii) the system stores a record of the time, date, and details of the notice, etc. of the assignment of a claim and it is one for which measures specified by orders of the competent ministries as those necessary for preventing alteration of the record have been taken.

2 前項の規定は、債権を目的とする質権の設定（現に発生していない債権を目的とするものを含む。）の通知又は承諾について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis to a notice of or consent to creation of a pledge over a claim (including a pledge over a claim which has not yet arisen).

3 第一項の規定は、民法第五百条において準用する同法第四百六十七条第一項の弁済による代位の通知又は承諾について準用する。この場合において、第一項中「第四百六十七条第二項」とあるのは、「第五百条において準用する同法第四百六十七条第二項」と読み替えるものとする。

(3) The provisions of paragraph (1) apply mutatis mutandis to a notice of or consent to the subrogation by performance referred to in Article 467, paragraph (1) of the Civil Code as applied mutatis mutandis pursuant to Article 500 of the same Code. In this case, the phrase "Article 467, paragraph (2) of the Civil Code" in paragraph (1) is deemed to be replaced with "Article 467, paragraph (2) of the Civil Code as applied mutatis mutandis pursuant to Article 500 of the same Code."

4 第一項の規定は、信託法（平成十八年法律第百八号）第二条第七項に規定する受益権の譲渡の通知又は承諾について準用する。この場合において、第一項中「民法第四百六十七条第二項」とあるのは、「信託法（平成十八年法律第百八号）第九十四条第二項」と読み替えるものとする。

(4) The provisions of paragraph (1) apply mutatis mutandis to a notice of or consent to transfer of the beneficial interest prescribed in Article 2, paragraph (7) of the Trust Act (Act No. 108 of 2006). In this case, the phrase "Article 467, paragraph (2) of the Civil Code" in paragraph (1) is deemed to be replaced with "Article 94, paragraph (2) of the Trust Act (Act No. 108 of 2006)."

第十一条の三 主務大臣は、第九条第三項第四号に掲げる事項として前条に規定する規制の特例措置を記載した新事業活動計画について第九条第一項の認定をしたときは、当該認定を受けた者の氏名、商号又は名称及び住所を公示するものとする。

Article 11-3 (1) If the competent minister has granted approval as set forth in Article 9, paragraph (1) for a plan for new business activities describing the special measures on regulations prescribed in the preceding Article as the matter set forth in Article 9, paragraph (3), item (iv), the minister is to issue a public notice concerning the name, trade name, or any other name of the person that has obtained the approval.

2 前項の規定による公示に係る認定新事業活動実施者は、その氏名、商号若しくは名称又は住所を変更しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

(2) If an approved implementer of new business activities to which a public notice under the provisions of the preceding paragraph pertains intends to change its name, trade name, or any other name or address, it must notify the competent minister of that fact in advance, as prescribed by orders of the competent ministries.

3 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) If the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

4 第一項又は前項の規定による公示に係る認定新事業活動実施者は、その公示に係る認定新事業活動計画に従って実施する新事業活動を廃止しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

(4) If an approved implementer of new business activities to which a public notice under the provisions of paragraph (1) or the preceding paragraph pertains intends to discontinue the new business activities implemented in accordance with the approved new business activity plan to which the public notice pertains, it must notify the competent minister of that fact in advance, as prescribed by orders of the competent ministries.

5 主務大臣は、第十条第二項若しくは第三項の規定により第一項若しくは第三項の規定による公示に係る認定新事業活動計画の認定を取り消したとき、又は前項の規定による届出があったときは、その旨を公示するものとする。

(5) If the competent minister has rescinded the approval for an approved plan for new business activities to which a public notice under the provisions of paragraph (1) or (3) pertains, pursuant to the provisions of Article 10,

paragraph (2) or (3), or has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(政令等で規定された規制の特例措置)

(Special Measures on Regulations Prescribed by Cabinet Order or Ministerial Order)

第十二条 認定新技術等実証実施者が認定新技術等実証計画に従って実施する新技術等実証又は認定新事業活動実施者が認定新事業活動計画に従って実施する新事業活動については、政令により規定された規制に係るものにあつては政令で、主務省令により規定された規制に係るものにあつては主務省令で、それぞれ定めるところにより、規制の特例措置を適用する。

Article 12 Special measures on regulations apply to the testing of new technology, etc. carried out by approved implementers of the testing of new technology, etc. in accordance with approved plans for the testing of new technology, etc. or new business activities carried out by approved implementers of new business activities in accordance with approved plans for new business activities, as prescribed by Cabinet Order for the testing of new technology, etc. or the new business activities in relation to regulations prescribed by Cabinet Order and as prescribed by orders of the competent ministries for the testing of new technology, etc. or the new business activities in relation to regulations prescribed by orders of the competent ministries.

(規制の特例措置の見直し)

(Review of Special Measures on Regulations)

第十三条 主務大臣（第六条第一項の規定による求めに係る新たな規制の特例措置に係る法律及び法律に基づく命令を所管する大臣に限る。）は、第百四十四条第一項の報告を踏まえ、当該報告に係る規制の特例措置について、必要があると認めるときは、その見直しその他必要な措置を講ずるものとする。

Article 13 Based on the report set forth in Article 144, paragraph (1), the competent minister (limited to the minister that has jurisdiction over Acts and orders based on Acts related to new special measures on regulations to which a request under the provisions of Article 6, paragraph (1) pertains) is to review the special measures on regulations regarding the report or otherwise take necessary measures if they find it necessary to do so.

(規制改革の推進)

(Promotion of Regulatory Reforms)

第十四条 主務大臣（第六条第一項の規定による求めに係る新たな規制の特例措置若しくは第七条第一項の規定による求めに係る法律及び法律に基づく命令又は第八条の二第三項第六号に規定する法律及び法律に基づく命令を所管する大臣に限る。）は、新技術等又は新事業活動等に関する規制について規定する法律及び法律に基づく命令の



規定に基づく規制の在り方について、規制の特例措置の整備及び適用の状況、諸外国における規制の状況、技術の進歩の状況その他の事情を踏まえて検討を加え、その結果に基づき、規制の撤廃又は緩和のために必要な法制上の措置その他の措置を講ずるものとする。

Article 14 The competent minister (limited to the minister that has jurisdiction over Acts and orders based on Acts related to new special measures on regulations to which a request under the provisions of Article 6, paragraph (1) pertains or related to a request under the provisions of Article 7, paragraph (1), or the Acts and orders based on Acts prescribed in Article 8-2, paragraph (3), item (vi)) is to discuss ideal regulations based on provisions of Acts and those of orders based on Acts that provide for regulations on new technology, etc. or new business activities, etc., in consideration of the state of the preparation and application of special measures on regulations, the state of regulations in foreign countries, the advancement of technology, and other factors, and are to take legal or other measures necessary for the removal or relaxation of regulations based on the results of the discussion.

## 第二節 新技術等効果評価委員会

### Section 2 Committee for Evaluation of the Effects of New Technology, etc.

(新技術等効果評価委員会)

(Committee for Evaluation of the Effects of New Technology, etc.)

第十四条の二 次に掲げるものを行うため、内閣府に、新技術等効果評価委員会（以下この節において「委員会」という。）を置く。

Article 14-2 The Committee for Evaluation of the Effects of New Technology, etc. (hereinafter referred to as the "committee" in this Section) is to be established in the Cabinet Office in order to carry out the following:

一 新技術等実証及び新事業活動に係る新たな規制の特例措置が及ぼす経済全般への効果に関する評価

(i) evaluation of the effects of new special measures on regulations pertaining to the testing of new technology, etc. and new business activities on the overall economy;

二 新技術等実証計画及び新事業活動計画が及ぼす経済全般への効果に関する評価

(ii) evaluation of the effects of plans for the testing of new technology, etc. and plans for new business activities on the overall economy;

三 前二号に掲げる評価を行うために必要な調査その他の政令で定める事項

(iii) matters specified by Cabinet Order such as an investigation necessary for making the evaluation set forth in the preceding two items.

(所掌事務)

(Affairs under Jurisdiction)

第十四条の三 委員会は、この法律の規定によりその権限に属させられた事項を処理する。

Article 14-3 (1) The committee is to process matters that have been placed under its authority pursuant to the provisions of this Act.

2 委員会は、前項の規定によりその権限に属させられた事項に関し、内閣総理大臣を通じて主務大臣に対し、必要な勧告をすることができる。

(2) The committee may make necessary recommendations to the competent minister through the Prime Minister with regard to the matters placed under its authority pursuant to the provisions of the preceding paragraph.

3 委員会は、前項の勧告をしたときは、遅滞なく、その勧告の内容を公表しなければならない。

(3) When the committee has made recommendations under the preceding paragraph, it must publicize the contents of the recommendations without delay.

4 主務大臣は、第二項の勧告に基づき講じた措置について委員会に通知しなければならない。

(4) The competent minister must notify the committee of measures the minister has taken based on the recommendations under paragraph (2).

(委員)

(Committee Members)

第十四条の四 委員会の委員は、内外の経済社会情勢及び新技術等を用いて行う事業活動の動向に関して優れた識見を有する者のうちから、内閣総理大臣が任命する。

Article 14-4 Members of the committee are appointed by the Prime Minister from among persons with distinguished insight into the trends of social and economic situations and business activities conducted by using new technology, etc. in and outside Japan.

(報告の徴収等)

(Collection of Reports)

第十四条の五 委員会は、その所掌事務を遂行するため必要な限度において、主務大臣又は新技術等実証計画若しくは新事業活動計画を提出した者に対して、報告又は資料の提出を求めることができる。

Article 14-5 The committee may request the competent minister or a person that has submitted a plan for testing of new technology, etc. or a plan for new business activities to submit reports or materials, to the extent necessary for performing the affairs under its jurisdiction.

(政令への委任)

(Delegation to Cabinet Order)

第十四条の六 この法律に定めるもののほか、委員会に関し必要な事項は、政令で定め

る。

Article 14-6 Beyond what is provided for in this Act, Cabinet Order prescribes necessary matters concerning the committee.

### 第三章 産業活動における新陳代謝の活性化

#### Chapter III Revitalization of Regenerating Industrial Activities

##### 第一節 新たな事業の開拓

##### Section 1 Development of New Business

##### 第一款 特定新事業開拓投資事業、外部経営資源活用促進投資事業及び特定研究成果活用支援事業の促進

##### Subsection 1 Promotion of Specified Investment Programs for Developing New Business, Investment Programs for Promoting Utilization of External Management Resources, and Programs for Supporting the Utilization of Specified Research Results

(特定新事業開拓投資事業、外部経営資源活用促進投資事業及び特定研究成果活用支援事業の実施に関する指針)

(Guidelines for the Implementation of Specified Investment Programs for Developing New Business, Investment Programs for Promoting Utilization of External Management Resources, and Programs for Supporting the Utilization of Specified Research Results)

第十五条 経済産業大臣及び文部科学大臣（文部科学大臣にあつては、次項第三号に掲げる事項に限る。）は、特定新事業開拓投資事業、外部経営資源活用促進投資事業及び特定研究成果活用支援事業の実施に関する指針（以下この款において「実施指針」という。）を定めるものとする。

Article 15 (1) The Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology are to establish guidelines for the implementation of specified investment programs for developing new business, investment programs for promoting utilization of external management resources, and programs for supporting the utilization of specified research results (hereinafter referred to as the "implementation guidelines" in this Subsection) (for the Minister of Education, Culture, Sports, Science and Technology, those guidelines are limited to the portions for the matters set forth in item (iii) of the following paragraph).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The implementation guidelines are to specify the following:

一 特定新事業開拓投資事業の実施方法に関する事項その他特定新事業開拓投資事業に関する重要事項

(i) particulars concerning the methods for implementing the specified investment programs for developing new business and other important particulars relating to the specified investment programs for developing new

business;

二 外部経営資源活用促進投資事業の実施方法に関する事項その他外部経営資源活用促進投資事業に関する重要事項

(ii) particulars concerning the methods for implementing the investment programs for promoting utilization of external management resources and other important particulars relating to the investment programs for promoting utilization of external management resources; and

三 特定研究成果活用支援事業の実施方法に関する事項その他特定研究成果活用支援事業に関する重要事項

(iii) particulars concerning the methods for implementing programs for supporting the utilization of specified research results and other important particulars relating to programs for supporting the utilization of specified research results.

3 経済産業大臣及び文部科学大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology are to make changes to the implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び文部科学大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長（当該行政機関が合議制である場合には、当該行政機関。以下同じ。）に協議するものとする。

(4) If the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology intend to establish the implementation guidelines or make changes thereto, they are to consult with the head of the relevant administrative organ (or, consult with the relevant administrative organ, if the relevant administrative organ is a council; the same applies hereinafter) in advance.

5 経済産業大臣及び文部科学大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology have established the implementation guidelines or have made changes thereto, they are to publicize the established or changed implementation guidelines without delay.

(特定新事業開拓投資事業計画の認定)

(Approval for Plans for Specified Investment Programs for Developing New Business)

第十六条 特定新事業開拓投資事業を実施しようとする投資事業有限責任組合は、当該特定新事業開拓投資事業に関する計画（以下この条、次条及び第百四十九条において「特定新事業開拓投資事業計画」という。）を作成し、経済産業省令で定めるところ

により、これを経済産業大臣に提出して、その認定を受けることができる。

Article 16 (1) A limited investment partnership that intends to start a specified investment program for developing new business may prepare a plan for the specified investment program for developing new business (hereinafter referred to as a "plan for specified investment program for developing new business" in this Article, the following Article, and Article 149), and submit it to the Minister of Economy, Trade and Industry to seek approval therefor, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 特定新事業開拓投資事業計画には、次に掲げる事項を記載しなければならない。

(2) A plan for specified investment program for developing new business must contain the following:

一 特定新事業開拓投資事業を実施する投資事業有限責任組合に関する事項

(i) particulars concerning the limited investment partnership that starts the specified investment program for developing new business;

二 特定新事業開拓投資事業の内容及び実施時期

(ii) the details of the specified investment program for developing new business and its implementation period; and

三 特定新事業開拓投資事業の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for implementing the specified investment program for developing new business and how to raise them.

3 経済産業大臣は、第一項の認定の申請があった場合において、その特定新事業開拓投資事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) If the Minister of Economy, Trade and Industry has received an application for approval as set forth in paragraph (1) and finds that the plan for specified investment program for developing new business conforms to both of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines; and

二 当該特定新事業開拓投資事業計画に係る特定新事業開拓投資事業が円滑かつ確実に実施されると見込まれるものであること。

(ii) the specified investment program for developing new business under the relevant plan is expected to be implemented smoothly and reliably.

4 経済産業大臣は、第一項の認定をしたときは、経済産業省令で定めるところにより、当該認定に係る特定新事業開拓投資事業計画の内容を公表するものとする。

(4) If the Minister of Economy, Trade and Industry has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for specified investment program for developing new business regarding the approval, as prescribed by Order of the Ministry of Economy, Trade and Industry.

(特定新事業開拓投資事業計画の変更等)

(Changes to Plans for Specified Investment Programs for Developing New Business)

第十七条 前条第一項の認定を受けた投資事業有限責任組合（以下「認定特定新事業開拓投資事業組合」という。）は、当該認定に係る特定新事業開拓投資事業計画を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認定を受けなければならない。

Article 17 (1) If a limited investment partnership that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "approved partnership implementing specified investment program for developing new business") intends to make changes to the plan for specified investment program for developing new business regarding the approval, the partnership must seek the approval of the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、認定特定新事業開拓投資事業組合が当該認定に係る特定新事業開拓投資事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定特定新事業開拓投資事業計画」という。）に従って特定新事業開拓投資事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the Minister of Economy, Trade and Industry finds that an approved partnership implementing specified investment program for developing new business is not implementing the specified investment program for developing new business in accordance with the plan for specified investment program for developing new business regarding the approval (or, the plan after changes under the preceding paragraph, if approval has been granted for those changes; hereinafter referred to as an "approved plan for specified investment program for developing new business"), the minister may rescind the approval.

3 経済産業大臣は、認定特定新事業開拓投資事業計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定特定新事業開拓投資事業組合に対して、当該認定特定新事業開拓投資事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the Minister of Economy, Trade and Industry finds that an approved plan for specified investment program for developing new business no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the approved partnership implementing specified investment program for developing new business to make changes to the relevant approved plan or may rescind the approval.

4 経済産業大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the Minister of Economy, Trade and Industry has rescinded the approval

under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第三項及び第四項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (3) and paragraph (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(外部経営資源活用促進投資事業計画の認定)

(Approval for Plans for Investment Programs for Promoting Utilization of External Management Resources)

第十七条の二 外部経営資源活用促進投資事業を実施しようとする者（投資事業有限責任組合を含む。）は、当該外部経営資源活用促進投資事業に関する計画（以下この条、次条及び第百四十九条において「外部経営資源活用促進投資事業計画」という。）を作成し、経済産業省令で定めるところにより、これを経済産業大臣に提出して、その認定を受けることができる。

Article 17-2 (1) A person that intends to start an investment program for promoting utilization of external management resources (including a limited investment partnership) may prepare a plan for that investment program for promoting utilization of external management resources (hereinafter referred to as a "plan for an investment program for promoting utilization of external management resources" in this Article, the following Article, and Article 149), and submit it to the competent ministers to seek the approval therefor, as prescribed by orders of the competent ministries.

2 外部経営資源活用促進投資事業計画には、次に掲げる事項を記載しなければならない。

(2) A plan for an investment program for promoting utilization of external management resources must contain the following:

一 外部経営資源活用促進投資事業を実施しようとする者が投資事業有限責任組合契約に関する法律第三条第一項の投資事業有限責任組合契約（以下「組合契約」という。）によって成立させようとする投資事業有限責任組合（当該者が投資事業有限責任組合である場合にあつては、当該投資事業有限責任組合）に関する事項

(i) particulars concerning the limited investment partnership to be established by the person that intends to start an investment program for promoting utilization of external management resources under the limited partnership agreement for investment referred to in Article 3, paragraph (1) of the Limited Partnership Act for Investment (hereinafter a "partnership agreement") (or, if that person is a limited investment partnership, particulars concerning that limited investment partnership);

二 外部経営資源活用促進投資事業の内容及び実施時期

(ii) the details and the implementation method of the investment program for promoting utilization of external management resources; and

三 外部経営資源活用促進投資事業の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for carrying out the investment program for

promoting utilization of external management resources and how to raise them.

3 経済産業大臣は、第一項の認定の申請があった場合において、その外部経営資源活用促進投資事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) If the Minister of Economy, Trade and Industry has received an application for approval as set forth in paragraph (1) and finds that the plan for an investment program for promoting utilization of external management resources conforms to both of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines; and

二 当該外部経営資源活用促進投資事業計画に係る外部経営資源活用促進投資事業が円滑かつ確実に実施されると見込まれるものであること。

(ii) the investment program for promoting utilization of external management resources under the relevant plan is expected to be implemented smoothly and reliably.

4 経済産業大臣は、第一項の認定をしたときは、経済産業省令で定めるところにより、当該認定に係る外部経営資源活用促進投資事業計画の内容を公表するものとする。

(4) If the Minister of Economy, Trade and Industry has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for an investment program for promoting utilization of external management resources regarding the approval, as prescribed by Order of the Ministry of Economy, Trade and Industry.

(外部経営資源活用促進投資事業計画の変更等)

(Changes to a Plan for an Investment Program for Promoting Utilization of External Management Resources)

第十七条の三 前条第一項の認定を受けた者（当該者が組合契約によって投資事業有限責任組合（当該認定に係る外部経営資源活用促進投資事業計画に記載されたものに限る。）を成立させた場合にあつては、当該投資事業有限責任組合。以下「認定外部経営資源活用促進投資事業者」という。）は、当該認定に係る外部経営資源活用促進投資事業計画を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認定を受けなければならない。

Article 17-3 (1) When a person that has obtained approval as set forth in paragraph (1) of the preceding Article (or, if that person has established a limited investment partnership (limited to that described in the plan for an investment program for promoting utilization of external management resources regarding the approval) under a partnership agreement, that limited investment partnership; hereinafter referred to as an "approved investment



business promoting utilization of external management resources") intends to make changes to the plan for an investment program for promoting utilization of external management resources regarding the approval, the person must seek the approval of the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、認定外部経営資源活用促進投資事業者が当該認定に係る外部経営資源活用促進投資事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定外部経営資源活用促進投資事業計画」という。）に従って外部経営資源活用促進投資事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the Minister of Economy, Trade and Industry finds that an approved investment business promoting utilization of external management resources is not carrying out the investment program for promoting utilization of external management resources in accordance with the plan for an investment program for promoting utilization of external management resources regarding the approval (or, the plan after changes under the preceding paragraph, if an approval has been granted for those changes; hereinafter referred to as an "approved plan for investment program for promoting utilization of external management resources"), the minister may rescind the approval.

3 経済産業大臣は、認定外部経営資源活用促進投資事業計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定外部経営資源活用促進投資事業者に対して、当該認定外部経営資源活用促進投資事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the Minister of Economy, Trade and Industry finds that an approved plan for investment program for promoting utilization of external management resources no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the approved investment business promoting utilization of external management resources to make changes to the approved plan for investment program for promoting utilization of external management resources or may rescind the approval.

4 経済産業大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the Minister of Economy, Trade and Industry has rescinded the approval under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第三項及び第四項の規定は、第一項の認定について準用する。

(5) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

（投資事業有限責任組合契約に関する法律の特例）

(Special Provisions for the Limited Partnership Act for Investment)

第十七条の四 認定外部経営資源活用促進投資事業者（当該認定外部経営資源活用促進

投資事業者が投資事業有限責任組合である場合にあっては、その組合員は、組合契約において、投資事業有限責任組合契約に関する法律第三条第一項各号に掲げる事業のほか、各当事者が共同で、外国法人（新たに設立されるものを含む。以下この項において同じ。）の発行する株式、新株予約権若しくは指定有価証券（同条第一項第三号に規定する指定有価証券をいう。第三十三条第一項において同じ。）若しくは外国法人の持分又はこれらに類似するものの取得及び保有（認定外部経営資源活用促進投資事業計画に従って行われることについて経済産業大臣の確認を受けたものに限る。）の事業を営むことを約することができる。

Article 17-4 (1) An approved investment business promoting utilization of external management resources (or, if the approved investment business promoting utilization of external management resources is a limited investment partnership, partners thereof) may pledge under the terms of a partnership agreement to operate a coordinated business to acquire and hold (limited to acquisition or holding for which confirmation has been obtained from the Minister of Economy, Trade and Industry to the effect that it will be conducted in accordance with a plan for an investment program for promoting utilization of external management resources) shares, share options, or designated securities (meaning the designated securities prescribed in Article 3, paragraph (1), item (iii) of the Limited Partnership Act for Investment; the same applies in Article 33, paragraph (1)) issued by, or equity in, a foreign corporation (including a corporation to be newly incorporated; hereinafter the same applies in this paragraph), or their equivalent in a foreign corporation, in addition to the business activities set forth in the items of Article 3, paragraph (1) of the same Act.

2 前項に規定する事業を営むことを約して成立した投資事業有限責任組合の組合員（認定外部経営資源活用促進投資事業者が投資事業有限責任組合である場合にあっては、同項に規定する事業を営むことを約した投資事業有限責任組合の組合員）に対する投資事業有限責任組合契約に関する法律第七条第四項の規定の適用については、同項中「第三条第一項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び産業競争力強化法（平成二十五年法律第九十八号）第十七条の四第一項に規定する事業以外の行為」と、「同項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び同法第十七条の四第一項に規定する事業以外の行為」とする。

(2) With respect to the application of the provisions of Article 7, paragraph (4) of the Limited Partnership Act for Investment regarding partners of a limited investment partnership established by pledging to operate the business prescribed in the preceding paragraph (or, if the approved investment business promoting utilization of external management resources is a limited investment partnership, partners thereof that have pledged to operate the business prescribed in the same paragraph), the phrase "acts other than the business activities listed in Article 3, paragraph (1)" in Article 7, paragraph (4) of the same Act is deemed to be replaced with "acts other than the business

activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 17-4, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; and the phrase "a business other than those set forth in the same paragraph" in Article 7, paragraph (4) of the Limited Partnership Act for Investment is deemed to be replaced with "acts other than the business activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 17-4, paragraph (1) of the same Act".

(独立行政法人中小企業基盤整備機構の行う特定新事業開拓投資事業円滑化業務及び外部経営資源活用促進投資事業)

**(Business Operations to Facilitate Specified Investment Programs for Developing New Business and Investment Programs for Promoting Utilization of External Management Resources, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第十八条 独立行政法人中小企業基盤整備機構は、特定新事業開拓投資事業及び外部経営資源活用促進投資事業を円滑化するため、認定特定新事業開拓投資事業組合が認定特定新事業開拓投資事業計画に従って特定新事業開拓投資事業を実施するために必要な資金及び認定外部経営資源活用促進投資事業者が認定外部経営資源活用促進投資事業計画に従って外部経営資源活用促進投資事業を実施するために必要な資金の借入れに係る債務の保証の業務を行う。

**Article 18** For the purpose of facilitating specified investment programs for developing new business and investment programs for promoting utilization of external management resources, the Organization for Small & Medium Enterprises and Regional Innovation undertakes business operations to guarantee debt obligations regarding the borrowing of the funds necessary for approved partnerships implementing specified investment program for developing new business to implement specified investment programs for developing new business in accordance with approved plans for specified investment programs for developing new business and the funds necessary for approved investment businesses promoting utilization of external management resources to implement investment programs for promoting utilization of external management resources in accordance with approved plans for investment programs for promoting utilization of external management resources.

(特定研究成果活用支援事業計画の認定)

**(Approval for Plans for Programs for Supporting the Utilization of Specified Research Results)**

第十九条 特定研究成果活用支援事業を実施しようとする者（特定研究成果活用支援事業を実施する法人を設立しようとする者並びに特定研究成果活用支援事業を実施しようとする投資事業有限責任組合及び特定研究成果活用支援事業を実施する投資事業有

限責任組合を組合契約によって成立させようとする者を含む。)は、その実施しようとする特定研究成果活用支援事業に関する計画(以下この条、次条及び第百四十七条第一項第五号において「特定研究成果活用支援事業計画」という。)を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 19 (1) A person that intends to start a program for supporting the utilization of specified research results (including a person that intends to establish a corporation implementing a program for supporting the utilization of specified research results, an limited investment partnership that intends to start a program for supporting the utilization of specified research results, and a person that intends to incorporate an limited investment partnership implementing a program for supporting the utilization of specified research results under a partnership agreement) may prepare a plan for the program for supporting the utilization of specified research results (hereinafter referred to as a "plan for a program for supporting the utilization of specified research results" in this Article, the following Article, and Article 147, paragraph (1), item (v)), and submit it to the competent minister to seek approval therefor, as prescribed by orders of the competent ministries.

2 特定研究成果活用支援事業計画には、次に掲げる事項を記載しなければならない。

(2) Plans for program for supporting the utilization of specified research results must contain the following:

一 特定研究成果活用支援事業を実施する者に関する事項

(i) particulars concerning the person that starts the program for supporting the utilization of specified research results;

二 特定研究成果活用支援事業の内容及び実施時期

(ii) the details of the program for supporting the utilization of specified research results and its implementation period; and

三 特定研究成果活用支援事業の実施に必要な資金の額及びその調達方法

(iii) the amount of funds necessary for implementing the program for supporting the utilization of specified research results and how to raise it.

3 主務大臣は、第一項の認定の申請があった場合において、その特定研究成果活用支援事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that a plan for a program for supporting the utilization of specified research results conforms to both of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines; and

二 当該特定研究成果活用支援事業計画に係る特定研究成果活用支援事業が円滑かつ

確実に実施されると見込まれるものであること。

(ii) the program for supporting the utilization of specified research results under the relevant plan is expected to be implemented smoothly and reliably.

4 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る特定研究成果活用支援事業計画の内容を公表するものとする。

(4) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for a program for supporting the utilization of specified research results regarding the approval, as prescribed by orders of the competent ministries.

(特定研究成果活用支援事業計画の変更等)

(Changes to Plans for Programs for Supporting the Utilization of Specified Research Results)

第二十条 前条第一項の認定を受けた者（その者の設立に係る同項の法人又はその者による成立に係る同項の投資事業有限責任組合を含む。以下「認定特定研究成果活用支援事業者」という。）は、当該認定に係る特定研究成果活用支援事業計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 20 (1) If a person that has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation set forth in the same paragraph established by the person, or an limited investment partnership set forth in the same paragraph incorporated by the person; hereinafter referred to as an "approved business supporting the utilization of specified research results") intends to make changes to the plan for a program for supporting the utilization of specified research results regarding the approval, the person must seek the approval of the competent minister, as prescribed by orders of the competent ministries.

2 主務大臣は、認定特定研究成果活用支援事業者が当該認定に係る特定研究成果活用支援事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定特定研究成果活用支援事業計画」という。）に従って特定研究成果活用支援事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved business supporting the utilization of specified research results is not implementing the program for supporting the utilization of specified research results in accordance with the plan for a program for supporting the utilization of specified research results regarding the approval (or the plan after changes under the preceding paragraph, if approval has been granted for the changes; hereinafter referred to as an "approved plan for a program for supporting the utilization of specified research results"), the minister may rescind the approval.

3 主務大臣は、認定特定研究成果活用支援事業計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定特定研究成果活用支援事業者に対して、

当該認定特定研究成果活用支援事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the competent minister finds that an approved plan for a program for supporting the utilization of specified research results no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the approved business supporting the utilization of specified research results to make changes to the relevant plan or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第三項及び第四項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (3) and paragraph (4) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(国立大学法人等の行う出資等業務)

(Contributions and Other Business Operations by Incorporated National Universities)

第二十一条 国立大学法人等は、当該国立大学法人等における技術に関する研究成果の活用を促進するため、認定特定研究成果活用支援事業者が認定特定研究成果活用支援事業計画に従って実施する特定研究成果活用支援事業の実施に必要な資金の出資並びに人的及び技術的援助の業務を行う。

Article 21 For the purpose of facilitating the utilization of the results of research on technology conducted by a national university corporation, the national university corporation undertakes business operations to make capital contributions for funds necessary and provide the personnel and technical assistance necessary for approved businesses supporting the utilization of specified research results to implement programs for supporting the utilization of specified research results in accordance with the approved plan for a program for supporting the utilization of specified research results.

## 第二款 革新的技術研究成果活用事業活動の促進

### Subsection 2 Promotion of Business Activities Utilizing Innovative Technology Research Results

(革新的技術研究成果活用事業活動の実施に関する指針)

(Guidelines for the Implementation of Business Activities Utilizing Innovative Technology Research Results)

第二十一条の二 経済産業大臣は、革新的技術研究成果活用事業活動の実施に関する指針（以下この款において「実施指針」という。）を定めるものとする。

Article 21-2 (1) The Minister of Economy, Trade and Industry is to establish

guidelines for the implementation of business activities utilizing innovative technology research results (hereinafter referred to as the "implementation guidelines" in this Subsection).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The implementation guidelines are to specify the following:

一 革新的技術研究成果活用事業活動の実施方法に関する事項

(i) particulars concerning the methods for implementing the business activities utilizing innovative technology research results;

二 革新的技術研究成果活用事業活動を実施するために必要な資金の調達円滑化に関して、独立行政法人中小企業基盤整備機構及び指定金融機関等（第二十一条の六第一項の規定により指定された指定金融機関等をいう。次条第二項第二号及び第二十一条の五において同じ。）が果たすべき役割に関する事項

(ii) particulars concerning roles to be fulfilled by the Organization for Small & Medium Enterprises and Regional Innovation and designated financial institutions, etc. (meaning the designated financial institutions, etc. designated under Article 21-6, paragraph (1); the same applies in paragraph (2), item (ii) of the following Article and Article 21-5) for facilitating fund raising necessary for implementing business activities utilizing innovative technology research results; and

三 その他革新的技術研究成果活用事業活動に関する重要事項

(iii) other important particulars relating to business activities utilizing innovative technology research results.

3 経済産業大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry is to make changes to the implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。

(4) If the Minister of Economy, Trade and Industry intends to establish the implementation guidelines or make changes thereto, the minister is to consult with the head of the relevant administrative organ in advance.

5 経済産業大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry has established the implementation guidelines or has made changes thereto, the minister is to publicize the established or changed implementation guidelines without delay.

(革新的技術研究成果活用事業活動計画の認定)

(Approval for Plans for Business Activities Utilizing Innovative Technology Research Results)

第二十一条の三 革新的技術研究成果活用事業活動を実施しようとする新事業開拓事業者は、当該革新的技術研究成果活用事業活動に関する計画（以下この条、次条及び第百四十九条において「革新的技術研究成果活用事業活動計画」という。）を作成し、経済産業省令で定めるところにより、これを経済産業大臣に提出して、その認定を受けることができる。

Article 21-3 (1) A business developing new business that intends to start business activities utilizing innovative technology research results may prepare a plan for the business activities utilizing innovative technology research results (hereinafter referred to as a "plan for business activities utilizing innovative technology research results" in this Article, the following Article, and Article 149), and submit it to the Minister of Economy, Trade and Industry to seek approval therefor, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 革新的技術研究成果活用事業活動計画には、次に掲げる事項を記載しなければならない。

(2) A plan for business activities utilizing innovative technology research results must contain the following:

一 革新的技術研究成果活用事業活動の内容及び実施時期

(i) the details of the business activities utilizing innovative technology research results and their implementation period; and

二 革新的技術研究成果活用事業活動の実施に必要な資金の額及びその調達方法（当該資金の調達に係る指定金融機関等の名称を含む。）

(ii) the amount of funds necessary for implementing the business activities utilizing innovative technology research results and how to raise them (including the name of the designated financial institution, etc. involved in the raising of the funds).

3 経済産業大臣は、第一項の認定の申請があった場合において、その革新的技術研究成果活用事業活動計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(3) If the Minister of Economy, Trade and Industry has received an application for approval as set forth in paragraph (1) and finds that the plan for business activities utilizing innovative technology research results conforms to both of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines; and

二 当該革新的技術研究成果活用事業活動計画に係る革新的技術研究成果活用事業活動が円滑かつ確実に実施されると見込まれるものであること。

(ii) the business activities utilizing innovative technology research results under the relevant plan are expected to be implemented smoothly and reliably.



(革新的技術研究成果活用事業活動計画の変更等)

(Changes to Plans for Business Activities Utilizing Innovative Technology Research Results)

第二十一条の四 前条第一項の認定を受けた者（以下「認定革新的技術研究成果活用事業活動実施者」という。）は、当該認定に係る革新的技術研究成果活用事業活動計画を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認定を受けなければならない。

Article 21-4 (1) When a person that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "approved implementer of business activities utilizing innovative technology research results") intends to make changes to the plan for business activities utilizing innovative technology research results regarding the approval, the person must seek the approval of the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、認定革新的技術研究成果活用事業活動実施者が、当該認定に係る革新的技術研究成果活用事業活動計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定革新的技術研究成果活用事業活動計画」という。）に従って革新的技術研究成果活用事業活動を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the Minister of Economy, Trade and Industry finds that an approved implementer of business activities utilizing innovative technology research results is not carrying out the business activities utilizing innovative technology research results in accordance with the plan for business activities utilizing innovative technology research results regarding the approval (or, the plan after changes under the preceding paragraph, if an approval has been granted for those changes; hereinafter referred to as an "approved plan for business activities utilizing innovative technology research results"), the minister may rescind the approval.

3 経済産業大臣は、認定革新的技術研究成果活用事業活動計画が前条第三項各号のいずれかに適合しないものとなったと認めるときは、認定革新的技術研究成果活用事業活動実施者に対して、当該認定革新的技術研究成果活用事業活動計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the Minister of Economy, Trade and Industry finds that an approved plan for business activities utilizing innovative technology research results no longer conforms to either of the items of paragraph (3) of the preceding Article, the minister may direct the approved implementer of business activities utilizing innovative technology research results to make changes to the approved plan for business activities utilizing innovative technology research results or may rescind the approval.

4 前条第三項の規定は、第一項の認定について準用する。

(4) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(独立行政法人中小企業基盤整備機構の行う革新的技術研究成果活用事業活動円滑化業務)

(Business Operations to Facilitate Business Activities Utilizing Innovative Technology Research Results, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第二十一条の五 独立行政法人中小企業基盤整備機構は、革新的技術研究成果活用事業活動を円滑化するため、認定革新的技術研究成果活用事業活動実施者が認定革新的技術研究成果活用事業活動計画に従って革新的技術研究成果活用事業活動を実施するために必要な資金を調達するために発行する社債（社債、株式等の振替に関する法律（平成十三年法律第七十五号）第六十六条第一号に規定する短期社債を除き、指定金融機関等が引き受けるものに限る。）及び当該資金の借入れ（指定金融機関等が貸し付けるものに限る。）に係る債務の保証の業務を行う。

Article 21-5 For the purpose of facilitating business activities utilizing innovative technology research results, the Organization for Small & Medium Enterprises and Regional Innovation undertakes business operations to guarantee bonds (excluding short term corporate bonds prescribed in Article 66, item (i) of the Act on Book-Entry Transfer of Corporate Bonds and Shares (Act No. 75 of 2001) and limited to bonds subscribed for by designated financial institutions, etc.) issued by the approved implementer of business activities utilizing innovative technology research results in order to raise funds necessary for carrying out business activities utilizing innovative technology research results in accordance with the approved plan for business activities utilizing innovative technology research results, and to guarantee debt obligations regarding the borrowing of the funds (limited to the borrowing from designated financial institutions, etc.).

(指定金融機関等の指定)

(Designation as Designated Financial Institutions, etc.)

第二十一条の六 経済産業大臣は、経済産業省令で定めるところにより、革新的技術研究成果活用事業活動を実施するために必要な資金を貸し付ける業務（以下「革新的技術研究成果活用事業活動支援業務」という。）に関し、次の各号のいずれにも適合すると認められる者（投資事業有限責任組合を含む。）を、その申請により、指定金融機関等として指定することができる。

Article 21-6 (1) With respect to business operations to offer loans for funds necessary for implementing business activities utilizing innovative technology research results (hereinafter referred to as "business operations to support business activities utilizing innovative technology research results"), the Minister of Economy, Trade and Industry may designate those that are found

to conform to all of the following items (including limited investment partnerships) as designated financial institutions, etc., upon application from them, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 金銭の貸付けその他金融に関する業務を行う者で政令で定めるものであること。

(i) they undertake the lending of money and other business operations relating to finance, and are specified by Cabinet Order;

二 次項に規定する業務規程が、法令及び実施指針に適合し、かつ、革新的技術研究成果活用事業活動支援業務を適正かつ確実に実施するために十分なものであること。

(ii) the business regulations prescribed in the following paragraph are in conformity with laws and regulations and the implementation guidelines, and are sufficient for undertaking business operations to support business activities utilizing innovative technology research results properly and reliably; and

三 人的構成に照らして、革新的技術研究成果活用事業活動支援業務を適正かつ確実に実施することができる知識及び経験を有していること。

(iii) in light of the personnel structure, they have the knowledge and experience for undertaking business operations to support business activities utilizing innovative technology research results properly and reliably.

2 前項の規定による指定を受けようとする者は、経済産業省令で定めるところにより、実施指針に即して革新的技術研究成果活用事業活動支援業務に関する規程（次項及び第二十一条の八において「業務規程」という。）を定め、これを申請書に添えて、経済産業大臣に提出しなければならない。

(2) A person intending to receive designation under the preceding paragraph must specify the regulations concerning business operations to support business activities utilizing innovative technology research results (referred to as the "business regulations" in the following paragraph and Article 21-8), in line with the implementation guidelines, as prescribed by Order of the Ministry of Economy, Trade and Industry, and submit it to the Minister of Economy, Trade and Industry together with a written application for designation.

3 業務規程には、革新的技術研究成果活用事業活動支援業務の実施体制及び実施方法に関する事項その他の経済産業省令で定める事項を定めなければならない。

(3) The business regulations must specify particulars concerning the implementation framework and methods for business operations to support business activities utilizing innovative technology research results and other particulars specified by Order of the Ministry of Economy, Trade and Industry.

4 次の各号のいずれかに該当する者は、第一項の規定による指定を受けることができない。

(4) Those falling under any of the following items may not receive designation under paragraph (1):

一 この法律、銀行法その他の政令で定める法律若しくはこれらの法律に基づく命令

又はこれらに基づく処分に違反し、罰金以上の刑に処せられ、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起算して五年を経過しない者

(i) a person that violated this Act, the Banking Act, or any other Acts specified by Cabinet Order, an order based on these Acts, or a disposition based on these, and was sentenced to a punishment heavier than a fine, if five years have not yet elapsed since the day on which the execution of the sentence was completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第二十一条の十第一項又は第二項の規定により指定を取り消され、その取消しの日から起算して五年を経過しない者

(ii) a person whose designation was rescinded pursuant to the provisions of Article 21-10, paragraph (1) or paragraph (2), if five years have not yet elapsed since the day of the rescission; or

三 役員等（法人にあっては法人の業務を行う役員を、投資事業有限責任組合にあっては投資事業有限責任組合の業務の決定及び執行を行う者をいう。ロにおいて同じ。）のうちに、次のいずれかに該当する者がある者

(iii) a person, any of whose officers, etc. (meaning, in the case of a corporation, officers in charge of its business, and in the case of a limited investment partnership, those in charge of decision and performance of its business; the same applies in (b)) falls under either of the following:

イ 心身の故障のため職務を適正に執行することができない者として経済産業省令で定める者又は破産手続開始の決定を受けて復権を得ない者

(a) a person specified by Order of the Ministry of Economy, Trade and Industry as being unable to properly perform duties due to a mental or physical disorder or a person that has become subject to an order for bankruptcy proceedings and whose civil rights have not been restored; or

ロ 指定金融機関等が第二十一条の十第一項又は第二項の規定により指定を取り消された場合において、当該指定の取消しに係る聴聞の期日及び場所の公示の日前六十日以内にその指定金融機関等の役員等であった者で当該指定の取消しの日から起算して五年を経過しないもの

(b) in cases in which a designated financial institution, etc. has had its designation rescinded pursuant to the provisions of Article 21-10, paragraph (1) or paragraph (2), a person who had been an officer, etc. of the designated financial institution, etc. within at least 60 days before the day on which a public notice was issued concerning the date and place of hearing regarding the rescission of the designation, if five years have not yet elapsed since the day of the rescission.

(指定の公示等)

(Public Notice of a Designation)

第二十一条の七 経済産業大臣は、前条第一項の規定による指定をしたときは、指定金

融機関等の商号又は名称、住所及び革新的技術研究成果活用事業活動支援業務を行う営業所又は事務所の所在地を公示するものとする。

Article 21-7 (1) If the Minister of Economy, Trade and Industry has made a designation under the provisions of paragraph (1) of the preceding Article, the minister is to issue a public notice concerning the trade name or name, and the address of the designated financial institution, etc., as well as the location of its business office or office where it undertakes business operations to support business activities utilizing innovative technology research results.

2 指定金融機関等は、その商号若しくは名称、住所又は革新的技術研究成果活用事業活動支援業務を行う営業所若しくは事務所の所在地を変更しようとするときは、あらかじめ、その旨を経済産業大臣に届け出なければならない。

(2) If a designated financial institution, etc. intends to change its trade name or name, its address, or the location of its business office or office where it undertakes business operations to support business activities utilizing innovative technology research results, it must notify the Minister of Economy, Trade and Industry of that fact in advance.

3 経済産業大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) If the Minister of Economy, Trade and Industry has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(業務規程の変更の認可等)

(Authorization for Changes to Business Regulations)

第二十一条の八 指定金融機関等は、業務規程を変更しようとするときは、経済産業大臣の認可を受けなければならない。

Article 21-8 (1) If a designated financial institution, etc. intends to change the business regulations, it must obtain the authorization of the Minister of Economy, Trade and Industry.

2 経済産業大臣は、指定金融機関等の業務規程が革新的技術研究成果活用事業活動支援業務の適正かつ確実な実施上不適切となったと認めるときは、その業務規程を変更すべきことを命ずることができる。

(2) If the Minister of Economy, Trade and Industry finds that the business regulations of a designated financial institution, etc. are no longer appropriate for the proper and reliable undertaking of business operations to support business activities utilizing innovative technology research results, the minister may order the institution, etc. to change its business regulations.

(業務の休廃止)

(Suspension or Discontinuation of Business Operations)

第二十一条の九 指定金融機関等は、革新的技術研究成果活用事業活動支援業務の全部

又は一部を休止し、又は廃止しようとするときは、経済産業省令で定めるところにより、あらかじめ、その旨を経済産業大臣に届け出なければならない。

Article 21-9 (1) If a designated financial institution, etc. intends to suspend or discontinue all or part of the business operations to support business activities utilizing innovative technology research results, it must notify the competent minister of that fact in advance, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(2) If the Minister of Economy, Trade and Industry has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

3 指定金融機関等が革新的技術研究成果活用事業活動支援業務の全部を廃止したときは、当該指定金融機関等の指定は、その効力を失う。

(3) If a designated financial institution, etc. has discontinued all of the business operations to support business activities utilizing innovative technology research results, the designation as the designated financial institution, etc. ceases to be effective.

(指定の取消し等)

(Rescission of Designations)

第二十一条の十 経済産業大臣は、指定金融機関等が第二十一条の六第四項各号（第二号を除く。）のいずれかに該当するに至ったときは、その指定を取り消すものとする。

Article 21-10 (1) If a designated financial institution, etc. has come to fall under any of the items (excluding item (ii)) of Article 21-6, paragraph (4), the Minister of Economy, Trade and Industry is to rescind the designation as the designated financial institution, etc.

2 経済産業大臣は、指定金融機関等が次の各号のいずれかに該当するときは、その指定を取り消すことができる。

(2) If a designated financial institution, etc. falls under any of the following items, the Minister of Economy, Trade and Industry may rescind the designation as the designated financial institution:

一 革新的技術研究成果活用事業活動支援業務を適正かつ確実に実施することができないと認められるとき。

(i) if the designated financial institution, etc. is found to be incapable of undertaking business operations to support business activities utilizing innovative technology research results properly and reliably;

二 その指定に関し不正の行為があったとき。

(ii) if there has been a wrongful act relating to the designation; or

三 この法律又はこの法律に基づく命令若しくは処分に違反したとき。

(iii) if the designated financial institution, etc. has violated this Act or an order

or disposition based on this Act.

3 経済産業大臣は、前二項の規定によりその指定を取り消したときは、その旨を公示するものとする。

(3) If the Minister of Economy, Trade and Industry has rescinded a designation pursuant to the provisions of the preceding two paragraphs, the minister is to issue a public notice of that fact.

(指定の取消し等に伴う業務の結了)

(Completion of Business Operations due to Rescission of Designation)

第二十一条の十一 指定金融機関等について、第二十一条の九第三項の規定により指定が効力を失ったとき、又は前条第一項若しくは第二項の規定により指定が取り消されたときは、当該指定金融機関等であった者又はその一般承継人は、当該指定金融機関等が行った革新的技術研究成果活用事業活動支援業務の契約に基づく取引を結了する目的の範囲内においては、なお指定金融機関等とみなす。

Article 21-11 If designation as a designated financial institution, etc. has ceased to be effective pursuant to the provisions of Article 21-9, paragraph (3) or has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, a person that was the designated financial institution, etc. or its general successor is deemed to be the designated financial institution, etc. within the context of its purpose of completing transactions based on the agreement on the business operations to support business activities utilizing innovative technology research results of the designated financial institution, etc. undertaken.

### 第三款 研究開発施設等の活用

#### Subsection 3 Utilization of R&D Facilities

第二十一条の十二 国立研究開発法人産業技術総合研究所は、その保有する研究開発に係る施設（土地を含む。）及び設備のうち、事業者による新たな事業の開拓に資するものとして経済産業省令で定めるものを、新商品の開発又は生産、新たな役務の開発又は提供、商品の新たな生産又は販売の方式の導入、役務の新たな提供の方式の導入その他の新たな事業活動を行う者の利用（鉱工業の科学技術に関する研究開発であるもの又はその成果を活用するものに限る。）に供する業務を行うことができる。

Article 21-12 The National Institute of Advanced Industrial Science and Technology may undertake business operations to provide its facilities (including land) and equipment related to R&D, which are specified by Order of the Ministry of Economy, Trade and Industry as those that contribute to the development of new business by businesses, for use (limited to R&D relating to science and technology of mining or industry or utilization of the results of such R&D) by persons that carry out the development or production of new goods, development or provision of new services, introduction of a new method

for producing or selling goods, introduction of a new method for providing services, or other new business activities.

## 第一節の二 事業適応の円滑化

### Section 1-2 Facilitation of Business Adaptation

(実施指針)

(Implementation Guidelines)

第二十一条の十三 経済産業大臣及び財務大臣（財務大臣にあつては、次項第一号ハ、第二号ハ及び第三号ハに掲げる事項に限る。以下この条において同じ。）は、事業適応の実施に関する指針（以下この節において「実施指針」という。）を定めるものとする。

Article 21-13 (1) The Minister of Economy, Trade and Industry and the Minister of Finance are to establish the guidelines for the implementation of business adaptation (hereinafter referred to as the "implementation guidelines" in this Section) (for the Minister of Finance, limited to the particulars set forth in item (i), (c), item (ii), (c), and item (iii), (c) of the following paragraph; hereinafter the same applies in this Article).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The implementation guidelines are to specify the following:

一 成長発展事業適応（第二条第十二項第一号に該当する事業適応をいう。以下この号及び第二十一条の二十八第一項において同じ。）にあつては、次に掲げる事項

(i) in the case of business adaptation for achieving growth (meaning business adaptation that falls under Article 2, paragraph (12), item (i); hereinafter the same applies in this item and Article 21-28, paragraph (1)), the following particulars:

イ 成長発展事業適応の促進の意義及び目標その他の成長発展事業適応に関する基本的事項

(a) basic particulars concerning the business adaptation for achieving growth, such as the significance of promoting the business adaptation for achieving growth and its goal;

ロ 成長発展事業適応の実施に必要な研究開発、設備投資その他の成長発展事業適応の内容に関する事項

(b) particulars concerning the details of the business adaptation for achieving growth, such as the R&D and capital investment necessary for carrying out the business adaptation for achieving growth;

ハ 成長発展事業適応のための措置を行うのに必要な資金の調達の円滑化に関して株式会社日本政策金融公庫（以下「公庫」という。）及び指定金融機関（第二十一条の十九第一項の規定により指定された指定金融機関をいう。以下この項並びに第二十一条の十七第一項第一号及び第二号において同じ。）が果たすべき役割に関する事項



- (c) particulars concerning roles to be fulfilled by the Japan Finance Corporation (hereinafter referred to as the "JFC") and designated financial institutions (meaning the designated financial institutions designated under Article 21-19, paragraph (1); hereinafter the same applies in this paragraph and Article 21-17, paragraph (1), items (i) and (ii)) for facilitating fund raising necessary for taking measures for the business adaptation for achieving growth; and
  - ニ その他成長発展事業適応に関する重要事項
- (d) other important particulars concerning the business adaptation for achieving growth;
  - 二 情報技術事業適応（第二条第十二項第二号に該当する事業適応をいう。以下この号及び第二十一条の二十八第二項において同じ。）にあつては、次に掲げる事項
    - (ii) in the case of business adaptation relating to information technology (meaning business adaptation that falls under Article 2, paragraph (12), item (ii); hereinafter the same applies in this item and Article 21-28, paragraph (2)), the following particulars:
      - イ 情報技術事業適応の促進の意義及び目標その他の情報技術事業適応に関する基本的事項
        - (a) basic particulars concerning the business adaptation relating to information technology, such as the significance of promoting the business adaptation relating to information technology and its goal;
          - ロ 情報技術事業適応の実施に必要な情報処理技術、情報通信技術その他の情報技術を活用するために必要な投資その他の情報技術事業適応の内容に関する事項
        - (b) particulars concerning the details of the business adaptation relating to information technology, such as the investment necessary for utilizing the information technology, including information processing technology and information communications technology, required for carrying out the business adaptation relating to information technology; and
          - ハ 情報技術事業適応のための措置を行うのに必要な資金の調達の円滑化に関して公庫及び指定金融機関が果たすべき役割に関する事項
      - (c) particulars concerning roles to be fulfilled by the JFC and designated financial institutions for facilitating fund raising necessary for taking measures for the business adaptation relating to information technology; and
        - ニ その他情報技術事業適応に関する重要事項
      - (d) other important particulars concerning the business adaptation relating to information technology; and
    - 三 エネルギー利用環境負荷低減事業適応（第二条第十二項第三号に該当する事業適応をいう。以下この号及び第二十一条の十七第一項第二号において同じ。）にあつては、次に掲げる事項
      - (iii) in the case of business adaptation for reducing the environmental load

caused by energy use (meaning business adaptation that falls under Article 2, paragraph (12), item (iii); hereinafter the same applies in this item and Article 21-17, paragraph (1), item (ii)), the following particulars:

イ エネルギー利用環境負荷低減事業適応の促進の意義及び目標その他のエネルギー利用環境負荷低減事業適応に関する基本的事項

(a) basic particulars concerning the business adaptation for reducing the environmental load caused by energy use, such as the significance of promoting the business adaptation for reducing the environmental load caused by energy use and its goal;

ロ エネルギー利用環境負荷低減事業適応の実施に必要な生産工程効率化等設備及び需要開拓商品生産設備の導入その他のエネルギー利用環境負荷低減事業適応の内容に関する事項

(b) particulars concerning the details of the business adaptation for reducing the environmental load caused by energy use, such as introduction of the equipment that streamlines production processes, etc. and the equipment for production of demand-creating goods necessary for carrying out the business adaptation for reducing the environmental load caused by energy use;

ハ エネルギー利用環境負荷低減事業適応のための措置を行うのに必要な資金の調達円滑化に関して公庫及び指定金融機関が果たすべき役割に関する事項

(c) particulars concerning roles to be fulfilled by the JFC and designated financial institutions for facilitating fund raising necessary for taking measures for the business adaptation for reducing the environmental load caused by energy use; and

ニ その他エネルギー利用環境負荷低減事業適応に関する重要事項

(d) other important particulars concerning the business adaptation for reducing the environmental load caused by energy use.

3 経済産業大臣及び財務大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Finance are to make changes to the implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。

(4) If the Minister of Economy, Trade and Industry and the Minister of Finance intend to establish the implementation guidelines or make changes thereto, they are to consult with the head of the relevant administrative organ in advance.

5 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry and the Minister of Finance

have established the implementation guidelines or have made changes thereto, they are to publicize the established or changed implementation guidelines without delay.

(事業分野別実施指針)

(Business Field-Specific Implementation Guidelines)

第二十一条の十四 主務大臣は、実施指針に基づき、所管に係る事業分野のうち、当該事業分野の特性に応じた事業適応を図ることが適当と認められるものを指定し、当該事業分野に係る事業適応の実施に関する指針（以下この条及び次条第四項第一号において「事業分野別実施指針」という。）を定めることができる。

Article 21-14 (1) Based on implementation guidelines, the competent minister may designate a business field, from those under the minister's jurisdiction, for which the minister finds it appropriate to achieve business adaptation that corresponds to the characteristics of that business field, and establish guidelines for the implementation of business adaptation regarding that business field (hereinafter referred to as "business field-specific implementation guidelines" in this Article and paragraph (4), item (i) of the following Article).

2 事業分野別実施指針においては、前項の規定により指定した事業分野に係る事業適応の実施方法に関し必要な事項を定めるものとする。

(2) The business field-specific implementation guidelines are to specify necessary particulars concerning the implementation method of business adaptation regarding the business field designated pursuant to the provisions of the preceding paragraph.

3 主務大臣は、経済事情の変動により必要が生じたときは、事業分野別実施指針を変更するものとする。

(3) The competent minister is to make changes to the business field-specific implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 主務大臣は、事業分野別実施指針を定め、又はこれを変更しようとするときは、あらかじめ、経済産業大臣その他関係行政機関の長に協議するものとする。

(4) If the competent minister intends to establish the business field-specific implementation guidelines or make changes thereto, the minister is to consult with the Minister of Economy, Trade and Industry and the head of the relevant administrative organ in advance.

5 主務大臣は、事業分野別実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the competent minister has established the business field-specific implementation guidelines or has made changes thereto, the minister is to publicize the established or changed business field-specific implementation guidelines without delay.

(事業適応計画の認定)

**(Approval for Business Adaptation Plans)**

第二十一条の十五 事業者は、その実施しようとする事業適応（当該事業者が法人を設立し、その法人が実施しようとするものを含む。以下同じ。）に関する計画（以下「事業適応計画」という。）を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 21-15 (1) A business may prepare a plan for business adaptation that it intends to start (including business adaptation that a corporation established by the business intends to start; the same applies hereinafter) (hereinafter the relevant plan is referred to as a "business adaptation plan"), and submit it to the competent minister to seek approval therefor, as prescribed by order of the competent ministries.

2 二以上の事業者が事業適応を共同して行おうとする場合にあっては、当該二以上の事業者は共同して事業適応計画を作成し、前項の認定を受けることができる。

(2) If two or more businesses intend to coordinate in starting business adaptation, those two or more businesses may coordinate in preparing a business adaptation plan to seek approval therefor as set forth in the preceding paragraph.

3 事業適応計画には、次に掲げる事項を記載しなければならない。

(3) A business adaptation plan must contain the following:

一 事業適応の目標

(i) the goal of the business adaptation;

二 事業適応の内容及び実施時期

(ii) the details of the business adaptation and its implementation period; and

三 事業適応に係る経営の方針の決議又は決定の過程

(iii) the process of the resolution or decision concerning a management policy relating to the business adaptation.

4 主務大臣は、第一項の認定の申請があった場合において、その事業適応計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(4) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the business adaptation plan conforms to all of the following items, the minister is to approve the plan:

一 実施指針（当該事業適応計画に係る事業が属する分野について前条第一項の規定により事業分野別実施指針が定められている場合にあっては、実施指針及び当該事業分野別実施指針）に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines (if business field-specific implementation guidelines have been established pursuant to the provisions of paragraph (1) of the preceding Article for the field to which the business subject to the relevant plan belongs, the implementation guidelines and the business field-specific implementation

guidelines);

二 当該事業適応計画に係る事業適応が円滑かつ確実に実施されると見込まれるものであること。

(ii) the business adaptation under the relevant plan is expected to be carried out smoothly and reliably; and

三 当該事業適応計画に係る事業適応による生産性の向上又は需要の開拓が、当該事業分野における市場構造に照らして、持続的なものと見込まれるものであること。

(iii) the improvements in productivity or creation of demand through the business adaptation under the business adaptation plan are expected to be sustainable in light of the market structures in the relevant field of business.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る事業適応計画の内容を公表するものとする。

(5) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the business adaptation plan regarding the approval, as prescribed by orders of the competent ministries.

(事業適応計画の変更等)

(Changes to a Business Adaptation Plan)

第二十一条の十六 前条第一項の認定を受けた者（当該認定に係る事業適応計画に従って設立された法人を含む。以下「認定事業適応事業者」という。）は、当該認定に係る事業適応計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 21-16 (1) If a person that has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation established in accordance with the business adaptation plan regarding the approval; hereinafter referred to as an "approved business implementing business adaptation") intends to make changes to the business adaptation plan regarding the approval, the person must seek the approval of the competent minister, as prescribed by orders of the competent ministries.

2 主務大臣は、認定事業適応事業者が当該認定に係る事業適応計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定事業適応計画」という。）に従って事業適応のための措置を行っていないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved business implementing business adaptation is not taking measures for business adaptation in accordance with the business adaptation plan regarding the approval (the plan after changes under the preceding paragraph if approval has been granted for those changes; hereinafter referred to as an "approved business adaptation plan"), the minister may rescind the approval.

3 主務大臣は、認定事業適応計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定事業適応事業者に対して、当該認定事業適応計画の変更を

指示し、又はその認定を取り消すことができる。

(3) If the competent minister finds that an approved business adaptation plan no longer conforms to any of the items of paragraph (4) of the preceding Article, the minister may direct the approved business implementing business adaptation to make changes to the relevant plan or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第四項及び第五項の規定は、第一項の認定について準用する。

(5) The provisions of paragraphs (5) and (6) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(公庫の行う事業適応促進円滑化業務)

(The JFC's Business Operations to Facilitate Business Adaptation Promotion)

第二十一条の十七 公庫は、株式会社日本政策金融公庫法（平成十九年法律第五十七号。次項及び第三十五条において「公庫法」という。）第一条及び第十一条の規定にかかわらず、次に掲げる業務（以下「事業適応促進円滑化業務」という。）を行うことができる。

Article 21-17 (1) Notwithstanding the provisions of Articles 1 and 11 of the Japan Finance Corporation Act (Act No. 57 of 2007; referred to as the "JFC Act" in the following paragraph and Article 35), the JFC may undertake the following business operations (hereinafter referred to as "business operations to facilitate business adaptation promotion"):

一 指定金融機関に対し、認定事業適応事業者が認定事業適応計画に従って行う事業適応のための措置のうち研究開発、情報技術を活用するために必要な投資、生産工程効率化等設備又は需要開拓商品生産設備の導入その他政令で定めるもの（次号及び第二十一条の十九第一項において「認定事業適応関連措置」という。）を行うのに必要な資金の貸付けに必要な資金を貸し付ける業務及びこれに附帯する業務

(i) business operations to lend a designated financial institution funds necessary to offer loans for funds that an approved business implementing business adaptation needs in order to undertake R&D, investment necessary for utilizing information technology, introduction of equipment that streamlines production processes, etc. or equipment for production of demand-creating goods, or other measures specified by Cabinet Order, among measures for business adaptation taken in accordance with an approved business adaptation plan (those measures thus undertaken are referred to as "approved business adaptation-related measures" in the following item and Article 21-19, paragraph (1)), and business operations incidental thereto; and

二 認定事業適応事業者（エネルギー利用環境負荷低減事業適応を実施するものに限る。）が認定事業適応関連措置を行うのに必要な資金の指定金融機関による貸付け

について、予算の範囲内において当該指定金融機関に対し利子補給金を支給する業務及びこれに附帯する業務

(ii) with regard to loans offered by a designated financial institution for funds that an approved business implementing business adaptation (limited to one implementing business adaptation for reducing the environmental load caused by energy use) needs in order to take approved business adaptation-related measures, business operations to provide interest subsidies to that designated financial institution within the budget, and business operations incidental thereto.

2 事業適応促進円滑化業務が行われる場合には、事業適応促進円滑化業務をエネルギー環境適合製品の開発及び製造を行う事業の促進に関する法律（平成二十二年法律第三十八号）第六条に規定する特定事業促進円滑化業務とみなし、かつ、同法第十七条の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句（次の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句を除く。）は、それぞれ同条の表の下欄に掲げる字句とし、次の表の上欄に掲げる公庫法の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。この場合において、必要な技術的読替えは、政令で定める。

(2) If business operations to facilitate business adaptation promotion are undertaken, those operations are deemed to be business operations to facilitate specified business promotion as prescribed in Article 6 of the Act on the Promotion of Business Developing and Manufacturing Energy-Environment Friendly Products (Act No. 38 of 2010); and the phrases set forth in the middle column of the table of Article 17 of the same Act that are used in the provisions of the JFC Act set forth in the left-hand column of the same table (excluding the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table) are deemed to be replaced with the phrases set forth in the right-hand column of the table of the same Article, and the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table. In this case, Cabinet Order prescribes the necessary technical replacement of the phrases.

第五十八条第一項 Article 58, paragraph (1)	この法律 this Act	この法律、産業競争力強化法（平成二十五年法律第九十八号） this Act, the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)
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第五十八条第二項及び第五十九条第一項 Article 58, paragraph (2) and Article 59, paragraph (1)	この法律 this Act	この法律、産業競争力強化法 this Act, the Act on Strengthening Industrial Competitiveness
第七十一条 Article 71	第五十九条第一項 Article 59, paragraph (1)	産業競争力強化法第二十一条の十七第二項の規定により読み替えて適用する第五十九条第一項 Article 59, paragraph (1) as applied pursuant to Article 21-17, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms
第七十三条第一号 Article 73, item (i)	この法律 this Act	この法律（産業競争力強化法第二十一条の十七第二項の規定により読み替えて適用する場合を含む。） this Act (including as applied pursuant to Article 21-17, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)
第七十三条第三号 Article 73, item (iii)	第十一条 Article 11	第十一条及び産業競争力強化法第二十一条の十七第一項 Article 11 of this Act and Article 21-17, paragraph (1) of the Act on Strengthening Industrial Competitiveness
第七十三条第七号 Article 73, item (vii)	第五十八条第二項 Article 58, paragraph (2)	第五十八条第二項（産業競争力強化法第二十一条の十七第二項の規定により読み替えて適用する場合を含む。） Article 58, paragraph (2) (including as applied pursuant to Article 21-17, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)



(事業適応促進円滑化業務実施方針)

**(Policies for Undertaking Business Operations to Facilitate Business Adaptation Promotion)**

第二十一条の十八 公庫は、実施指針（第二十一条の十三第二項第一号ハ、第二号ハ及び第三号ハに掲げる事項に限る。次条第一項第二号及び第二項において同じ。）に即して、主務省令で定めるところにより、事業適応促進円滑化業務の方法及び条件その他事業適応促進円滑化業務を実施するための方針（以下この条並びに次条第一項第二号及び第二項において「事業適応促進円滑化業務実施方針」という。）を定めなければならない。

Article 21-18 (1) In line with the implementation guidelines (limited to the particulars set forth in Article 21-13, paragraph (2), item (i), (c), item (ii), (c), and item (iii), (c); the same applies in paragraph (1), item (ii) and paragraph (2) of the following Article), the JFC must specify the methods and conditions for business operations to facilitate business adaptation promotion and other policies for undertaking those operations (hereinafter referred to as "policies for undertaking business operations to facilitate corporate restructuring promotion" in this Article and paragraph (1), item (ii) and paragraph (2) of the following Article), as prescribed by orders of the competent ministries.

2 公庫は、事業適応促進円滑化業務実施方針を定めようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) If the JFC intends to specify policies for undertaking business operations to facilitate business adaptation promotion, it must obtain the authorization of the competent minister. This also applies if the JFC intends to make changes to those policies.

3 公庫は、前項の主務大臣の認可を受けたときは、遅滞なく、事業適応促進円滑化業務実施方針を公表しなければならない。

(3) If the JFC has obtained the authorization of the competent minister set forth in the preceding paragraph, it must publicize the policies for undertaking business operations to facilitate business adaptation promotion without delay.

4 公庫は、事業適応促進円滑化業務実施方針に従って事業適応促進円滑化業務を行わなければならない。

(4) The JFC must undertake business operations to facilitate business adaptation promotion in accordance with the policies for undertaking business operations to facilitate business adaptation promotion.

(指定金融機関の指定)

**(Designation as Designated Financial Institutions)**

第二十一条の十九 主務大臣は、主務省令で定めるところにより、認定事業適応事業者が認定事業適応関連措置を行うのに必要な資金を貸し付ける業務のうち、当該貸付に必要な資金について公庫から貸付けを受け、又は利子補給金の支給を受けて行おうとするもの（以下「事業適応促進業務」という。）に関し、次の各号のいずれにも適

合すると認められる者を、その申請により、指定金融機関として指定することができる。

Article 21-19 (1) With respect to business operations to offer loans for funds necessary for approved business adaptation-related measures taken by an approved business implementing business adaptation, which are to be undertaken by way of borrowing funds necessary for offering those loans from the JFC or receiving provision of interest subsidies (hereinafter referred to as "business operations to promote business adaptation"), the competent minister may designate those that are found to conform to all of the following items as designated financial institutions, upon application from them, as prescribed by orders of the competent ministries:

一 銀行その他の政令で定める金融機関であること。

(i) they fall under the category of a bank or other financial institutions specified by Cabinet Order;

二 次項に規定する業務規程が、法令並びに実施指針及び事業適応促進円滑化業務実施方針に適合し、かつ、事業適応促進業務を適正かつ確実に実施するために十分なものであること。

(ii) their business regulations prescribed in the following paragraph are in conformity with laws and regulations, the implementation guidelines, and the policies for undertaking business operations to facilitate business adaptation promotion, and are sufficient for undertaking business operations to promote business adaptation properly and reliably; and

三 人的構成に照らして、事業適応促進業務を適正かつ確実に実施することができる知識及び経験を有していること。

(iii) in light of the personnel structure, they have the knowledge and experience for undertaking business operations to promote business adaptation properly and reliably.

2 前項の規定による指定を受けようとする者は、主務省令で定める手続に従い、実施指針及び事業適応促進円滑化業務実施方針に則して事業適応促進業務に関する規程（次項及び第二十一条の二十一において「業務規程」という。）を定め、これを申請書に添えて、主務大臣に提出しなければならない。

(2) A person intending to receive designation under the preceding paragraph must specify the regulations concerning business operations to promote business adaptation (referred to as the "business regulations" in the following paragraph and Article 21-21), in line with the implementation guidelines, and the policies for undertaking business operations to facilitate business adaptation promotion, in accordance with the procedures specified by orders of the competent ministries, and submit it to the competent minister together with a written application.

3 業務規程には、事業適応促進業務の実施体制及び実施方法に関する事項その他の主務省令で定める事項を定めなければならない。

(3) The business regulations must specify particulars concerning the implementation framework and methods for business operations to promote business adaptation and other particulars specified by orders of the competent ministries.

4 次の各号のいずれかに該当する者は、第一項の規定による指定を受けることができない。

(4) Those falling under any of the following items may not receive designation under the provisions of paragraph (1):

一 この法律、銀行法その他の政令で定める法律若しくはこれらの法律に基づく命令又はこれらに基づく処分に違反し、罰金以上の刑に処せられ、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起算して五年を経過しない者

(i) a person that violated this Act, the Banking Act, or any other Acts specified by Cabinet Order, an order based on these Acts, or a disposition based on these, and was sentenced to a punishment heavier than a fine, if five years have not yet elapsed since the day on which the execution of the sentence was completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第二十一条の二十六第一項又は第二項の規定により指定を取り消され、その取消しの日から起算して五年を経過しない者

(ii) a person whose designation was rescinded pursuant to the provisions of Article 21-26, paragraph (1) or paragraph (2), if five years have not yet elapsed since the day of the rescission; or

三 法人であって、その業務を行う役員のうち、次のいずれかに該当する者がある者

(iii) a corporation, any of whose officers in charge of its business fall under either of the following:

イ 心身の故障のため職務を適正に執行することができない者として主務省令で定める者又は破産手続開始の決定を受けて復権を得ない者

(a) a person specified by orders of the competent ministries as being unable to properly perform their duties due to a mental or physical disorder or a person that has become subject to an order for bankruptcy proceedings and whose civil rights have not been restored;

ロ 指定金融機関が第二十一条の二十六第一項又は第二項の規定により指定を取り消された場合において、当該指定の取消しに係る聴聞の期日及び場所の公示の日前六十日以内にその指定金融機関の役員であった者で当該指定の取消しの日から起算して五年を経過しないもの

(b) in cases in which a designated financial institution has had its designation rescinded pursuant to the provisions of Article 21-26, paragraph (1) or paragraph (2), a person who had been an officer of the designated financial institution within at least 60 days before the day on which a public notice was issued concerning the date and place of hearing

regarding the rescission of the designation, if five years have not yet elapsed since the day of the rescission.

(指定の公示等)

(Public Notice of a Designation)

第二十一条の二十 主務大臣は、前条第一項の規定による指定をしたときは、指定金融機関の商号又は名称、住所及び事業適応促進業務を行う営業所又は事務所の所在地を公示するものとする。

Article 21-20 (1) If the competent minister has made a designation under the provisions of paragraph (1) of the preceding Article, the minister is to issue a public notice concerning the trade name or name, and the address of the designated financial institution, as well as the location of its business office or office where it undertakes business operations to promote business adaptation.

2 指定金融機関は、その商号若しくは名称、住所又は事業適応促進業務を行う営業所若しくは事務所の所在地を変更しようとするときは、あらかじめ、その旨を主務大臣に届け出なければならない。

(2) If a designated financial institution intends to change its trade name or name, its address, or the location of its business office or office where it undertakes business operations to promote business adaptation, it must notify the competent minister of that fact in advance.

3 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) If the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(業務規程の変更の認可等)

(Authorization for Changes to Business Regulations)

第二十一条の二十一 指定金融機関は、業務規程を変更しようとするときは、主務大臣の認可を受けなければならない。

Article 21-21 (1) If a designated financial institution intends to change the business regulations, it must obtain the authorization of the competent minister.

2 主務大臣は、指定金融機関の業務規程が事業適応促進業務の適正かつ確実な実施上不適当となったと認めるときは、その業務規程を変更すべきことを命ずることができる。

(2) If the competent minister finds that the business regulations of a designated financial institution are no longer appropriate for the proper and reliable undertaking of business operations to promote business adaptation, the minister may order the institution to change its business regulations.

(協定)

(Agreement)

第二十一条の二十二 公庫は、事業適応促進円滑化業務については、指定金融機関と次に掲げる事項をその内容に含む協定を締結し、これに従いその業務を行うものとする。

Article 21-22 (1) The JFC is to conclude an agreement containing the following particulars with a designated financial institution, with respect to business operations to facilitate business adaptation promotion, and undertake its business operations in accordance with the agreement:

一 指定金融機関が行う事業適応促進業務（公庫から貸付けを受けて行おうとするものに限る。）に係る貸付けの条件の基準に関する事項

(i) particulars concerning the standards for conditions for loans for the designated financial institution's business operations to promote business adaptation (limited to those to be undertaken by way of receiving loans from the JFC);

二 指定金融機関は、その財務状況及び事業適応促進業務の実施状況に関する報告書を作成し、公庫に提出すること。

(ii) a requirement for the designated financial institution to prepare a report on its financial situation and on the state of undertaking its business operations to promote business adaptation, and for that designated financial institution to submit it to the JFC; and

三 前二号に掲げるもののほか、指定金融機関が行う事業適応促進業務及び公庫が行う事業適応促進円滑化業務の内容及び方法その他の主務省令で定める事項

(iii) the details and methods for the designated financial institution's business operations to promote business adaptation and the JFC's business operations to facilitate business adaptation promotion, and other particulars specified by orders of the competent ministries, beyond what is provided for in the preceding two items.

2 公庫は、前項の協定を締結しようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) If the JFC intends to conclude an agreement as set forth in the preceding paragraph, it must obtain the authorization of the competent ministers. This also applies if the JFC intends to make changes to the agreement.

(帳簿の記載)

(Bookkeeping)

第二十一条の二十三 指定金融機関は、事業適応促進業務について、主務省令で定めるところにより、帳簿を備え、主務省令で定める事項を記載し、これを保存しなければならない。

Article 21-23 Designated financial institutions must keep books with respect to business operations to promote business adaptation, record the matters specified by orders of the competent ministries, and preserve them, as prescribed by orders of the competent ministries.

(監督命令)

**(Supervision Orders)**

第二十一条の二十四 主務大臣は、この法律を施行するため必要があると認めるときは、指定金融機関に対し、事業適応促進業務に関し監督上必要な命令をすることができる。

Article 21-24 If the competent ministers find it necessary for the enforcement of this Act, the ministers may issue orders necessary for supervision with respect to business operations to promote business adaptation to a designated financial institution.

(業務の休廃止)

**(Suspension or Discontinuation of Business Operations)**

第二十一条の二十五 指定金融機関は、事業適応促進業務の全部又は一部を休止し、又は廃止しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

Article 21-25 (1) If a designated financial institution intends to suspend or discontinue all or part of the business operations to promote business adaptation, it must notify the competent minister of that fact in advance, as prescribed by orders of the competent ministries.

2 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(2) If the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

3 指定金融機関が事業適応促進業務の全部を廃止したときは、当該指定金融機関の指定は、その効力を失う。

(3) If a designated financial institution has discontinued all of the business operations to promote business adaptation, the designation as the designated financial institution ceases to be effective.

(指定の取消し等)

**(Rescission of Designations)**

第二十一条の二十六 主務大臣は、指定金融機関が第二十一条の十九第四項各号（第二号を除く。）のいずれかに該当するに至ったときは、その指定を取り消すものとする。

Article 21-26 (1) If a designated financial institution has come to fall under any of the items (excluding item (ii)) of Article 21-19, paragraph (4), the competent minister is to rescind the designation as the designated financial institution.

2 主務大臣は、指定金融機関が次の各号のいずれかに該当するときは、その指定を取り消すことができる。

(2) If a designated financial institution falls under any of the following items, the competent minister may rescind the designation as the designated financial institution:

一 事業適応促進業務を適正かつ確実に実施することができないと認められるとき。

(i) if the designated financial institution is found to be incapable of

undertaking business operations to promote business adaptation properly and reliably;

二 その指定に関し不正の行為があったとき。

(ii) if there has been a wrongful act relating to the designation; or

三 この法律又はこの法律に基づく命令若しくは処分に違反したとき。

(iii) if the designated financial institution has violated this Act or an order or disposition based on this Act.

3 主務大臣は、前二項の規定により指定を取り消したときは、その旨を公示するものとする。

(3) If the competent minister has rescinded a designation pursuant to the provisions of the preceding two paragraphs, the minister is to issue a public notice of that fact.

(指定の取消し等に伴う業務の終了)

(Completion of Business Operations due to Rescission of Designation)

第二十一条の二十七 指定金融機関について、第二十一条の二十五第三項の規定により指定が効力を失ったとき、又は前条第一項若しくは第二項の規定により指定が取り消されたときは、当該指定金融機関であった者又はその一般承継人は、当該指定金融機関が行った事業適応促進業務の契約に基づく取引を結了する目的の範囲内においては、なお指定金融機関とみなす。

Article 21-27 If designation as a designated financial institution has ceased to be effective pursuant to the provisions of Article 21-25, paragraph (3) or has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, a person that was the designated financial institution or its general successor is deemed to be the designated financial institution within the context of its purpose of completing transactions based on the agreement on the designated financial institution's business operations to promote business adaptation undertaken.

(課税の特例)

(Special Provisions on Taxation)

第二十一条の二十八 認定事業適応計画に従って実施される成長発展事業適応（経済社会情勢の著しい変化に対応して行うものとして主務大臣が定める基準に適合することについて主務大臣の確認を受けたものに限る。）を行う認定事業適応事業者について欠損金を生じたときは、租税特別措置法（昭和三十二年法律第二十六号）で定めるところにより、法人税に係る欠損金の繰越しについて特別の措置を講ずるものとする。

Article 21-28 (1) If losses arise with respect to an approved business implementing business adaptation that undertakes business adaptation for achieving growth (limited to such business adaptation confirmed by the competent minister to be in conformity with the standards specified by the competent minister as being implemented to respond to significant changes in

the economy and social circumstances), implemented in accordance with an approved business adaptation plan, special measures are to be taken regarding the carryover of losses pertaining to corporation tax, as prescribed by the Act on Special Measures Concerning Taxation (Act No. 26 of 1957).

2 認定事業適応計画に従って実施される情報技術事業適応（生産性の向上又は需要の開拓に特に資するものとして主務大臣が定める基準に適合することについて主務大臣の確認を受けたものに限る。）を行う認定事業適応事業者が、当該情報技術事業適応の用に供するために取得し、又は製作した機械及び装置、器具及び備品並びにソフトウェア並びに当該情報技術事業適応を実施するために利用したソフトウェアについては、租税特別措置法で定めるところにより、課税の特例の適用があるものとする。

(2) As prescribed by the Act on Special Measures Concerning Taxation, special provisions on taxation apply to machines, devices, tools, fixtures, and software which an approved business implementing business adaptation that undertakes business adaptation relating to information technology (limited to such business adaptation confirmed by the competent minister to be in conformity with the standards specified by the competent minister as particularly contributing to the improvements in productivity or creation of demand), implemented in accordance with an approved business adaptation plan, acquires or manufactures to be provided for use in the business adaptation relating to information technology and to software which the approved business uses for implementing the business adaptation relating to information technology.

## 第二節 事業再編の円滑化

### Section 2 Facilitation of Corporate Restructuring

（事業再編の実施に関する指針）

(Guidelines for the Implementation of Corporate Restructuring)

第二十二條 経済産業大臣及び財務大臣（財務大臣にあつては、次項第三号に掲げる事項に限る。以下この条において同じ。）は、事業再編の実施に関する指針（以下この節において「実施指針」という。）を定めるものとする。

Article 22 (1) The Minister of Economy, Trade and Industry and the Minister of Finance are to establish the guidelines for the implementation of corporate restructuring (hereinafter referred to as the "implementation guidelines" in this Section) (for the Minister of Finance, limited to the particulars set forth in item (iii) of the following paragraph; hereinafter the same applies in this Article).

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The implementation guidelines are to specify the following:

一 事業再編による生産性及び財務内容の健全性の向上に関する目標の設定に関する事項



(i) particulars concerning the setting up of goals for improvements in productivity and the soundness of financial conditions through corporate restructuring;

二 事業再編の実施方法に関する事項

(ii) particulars concerning the methods for implementing corporate restructuring;

三 事業再編のための措置のうち、合併、保有する施設の撤去若しくは保有する設備の廃棄又は生産性向上設備等の導入を行うのに必要な資金の調達の円滑化に関して公庫及び指定金融機関（第三十七条第一項の規定により指定された指定金融機関をいう。第三十五条第一項において同じ。）が果たすべき役割に関する事項

(iii) particulars concerning roles to be fulfilled by the JFC and designated financial institutions (meaning the designated financial institutions designated under Article 37, paragraph (1); the same applies in Article 35, paragraph (1)) for facilitating fund raising necessary for conducting a merger, dismantling facilities held or disposing of equipment held, or installing equipment for improving productivity, etc. out of measures for corporate restructuring; and

四 その他事業再編に関する重要事項

(iv) other important matters relating to corporate restructuring.

3 経済産業大臣及び財務大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Finance are to make changes to the implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。

(4) If the Minister of Economy, Trade and Industry and the Minister of Finance intend to establish the implementation guidelines or make changes thereto, they are to consult with the head of the relevant administrative organ in advance.

5 経済産業大臣及び財務大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry and the Minister of Finance have established the implementation guidelines or have made changes thereto, they are to publicize the established or changed implementation guidelines without delay.

(事業再編計画の認定)

(Approval for Corporate Restructuring Plans)

第二十三条 事業者は、その実施しようとする事業再編（当該事業者が法人を設立し、その法人が実施しようとするものを含む。）に関する計画（以下「事業再編計画」と

いう。)を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 23 (1) A business may prepare a plan for corporate restructuring that it intends to start (including corporate restructuring that a corporation established by the business intends to start; hereinafter the relevant plan is referred to as a "corporate restructuring plan"), and submit it to the competent minister to seek approval therefor, as prescribed by order of the competent ministries.

2 二以上の事業者がその事業再編のための措置を共同して行おうとする場合にあっては、当該二以上の事業者は共同して事業再編計画を作成し、前項の認定を受けることができる。

(2) If two or more businesses intend to coordinate in starting measures for corporate restructuring, those two or more businesses may coordinate in preparing a corporate restructuring plan to seek approval therefor as set forth in the preceding paragraph.

3 事業再編計画には、次に掲げる事項を記載しなければならない。

(3) A corporate restructuring plan must contain the following:

一 事業再編の目標

(i) the goal of the corporate restructuring;

二 事業再編による生産性及び財務内容の健全性の向上の程度を示す指標

(ii) indicators to show the level of improvements in productivity and the soundness of financial conditions through the corporate restructuring;

三 事業再編の内容及び実施時期

(iii) the details of the corporate restructuring and its implementation period;

四 事業再編の実施に必要な資金の額及びその調達方法

(iv) the amount of funds necessary for implementing the corporate restructuring and how to raise them; and

五 事業再編に伴う労務に関する事項

(v) particulars concerning the labor associated with the corporate restructuring.

4 事業再編計画には、関係事業者及び外国関係法人が当該事業者の事業再編のために行う措置に関する計画を含めることができる。

(4) A corporate restructuring plan may contain plans for the measures to be taken by related businesses and related foreign corporations for the purpose of the corporate restructuring by the business[es].

5 主務大臣は、第一項の認定の申請があった場合において、その事業再編計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(5) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the corporate restructuring plan conforms to all of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines;

二 当該事業再編計画に係る事業再編が円滑かつ確実に実施されると見込まれるものであること。

(ii) the corporate restructuring under the relevant plan is expected to be implemented smoothly and reliably;

三 当該事業再編計画に係る事業再編による生産性の向上が、当該事業分野における市場構造に照らして、持続的なものと見込まれるものであること。

(iii) the improvements in productivity through the corporate restructuring under the corporate restructuring plan are expected to be sustainable in light of the market structures in the relevant field of business;

四 当該事業再編計画に係る事業の属する事業分野が過剰供給構造（供給能力が需要に照らし著しく過剰であり、かつ、その状態が長期にわたり継続することが見込まれる状態をいう。第四十六条第一号において同じ。）にある場合にあっては、当該事業再編計画に係る事業再編が、当該事業分野の過剰供給構造の解消に資するものであること。

(iv) if the business subject to the corporate restructuring plan belongs to a field which is in a state of structural oversupply (meaning a state in which the capacity to supply clearly and significantly exceeds demand, and it is expected that this state will continue for a lengthy period; the same applies in Article 46, item (i)), the corporate restructuring under the corporate restructuring plan will contribute to the dissolution of structural oversupply in that field;

五 従業員の状態を不当に害するものでないこと。

(v) the corporate restructuring plan will not cause unreasonable damage to the state of employees; and

六 次のイ及びロに適合するものであること。

(vi) the corporate restructuring plan conforms to (a) and (b) below:

イ 内外の市場の状況に照らして、当該申請を行う事業者とその営む事業と同一の事業分野に属する事業を営む他の事業者との間の適正な競争が確保されるものであること。

(a) fair competition between the business filing the application and other businesses engaging in business that belongs to the same field as the former will be maintained in light of the situation in domestic and foreign markets; and

ロ 一般消費者及び関連事業者の利益を不当に害するおそれがあるものでないこと。

(b) there is no risk of causing unreasonable damage to the interests of general consumers and related businesses.

6 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る事業再編計画の内容を公表するものとする。

(6) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the corporate restructuring plan regarding the approval, as prescribed by orders of the competent ministries.

(事業再編計画の変更等)

(Changes to Corporate Restructuring Plans)

第二十四条 前条第一項の認定を受けた者（当該認定に係る事業再編計画に従って設立された法人を含む。以下「認定事業再編事業者」という。）は、当該認定に係る事業再編計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 24 (1) If a person that has obtained approval as set forth in paragraph (1) of the preceding Article (including a corporation established in accordance with the corporate restructuring plan regarding the approval; hereinafter the relevant person is referred to as an "approved business implementing corporate restructuring") intends to make changes to the corporate restructuring plan regarding the approval, the person must seek the approval of the competent minister as prescribed by orders of the competent ministries.

2 主務大臣は、認定事業再編事業者又はその関係事業者若しくは外国関係法人が当該認定に係る事業再編計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定事業再編計画」という。）に従って事業再編のための措置を行っていないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved business implementing corporate restructuring, or its related business or related foreign corporation is not taking measures for corporate restructuring in accordance with the corporate restructuring plan regarding the approval (the plan after changes under the preceding paragraph if approval has been granted for those changes; hereinafter referred to as an "approved corporate restructuring plan"), the minister may rescind the approval.

3 主務大臣は、認定事業再編計画が前条第五項各号のいずれかに適合しないものとなったと認めるときは、認定事業再編事業者に対して、当該認定事業再編計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the competent minister finds that an approved corporate restructuring plan no longer conforms to any of the items of paragraph (5) of the preceding Article, the minister may direct the approved business implementing corporate restructuring to make changes to the relevant plan or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第五項及び第六項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (5) and paragraph (6) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(公正取引委員会との関係)

**(Relations with the Fair Trade Commission)**

第二十五条 主務大臣は、事業再編計画について第二十三条第一項の認定（前条第一項の変更の認定を含む。第三項において同じ。）をしようとする場合において、当該事業再編計画に従って行おうとする事業再編のための措置（以下この項において「事業再編関連措置」という。）が、当該申請を行う事業者の営む事業の属する事業分野における適正な競争が確保されないおそれがある場合として政令で定める場合に該当するときは、当該認定に係る申請書の写しを公正取引委員会に送付するとともに、あらかじめ公正取引委員会に協議するものとする。この場合において、主務大臣は、事業再編関連措置が当該申請を行う事業者の営む事業の属する事業分野における競争に及ぼす影響に関する事項その他の必要な事項について意見を述べるとともに、当該事業分野における内外の市場の状況、事業再編関連措置を講ずることによる生産性の向上の程度その他の当該意見の裏付けとなる根拠を示すものとする。

Article 25 (1) If the competent minister intends to grant approval as set forth in Article 23, paragraph (1) (including the approval for changes set forth in paragraph (1) of the preceding Article; the same applies in paragraph (3)) with respect to a corporate restructuring plan and the measures for the corporate restructuring to be implemented in accordance with the corporate restructuring plan (hereinafter referred to as "corporate restructuring-related measures" in this paragraph) fall under the cases specified by Cabinet Order as cases in which fair competition might not be ensured within the field in which the business[es] filing the application engages in its own business, the competent minister is to forward a copy of the application form regarding the approval to the Fair Trade Commission and consult with the Fair Trade Commission in advance. In this case, the competent minister is to present the opinion with respect to matters concerning the influence that will be exerted by the corporate restructuring-related measures on competition within the field in which the business[es] filing the application engage in its own business, as well as with respect to other necessary matters, and is to indicate the situation in domestic and foreign markets within that field, the level of improvements in productivity through the corporate restructuring-related measures, and any other supporting grounds for that opinion.

2 主務大臣及び公正取引委員会は、前項の協議に当たっては、産業競争力の強化を図ることの必要性に鑑み、所要の手續の迅速かつ的確な実施を図るため、相互に緊密に連絡するものとする。

(2) Upon having a consultation as set forth in the preceding paragraph, the competent minister and the Fair Trade Commission are to maintain a close liaison with each other so as to carry out necessary procedures promptly and appropriately, in consideration of the necessity of strengthening industrial competitiveness.

3 主務大臣及び公正取引委員会は、第一項の規定による送付に係る事業再編計画であ

って主務大臣が第二十三条第一項の認定をしたものに従ってする行為について、当該認定後の経済事情の変動により事業者間の適正な競争関係を阻害し、並びに一般消費者及び関連事業者の利益を不当に害することとならないよう、相互に緊密に連絡するものとする。

- (3) With respect to actions taken in accordance with a corporate restructuring plan for which a copy of the application form has been forwarded under paragraph (1) and to which the competent minister has granted approval as set forth in Article 23, paragraph (1), the competent minister and the Fair Trade Commission are to maintain a close liaison with each other so as to prevent damage to fair competitive relations among businesses, as well as unreasonable damage to the interests of general consumers and related businesses, due to fluctuations in the state of the economy after the approval.

(現物出資及び財産引受の調査に関する特例)

(Special Provisions Concerning the Investigation of Capital Contributions in Kind and Property Transactions)

第二十六条 事業者が認定事業再編計画に従ってその財産の全部又は一部を出資し、又は譲渡することにより新たに株式会社を設立する場合における当該新たに設立される株式会社の発起人に係る会社法（平成十七年法律第八十六号）第三十三条第十項第一号の規定の適用については、同号中「超えない場合」とあるのは、「超えない場合並びに産業競争力強化法（平成二十五年法律第九十八号）第二十六条第一項に規定する場合」とする。

Article 26 (1) If a business newly establishes a stock company through the contribution or transfer of all or part of its assets in accordance with an approved corporate restructuring plan, with respect to the application of the provisions of Article 33, paragraph (10), item (i) of the Companies Act (Act No. 86 of 2005) regarding the incorporators of the newly established stock company, the phrase "does not exceed 5,000,000 yen" in the same item is deemed to be replaced with "does not exceed 5,000,000 yen, and in cases prescribed in Article 26, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

2 前項の場合における商業登記法（昭和三十八年法律第百二十五号）第四十七条第二項の規定の適用については、同項中「次の書面」とあるのは、「次の書面（第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十四条第二項に規定する認定事業再編計画に従った財産の出資又は譲渡であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 47, paragraph (2) of the Commercial Registration Act (Act No. 125 of 1963) in the cases set forth in the preceding paragraph, the phrase "the following documents" in the same paragraph is deemed to be replaced with "the following documents (excluding the documents set forth in item (iv)) and a document evidencing that the

contribution or transfer of assets was in accordance with an approved corporate restructuring plan prescribed in Article 24, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(株式の発行等に係る現物出資の調査に関する特例)

(Special Provisions Concerning the Investigation of Capital Contributions in Kind in Relation to the Issuance of Shares)

第二十七条 事業者が認定事業再編計画に従ってその財産の全部又は一部を他の株式会社に出資する場合（新株予約権を行使する場合を含む。）における当該他の株式会社については、会社法第二百七条第一項から第八項まで及び第二百八十四条第一項から第八項までの規定は、適用しない。

Article 27 (1) If a business contributes all or part of its assets to another stock company in accordance with an approved corporate restructuring plan (including cases in which share options are exercised), the provisions of Article 207, paragraph (1) through paragraph (8), and Article 284, paragraph (1) through paragraph (8) of the Companies Act do not apply to the relevant other stock company.

2 前項の場合における商業登記法第五十六条及び第五十七条の規定の適用については、これらの規定中「次の書面」とあるのは、「次の書面（第三号イ及び第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十四条第二項に規定する認定計画に従った財産の出資であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 56 and Article 57 of the Commercial Registration Act in the cases set forth in the preceding paragraph, the phrase "the following documents" in these provisions is deemed to be replaced with "the following documents (excluding the documents set forth in item (iii), (a) and item (iv)) and a document evidencing that the contribution of assets was in accordance with an approved plan prescribed in Article 24, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(特別支配会社への事業譲渡等に関する特例)

(Special Provisions Concerning the Business Transfer, etc. to a Special Controlling Company)

第二十八条 認定事業再編事業者の特定関係事業者（関係事業者であって、当該認定事業再編事業者及び当該認定事業再編事業者が発行済株式の全部を有する株式会社並びに認定事業再編計画に係る他の認定事業再編事業者及び当該他の認定事業再編事業者が発行済株式の全部を有する株式会社がその総株主の議決権の三分の二以上を有しているものをいう。以下この条において同じ。）である株式会社であって認定事業再編計画に従って次に掲げる行為（第四号から第七号までに掲げるものにあつては、株式会社とするものに限る。）をするものに係る会社法第四百六十八条第一項、第四百六十九条第二項第二号及び第三項、第七百八十四条第一項、第七百八十五条第二項第二

号及び第三項、第七百九十六条第一項並びに第七百九十七条第二項第二号及び第三項の規定の適用については、同法第四百六十八条第一項中「特別支配会社（ある株式会社の総株主の議決権の十分の九（これを上回る割合を当該株式会社の定款で定めた場合にあつては、その割合）以上を他の会社及び当該他の会社が発行済株式の全部を有する株式会社その他これに準ずるものとして法務省令で定める法人が有している場合における当該他の会社をいう。以下同じ。））」とあるのは「特定特別支配会社（産業競争力強化法（平成二十五年法律第九十八号）第二十四条第二項に規定する認定事業再編計画においてある株式会社が特定関係事業者（同法第二十八条第一項に規定する特定関係事業者をいう。以下この条において同じ。））である場合における当該特定関係事業者に係る同法第二十四条第一項に規定する認定事業再編事業者若しくは当該認定事業再編事業者の他の特定関係事業者又は当該認定事業再編計画に係る他の認定事業再編事業者若しくは当該他の認定事業再編事業者の特定関係事業者をいう。以下同じ。））」と、同法第四百六十九条第二項第二号及び第三項、第七百八十四条第一項、第七百八十五条第二項第二号及び第三項、第七百九十六条第一項並びに第七百九十七条第二項第二号及び第三項中「特別支配会社」とあるのは「特定特別支配会社」とする。

Article 28 (1) With respect to the application of the provisions of Article 468, paragraph (1), Article 469, paragraph (2), item (ii) and paragraph (3), Article 784, paragraph (1), Article 785, paragraph (2), item (ii) and paragraph (3), Article 796, paragraph (1), and Article 797, paragraph (2), item (ii) and paragraph (3) of the Companies Act regarding a stock company that is a specified related business of an approved business implementing corporate restructuring (meaning an related business in which two-thirds or more of the voting rights of all shareholders are held by the approved business implementing corporate restructuring and a stock company all of whose issued shares are held by the approved business implementing corporate restructuring, as well as another approved business implementing corporate restructuring regarding an approved corporate restructuring plan and a stock company all of whose issued shares are held by the relevant other approved business implementing corporate restructuring; hereinafter the same applies in this Article) and which performs any of the following acts (for acts set forth in item (iv) to item (vii), limited to an act performed with another stock company) in accordance with an approved corporate restructuring plan, the phrase "special controlling company (when nine tenths (9/10) (or, when any proportion higher than that is provided for in the articles of incorporation, such proportion) or more of the voting rights of all shareholders of a stock company are held by another company, and by stock companies all of whose issued shares are held by the relevant other company and other corporations prescribed by Ministry of Justice Order as entities equivalent to the above, referring to the relevant other company; the same applies hereinafter)" in Article 468, paragraph (1) of the same Act is deemed to be replaced with



"specified special controlling company (when a stock company is a specified related business (meaning the specified related business prescribed in Article 28, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); hereinafter the same applies in this Article) in an approved corporate restructuring plan as prescribed in Article 24, paragraph (2) of the same Act, a specified special controlling company means an approved business implementing corporate restructuring prescribed in Article 24, paragraph (1) of the same Act regarding the specified related business, another specified related business of the approved business implementing corporate restructuring, another approved business implementing corporate restructuring regarding the approved corporate restructuring plan, or a specified related business of the relevant other approved business implementing corporate restructuring; the same applies hereinafter)"; and the phrase "special controlling company" in Article 469, paragraph (2), item (ii) and paragraph (3), Article 784, paragraph (1), Article 785, paragraph (2), item (ii) and paragraph (3), Article 796, paragraph (1), and Article 797, paragraph (2), item (ii) and paragraph (3) of the Companies Act is deemed to be replaced with "specified special controlling company":

一 事業の譲渡

(i) transfer of business;

二 その子会社（会社法第二条第三号に規定する子会社をいう。）の株式又は持分の譲渡

(ii) transfer of shares or equity in subsidiary (meaning the subsidiary prescribed in Article 2, item (iii) of the Companies Act);

三 事業の全部の譲受け

(iii) acceptance of all business;

四 吸収合併

(iv) absorption-type merger;

五 吸収分割

(v) absorption-type company split;

六 吸収分割による他の会社とその事業に関して有する権利義務の全部又は一部の承継

(vi) succession to all or part of the rights and obligations held by the other company concerning its business through an absorption-type company split;

七 株式交換

(vii) share exchange; or

八 株式交換による他の株式会社の発行済株式の全部の取得

(viii) acquisition of all issued shares of the other stock company through a share exchange.

2 認定事業再編事業者の特定関係事業者であつて株式会社であるものが、認定事業再編計画に従つて次に掲げる行為をする場合においては、当該特定関係事業者について

は、会社法第八百四条第一項の規定は、適用しない。

(2) If a specified related business of an approved business implementing corporate restructuring that is a stock company performs either of the following acts in accordance with an approved corporate restructuring plan, the provisions of Article 804, paragraph (1) of the Companies Act do not apply to the specified related business:

一 新設合併（当該認定事業再編事業者若しくは当該認定事業再編事業者の他の特定関係事業者又は当該認定事業再編計画に係る他の認定事業再編事業者若しくは当該他の認定事業再編事業者の特定関係事業者とするものであって、新設合併により設立する会社が株式会社である場合に限る。）

(i) consolidation-type merger (limited to a consolidation-type merger in cases in which a consolidation-type merger is executed with the approved business implementing corporate restructuring, other specified related business of the approved business implementing corporate restructuring, another approved business implementing corporate restructuring regarding the approved corporate restructuring plan, or a specified related business of that other approved business implementing corporate restructuring, and the company established through the consolidation-type merger is a stock company); or

二 新設分割（新設分割により設立する会社が持分会社である場合及び会社法第八百五条に規定する場合を除く。）

(ii) incorporation-type company split (excluding cases in which the company established through an incorporation-type company split is a membership company, and the cases prescribed in Article 805 of the Companies Act).

3 前項の場合における会社法第八百六条第三項及び第八百八条第三項の規定の適用については、同法第八百六条第三項中「決議の日」とあるのは「決議の日（産業競争力強化法（平成二十五年法律第九十八号）第二十八条第二項に規定する場合にあっては、新設合併契約の日又は新設分割計画の作成の日）」と、同法第八百八条第三項中「作成の日」とあるのは「作成の日、産業競争力強化法第二十八条第二項に規定する場合にあっては新設合併契約の日又は新設分割計画の作成の日」とする。

(3) With respect to the application of the provisions of Article 806, paragraph (3) and Article 808, paragraph (3) of the Companies Act in the cases set forth in the preceding paragraph, the phrase "the day of resolution at the shareholders meeting set forth in Article 804, paragraph (1)" in Article 806, paragraph (3) of the same Act is deemed to be replaced with "the day of resolution at the shareholders meeting set forth in Article 804, paragraph (1) (in the cases prescribed in Article 28, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), the day of the conclusion of the consolidation-type merger agreement or the day of the preparation of the incorporation-type company split plan)"; and the phrase "and in the cases prescribed in Article 805, the day of the preparation of the incorporation-type company split plan" in Article 808, paragraph (3) of the same Act is deemed to

be replaced with "in the cases prescribed in Article 805, the day of the preparation of the incorporation-type company split plan, and in the cases prescribed in Article 28, paragraph (2) of the Act on Strengthening Industrial Competitiveness, the day of the conclusion of the consolidation-type merger agreement or the day of the preparation of the incorporation-type company split plan)".

- 4 第一項及び第二項の場合における商業登記法第八十条、第八十一条、第八十五条、第八十六条及び第八十九条の規定の適用については、次の表の上欄に掲げる同法の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。

(4) With respect to the application of the provisions of Article 80, Article 81, Article 85, Article 86, and Article 89 of the Commercial Registration Act in the cases set forth in paragraph (1) and paragraph (2), the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第八十条 Article +A1:C880</p>	<p>次の書面 the following documents</p>	<p>次の書面並びに産業競争力強化法（平成二十五年法律第九十八号）第二十三条第一項の認定（同法第二十四条第一項の変更の認定を含む。以下単に「認定」という。）を受けたことを証する書面及び認定を受けた計画に従った吸収合併であることを証する書面 the following documents, a document evidencing that the approval set forth in Article 23, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (including the approval for changes set forth in Article 24, paragraph (1) of the same Act; hereinafter simply referred to as the "approval") has been obtained, and a document evidencing that the absorption-type merger was in accordance with the approved plan</p>
<p>第八十一条 Article 81</p>	<p>次の書面 the following documents</p>	<p>次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従った新設合併であることを証する書面 the following documents, a document evidencing that the approval has been obtained, and a document evidencing that the consolidation-type merger was in accordance with the approved plan</p>

<p>第八十一条第六号 Article 81, item (vi)</p>	<p>書面 of the Companies Act</p>	<p>書面（産業競争力強化法第二十八条第二項に規定する場合にあつては、当該場合に該当することを証する書面及び取締役の過半数の一致があつたことを証する書面又は取締役会の議事録） of the Companies Act (in the cases prescribed in Article 28, paragraph (2) of the Act on Strengthening Industrial Competitiveness, a document evidencing that it falls under those cases, and a document or the minutes of board of directors evidencing that the consent of the majority of the directors has been obtained)</p>
<p>第八十五条 Article 85</p>	<p>次の書面 the following documents</p>	<p>次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従つた吸収分割又は吸収分割による他の会社とその事業に関して有する権利義務の全部若しくは一部の承継であることを証する書面 the following documents, a document evidencing that the approval has been obtained, and a document evidencing that the absorption-type company split was in accordance with the approved plan or that the succession through the absorption-type company split to all or part of the rights and obligations that another company had in its business was in accordance with the approved plan</p>
<p>第八十六条 Article 86</p>	<p>次の書面 the following documents</p>	<p>次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従つた新設分割であることを証する書面 the following documents, a document evidencing that the approval has been obtained, and a document evidencing that the incorporation-type company split was in accordance with the approved plan</p>
<p>第八十六条第六号 Article 86, item (vi)</p>	<p>、当該場合 dummy text</p>	<p>当該場合 dummy text</p>

	議事録 the minutes of board of director evidencing that the consent of the majority of the directors has been obtained	議事録、産業競争力強化法第二十八条第二項に規定する場合にあつては当該場合に該当することを証する書面及び取締役の過半数の一致があつたことを証する書面又は取締役会の議事録 the minutes of board of directors evidencing that the consent of the majority of the directors has been obtained; and in the cases prescribed in Article 28, paragraph (2) of the Act on Strengthening Industrial Competitiveness, a document evidencing that it falls under those cases, and a document or the minutes of board of directors evidencing that the consent of the majority of the directors has been obtained
第八十九条 Article 89	次の書面 the following documents	次の書面並びに認定を受けたことを証する書面及び認定を受けた計画に従つた株式交換又は株式交換による他の株式会社の発行済株式の全部の取得であることを証する書面 the following documents, a document evidencing that the approval has been obtained, and a document evidencing that the share exchange was in accordance with the approved plan or that the acquisition of all issued shares of another stock company through the share exchange was in accordance with the approved plan

- 5 認定事業再編事業者が認定事業再編計画に従つてその特定関係事業者であつて株式会社であるものの株主（当該特定関係事業者及び当該認定事業再編事業者（この項の規定により読み替えて適用する会社法第七十九条第一項ただし書の規定により当該認定事業再編事業者が発行済株式の全部を有する株式会社又は当該認定事業再編計画に係る他の認定事業再編事業者若しくは当該他の認定事業再編事業者が発行済株式の全部を有する株式会社に対してこの項の規定による請求をしないこととする場合にあつては、当該者を含む。）を除く。）の全員に対しその有する当該特定関係事業者の株式の全部を当該認定事業再編事業者に売り渡すことを請求する場合における同法第一百五十一条第二項、第一百五十四条第三項、第七十九条、第七十九条の二第一項第一号、第四号イ及び第五号並びに第二項、第七十九条の三第一項、第二項及び第四項、第七十九条の四第一項各号、第三項及び第四項、第七十九条の五第一項第一号、第七十九条の六第一項、第三項及び第七項、第七十九条の七、第七十九条の八第二項及び第三項、第七十九条の九、第七十九条の十第一項、第二百十九条第二項第二号及び第四項、第二百七十二条第四項、第二百九十三条第二項第一号及び第四項、第四百四十六条の三並びに第四百七十条第二項第五号の規定の適用について

は、次の表の上欄に掲げる同法の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ほか、必要な技術的読替えは、政令で定める。

- (5) If an approved business implementing corporate restructuring demands, in accordance with an approved corporate restructuring plan, that all shareholders of its specified related business that is a stock company sell back all of the shares of the specified related business that they hold, (those shareholders exclude the relevant specified related business and the relevant approved business implementing corporate restructuring (and, also exclude a stock company all of whose issued shares the relevant approved business implementing corporate restructuring holds, another approved business implementing corporate restructuring regarding the approved corporate restructuring plan, or a stock company all of whose issued shares the other relevant approved business implementing corporate restructuring holds, if the relevant approved business implementing corporate restructuring has decided not to make a demand under this paragraph of any of them pursuant to the provisions of the proviso to Article 179, paragraph (1) of the Companies Act as applied by replacing the phrases pursuant to the provisions of this paragraph)), with respect to the application of the provisions of Article 151, paragraph (2); Article 154, paragraph (3); Article 179; Article 179-2, paragraph (1), item (i), item (iv), (a), item (v), and paragraph (2); Article 179-3, paragraph (1), paragraph (2), and paragraph (4); Article 179-4, items of paragraph (1), and paragraph (3), and paragraph (4); Article 179-5, paragraph (1), item (i); Article 179-6, paragraph (1), paragraph (3), and paragraph (7); Article 179-7; Article 179-8, paragraph (2), and paragraph (3); Article 179-9; Article 179-10, paragraph (1); Article 219, paragraph (2), item (ii), and paragraph (4); Article 272, paragraph (4); Article 293, paragraph (2), item (i), and paragraph (4); Article 846-3; and Article 870, paragraph (2), item (v) of the Companies Act, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and Cabinet Order prescribes any other necessary technical replacement of the phrases.

<p>第百五十一条第二項 Article 151, paragraph (2)</p>	<p>特別支配株主（第一百七十九条第一項に規定する特別支配株主をいう。第百五十四条第三項において同じ。） a Special Controlling Shareholder (meaning a Special Controlling Shareholder as prescribed in Article 179, paragraph (1); the same applies in Article 154, paragraph (3))</p>	<p>特定特別支配株主（産業競争力強化法（平成二十五年法律第九十八号）第二十四条第二項に規定する認定事業再編計画においてある株式会社が特定関係事業者（同法第二十八条第一項に規定する特定関係事業者をいう。以下この条において同じ。）である場合における当該特定関係事業者に係る同法第二十八条第一項に規定する認定事業再編事業者をいう。以下同じ。） a specified special controlling shareholder (meaning an approved business implementing corporate restructuring prescribed in Article 28, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) regarding the relevant specified affiliated business (meaning the specified affiliated business prescribed in Article 28, paragraph (1) of the same Act; hereinafter the same applies in this Article) if a stock company is a specified affiliated business in an approved plan prescribed in Article 24, paragraph (2) of the same Act; the same applies here in after)</p>
<p>第百五十四条第三項 Article 154, paragraph (3)</p>	<p>特別支配株主 the Special Controlling Shareholders</p>	<p>特定特別支配株主 the specified special controlling shareholders</p>

<p>第一百七十九条第一項 Article 179, paragraph (1)</p>	<p>特別支配株主（株式会社の総株主の議決権の十分の九（これを上回る割合を当該株式会社の定款で定めた場合にあっては、その割合）以上を当該株式会社以外の者及び当該者が発行済株式の全部を有する株式会社その他これに準ずるものとして法務省令で定める法人（以下この条及び次条第一項において「特別支配株主完全子法人」という。）が有している場合における当該者をいう。以下同じ。） Special Controlling Shareholders of a Stock Company (in cases where a person in cases where not less than nine-tenths (9/10) of the votes of all shareholders of the Stock Company (in cases where a higher proportion is provided for in the articles of incorporation of such Stock Company, such proportion) are held by such person other than such Stock Company and in cases where a corporation prescribed by Order of Ministry of Justice as a Stock Company all of the Issued Shares of which are held by such person or one equivalent thereto (hereinafter referred to as "Wholly Owned Subsidiary Corporation of the Special Controlling Shareholder" in this Article and paragraph (1) of the following Article), meaning such person; the same applies hereinafter)</p>	<p>特定特別支配株主 Specified special controlling shareholders of a stock company</p>
	<p>当該特別支配株主 Special Controlling Shareholder[s]</p>	<p>当該特定特別支配株主 specified special controlling shareholder[s]</p>



	<p>特別支配株主完全子法人に a Wholly Owned Subsidiary Corporation of the Special Controlling Shareholder</p>	<p>特定特別支配株主完全子法人 (当該特定特別支配株主が発行 済株式の全部を有する株式会社 並びに当該認定事業再編計画に 係る他の認定事業再編事業者及 び当該他の認定事業再編事業者 が発行済株式の全部を有する株 式会社をいう。以下この条及び 次条第一項において同じ。) に a wholly owned subsidiary corporation of the specified special controlling shareholder (meaning a stock company all of whose issued shares are held by the specified special controlling shareholder, another approved business implementing corporate restructuring pertaining to the approved corporate restructuring plan, or a stock company all of whose issued shares are held by the relevant other approved business implementing corporate restructuring; hereinafter the same applies in this Article and paragraph (1) of the following Article)</p>
<p>第一百七十九条第 二項 Article 179, paragraph (2)</p>	<p>特別支配株主は Special Controlling Shareholders</p>	<p>特定特別支配株主は specified special controlling shareholders</p>
	<p>当該特別支配株主 such Special Controlling Shareholders</p>	<p>当該特定特別支配株主 those specified special controlling shareholders</p>
	<p>特別支配株主完全子法人 a Wholly Owned Subsidiary Corporation of the Special Controlling Shareholder</p>	<p>特定特別支配株主完全子法人 a wholly owned subsidiary corporation of the specified special controlling shareholder</p>
<p>第一百七十九条第 三項 Article 179, paragraph (3)</p>	<p>特別支配株主 Special Controlling Shareholder</p>	<p>特定特別支配株主 specified special controlling shareholder</p>

<p>第百七十九条の二第一項第一号及び第四号イ Article 179-2, paragraph (1), item (i) and item (iv), (a)</p>	<p>特別支配株主完全子法人 a Wholly Owned Subsidiary Corporation of the Special Controlling Shareholder</p>	<p>特定特別支配株主完全子法人 a wholly owned subsidiary corporation of the specified special controlling shareholder</p>
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<p>           第一百七十九条の二第一項第五号及び第二項、第一百七十九条の三第一項、第二項及び第四項、第一百七十九条の四第一項各号、第三項及び第四項、第一百七十九条の五第一項第一号、第一百七十九条の六第一項、第三項及び第七項、第一百七十九条の七、第一百七十九条の八第二項及び第三項、第一百七十九条の九、第一百七十九条の十第一項、第二百十九条第二項第二号及び第四項、第二百七十二条第四項、第二百九十三条第二項第一号及び第四項、第四百四十六条の三並びに第四百七十条第二項第五号            Article 179-2, paragraph (1), item (v) and paragraph (2); Article 179-3, paragraph (1), paragraph (2) and paragraph (4); items of Article 179-4, paragraph (1), and paragraph (3) and paragraph (4) of the same Article; Article 179-5, paragraph (1), item (i); Article 179-6, paragraph (1), paragraph (3), and paragraph         </p>	<p>           特別支配株主            Special Controlling Shareholder         </p>	<p>           特定特別支配株主            specified special controlling shareholder         </p>
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(株式の併合に関する特例)

(Special Provisions Concerning the Consolidation of Shares)

第二十九条 認定事業再編事業者若しくはその関係事業者である株式会社が認定事業再編計画に従って資本金、資本準備金又は利益準備金の額の減少と同時に行う株式の併合であつて次の各号のいずれにも該当する場合における会社法第一百八十条第二項の規定の適用については、同項中「株主総会」とあるのは、「株主総会（取締役会設置会社にあつては、取締役会）」とする。

Article 29 (1) With respect to the application of the provisions of Article 180, paragraph (2) of the Companies Act regarding the consolidation of shares which an approved business implementing corporate restructuring or a stock company that is its related business undertakes, at the same time as a reduction in the amount of stated capital, capital reserves or retained earnings reserves, in accordance with the approved corporate restructuring plan, and which falls under both of the following items, the phrase "a shareholders meeting" in the same paragraph is deemed to be replaced with "a shareholders meeting (for a company with a board of directors, a board of directors meeting)":

一 当該株式の併合と同時に単元株式数を減少し、又はその数を廃止するものであること。

(i) there is a reduction in the number of share units, or a discontinuation of that number, at the same time as the consolidation of shares; and

二 当該株式の併合後各株主がそれぞれ有する単元の数（当該株式の併合と同時に単元株式数を廃止する場合にあつては、各株主がそれぞれ有する株式の数）が当該株式の併合前において各株主がそれぞれ有する単元の下回るものでないこと。

(ii) there is no fall in the number of share units owned by each individual shareholder after the consolidation of shares (when a number of share units is discontinued at the time of the consolidation of shares, the number of shares owned by each individual shareholder), below the number of share units held by each individual shareholder before the consolidation.

2 前項の場合における商業登記法第六十一条の規定の適用については、同条中「掲げる書面」とあるのは、「掲げる書面及び産業競争力強化法（平成二十五年法律第九十八号）第二十四条第二項に規定する認定事業再編計画に従つた株式の併合であることを証する書面」とする。

(2) With respect to the application of the provisions of Article 61 of the Commercial Registration Act in the cases set forth in the preceding paragraph, the phrase "documents listed in Article 59, paragraph (1), item (ii)" in the same Article is deemed to be replaced with "documents set forth in Article 59, paragraph (1), item (ii), and a document evidencing that the consolidation of shares was in accordance with the approved corporate restructuring plan prescribed in Article 24, paragraph (2) of the Act on Strengthening Industrial

Competitiveness (Act No. 98 of 2013)".

(株式を対価とする他の株式会社の株式等の取得に際しての株式の発行等に関する特例)

(Special Provisions Concerning the Issuance of Shares or the Disposal of Treasury Shares upon Acquisition of Shares, etc. of Another Stock Company in Exchange for Shares)

第三十条 認定事業再編事業者である株式会社が認定事業再編計画に従って譲渡により他の株式会社の株式（外国法人の株式若しくは持分又はこれらに類似するものを含む。以下この項において同じ。）を取得する場合（当該他の株式会社又は当該外国法人がその関係事業者又は外国関係法人でない場合にあつては、当該取得により当該他の株式会社又は当該外国法人をその関係事業者又は外国関係法人としようとする場合に限る。以下この項において同じ。）であつて当該取得の対価として株式の発行若しくは自己株式の処分をするとき、又は認定事業再編事業者である株式会社が認定事業再編計画に従つてその子会社（会社法第二条第三号に規定する子会社をいい、会社が発行済株式の全部を有する株式会社その他これに準ずるものとして主務省令で定める法人に限る。以下この項において同じ。）に対して株式の発行若しくは自己株式の処分をするとともに当該子会社が当該認定事業再編計画に従つて譲渡により他の株式会社の株式を取得する場合であつて当該取得の対価として当該認定事業再編事業者である株式会社の株式（金融商品取引法（昭和二十三年法律第二十五号）第二条第一項第二十号に掲げる有価証券で当該株式に係る権利を表示するもの及び当該有価証券に表示されるべき権利を含む。）を交付するときにおける当該認定事業再編事業者に係る会社法第百九十九条、第二百一条（第一項及び第二項を除く。）、第二百八条及び第四百四十五条の規定の適用については、次の表の上欄に掲げる同法の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ほか、必要な技術的読替えは、政令で定める。

Article 30 (1) If a stock company that is an approved business implementing corporate restructuring acquires shares of another stock company (including shares, equity, or the equivalent in a foreign corporation; hereinafter the same applies in this paragraph) through transfer in accordance with an approved corporate restructuring plan (limited to cases in which the stock company intends to make that other stock company fall under the category of its own related business through the acquisition, if that other stock company's business does not fall under the category of its own related business, or in which it intends to make the foreign corporation its own related foreign corporation through the acquisition, if the foreign corporation is not its own related foreign corporation; hereinafter the same applies in this paragraph), and it issues shares or disposes of treasury shares in exchange for the acquisition; or a stock company that is an approved business implementing corporate restructuring issues shares or disposes of treasury shares to its subsidiary (meaning the subsidiary prescribed in Article 2, item (iii) of the

Companies Act and limited to stock companies all of whose issued shares are held by the company and other corporations specified by orders of the competent ministries as those equivalent thereto; hereinafter the same applies in this paragraph) in accordance with an approved corporate restructuring plan, and the subsidiary acquires shares of another stock company through transfer in accordance with the approved corporate restructuring plan and issues shares (including securities set forth in Article 2, paragraph (1), item (xx) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) that indicate the rights regarding those shares and the rights to be indicated on the securities) of the stock company that is the approved business implementing corporate restructuring in exchange for the acquisition; with respect to the application of the provisions of Article 199, Article 201 (excluding paragraph (1) and paragraph (2)), Article 208, and Article 445 of the Companies Act regarding the relevant approved business implementing corporate restructuring, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and Cabinet Order specifies any other necessary technical replacement of the phrases.

<p>第百九十九条 第一項各号列 記以外の部分 The portion other than those set forth the items of Article 199, paragraph (1)</p>	<p>株式会社は、 a Stock Company intends to solicit persons to subscribe for shares it issues or for Treasury Shares it disposes of</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第二十四条第一項に規定する認定事業再編事業者である株式会社は、同条第二項に規定する認定事業再編計画に従って譲渡による他の株式会社の株式（外国法人の株式若しくは持分又はこれらに類似するものを含む。以下この項において同じ。）の取得の対価として a stock company that is an approved business implementing corporate restructuring as prescribed in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) intends to solicit persons to subscribe for shares it issues or for treasury shares it disposes of in exchange for the acquisition of shares of another stock company (including shares, equity, or the equivalent in a foreign corporation; hereinafter the same applies in this paragraph) through transfer in accordance with an approved corporate restructuring plan as prescribed in paragraph (2) of the same Article</p>
	<p>次に掲げる事項 the following particulars</p>	<p>次に掲げる事項（第三号に掲げる事項を除く。） the following particulars (excluding the matters set forth in item (iii))</p>
<p>第百九十九条 第一項第一号 Article 199, paragraph (1), item (i)</p>	<p>募集株式の数（種類株式発行会社にあつては、募集株式の種類及び数。以下この節において同じ。） the number of Shares for Subscription (or, for a Company with Class Shares, the classes and the number of the Shares for Subscription; hereinafter the same applies in this Section);</p>	<p>募集株式の数（種類株式発行会社にあつては、募集株式の種類及び数。以下この節において同じ。）又はその数の算定方法 the number of shares for subscription (or, for a company with class shares, the classes and the number of the shares for subscription; hereinafter the same applies in this Section) or the method for calculating that number;</p>

<p>第百九十九条 第一項第二号 Article 199, paragraph (1), item (ii)</p>	<p>募集株式の払込金額 (募集株式一株と引換 えに払い込む金銭又は 給付する金銭以外の財 産の額をいう。以下こ の節において同じ。) the Amount to Be Paid in (meaning the amount of the monies to be paid in in exchange for one of the Shares for Subscription, or the amount of any property other than monies to be contributed; hereinafter the same applies in this Section) for the Shares for Subscription</p>	<p>募集株式一株と引換えに給付する当該他 の株式会社の株式（当該他の株式会社の 株式と併せて当該他の株式会社の新株予 約権又は新株予約権付社債（外国法人の 新株予約権又は新株予約権付社債に類似 するものを含む。以下この号において同 じ。）を取得する場合にあっては、当該 新株予約権又は新株予約権付社債を含 む。以下「特定株式等」という。）の数 the number of shares of the relevant other stock company to be contributed in exchange for a single share for subscription (if the relevant company acquires share options or bonds with share options of the relevant other stock company (including the equivalent to share options or bonds with share options of a foreign corporation; hereinafter the same applies in this item) along with shares of the relevant other stock company, including those share options or bonds with share options; hereinafter referred to as "specified shares, etc.")</p>
<p>第百九十九条 第一項第四号 Article 199, paragraph (1), item (iv)</p>	<p>金銭の払込み又は前号 の財産 the payment of the monies in exchange for the Shares for Subscription, or the contribution of the property under the preceding item</p>	<p>特定株式等 the contribution of the specified shares, etc. in exchange for the shares for subscription</p>
<p>第二百一条第 三項 Article 201, paragraph (3)</p>	<p>公開会社 a Public Company</p>	<p>当該認定事業再編事業者である株式会社 the stock company that is the approved business implementing corporate restructuring</p>



	<p>第一項の規定により読み替えて適用する第九十九条第二項の取締役会の決議によって</p> <p>by a resolution of the board of directors meeting provided for in Article 199(2) applied by the reading of terms pursuant to the provisions of the preceding paragraph</p>	<p>産業競争力強化法第三十条第三項の規定により読み替えて準用する第七百九十六条第二項の規定により、株主総会の決議によらないで</p> <p>not by a resolution at the board of directors meeting, under Article 796, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 30, paragraph (3) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of phrases</p>
<p>第二百一条第五項</p> <p>Article 201, paragraph (5)</p>	<p>法務省令</p> <p>Order of the Ministry of Justice</p>	<p>産業競争力強化法第一百四十七条第二項に規定する主務省令（以下単に「主務省令」という。）</p> <p>the orders of the competent ministries prescribed in Article 147, paragraph (2) of the Act on Strengthening Industrial Competitiveness (hereinafter simply referred to as "orders of the competent ministries")</p>
<p>第二百八条第二項</p> <p>Article 208, paragraph (2)</p>	<p>募集株式の払込金額の全額に相当する現物出資財産</p> <p>the Properties Contributed in Kind equivalent in value to the entire Amount to Be Paid in of the Shares for Subscription for which the subscribers respectively subscribed</p>	<p>募集株式と引換えに給付する特定株式等の全部</p> <p>all of the specified shares, etc. to be contributed in exchange for the shares for subscription</p>
<p>第四百四十五条第一項</p> <p>Article 445, paragraph (1)</p>	<p>財産の額</p> <p>the amount of properties</p>	<p>財産の額として主務省令で定める額</p> <p>the amount specified by orders of the competent ministries as the amount of properties</p>
<p>第四百四十五条第二項</p> <p>Article 445, paragraph (2)</p>	<p>給付に係る額</p> <p>the amount of contribution</p>	<p>給付に係る額として主務省令で定める額</p> <p>the amount specified by orders of the competent ministries as the amount of the contribution</p>

- 2 前項の規定により認定事業再編事業者である株式会社が行う株式の発行又は自己株式の処分については、会社法第三百三十五条第一項、第二百条、第二百一条第一項及び第二項、第二百六条の二並びに第二百十二条の規定は、適用しない。

(2) With respect to the issuance of shares or disposal of treasury shares undertaken by a stock company that is an approved business implementing corporate restructuring pursuant to the provisions of the preceding paragraph, the provisions of Article 135, paragraph (1), Article 200, Article 201, paragraph (1) and paragraph (2), Article 206-2, and Article 212 of the Companies Act do not apply.

3 会社法第二百三十四条、第三百九条第二項、第七百九十六条第二項及び第三項、第七百九十七条、第七百九十八条、第八百六十八条から第八百七十六条まで並びに第九百四十条の規定は、第一項の場合について準用する。この場合において、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるほか、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 234, Article 309, paragraph (2), Article 796, paragraph (2) and paragraph (3), Article 797, Article 798, Article 868 to Article 876, and Article 940 of the Companies Act apply mutatis mutandis to the cases set forth in paragraph (1). In this case, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and Cabinet Order prescribes any other necessary technical replacement of the phrases.

<p>第二百三十四条第一項 Article 234, paragraph (1)</p>	<p>次の各号に掲げる行為に際して当該各号に定める者に当該株式会社の株式を交付する場合 In cases where a Stock Company delivers shares in such Stock Company to the persons listed in the following items when any act listed in such items is carried out</p>	<p>産業競争力強化法第三十条第一項の規定による株式の発行又は自己株式の処分（以下「特定株式発行等」という。）に際してこれらの株式の引受けの申込みをした者にこれらの株式を交付する場合 In cases in which a stock company that is the approved business delivers those shares to persons that have submitted applications for subscription for its shares at the time of the issuance of shares or disposal of treasury shares under Article 30, paragraph (1) of the Act on Strengthening Industrial Competitiveness (hereinafter referred to as the "issuance, etc. of specified shares")</p>
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	<p>当該株式会社の株式の数 the number of the shares of such Stock Company</p>	<p>当該認定事業再編事業者である株式会社の株式の数 the number of the shares of the stock company that is the approved business implementing corporate restructuring</p>
<p>第七百九十六条第二項各号列記以外の部分 the part other than the items below of Article 796, paragraph (2)</p>	<p>前条第一項から第三項まで paragraphs (1) to (3) of the preceding Article</p>	<p>第百九十九条第二項 Article 199, paragraph (2)</p>
	<p>五分の一（これを下回る割合を存続株式会社等の定款で定めた場合にあっては、その割合） one-fifth (or, in cases where a lesser proportion is prescribed in the articles of incorporation of the Surviving Stock Company, etc., such proportion)</p>	<p>五分の一 one-fifth</p>

	<p>同条第二項各号に掲げる場合 又は前項ただし書に規定する場合</p> <p>the cases listed in the items of paragraph (2) of the preceding Article or the cases prescribed in the proviso to the preceding paragraph</p>	<p>特定株式発行等に際してこれらの株式の引受けの申込みをした者に交付する株式の全部又は一部が当該認定事業再編事業者である株式会社の譲渡制限株式である場合であつて、当該認定事業再編事業者である株式会社が公開会社でないとき</p> <p>cases in which all or part of the shares to be delivered to persons that have submitted applications for subscription for those shares at the time of the issuance, etc. of specified shares are shares with restrictions on the transfer of the stock company that is the approved business implementing corporate restructuring, and the stock company that is the approved business implementing corporate restructuring is not a public company</p>
<p>第七百九十六条第二項第一号</p> <p>Article 796, paragraph (2), item (i)</p>	<p>次に掲げる額の合計額</p> <p>the total amount of the amounts listed below:</p>	<p>特定株式発行等に際してこれらの株式の引受けの申込みをした者に交付する当該認定事業再編事業者である株式会社の株式の数に一株当たり純資産額を乗じて得た額</p> <p>the amount arrived at if the number of shares of the stock company that is the approved business implementing corporate restructuring to be delivered to persons that have submitted applications for subscription for those shares at the time of the issuance, etc. of specified shares is multiplied by the amount of net assets per share;</p>

<p>イ 吸収合併消滅株式会社若しくは株式交換完全子会社の株主、吸収合併消滅持分会社の社員又は吸収分割会社（以下この号において「消滅会社等の株主等」という。）に対して交付する存続株式会社等の株式の数に一株当たり純資産額を乗じて得た額</p> <p>(a) the amount obtained by multiplying the number of shares of the Surviving Stock Company, etc. to be delivered to shareholders of the Stock Company Disappearing in an Absorption-type Merger or the Wholly Owned Subsidiary Company in Resulting from a Share Exchange, to members of the Membership Company Disappearing in the Absorption-type Merger or to the Company Splitting in the Absorption-type Split (hereinafter referred to as "Shareholders, etc. of the Disappearing Company, etc." in this item) by the amount of net assets per share;</p>	
<p>ロ 消滅会社等の株主等に対して交付する存続株式会社等の社債、新株予約権又は新株予約権付社債の帳簿価額の合計額</p> <p>(b) the total amount of the book value of Bonds, Share Options or Bonds with Share Options of the Surviving Stock Company, etc. to be delivered to Shareholders, etc. of the Disappearing Company, etc.; and</p>	

	<p>ハ 消滅会社等の株主等に対して交付する存続株式会社等の株式等以外の財産の帳簿価額の合計額</p> <p>(c) the total amount of the book value of property other than shares, etc. of the Surviving Stock Company, etc. to be delivered to Shareholders, etc. of the Disappearing Company, etc.</p>	
<p>第七百九十六条第二項第二号</p> <p>Article 796, paragraph (2), item (ii)</p>	<p>存続株式会社等</p> <p>the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社</p> <p>the stock company that is the approved business implementing corporate restructuring</p>
	<p>法務省令</p> <p>Order of the Ministry of Justice</p>	<p>産業競争力強化法第百四十七条第二項に規定する主務省令（以下単に「主務省令」という。）</p> <p>the orders of the competent ministries prescribed in Article 147, paragraph (2) of the Act on Strengthening Industrial Competitiveness (hereinafter simply referred to as the "orders of the competent ministries")</p>
<p>第七百九十六条第三項</p> <p>Article 796, paragraph (3)</p>	<p>法務省令</p> <p>Order of the Ministry of Justice</p>	<p>主務省令</p> <p>orders of the competent ministries</p>
	<p>前条第一項</p> <p>paragraph (1) of the preceding Article</p>	<p>第百九十九条第二項</p> <p>Article 199, paragraph (2)</p>
	<p>吸収合併等</p> <p>the Absorption-type Merger, etc.</p>	<p>特定株式発行等</p> <p>the issuance, etc. of specified shares</p>
	<p>存続株式会社等に</p> <p>the Surviving Stock Company, etc.</p>	<p>当該認定事業再編事業者である株式会社に</p> <p>the stock company that is the approved business implementing corporate restructuring</p>

	当該存続株式会社等 such Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
	効力発生日 the Effective Day	産業競争力強化法第三十条第一項 の規定より読み替えて適用する第 百九十九条第一項第四号の期日又 は同号の期間の初日（以下「特定 期日等」という。） the date set forth in Article 199, paragraph (1), item (iv) as applied pursuant to the provisions of Article 30, paragraph (1) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms or the first day of the period set forth in the same item (hereinafter referred to as the "specified date, etc.")
	吸収合併契約等の承認を受け なければ obtain the approval of the Absorption-type Merger Agreement, etc.	当該募集事項を定めなければ determine the subscription requirements
第七百九十七 条第一項 Article 797, paragraph (1)	吸収合併等 an Absorption-type Merger, etc.	特定株式発行等 the issuance, etc. of specified shares
	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring

	<p>除く。) excluding ...)</p>	<p>除く。) 又は当該認定事業再編事業者が金融商品取引所（金融商品取引法第二条第十六項に規定する金融商品取引所をいい、これに類するものとして外国の法令に基づき設立されたものを含む。第三項において同じ。）に上場されている株式を発行している株式会社である場合 excluding ...) or the case where the approved business implementing corporate restructuring is a stock company that issues shares listed on a financial instruments exchange (meaning the financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act, including an equivalent thereto established under laws and regulations of a foreign country; the same applies in paragraph (3))</p>
<p>第七百九十七 条第二項第一 号（イ及びロ 以外の部分に 限る。） Article 797, paragraph (2), item (i) (limited to the part other than (a) and (b))</p>	<p>吸収合併等 the Absorption-type Merger, etc.</p>	<p>特定株式発行等 the issuance, etc. of specified shares</p>
<p>第七百九十七 条第二項第一 号イ Article 797, paragraph (2), item (i), (a)</p>	<p>吸収合併等 such Absorption-type Merger, etc.</p>	<p>特定株式発行等 the issuance, etc. of specified shares</p>



	当該存続株式会社等 such Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
第七百九十七 条第三項 Article 797, paragraph (3)	存続株式会社等 A Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
	効力発生日 the Effective Day	特定期日等 the specified date, etc.
	吸収合併等をする旨並びに消 滅会社等の商号及び住所（第 七百九十五条第三項に規定す る場合にあっては、吸収合併 等をする旨、消滅会社等の商 号及び住所並びに同項の株式 に関する事項） that it will effect an Absorption-type Merger, etc. and the trade name and address of the Disappearing Company, etc. (or, in the cases prescribed in Article 795, paragraph (3), the fact that it will effect an Absorption-type Merger, etc., the trade name and address of the Disappearing Company, etc. and the matters concerning shares set forth in that paragraph)	特定株式発行等をする旨並びに当 該他の株式会社又は外国法人の商 号又は名称及び住所 that it will carry out the issuance, etc. of specified shares, and the trade name and address of the relevant other stock company or foreign corporation
	ならない。 must ... prior to the Effective Day.	ならない。ただし、当該認定事業 再編事業者が金融商品取引所に上 場されている株式を発行している 株式会社である場合は、この限り でない。 must ... prior to the Effective Day; provided, however, that this does not apply in the case where the approved business implementing corporate restructuring is a stock company that issues shares listed on a financial instruments exchange

第七百九十七 条第四項第一 号 Article 797, paragraph (4), item (i)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
第七百九十七 条第四項第二 号 Article 797, paragraph (4), item (ii)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
	第七百九十五条第一項の株主 総会の決議によって吸収合併 契約等の承認を受けた場合 obtains the approval of the Absorption-type Merger Agreement, etc. by the resolution of a shareholders meeting set forth in Article 795, paragraph (1)	第百九十九条第二項の株主総会 の決議によって募集事項を定めた場 合 determines subscription requirements by a resolution at the board of directors meeting as set forth in Article 199, paragraph (2)
第七百九十七 条第五項 Article 797, paragraph (5)	効力発生日 the Effective Day	特定期日等 the specified date, etc.
第七百九十七 条第六項及び 第七項 Article 797, paragraph (6) and paragraph (7)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業者である株式会社 the stock company that is the approved business
第七百九十七 条第八項 Article 797, paragraph (8)	吸収合併等を中止 the Absorption-type Merger, etc. is cancelled	特定株式発行等の全部を中止 the issuance, etc. of specified shares is cancelled in its entirety
第七百九十八 条第一項及び 第二項 Article 798, paragraph (1) and paragraph (2)	存続株式会社等 the Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring

	効力発生日 the Effective Day	特定期日等 the specified date, etc.
第七百九十八 条第三項 Article 798, paragraph (3)	効力発生日 the Effective Day	特定期日等 the specified date, etc.
第七百九十八 条第四項 Article 798, paragraph (4)	存続株式会社等 Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社 stock company that is the approved business implementing corporate restructuring
第七百九十八 条第五項 Article 798, paragraph (5)	存続株式会社等は The Surviving Stock Company, etc.	当該認定事業再編事業者である株 式会社は The stock company that is the approved business implementing corporate restructuring
	当該存続株式会社等 the Surviving Company, etc.	当該認定事業再編事業者である株 式会社 the stock company that is the approved business implementing corporate restructuring
第七百九十八 条第六項 Article 798, paragraph (6)	効力発生日 the Effective Day	特定期日等 the specified date, etc.

4 第一項の場合における商業登記法第五十六条の規定の適用については、同条中「次の書面」とあるのは、「次の書面（第三号イ及び第四号に掲げる書面を除く。）及び産業競争力強化法（平成二十五年法律第九十八号）第二十三条第一項の認定（同法第二十四条第一項の変更の認定を含む。）を受けた計画に従った株式の発行であることを証する書面」とする。

(4) With respect to the application of the provisions of Article 56 of the Commercial Registration Act in the cases set forth in paragraph (1), the phrase "the following documents" in the same Article is deemed to be replaced with "the following documents (excluding the documents set forth in item (iii) (a) and item (iv)), and a document evidencing that the issuance of shares was in accordance with the plan for which the approval set forth in Article 23, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (including the approval for changes set forth in Article 24, paragraph (1) of the same Act) was obtained".

5 社債、株式等の振替に関する法律第百五十五条（第八項を除く。）の規定は、第一項の場合に準用する。この場合において、同条第一項中「会社法第百十六条第一項各号の行為、同法第百八十二条の二第一項に規定する株式の併合、事業譲渡等（同法第四百六十八条第一項に規定する事業譲渡等をいう。第四項において同じ。）、合併、吸収分割契約、新設分割、株式交換契約、株式移転又は株式交付をしようとする場合」とあるのは「産業競争力強化法第三十条第一項の規定による株式の発行又は自己株式の処分をしようとする場合」と、同条第四項中「会社法第百十六条第一項各号の行為、同法第百八十二条の二第一項に規定する株式の併合、事業譲渡等、吸収合併、吸収分割若しくは株式交換がその効力を生ずる日又は新設合併、新設分割、株式移転若しくは株式交付により設立する会社の成立の日」とあるのは「産業競争力強化法第三十条第一項の規定により読み替えて適用する会社法第百九十九条第一項第四号の期日又は同号の期間の初日」と読み替えるものとするほか、必要な技術的読替えは、政令で定める。

(5) The provisions of Article 155 (excluding paragraph (8)) the Act on Book-Entry Transfer of Company Bonds and Shares apply mutatis mutandis to the cases set forth in paragraph (1). In this case, the phrase "intends to perform any of the acts set forth in the items of Article 116, paragraph (1) of the Companies Act, consolidation of shares prescribed in Article 182-2, paragraph (1) of the same Act, business transfer, etc. (meaning the business transfer, etc. prescribed in Article 468, paragraph (1) of the same Act; the same applies in paragraph (4)), merger, conclusion of an absorption-type company split agreement, incorporation-type company split, conclusion of a share exchange agreement, share transfer, or share delivery" in paragraph (1) of the same Article is deemed to be replaced with "intends to undertake the issuance of shares or disposal of treasury shares under Article 30, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "the day when any of the acts set forth in the items of Article 116, paragraph (1) of the Companies Act, consolidation of shares prescribed in Article 182-2, paragraph (1) of the same Act, business transfer, etc., absorption-type merger, absorption-type company split, or a share exchange becomes effective or the day of the establishment of a company through a consolidation-type merger, incorporation-type company split, share transfer, or share delivery" in paragraph (4) of the same Article is deemed to be replaced with "the date set forth in Article 199, paragraph (1), item (iv) of the Companies Act as applied pursuant to the provisions of Article 30, paragraph (1) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of the terms or the first day of the period set forth in the same item"; and Cabinet Order prescribes any other necessary technical replacement of the phrases.

(剰余金の配当に関する特例)

(Special Provisions Concerning Dividends of Surplus)

第三十一条 認定事業再編事業者である株式会社が認定事業再編計画に従って特定剰余金配当（剰余金の配当であつて、配当財産が当該認定事業再編事業者の關係事業者の株式又は外国關係法人の株式若しくは持分若しくはこれらに類似するものであるものをいう。次項において同じ。）をする場合における会社法第三百九条第二項、第四百五十九条第一項、第四百六十条第一項及び第四百六十五条第一項の規定の適用については、次の表の上欄に掲げる同法の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ほか、必要な技術的読替えは、政令で定める。

Article 31 (1) With respect to the application of the provisions of Article 309, paragraph (2), Article 459, paragraph (1), Article 460, paragraph (1), and Article 465, paragraph (1) of the Companies Act in cases in which a stock company that is an approved business implementing corporate restructuring distributes specified dividends of surplus (meaning dividends of surplus using, as dividend property, shares of a related business of the approved business implementing corporate restructuring or shares, equity, or the equivalent in an related foreign corporation; the same applies in the following paragraph) in accordance with an approved corporate restructuring plan, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and Cabinet Order prescribes any other necessary technical replacement of the phrases.

<p>第三百九条第二項第十号 Article 309, paragraph (2), item (x)</p>	<p>配当財産が金銭以外の財産であり、かつ、株主に対して同項第一号に規定する金銭分配請求権を与えないこととする場合に限る。 limited to the cases where it is to be arranged that the Dividend Property consists of any property other than cash, and that no Right to Demand Distribution of Monies provided for in item (i) of that paragraph is to be granted to the shareholders</p>	<p>特定剰余金配当（産業競争力強化法（平成二十五年法律第九十八号）第三十一条第一項に規定する特定剰余金配当をいう。第四百五十九条第一項第四号において同じ。）をする場合を除く。 excluding cases in which specified dividends of surplus (meaning the specified dividends of surplus prescribed in Article 31, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); the same applies in Article 459, paragraph (1), item (iv)) are to be distributed</p>
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<p>第四百五十九条第一項各号列記以外の部分 The portion other than those set forth the items of Article 459, paragraph (1)</p>	<p>会計監査人設置会社 A Company with Financial Auditor(s)</p>	<p>産業競争力強化法第二十四条第一項に規定する認定事業再編事業者である会計監査人設置会社 A company with financial auditor(s) that is an approved business implementing corporate restructuring prescribed in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness</p>
<p>第四百五十九条第一項第四号 Article 459, paragraph (1), item (iv)</p>	<p>第四百五十四条第一項各号及び同条第四項各号に掲げる事項。ただし、配当財産が金銭以外の財産であり、かつ、株主に対して金銭分配請求権を与えないこととする場合を除く。 the matters listed in each item of Article 454, paragraph (1) and each item of paragraph (4) of that Article; provided, however, that the cases where the Dividend Property consists of property other than monies and no Right to Demand Distribution of Monies are granted to shareholders are excluded</p>	<p>特定剰余金配当に係る第四百五十四条第一項各号及び同条第四項各号に掲げる事項 the matters set forth in the items of Article 454, paragraph (1) and the items of paragraph (4) of the same Article regarding specified dividends of surplus</p>
<p>第四百六十条第一項 Article 460, paragraph (1)</p>	<p>同項各号に掲げる事項 the matters listed in each item of that paragraph</p>	<p>同項各号に掲げる事項（産業競争力強化法第三十一条第一項の規定により読み替えて適用する前条第一項第四号に掲げる事項を除く。） the matters set forth in the items of the same paragraph (excluding the matters set forth in paragraph (1), item (iv) of the preceding Article as applied pursuant to the provisions of Article 31, paragraph (1) of the Act on Strengthening Industrial Competitiveness following the deemed replacement fo terms)</p>

<p>第四百六十五条第一項ただし書 The proviso to Article 465, paragraph (1)</p>	<p>注意を怠らなかつたことを証明した場合は、この限りでない this does not apply in cases where such Executives prove that they did not fail to exercise due care with respect to the performance of their duties:</p>	<p>悪意又は重大な過失があつた場合に限る this does not apply in cases where such Executives have acted in bad faith or with gross negligence in discharging their duties:</p>
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2 前項の場合において、認定事業再編事業者である株式会社（会社法第四百五十九条第一項の規定による定款の定めがあるものに限る。）の定款には、特定剰余金配当に係る同法第四百五十四条第一項各号及び同条第四項各号に掲げる事項を取締役会が定めることができる旨の定めがあるものとみなす。

(2) In the cases set forth in the preceding paragraph, the articles of incorporation of a stock company that is an approved business implementing corporate restructuring (limited to a stock company that has provisions concerning the articles of incorporation under Article 459, paragraph (1) of the Companies Act) are to be deemed to have provisions to the effect that the board of directors may decide the matters set forth in the items of Article 454, paragraph (1) of the same Act and the items of paragraph (4) of the same Article regarding specified dividends of surplus.

（事業の譲渡の場合の債権者の異議の催告等）

(Demands for Objections by Creditors in Cases of the Transfer of Business)

第三十二条 事業者であつて株式会社であるもの（以下この項及び第四項において単に「会社」という。）は、認定事業再編計画に従つて行われる事業の全部又は一部の譲渡について株主総会若しくは取締役会の決議又は執行役の決定がされたときは、当該決議又は決定の日から二週間以内に、特定債権者（当該会社に対する債権を有する者のうち、当該事業の全部又は一部の譲渡に伴い、当該事業の全部又は一部を譲り受ける者に対する債権を有することとなり、当該債権を当該会社に対して有しないこととなる者をいう。以下この条において同じ。）に対して各別に、当該事業の全部又は一部の譲渡の要領を通知し、かつ、当該事業の全部又は一部の譲渡に異議のある場合には一定の期間内に異議を述べるべき旨を催告することができる。

Article 32 (1) If a resolution at the shareholders meeting or the board of directors or a decision by executive officers has been made with respect to the transfer of all or part of business to be undertaken in accordance with an approved corporate restructuring plan, a business which is a stock company (hereinafter simply referred to as a "company" in this paragraph and paragraph (4)) may give a separate notice to each of its specified creditors

(meaning, from among persons holding claims against the company, those who will hold claims against persons taking over all or part of the business and will not hold the claims against the company as a result of the transfer of all or part of the business; hereinafter the same applies in this Article), within two weeks from the date of the resolution or decision, explaining the outline of the transfer of all or part of the business, and may require them to state any objections to the transfer of all or part of the business, if any, within a fixed period of time.

2 前項の期間は、一月を下ってはならない。

(2) The period set forth in the preceding paragraph must not be less than one month.

3 第一項に規定する催告を受けた特定債権者が同項の期間内に異議を述べなかったときは、当該特定債権者は、当該事業の全部又は一部の譲渡を承認したものとみなす。

(3) If a specified creditor that has received a notice as prescribed in paragraph (1) has stated no objection within the period set forth in the same paragraph, the specified creditor is deemed to have approved the transfer of all or part of the business.

4 特定債権者が第一項の期間内に異議を述べたときは、当該会社は弁済し、又は相当の担保を提供し、若しくは特定債権者に弁済を受けさせることを目的として信託会社若しくは信託業務を営む金融機関に相当の財産を信託しなければならない。ただし、当該事業の全部又は一部の譲渡をしても当該特定債権者を害するおそれがないときは、この限りでない。

(4) If a specified creditor has stated an objection within the period set forth in paragraph (1), the company must make a payment to the specified creditor, or must provide the reasonable security to the specified creditor or entrust appropriate assets to a trust company or financial institution engaged in a trust business with the aim of having the specified creditor receive repayment; provided, however, that this does not apply to cases in which there is no risk of damage to the specified creditor even if the transfer of all of part of the business takes place.

(投資事業有限責任組合契約に関する法律の特例)

(Special Provisions for the Limited Partnership Act for Investment)

第三十三条 投資事業有限責任組合の組合員は、事業再編を円滑化するため、組合契約において、投資事業有限責任組合契約に関する法律第三条第一項各号に掲げる事業のほか、各当事者が共同で、外国法人の発行する株式、新株予約権若しくは指定有価証券若しくは外国法人の持分又はこれらに類似するものであって、外国関係法人（認定事業再編計画において外国関係法人が行う措置に関する計画が含まれている場合における当該外国関係法人に限る。）に係るものの取得及び保有の事業を営むことを約することができる。

Article 33 (1) Each of the partners of a limited investment partnership may



pledge under the terms of a partnership agreement to operate a coordinated business to acquire and hold shares, share options or designated securities issued by, or equity in, a foreign corporation, or their equivalent in a foreign corporation, which pertain to a related foreign corporation (limited to a related foreign corporation, if a plan concerning measures to be taken by the related foreign corporation is included in the approved corporate restructuring plan), for the purpose of facilitating corporate restructuring, in addition to the business activities set forth in the items of the same paragraph.

2 前項に規定する事業を営むことを約した投資事業有限責任組合の組合員に対する投資事業有限責任組合契約に関する法律第七条第四項の規定の適用については、同項中「第三条第一項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び産業競争力強化法（平成二十五年法律第九十八号）第三十三条第一項に規定する事業以外の行為」と、「同項に掲げる事業以外の行為」とあるのは「第三条第一項に掲げる事業及び同法第三十三条第一項に規定する事業以外の行為」とする。

(2) With respect to the application of the provisions of Article 7, paragraph (4) of the Limited Partnership Act for Investment regarding partners of a limited investment partnership who have pledged to operate a business prescribed in the preceding paragraph, the phrase "acts other than the business activities listed in Article 3, paragraph (1)" in Article 7, paragraph (4) of the same Act is deemed to be replaced with "acts other than the business activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 33, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; and the phrase "a business other than those set forth in the same paragraph" in Article 7, paragraph (4) of the Limited Partnership Act for Investment is deemed to be replaced with "acts other than the business activities set forth in Article 3, paragraph (1) or the business activities prescribed in Article 33, paragraph (1) of the same Act".

(独立行政法人中小企業基盤整備機構の行う事業再編円滑化業務)

(Business Operations to Facilitate Corporate Restructuring, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第三十四条 独立行政法人中小企業基盤整備機構は、事業再編を円滑化するため、認定事業再編事業者又はその関係事業者（以下「認定事業再編事業者等」という。）が認定事業再編計画に従って事業再編のための措置を行うために必要な資金を調達するために発行する社債（社債、株式等の振替に関する法律第六十六条第一号に規定する短期社債を除く。第百一条第一項第六号において同じ。）及び当該資金の借入に係る債務の保証の業務を行う。

Article 34 For the purpose of facilitating corporate restructuring, the Organization for Small & Medium Enterprises and Regional Innovation is to undertake business operations to guarantee bonds (excluding the short term

bonds prescribed in Article 66, item (i) of the Act on Book-Entry Transfer of Corporate Bonds and Shares; the same applies in Article 101, paragraph (1), item (vi)) issued by an approved business implementing corporate restructuring or its related businesses (hereinafter referred to as an "approved business implementing corporate restructuring, etc.") in order to raise funds necessary for taking measures for corporate restructuring in accordance with an approved corporate restructuring plan, and to guarantee debt obligations regarding the borrowing of the funds.

(公庫の行う事業再編促進円滑化業務)

(The JFC's Business Operations to Facilitate Corporate Restructuring Promotion)

第三十五条 公庫は、公庫法第一条及び第十一条の規定にかかわらず、指定金融機関に対し、認定事業再編事業者等が認定事業再編計画に従って行う事業再編のための措置のうち、合併、保有する施設の撤去又は保有する設備の廃棄、生産性向上設備等の導入その他政令で定めるもの（第三十七条第一項において「認定事業再編関連措置」という。）を行うのに必要な資金の貸付けに必要な資金を貸し付ける業務及びこれに附帯する業務（以下「事業再編促進円滑化業務」という。）を行うことができる。

Article 35 (1) Notwithstanding the provisions of Article 1 and Article 11 of the JFC Act, the JFC may undertake business operations to lend a designated financial institution funds necessary to offer loans for funds that an approved business implementing corporate restructuring, etc. needs for conducting a merger, dismantling facilities held or disposing of equipment held, or installing equipment for improving productivity, etc. or taking other measures as specified by Cabinet Order, out of measures for corporate restructuring taken in accordance with an approved corporate restructuring plan (those measures thus undertaken are referred to as "approved corporate restructuring-related measures" in Article 37, paragraph (1)), and business operations incidental thereto (hereinafter referred to as "business operations to facilitate corporate restructuring promotion").

2 事業再編促進円滑化業務が行われる場合には、事業再編促進円滑化業務をエネルギー環境適合製品の開発及び製造を行う事業の促進に関する法律第六条に規定する特定事業促進円滑化業務とみなし、かつ、同法第十七条の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句（次の表の上欄に掲げる公庫法の規定中同表の中欄に掲げる字句を除く。）は、それぞれ同表の表の下欄に掲げる字句とし、次の表の上欄に掲げる公庫法の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。この場合において、必要な技術的読替えは、政令で定める。

(2) If business operations to facilitate corporate restructuring promotion are undertaken, those operations are deemed to be business operations to facilitate specified business promotion as prescribed in Article 6 of the Act on the Promotion of Business Developing and Manufacturing Energy-Environment

Friendly Products; and the phrases set forth in the middle column of the table of Article 17 of the same Act that are used in the provisions of the JFC Act set forth in the left-hand column of the same table (excluding the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table) are deemed to be replaced with the phrases set forth in the right-hand column of the table of the same Article, and the phrases set forth in the middle column of the following table that are used in the provisions of the JFC Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table. In this case, Cabinet Order prescribes the necessary technical replacement of the phrases.

第五十八条第一項 Article 58, paragraph (1)	この法律 this Act	この法律、産業競争力強化法（平成二十五年法律第九十八号） this Act, the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)
第五十八条第二項 及び第五十九条第一項 Article 58, paragraph (2) and Article 59, paragraph (1)	この法律 this Act	この法律、産業競争力強化法 this Act, the Act on Strengthening Industrial Competitiveness
第七十一条 Article 71	第五十九条第一項 Article 59, paragraph (1)	産業競争力強化法第三十五条第二項の規定により読み替えて適用する第五十九条第一項 Article 59, paragraph (1) as applied pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms
第七十三条第一号 Article 73, item (i)	この法律 this Act	この法律（産業競争力強化法第三十五条第二項の規定により読み替えて適用する場合を含む。） this Act (including as applied pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)

第七十三条第三号 Article 73, item (iii)	第十一条 Article 11	第十一条及び産業競争力強化法第三十五条第一項 Article 11 of this Act and Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness
第七十三条第七号 Article 73, item (vii)	第五十八条第二項 Article 58, paragraph (2)	第五十八条第二項（産業競争力強化法第三十五条第二項の規定により読み替えて適用する場合を含む。） Article 58, paragraph (2) (including as applied pursuant to the provisions of Article 35, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)
附則第四十七条第一項 Article 47, paragraph (1) of the Supplementary Provisions	公庫の業務 business operations of the JFC	公庫の業務（産業競争力強化法第三十五条第一項に規定する事業再編促進円滑化業務を除く。） business operations of the JFC (excluding the business operations to facilitate corporate restructuring prescribed in Article 35, paragraph (1) of the Act on Strengthening Industrial Competitiveness)

(事業再編促進円滑化業務実施方針)

(Policies for Undertaking Business Operations to Facilitate Corporate Restructuring Promotion)

第三十六条 公庫は、実施指針（第二十二條第二項第三号に掲げる事項に限る。次条第一項第二号及び第二項において同じ。）に即して、主務省令で定めるところにより、事業再編促進円滑化業務の方法及び条件その他事業再編促進円滑化業務を実施するための方針（以下この条並びに次条第一項第二号及び第二項において「事業再編促進円滑化業務実施方針」という。）を定めなければならない。

Article 36 (1) In line with the implementation guidelines (limited to the particulars set forth in Article 22, paragraph (2), item (iii); the same applies in paragraph (1), item (ii) and paragraph (2) of the following Article), the JFC must specify the methods and conditions for business operations to facilitate corporate restructuring promotion and other policies for undertaking those operations (hereinafter referred to as "policies for undertaking business operations to facilitate corporate restructuring promotion"), as prescribed by orders of the competent ministries.

2 公庫は、事業再編促進円滑化業務実施方針を定めようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

(2) If the JFC intends to specify policies for undertaking business operations to facilitate corporate restructuring promotion, it must obtain the authorization

of the competent minister. This also applies if the JFC intends to make changes to those policies.

3 公庫は、前項の主務大臣の認可を受けたときは、遅滞なく、事業再編促進円滑化業務実施方針を公表しなければならない。

(3) If the JFC has obtained the authorization of the competent minister set forth in the preceding paragraph, it must publicize the policies for undertaking business operations to facilitate corporate restructuring promotion without delay.

4 公庫は、事業再編促進円滑化業務実施方針に従って事業再編促進円滑化業務を行わなければならない。

(4) The JFC must undertake business operations to facilitate corporate restructuring promotion in accordance with the policies for undertaking business operations to facilitate corporate restructuring promotion.

(指定金融機関の指定)

(Designation as Designated Financial Institutions)

第三十七条 主務大臣は、主務省令で定めるところにより、認定事業再編事業者等が認定事業再編計画に従って認定事業再編関連措置を行うのに必要な資金を貸し付ける業務のうち、当該貸付けに必要な資金について公庫から貸付けを受けて行おうとするもの（以下「事業再編促進業務」という。）に関し、次の各号のいずれにも適合すると認められる者を、その申請により、指定金融機関として指定することができる。

Article 37 (1) With respect to business operations to offer loans for funds necessary for approved corporate restructuring-related measures taken by an approved business implementing corporate restructuring, etc. in accordance with an approved corporate restructuring plan, which are to be undertaken by way of borrowing funds necessary for offering those loans from the JFC (hereinafter referred to as "business operations to promote corporate restructuring"), the competent minister may designate those that are found to conform to all of the following items as designated financial institutions, upon application from them, as prescribed by orders of the competent ministries:

一 銀行その他の政令で定める金融機関であること。

(i) they fall under the category of a bank or other financial institutions specified by Cabinet Order;

二 その次項に規定する業務規程が、法令並びに実施指針及び事業再編促進円滑化業務実施方針に適合し、かつ、事業再編促進業務を適正かつ確実に実施するために十分なものであること。

(ii) their business regulations prescribed in the following paragraph are in conformity with laws and regulations, the implementation guidelines, and the policies for undertaking business operations to facilitate corporate restructuring promotion, and are sufficient for undertaking business operations to promote corporate restructuring properly and reliably; and

三 人的構成に照らして、事業再編促進業務を適正かつ確実に実施することができる知識及び経験を有していること。

(iii) in light of the personnel structure, they have the knowledge and experience for undertaking business operations to promote corporate restructuring properly and reliably.

2 前項の規定による指定（以下この節において単に「指定」という。）を受けようとする者は、主務省令で定める手続に従い、実施指針及び事業再編促進円滑化業務実施方針に即して事業再編促進業務に関する規程（次項及び第三十九条において「業務規程」という。）を定め、これを申請書に添えて、主務大臣に提出しなければならない。

(2) A person intending to receive designation under the preceding paragraph (hereinafter simply referred to as "designation" in this Section) must specify the regulations concerning business operations to promote corporate restructuring promotion (referred to as the "business regulations" in the following paragraph and Article 39), in line with the implementation guidelines, and the policies for undertaking business operations to facilitate corporate restructuring promotion, in accordance with the procedures specified by orders of the competent ministries, and submit it to the competent minister together with a written application.

3 業務規程には、事業再編促進業務の実施体制及び実施方法に関する事項その他の主務省令で定める事項を定めなければならない。

(3) The business regulations must specify particulars concerning the implementation framework and methods for business operations to promote corporate restructuring and other particulars specified by orders of the competent ministries.

4 次の各号のいずれかに該当する者は、指定を受けることができない。

(4) Those falling under any of the following items may not receive designation:

一 この法律、銀行法その他の政令で定める法律若しくはこれらの法律に基づく命令又はこれらに基づく処分に違反し、罰金以上の刑に処せられ、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起算して五年を経過しない者

(i) a person that violated this Act, the Banking Act, or any other Acts specified by Cabinet Order, an order based on these Acts, or a disposition based on these, and was sentenced to a punishment heavier than a fine, if five years have not yet elapsed since the day on which the execution of the sentence was completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第四十四条第一項又は第二項の規定により指定を取り消され、その取消の日から起算して五年を経過しない者

(ii) a person whose designation was rescinded pursuant to the provisions of Article 44, paragraph (1) or paragraph (2), if five years have not yet elapsed since the day of the rescission; or

三 法人であって、その業務を行う役員のうち、次のいずれかに該当する者がある

者

(iii) a corporation, any of whose officers in charge of its business fall under either of the following:

イ 心身の故障のため職務を適正に執行することができない者として主務省令で定める者又は破産手続開始の決定を受けて復権を得ない者

(a) a person specified by Order of the Ministry of Economy, Trade and Industry as being unable to properly perform duties due to a mental or physical disorder or a person who has become subject to an order for bankruptcy proceedings and whose civil rights have not been restored; or

ロ 指定金融機関が第四十六条第一項又は第二項の規定により指定を取り消された場合において、当該指定の取消しに係る聴聞の期日及び場所の公示の日前六十日以内にその指定金融機関の役員であった者で当該指定の取消しの日から起算して五年を経過しないもの

(b) in cases in which a designated financial institution has had its designation rescinded pursuant to the provisions of Article 46, paragraph (1) or paragraph (2), a person who had been an officer of the designated financial institution within at least 60 days before the day on which a public notice was issued concerning the date and place of hearing regarding the rescission of the designation, if five years have not yet elapsed since the day of the rescission.

(指定の公示等)

(Public Notice of a Designation)

第三十八条 主務大臣は、指定をしたときは、指定金融機関の商号又は名称、住所及び事業再編促進業務を行う営業所又は事務所の所在地を公示するものとする。

Article 38 (1) If the competent minister has made a designation, the minister is to issue a public notice concerning the trade name or name, and the address of the designated financial institution, as well as the location of its business office or office where it undertakes business operations to promote corporate restructuring.

2 指定金融機関は、その商号若しくは名称、住所又は事業再編促進業務を行う営業所若しくは事務所の所在地を変更しようとするときは、あらかじめ、その旨を主務大臣に届け出なければならない。

(2) If a designated financial institution intends to change its trade name or name, its address, or the location of its business office or office where it undertakes business operations to promote corporate restructuring, it must notify the competent minister of that fact in advance.

3 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(3) If the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

(業務規程の変更の認可等)

(Authorization for Changes to Business Regulations)

第三十九条 指定金融機関は、業務規程を変更しようとするときは、主務大臣の認可を受けなければならない。

Article 39 (1) If a designated financial institution intends to change the business regulations, it must obtain the authorization of the competent minister.

2 主務大臣は、指定金融機関の業務規程が事業再編促進業務の適正かつ確実な実施上不適当となったと認めるときは、その業務規程を変更すべきことを命ずることができる。

(2) If the competent minister finds that the business regulations of a designated financial institution are no longer appropriate for the proper and reliable undertaking of business operations to promote corporate restructuring, the minister may order the institution to change its business regulations.

(協定)

(Agreement)

第四十条 公庫は、事業再編促進円滑化業務については、指定金融機関と次に掲げる事項をその内容に含む協定を締結し、これに従いその業務を行うものとする。

Article 40 (1) The JFC is to conclude an agreement containing the following particulars with a designated financial institution, with respect to business operations to facilitate corporate restructuring promotion, and undertake its business operations in accordance with the agreement:

一 指定金融機関が行う事業再編促進業務に係る貸付けの条件の基準に関する事項

(i) particulars concerning the standards for conditions for loans for the designated financial institution's business operations to promote corporate restructuring;

二 指定金融機関は、その財務状況及び事業再編促進業務の実施状況に関する報告書を作成し、公庫に提出すること。

(ii) a requirement for the designated financial institution to prepare a report on its financial situation and on the state of undertaking its business operations to promote corporate restructuring, and for that designated financial institution to submit it to the JFC; and

三 前二号に掲げるもののほか、指定金融機関が行う事業再編促進業務及び公庫が行う事業再編促進円滑化業務の内容及び方法その他の主務省令で定める事項

(iii) the details and methods for the designated financial institution's business operations to promote corporate restructuring and the JFC's business operations to facilitate corporate restructuring promotion, and other particulars specified by orders of the competent ministries, beyond what is provided for in the preceding two items.

2 公庫は、前項の協定を締結しようとするときは、主務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。



(2) If the JFC intends to conclude an agreement as set forth in the preceding paragraph, it must obtain the authorization of the competent ministers. This also applies if the JFC intends to make changes to the agreement.

(帳簿の記載)

(Bookkeeping)

第四十一条 指定金融機関は、事業再編促進業務について、主務省令で定めるところにより、帳簿を備え、主務省令で定める事項を記載し、これを保存しなければならない。

Article 41 Designated financial institutions must keep books with respect to business operations to promote corporate restructuring, record the matters specified by orders of the competent ministries, and preserve them, as prescribed by orders of the competent ministries.

(監督命令)

(Supervision Orders)

第四十二条 主務大臣は、この法律を施行するため必要があると認めるときは、指定金融機関に対し、事業再編促進業務に関し監督上必要な命令をすることができる。

Article 42 If the competent ministers find it necessary for the enforcement of this Act, the ministers may issue orders necessary for supervision with respect to business operations to promote corporate restructuring to a designated financial institution.

(業務の休廃止)

(Suspension or Discontinuation of Business Operations)

第四十三条 指定金融機関は、事業再編促進業務の全部又は一部を休止し、又は廃止しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

Article 43 (1) If a designated financial institution intends to suspend or discontinue all or part of the business operations to promote corporate restructuring, it must notify the competent minister of that fact in advance, as prescribed by orders of the competent ministries.

2 主務大臣は、前項の規定による届出があったときは、その旨を公示するものとする。

(2) If the competent minister has received a notification under the preceding paragraph, the minister is to issue a public notice of that fact.

3 指定金融機関が事業再編促進業務の全部を廃止したときは、当該指定金融機関の指定は、その効力を失う。

(3) If a designated financial institution has discontinued all of the business operations to promote corporate restructuring, the designation as the designated financial institution ceases to be effective.

(指定の取消し等)

(Rescission of Designations)

第四十四条 主務大臣は、指定金融機関が第三十七条第四項各号（第二号を除く。）のいずれかに該当するに至ったときは、その指定を取り消すものとする。

Article 44 (1) If a designated financial institution has come to fall under any of the items (excluding item (ii)) of Article 39, paragraph (4), the competent minister is to rescind the designation as the designated financial institution.

2 主務大臣は、指定金融機関が次の各号のいずれかに該当するときは、その指定を取り消すことができる。

(2) If a designated financial institution falls under any of the following items, the competent minister may rescind the designation as the designated financial institution:

一 事業再編促進業務を適正かつ確実に実施することができないと認められるとき。

(i) if the designated financial institution is found to be incapable of undertaking business operations to promote corporate restructuring properly and reliably;

二 指定に関し不正の行為があったとき。

(ii) if there has been a wrongful act relating to the designation; or

三 この法律又はこの法律に基づく命令若しくは処分に違反したとき。

(iii) if the designated financial institution has violated this Act or an order or disposition based on this Act.

3 主務大臣は、前二項の規定により指定を取り消したときは、その旨を公示するものとする。

(3) If the competent minister has rescinded a designation pursuant to the provisions of the preceding two paragraphs, the minister is to issue a public notice of that fact.

(指定の取消し等に伴う業務の終了)

(Completion of Business Operations due to Rescission of Designation)

第四十五条 指定金融機関について、第四十三条第三項の規定により指定が効力を失ったとき、又は前条第一項若しくは第二項の規定により指定が取り消されたときは、当該指定金融機関であった者又はその一般承継人は、当該指定金融機関が行った事業再編促進業務の契約に基づく取引を結了する目的の範囲内においては、なお指定金融機関とみなす。

Article 45 If designation as a designated financial institution has ceased to be effective pursuant to the provisions of Article 45, paragraph (3) or has been rescinded pursuant to the provisions of paragraph (1) or paragraph (2) of the preceding Article, a person that was the designated financial institution or its general successor is deemed to be the designated financial institution within the context of its purpose of completing transactions based on the agreement on the designated financial institution's business operations to promote corporate restructuring undertaken.

(調査等)

(Investigations)

第四十六条 政府は、事業者による事業再編の実施の円滑化のために必要があると認めるときは、次に掲げる調査を行い、その結果を公表するものとする。

Article 46 If the government finds it necessary for facilitating corporate restructuring by businesses, it is to conduct the following investigations and publicize the results thereof:

一 商品若しくは役務の需給の動向又は各事業分野が過剰供給構造にあるか否かその他の市場構造に関する調査

(i) investigations on the supply and demand trends of goods or services, whether each field of business is in a state of structural oversupply, or other particulars concerning market structures; and

二 国内外における経営資源活用の共同化（研究若しくは開発を行うための施設若しくは設備を共同して整備すること又は情報システムを共同して構築することその他の事業者が経営資源を有効に組み合わせることをいう。）に関する調査

(ii) investigations on coordinated utilization of management resources (meaning the coordinated development of facilities or equipment for R&D activities, the coordinated building of an information system, or the combining of other management resources effectively among businesses) in and outside Japan.

### 第三節 事業再生の円滑化

#### Section 3 Facilitation of Corporate Rehabilitation

(認証紛争解決事業者の認定)

(Approval for Certified Dispute Resolution Businesses)

第四十七条 認証紛争解決事業者であって、裁判外紛争解決手続の利用の促進に関する法律第六条第一号の紛争の範囲を事業再生に係る紛争を含めて定めているものは、経済産業省令で定めるところにより、次の各号のいずれにも適合していることにつき、経済産業大臣の認定を受けることができる。

Article 47 (1) Certified dispute resolution businesses that have specified the scope of disputes set forth in Article 6, item (i) of the Act on Promotion of Use of Alternative Dispute Resolution, while including disputes regarding corporate rehabilitation within that scope, may obtain the approval of the Minister of Economy, Trade and Industry with respect to the fact that they conform to both of the following items, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 事業再生に係る専門的知識及び実務経験を有すると認められる者として経済産業省令で定める要件に該当する者を手続実施者（裁判外紛争解決手続の利用の促進に関する法律第二条第二号の手続実施者をいう。第四十九条及び第五十条において同

じ。)として選任することができること。

(i) they can appoint a person falling under the requirements specified by Order of the Ministry of Economy, Trade and Industry for a person considered to have specialist knowledge and practical experience regarding corporate rehabilitation, as a dispute resolution provider (meaning the dispute resolution provider set forth in Article 2, item (ii) of the Act on Promotion of Use of Alternative Dispute Resolution; the same applies in Articles 49 and 50); and

二 事業再生に係る紛争についての認証紛争解決手続の実施方法が経済産業省令で定める基準に適合すること。

(ii) the methods for undertaking certified dispute resolution procedures with respect to disputes on corporate rehabilitation are in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry.

2 経済産業大臣は、前項の認定の申請に係る認証紛争解決事業者が同項各号のいずれにも適合していると認めるときは、同項の認定をするものとする。

(2) If the Minister of Economy, Trade and Industry finds that the certified dispute resolution business in relation to the application for approval set forth in the preceding paragraph conforms to both of the items of the preceding paragraph, the minister is to grant approval as set forth in the same paragraph.

3 経済産業大臣は、第一項の認定を受けた認証紛争解決事業者が同項各号のいずれかに適合しなくなると認めるとき、又は第五十四条第一項の償還すべき社債の金額の減額に係る確認、第五十六条第一項の資金の借入れに係る確認若しくは第五十九条第一項の債権に係る確認を適切に行っていないと認めるときは、当該認定を取り消すことができる。

(3) If the Minister of Economy, Trade and Industry finds that a certified dispute resolution business that has obtained approval as set forth in paragraph (1) no longer conforms to either of the items of the same paragraph, or finds that confirmation regarding the reduction of the amount of bonds to be redeemed set forth in Article 54, paragraph (1), confirmation regarding the borrowing of the funds set forth in Article 56, paragraph (1), or confirmation regarding the claims set forth in Article 59, paragraph (1) is not being made properly, the minister may rescind the approval.

(調停機関に関する特例)

(Special Provisions Concerning Conciliation Authorities)

第四十八条 事業者が特定債務等の調整（特定債務等の調整の促進のための特定調停に関する法律（平成十一年法律第百五十八号）第二条第二項に規定する特定債務等の調整をいう。）に係る調停の申立てをした場合（当該調停の申立ての際に同法第三条第二項の申述をした場合に限る。）において、当該申立て前に当該申立てに係る事件について特定認証紛争解決手続が実施されていた場合には、裁判所は、当該特定認証紛争解決手続が実施されていることを考慮した上で、民事調停法（昭和二十六年法律第

二百二十二号) 第五条第一項ただし書の規定により裁判官だけで調停を行うことが相当であるかどうかの判断をするものとする。

**Article 48** If a business has filed an application for conciliation regarding the arrangement of specified debts, etc. (meaning the arrangement of specified debts, etc. prescribed in Article 2, paragraph (2) of the Act on Special Conciliation Proceedings for Expediting Arrangement of Specified Debts, etc. (Act No. 158 of 1999)) (this is limited to cases in which a request as set forth in Article 3, paragraph (2) of the same Act was made at the time of the application for conciliation), and specified dispute resolution procedures were undertaken with respect to the subject incident of the application prior to that application, the court is to make a judgment as to whether it is appropriate for the conciliation to be undertaken only by judges pursuant to the provisions of the proviso to Article 5, paragraph (1) of the Civil Conciliation Act (Act No. 222 of 1951), in consideration of the fact that the specified dispute resolution procedures were undertaken.

(再生手続における監督委員に関する特例)

(Special Provisions Concerning a Supervisor in Rehabilitation Proceedings)

**第四十九条** 再生手続開始の申立てがあった場合において、当該申立て前に当該申立てに係る紛争について特定認証紛争解決手続が実施されていたときは、裁判所（再生事件を取り扱う一人の裁判官又は裁判官の合議体をいう。第五十七条、第六十条から第六十二条まで及び第六十五条の四において同じ。）は、民事再生法（平成十一年法律第二百二十五号）第五十四条第一項の処分をする場合には、手続実施者が当該特定認証紛争解決手続において和解の仲介を実施していたことを考慮した上で、同条第二項の規定による監督委員の選任をするものとする。

**Article 49** If a petition to commence rehabilitation proceedings has been filed, and specified certified dispute resolution procedures were undertaken with respect to the subject dispute of the petition prior to that petition, the court (meaning a judge or panel of judges in charge of the rehabilitation case; the same applies in Article 57, Articles 60 through 62, and Article 65-4), in the case of making the disposition referred to in Article 54, paragraph (1) of the Civil Rehabilitation Act (Act No. 225 of 1999), is to appoint a supervisor under the provisions of paragraph (2) of the same Article in consideration of the fact that a dispute resolution provider was arranging settlement through the specified certified dispute resolution procedures.

(更生手続における監督委員に関する特例)

(Special Provisions Concerning a Supervisor in Reorganization Proceedings)

**第五十条** 更生手続開始の申立てがあった場合において、当該申立て前に当該申立てに係る紛争について特定認証紛争解決手続が実施されていたときは、裁判所（更生事件を取り扱う一人の裁判官又は裁判官の合議体をいう。第五十八条及び第六十三条から

第六十五条までにおいて同じ。)は、会社更生法(平成十四年法律第百五十四号)第三十五条第一項の処分をする場合には、手続実施者が当該特定認証紛争解決手続において和解の仲介を実施していたことを考慮した上で、同条第二項の規定による監督委員の選任をするものとする。

Article 50 If a petition to commence reorganization proceedings has been filed, and specified certified dispute resolution procedures were undertaken with respect to the subject dispute of the petition prior to that petition, the court (meaning a judge or panel of judges in charge of the reorganization case; the same applies in Article 58 and Articles 63 through 65), in the case of making the disposition referred to in Article 35, paragraph (1) of the Corporate Reorganization Act (Act No. 154 of 2002), is to appoint a supervisor under the provisions of paragraph (2) of the same Article in consideration of the fact that a dispute resolution provider was arranging settlement through the specified certified dispute resolution procedures.

(独立行政法人中小企業基盤整備機構の行う事業再生円滑化業務)

(Business Operations to Facilitate Corporate Rehabilitation, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第五十一条 独立行政法人中小企業基盤整備機構は、次の各号に掲げる者が関与する事業再生について、それぞれ当該各号に定める期間(当該期間内に破産手続開始、再生手続開始、更生手続開始又は特別清算開始の申立てがあったときは、当該申立ての時までの期間。次条第一項において「事業再生準備期間」という。)における事業再生を行おうとする事業者の事業の継続に欠くことができない資金の借入れに係る債務の保証を行う。

Article 51 With respect to corporate rehabilitation participated in by the persons set forth in the following items, the Organization for Small & Medium Enterprises and Regional Innovation guarantees obligations regarding the borrowing of the funds that are indispensable for a business intending to implement corporate rehabilitation to continue its business, within the period specified respectively in each of the same items (or, until an application for the starting of bankruptcy proceedings, the starting of rehabilitation proceedings, the starting of reorganization proceedings, or the starting of special liquidation is filed, if any of those applications is filed within that period; the relevant period is referred to as the "corporate rehabilitation preparation period" in paragraph (1) of the following Article):

一 特定認証紛争解決事業者 特定認証紛争解決手続の開始から終了に至るまでの間  
(i) specified certified dispute resolution businesses: the period between the starting of the specified dispute resolution procedures up to their termination; or

二 独立行政法人中小企業基盤整備機構又は認定支援機関(第百三十四条第二項に規

定する認定支援機関をいう。以下同じ。) 事業再生を行おうとする中小企業者に係る事業再生の計画の作成についての指導又は助言(特定認証紛争解決手続において行うものを除く。第五十六条第三項及び第五十九条第三項において同じ。)を開始した時から当該計画に係る債権者全員の当該計画についての合意が成立し、又は合意が成立しないことが明らかになるまでの間

(ii) the Organization for Small & Medium Enterprises and Regional Innovation or approved support institutions (meaning the approved support institutions prescribed in Article 134, paragraph (2); the same applies hereinafter): the period between the starting of the provision of guidance or advice (excluding guidance or advice provided under the specified dispute resolution procedures; the same applies in Article 56, paragraph (3) and Article 59, paragraph (3)) with respect to the preparation of a plan for corporate rehabilitation regarding a small or medium-sized enterprise intending to implement corporate rehabilitation, up to the moment when it becomes clear that all of the creditors subject to the plan have reached an agreement, or will not reach an agreement, with respect to the plan.

(中小企業信用保険法の特例)

(Special Provisions for the Small and Medium-Sized Enterprise Credit Insurance Act)

第五十二条 中小企業信用保険法(昭和二十五年法律第二百六十四号)第三条第一項に規定する普通保険(以下「普通保険」という。)、同法第三条の二第一項に規定する無担保保険(以下「無担保保険」という。)又は同法第三条の三第一項に規定する特別小口保険(以下「特別小口保険」という。)の保険関係であって、事業再生円滑化関連保証(同法第三条第一項、第三条の二第一項又は第三条の三第一項に規定する債務の保証であって、事業再生を行おうとする中小企業者の原材料の購入のための費用その他の事業の継続に欠くことができない費用で経済産業省令で定めるものに充てるために必要な資金の借入れ(事業再生準備期間における資金の借入れに限る。)に係るものをいう。以下この条において同じ。)を受けた中小企業者に係るものについての次の表の上欄に掲げる同法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 52 (1) With respect to the application of the provisions of the Small and Medium-Sized Enterprise Credit Insurance Act (Act No. 264 of 1950) as set forth in the left-hand column of the following table regarding the insurance relationships of ordinary insurance prescribed in Article 3, paragraph (1) of the same Act (hereinafter referred to as "ordinary insurance"), unsecured insurance prescribed in Article 3-2, paragraph (1) of the same Act (hereinafter referred to as "unsecured insurance"), or special petty insurance prescribed in Article 3-3, paragraph (1) of the same Act (hereinafter referred to as "special petty insurance") that pertain to a small or medium-sized enterprise which has received a corporate rehabilitation facilitation-related guarantee (meaning a

guarantee for obligations as prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1), or Article 3-3, paragraph (1) of the same Act that are related to the borrowing of the funds (limited to the borrowing of the funds within the corporate rehabilitation preparation period) necessary to be allocated as expenses for the purpose of purchasing raw materials by a small or medium-sized enterprise intending to implement corporate rehabilitation or other expenses indispensable for the continuation of its business that are specified by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第三条第一項 Article 3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium-sized Enterprise</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第五十二条第一項に規定する事業再生円滑化関連保証（以下「事業再生円滑化関連保証」という。）に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a corporate rehabilitation facilitation-related guarantee prescribed in Article 52, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (hereinafter referred to as a "corporate rehabilitation facilitation-related guarantee") and the total insurance value for other insurance relationships per each small and medium-sized enterprise, respectively,</p>
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<p>第三条の二第一項及び第三条の三第一項 Article 3-2, paragraph (1) and Article 3-3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium-sized Enterprise</p>	<p>事業再生円滑化関連保証に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a corporate rehabilitation facilitation-related guarantee and the total insurance value for other insurance relationships per each small and medium-sized enterprise, respectively,</p>
<p>第三条の二第三項 Article 3-2, paragraph (3)</p>	<p>当該借入金の額のうち out of the amount of the borrowings</p>	<p>事業再生円滑化関連保証及びその他の保証ごとに、それぞれ当該借入金の額のうち out of the amount of the borrowings for the corporate rehabilitation facilitation-related guarantee and other guarantees, respectively</p>
	<p>当該債務者 the debtor</p>	<p>事業再生円滑化関連保証及びその他の保証ごとに、当該債務者 the debtors for the corporate rehabilitation facilitation-related guarantee and other guarantees, respectively,</p>
<p>第三条の三第二項 Article 3-3, paragraph (2)</p>	<p>当該保証をした the borrowings guaranteed</p>	<p>事業再生円滑化関連保証及びその他の保証ごとに、それぞれ当該保証をした the borrowings guaranteed for the corporate rehabilitation facilitation-related guarantee and other guarantees, respectively,</p>
	<p>当該債務者 the debtor</p>	<p>事業再生円滑化関連保証及びその他の保証ごとに、当該債務者 the debtors for the corporate rehabilitation facilitation-related guarantee and other guarantees, respectively,</p>

2 普通保険の保険関係であって、事業再生円滑化関連保証に係るものについての中小企業信用保険法第三条第二項及び第五条の規定の適用については、同項中「百分の七十」とあり、及び同条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるのは、「百分の八十」

とする。

(2) With respect to the application of the provisions of Article 3, paragraph (2) and Article 5 of the Small and Medium-Sized Enterprise Credit Insurance Act regarding the insurance relationships of ordinary insurance that are related to a corporate rehabilitation facilitation-related guarantee, the phrase "70 percent" in Article 3, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent for unsecured insurance, special petty insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)" in Article 5 of the same Act are deemed to be replaced with "80 percent".

3 普通保険、無担保保険又は特別小口保険の保険関係であって、事業再生円滑化関連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

(3) The amount of insurance premiums relating to the insurance relationships of ordinary insurance, unsecured insurance, or special petty insurance that are related to a corporate rehabilitation facilitation-related guarantee is the amount arrived at if the insurance amount is multiplied by a percentage specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

第五十三条 普通保険、無担保保険又は特別小口保険の保険関係であって、事業再生計画実施関連保証（中小企業信用保険法第三条第一項、第三条の二第一項又は第三条の三第一項に規定する債務の保証であって、独立行政法人中小企業基盤整備機構又は認定支援機関による指導若しくは助言を受けて作成した第五十一条第二号の事業再生の計画（当該計画に係る債権者全員の合意が成立したものに限る。）その他経済産業省令で定めるところにより作成された事業再生の計画に従って行われる事業再生に必要な資金に係るものをいう。以下この条において同じ。）を受けた中小企業者に係るものについての次の表の上欄に掲げる同法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

Article 53 (1) With respect to the application of the provisions of the Small and Medium-Sized Enterprise Credit Insurance Act as set forth in the left-hand column of the following table regarding the insurance relationships of ordinary insurance, unsecured insurance, or special petty insurance that are related to a small or medium-sized enterprise which has received a corporate rehabilitation plan implementation-related guarantee (meaning a guarantee for obligations as prescribed in Article 3, paragraph (1), Article 3-2, paragraph (1) or Article 3-3, paragraph (1) of the same Act that is related to funds necessary for corporate rehabilitation to be implemented in accordance with a plan for corporate rehabilitation set forth in Article 51, item (ii) prepared through

receiving guidance or advice from the Organization for Small & Medium Enterprises and Regional Innovation or approved support institutions (limited to a plan on which all of the creditors subject to the plan have reached an agreement) or a plan for corporate rehabilitation prepared as prescribed by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

<p>第三条第一項 Article 3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium-sized Enterprise</p>	<p>産業競争力強化法（平成二十五年法律第九十八号）第五十三条第一項に規定する事業再生計画実施関連保証（以下「事業再生計画実施関連保証」という。）に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a corporate rehabilitation plan implementation-related guarantee prescribed in Article 53, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) (hereinafter referred to as a "corporate rehabilitation plan implementation-related guarantee") and the total insurance value for other insurance relationships per each small and medium-sized enterprise, respectively,</p>
<p>第三条の二第一項及び第三条の三第一項 Article 3-2, paragraph (1) and Article 3-3, paragraph (1)</p>	<p>保険価額の合計額が the total insurance value per each Small and Medium-sized Enterprise</p>	<p>事業再生計画実施関連保証に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ the total insurance value of the insurance relationships pertaining to a corporate rehabilitation plan implementation-related guarantee and the total insurance value for other insurance relationships per each small and medium-sized enterprise, respectively,</p>

第三条の二第三項 Article 3-2, paragraph (3)	当該借入金の額のうち out of the amount of said the borrowings	事業再生計画実施関連保証及びその他の保証ごとに、それぞれ当該借入金の額のうち out of the amount of the borrowings for the corporate rehabilitation plan implementation-related guarantee and other guarantees, respectively
	当該債務者 the debtor	事業再生計画実施関連保証及びその他の保証ごとに、当該債務者 the debtors for the corporate rehabilitation plan implementation-related guarantee and other guarantees, respectively,
第三条の三第二項 Article 3-3, paragraph (2)	当該保証をした the borrowings guaranteed	事業再生計画実施関連保証及びその他の保証ごとに、それぞれ当該借入金の額のうち out of the borrowings for the corporate rehabilitation plan implementation-related guarantee and other guarantees, respectively
	当該債務者 the debtor	事業再生計画実施関連保証及びその他の保証ごとに、当該債務者 the debtors for the corporate rehabilitation plan implementation-related guarantee and other guarantees, respectively,

2 普通保険の保険関係であって、事業再生計画実施関連保証に係るものについての中小企業信用保険法第三条第二項及び第五条の規定の適用については、同項中「百分の七十」とあり、及び同条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるのは、「百分の八十」とする。

(2) With respect to the application of the provisions of Article 3, paragraph (2) and Article 5 of the Small and Medium-Sized Enterprise Credit Insurance Act regarding the insurance relationships of ordinary insurance that are related to a corporate rehabilitation plan implementation-related guarantee, the phrase "70 percent" in Article 3, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent for unsecured insurance, special petty insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)" in Article 5 of the same Act are deemed to be replaced with "80 percent".

3 普通保険、無担保保険又は特別小口保険の保険関係であって、事業再生計画実施関

連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

- (3) The amount of insurance premiums relating to the insurance relationships of ordinary insurance, unsecured insurance, or special petty insurance that are related to a corporate rehabilitation plan implementation-related guarantee is the amount arrived at if the insurance amount is multiplied by a percentage as specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

(償還すべき社債の金額の減額に関する特定認証紛争解決事業者の確認)

(Confirmation by a Specified Certified Dispute Resolution Business on the Reduction of the Amount of Bonds to be Redeemed)

第五十四条 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、社債権者集会の決議に基づき行う償還すべき社債の金額の減額が、当該事業者の事業再生に欠くことができないものとして経済産業省令・内閣府令で定める基準に適合するものであることの確認を求めることができる。

Article 54 (1) A business intending to promote corporate rehabilitation through specified certified dispute resolution procedures may request the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures to confirm that the reduction of the amount of bonds to be redeemed based on a resolution at the bondholders meeting is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry and Cabinet Office Order, as being indispensable for the corporate rehabilitation of the business.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該確認を求めた事業者に通知するものとする。

- (2) When having made a confirmation as set forth in the preceding paragraph, the specified certified dispute resolution business is to immediately give notice to that effect to the business that sought the confirmation.

(社債権者集会の決議の認可に関する判断の特例)

(Special Provisions Concerning Decisions in Relation to Authorization for Resolutions at a Bondholders Meeting)

第五十五条 裁判所は、前条第一項の規定により特定認証紛争解決事業者が確認を行った償還すべき社債の金額について減額を行う旨の社債権者集会の決議に係る会社法第七百三十二条に規定する認可の申立てが行われた場合には、当該減額が当該事業者の事業再生に欠くことができないものであることが確認されていることを考慮した上で、当該社債権者集会の決議が同法第七百三十三条第四号に掲げる場合に該当するかどうかを判断するものとする。

Article 55 (1) If an application has been filed for the authorization prescribed in Article 732 of the Companies Act regarding a resolution at a bondholders meeting to the effect that the amount of bonds to be redeemed is to be reduced, on which a specified certified dispute resolution business has confirmed the reduction pursuant to the provisions of paragraph (1) of the preceding Article, the court is to make a decision as to whether the resolution at the bondholders meeting falls under the cases set forth in Article 733, item (iv) of the same Act, in consideration of the fact that it had been confirmed that the reduction is indispensable for the corporate rehabilitation of the relevant business.

2 裁判所は、前項に規定する認可の申立てが行われた場合には、特定認証紛争解決事業者に対し、意見の陳述を求めることができる。

(2) If an application has been filed for the authorization prescribed in the preceding paragraph, the court may request the specified certified dispute resolution business to present opinions.

(資金の借入れに関する特定認証紛争解決事業者等の確認)

(Confirmation by a Specified Certified Dispute Resolution Business in Relation to the Borrowing of Funds)

第五十六条 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、当該特定認証紛争解決手続の開始から終了に至るまでの間における当該事業者の資金の借入れが次の各号のいずれにも適合することの確認を求めることができる。

Article 56 (1) A business intending to promote corporate rehabilitation through specified certified dispute resolution procedures may request the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures to confirm that the borrowing of funds by the relevant business during a period from the starting of the specified certified dispute resolution procedures up to their termination conforms to both of the following items:

一 当該事業者の事業の継続に欠くことができないものとして経済産業省令で定める基準に適合するものであること。

(i) it is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry as being indispensable for the continuation of the business affairs of the business; and

二 当該資金の借入れに係る債権の弁済を、当該特定認証紛争解決手続における紛争の当事者である債権者が当該事業者に対して当該資金の借入れの時点において有している他の債権の弁済よりも優先的に取り扱うことについて、当該債権者全員の同意を得ていること。

(ii) the business has obtained the consent of all the creditors that are parties to the dispute under the specified certified dispute resolution procedures for preferential treatment for the payment of claims in relation to its borrowing

of the funds over that for the payment of other claims that those creditors have against the business as of the time of its borrowing of the funds.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該確認を求めた事業者に通知するものとする。

(2) When having made a confirmation as set forth in the preceding paragraph, the specified certified dispute resolution business is to immediately give notice to that effect to the business that sought the confirmation.

3 前二項の規定は、独立行政法人中小企業基盤整備機構又は認定支援機関から事業再生の計画の作成についての指導又は助言を受けて事業再生を行おうとする中小企業者について準用する。この場合において、第一項中「当該特定認証紛争解決手続を行う特定認証紛争解決事業者」とあり、及び前項中「特定認証紛争解決事業者」とあるのは「独立行政法人中小企業基盤整備機構又は認定支援機関」と、第一項中「当該特定認証紛争解決手続の開始から終了に至るまでの間」とあるのは「第五十一条第二号に定める期間」と、同項第二号中「当該特定認証紛争解決手続における紛争の当事者である」とあるのは「当該事業再生に係る」と読み替えるものとする。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a small or medium-sized enterprise intending to implement corporate rehabilitation while receiving guidance or advice from the Organization for Small & Medium Enterprises and Regional Innovation or an approved support institution with respect to the preparation of a plan for corporate rehabilitation. In this case, the phrase "the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures" in paragraph (1) and the term "the specified certified dispute resolution business" in the preceding paragraph are deemed to be replaced with "the Organization for Small & Medium Enterprises and Regional Innovation or an approved support institution", the phrase "during a period from the starting of the specified certified dispute resolution procedures up to their termination" in paragraph (1) is deemed to be replaced with "during the period specified in Article 51, item (ii)", and the phrase "that are parties to the dispute under the specified certified dispute resolution procedures" in item (ii) of the same paragraph is deemed to be replaced with "relating to the corporate rehabilitation".

(資金の借入れに関する再生手続の特例)

(Special Provisions Concerning Rehabilitation Proceedings in Relation to the Borrowing of Funds)

第五十七条 裁判所は、前条第一項の規定による確認を受けた資金の借入れをした事業者について再生手続開始の決定があった場合において、同項の規定による確認を受けた資金の借入れに係る再生債権と他の再生債権（同項第二号の債権者に同号の同意の際保有されていた再生債権に限る。）との間に権利の変更の内容に差を設ける再生計画案（民事再生法第百六十三条第一項の再生計画案をいう。第六十二条において同じ。）が提出され、又は可決されたときは、当該資金の借入れが前条第一項各号のい

ずれにも適合することが確認されていることを考慮した上で、当該再生計画案が同法第百五十五条第一項ただし書に規定する再生債権者の間に差を設けても衡平を害しない場合に該当するかどうかを判断するものとする。

**Article 57** If a ruling has been rendered on the starting of rehabilitation proceedings with respect to a business that has conducted the borrowing of the funds on which it obtained the confirmation under paragraph (1) of the preceding Article, and a proposed rehabilitation plan (meaning the proposed rehabilitation plan set forth in Article 163, paragraph (1) of the Civil Rehabilitation Act; the same applies in Article 62) that creates a difference in the details of changes to rights between rehabilitation claims regarding the borrowing of the funds on which it obtained the confirmation under paragraph (1) of the preceding Article and other rehabilitation claims (limited to rehabilitation claims that the creditors set forth in item (ii) of the same paragraph held at the time of giving the consent set forth in the same item) has been submitted or approved, the court is to make a decision as to whether the proposed rehabilitation plan falls under cases in which equality will not be compromised even if the difference is created among the rehabilitation creditors prescribed in the proviso to Article 155, paragraph (1) of the same Act, in consideration of the fact that it was confirmed that the borrowing of the funds conforms to both of the items of paragraph (1) of the preceding Article.

(更生手続の特例)

(Special Provisions Concerning Reorganization Proceedings)

**第五十八条** 裁判所は、第五十六条第一項の規定による確認を受けた資金の借入れをした事業者について更生手続開始の決定があった場合において、同項の規定による確認を受けた資金の借入れに係る更生債権等（会社更生法第二条第十二項の更生債権等をいう。第六十四条及び第六十五条において同じ。）とこれと同一の種類他の更生債権等（第五十六条第一項第二号の債権者に同号の同意の際保有されていた更生債権等に限る。）との間に権利の変更の内容に差を設ける更生計画案が提出され、又は可決されたときは、当該資金の借入れが同項各号のいずれにも適合することが確認されていることを考慮した上で、当該更生計画案が同法第百六十八条第一項ただし書に規定する同一の種類を有する更生債権者等（同法第二条第十三項の更生債権者等をいう。第六十五条において同じ。）の間に差を設けても衡平を害しない場合に該当するかどうかを判断するものとする。

**Article 58** If a ruling has been rendered on the starting of reorganization proceedings with respect to a business that conducted the borrowing of the funds that it obtained the confirmation under Article 56, paragraph (1), and a proposed reorganization plan that creates a difference in the details of changes to rights between reorganization claims, etc. (meaning the reorganization claims, etc. set forth in Article 2, paragraph (12) of the Corporate Reorganization Act; the same applies in Article 64 and Article 65) regarding



the borrowing of the funds on which the business obtained the confirmation under Article 56, paragraph (1) and other reorganization claims, etc. of the same type (limited to reorganization claims, etc. that the creditors set forth in Article 56, paragraph (1), item (ii) held at the time of giving the consent set forth in the same item) has been submitted or approved, the court is to make a decision as to whether the proposed reorganization plan falls under the cases in which equality will not be compromised even if the difference is created among reorganization creditors, etc. (meaning the reorganization creditors, etc. set forth in Article 2, paragraph (13) of the same Act; the same applies in Article 65) that have the rights of the same type prescribed in the proviso to Article 168, paragraph (1) of the same Act, in consideration of the fact that it was confirmed that the borrowing of the funds conforms to both of the items of Article 56, paragraph (1).

(資金の借入れに関する特例の独立行政法人中小企業基盤整備機構等による確認への準用)

(Application Mutatis Mutandis of the Special Provisions Concerning the Borrowing of Funds to Confirmation by the Organization for Small & Medium Enterprises and Regional Innovation)

第五十八条の二 前二条の規定は、第五十六条第三項において準用する同条第一項の確認を受けた資金の借入れについて準用する。この場合において、第五十七条中「前条第一項各号」とあるのは「第五十六条第三項において準用する同条第一項各号」と、前条中「第五十六条第一項第二号」とあるのは「第五十六条第三項において準用する同条第一項第二号」と読み替えるものとする。

Article 58-2 The provisions of the preceding two Articles apply mutatis mutandis to the borrowing of funds confirmed under Article 56, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of the same Article. In this case, the phrase "the items of paragraph (1) of the preceding Article" in Article 57 is deemed to be replaced with "the items of Article 56, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of the same Article", and the phrase "Article 56, paragraph (1), item (ii)" in the preceding Article is deemed to be replaced with "Article 56, paragraph (1), item (ii) as applied mutatis mutandis pursuant to paragraph (3) of the same Article".

(債権に関する特定認証紛争解決事業者等の確認)

(Confirmation by a Specified Certified Dispute Resolution Business in Relation to Claims)

第五十九条 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、当該特定認証紛争解決手続の終了に至るまでの間の原因に基づいて生じた債権が次の各号のいずれにも適合することの確認を求めることができる。

Article 59 (1) A business intending to promote corporate rehabilitation through specified certified dispute resolution procedures may request the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures to confirm that the claims arising from any causes during a period up to the termination of the specified certified dispute resolution procedures conform to both of the following items:

一 当該債権が少額であること。

(i) the claims are small in amount; and

二 当該債権を早期に弁済しなければ当該事業者の事業の継続に著しい支障を来すこと。

(ii) significant hindrance would be caused to the continuation of the operations of the business, unless the payment of the claims are performed promptly.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該確認を求めた事業者に通知するものとする。

(2) When having made a confirmation as set forth in the preceding paragraph, the specified certified dispute resolution business is to immediately give notice to that effect to the business that sought the confirmation.

3 前二項の規定は、独立行政法人中小企業基盤整備機構又は認定支援機関から事業再生の計画の作成についての指導又は助言を受けて事業再生を行おうとする中小企業者について準用する。この場合において、第一項中「当該特定認証紛争解決手続を行う特定認証紛争解決事業者」とあり、及び前項中「特定認証紛争解決事業者」とあるのは「独立行政法人中小企業基盤整備機構又は認定支援機関」と、第一項中「当該特定認証紛争解決手続の終了に至る」とあるのは「第五十一条第二号に定める期間の終了」と読み替えるものとする。

(3) The provisions of the preceding two paragraphs apply mutatis mutandis to a small or medium-sized enterprise intending to implement corporate rehabilitation while receiving guidance or advice from the Organization for Small & Medium Enterprises and Regional Innovation or an approved support institution with respect to the preparation of a plan for corporate rehabilitation. In this case, the phrase "the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures" in paragraph (1) and the term "the specified certified dispute resolution business" in the preceding paragraph are deemed to be replaced with "the Organization for Small & Medium Enterprises and Regional Innovation or an approved support institution", and the phrase "up to the termination of the specified certified dispute resolution procedures" in paragraph (1) is deemed to be replaced with "up to the termination of the period specified in Article 51, item (ii)".

(債権の弁済に関する再生手続の特例)

(Special Provisions Concerning Rehabilitation Proceedings in Relation to the Performance of Claims)

第六十条 裁判所は、前条第一項の規定による確認を受けた債権（この条から第六十五条までにおいて「確認債権」という。）に係る債務を負担した事業者について再生手続開始の申立てがあった場合において、民事再生法第三十条第一項の規定による保全処分を命ずるときは、当該確認債権が前条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該確認債権の弁済を当該保全処分で禁止するかどうかを判断するものとする。

Article 60 If an application for the starting of rehabilitation proceedings has been filed with respect to a business that assumed the obligations regarding the claims confirmed under paragraph (1) of the preceding Article (referred to as the "confirmed claims" from this Article to Article 65), and the court issues a provisional order under Article 30, paragraph (1) of the Civil Rehabilitation Act, the court is to make a decision as to whether it should prohibit the payment of the confirmed claims with that provisional order, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of paragraph (1) of the preceding Article.

第六十一条 裁判所は、確認債権に係る債務を負担した事業者について再生手続開始の決定があった場合において、当該確認債権について、民事再生法第八十五条第五項の規定に基づき、少額の再生債権を早期に弁済しなければ再生債務者の事業の継続に著しい支障を来すものとして弁済の許可の申立てがなされたときは、当該確認債権が第五十九条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該確認債権の弁済が同法第八十五条第五項に規定する少額の再生債権を早期に弁済しなければ再生債務者の事業の継続に著しい支障を来すときに該当するかどうかを判断するものとする。

Article 61 If a ruling has been rendered on the starting of rehabilitation proceedings with respect to a business that assumed the obligations regarding the confirmed claims, and a petition has been filed for permission for the payment of these confirmed claims as those falling under cases in which significant hindrance would be caused to the continuation of the business of the rehabilitation debtor, unless the payment of the rehabilitation claims of small amounts are performed promptly, pursuant to the provisions of Article 85, paragraph (5) of the Civil Rehabilitation Act, the court is to make a decision as to whether the payment of the confirmed claims falls under cases in which significant hindrance would be caused to the continuation of the business of the rehabilitation debtor, unless the rehabilitation claims of small amounts are performed promptly, as prescribed in Article 85, paragraph (5) of the same Act, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of Article 59, paragraph (1).

第六十二条 裁判所は、確認債権に係る債務を負担した事業者について再生手続開始の決定があった場合において、当該確認債権と他の再生債権との間に権利の変更の内容

に差を設ける再生計画案が提出され、又は可決されたときは、当該確認債権が第五十九条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該再生計画案が民事再生法第一百五十五条第一項ただし書に規定する少額の再生債権について別段の定めをし、その他再生債権者の間に差を設けても衡平を害しない場合に該当するかどうかを判断するものとする。

**Article 62** If a ruling has been rendered on the starting of rehabilitation proceedings with respect to a business that assumed the obligations regarding the confirmed claims, and a proposed rehabilitation plan that creates a difference in the details of changes to rights between the confirmed claims and other rehabilitation claims has been submitted or approved, the court is to make a decision as to whether the proposed rehabilitation plan falls under cases in which equality will not be compromised even if a proposed rehabilitation plan otherwise provides for the rehabilitation claims of small amounts or any other difference is created among rehabilitation creditors, as prescribed in the proviso to Article 155, paragraph (1) of the Civil Rehabilitation Act, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of Article 59, paragraph (1).

(債権の弁済に関する更生手続の特例)

(Special Provisions Concerning Reorganization Proceedings Regarding the Performance of Claims)

第六十三条 裁判所は、確認債権に係る債務を負担した事業者について更生手続開始の申立てがあった場合において、会社更生法第二十八条第一項の規定による保全処分を命ずるときは、当該確認債権が第五十九条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該確認債権の弁済を当該保全処分で禁止するかどうかを判断するものとする。

**Article 63** If an application for the starting of reorganization proceedings has been filed with respect to a business that assumed the obligations regarding the confirmed claims, and the court issues a provisional order under Article 28, paragraph (1) of the Corporate Reorganization Act, the court is to make a decision as to whether it should prohibit the payment for the confirmed claims with that provisional order, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of Article 59, paragraph (1).

第六十四条 裁判所は、確認債権に係る債務を負担した事業者について更生手続開始の決定があった場合において、当該確認債権について、会社更生法第四十七条第五項の規定に基づき、少額の更生債権等を早期に弁済しなければ更生会社の事業の継続に著しい支障を来すものとして弁済の許可の申立てがなされたときは、当該確認債権が第五十九条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該確認債権の弁済が同法第四十七条第五項に規定する少額の更生債権等を早期に弁

済しなければ更生会社の事業の継続に著しい支障を来すときに該当するかどうかを判断するものとする。

**Article 64** If a ruling has been rendered on the starting of reorganization proceedings with respect to a business that assumed the obligations regarding the confirmed claims, and a petition has been filed for permission for the payment of these confirmed claims as those falling under cases in which significant hindrance would be caused to the continuation of the business of the reorganization company, unless the payment of the reorganization claims, etc. of small amounts are performed promptly, pursuant to the provisions of Article 47, paragraph (5) of the Corporate Reorganization Act, the court is to make a decision as to whether the payment of the confirmed claims falls under cases in which significant hindrance would be caused to the continuation of the business of the reorganization company, unless the reorganization claims, etc. of small amounts are performed promptly, as prescribed in Article 47, paragraph (5) of the same Act, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of Article 59, paragraph (1).

第六十五条 裁判所は、確認債権に係る債務を負担した事業者について更生手続開始の決定があった場合において、当該確認債権とこれと同一の種類他の更生債権等との間に権利の変更の内容に差を設ける更生計画案が提出され、又は可決されたときは、当該確認債権が第五十九条第一項各号のいずれにも適合することが確認されていることを考慮した上で、当該更生計画案が会社更生法第百六十八条第一項ただし書に規定する少額の更生債権等について別段の定めをしても衡平を害しない場合その他同一の種類権利を有する更生債権者等の間に差を設けても衡平を害しない場合に該当するかどうか判断するものとする。

**Article 65** If a ruling has been rendered on the starting of reorganization proceedings with respect to a business that assumed the obligations regarding the confirmed claims, and a proposed reorganization plan that creates a difference in the details of changes to rights between the confirmed claims and other reorganization claims, etc. of the same type has been submitted or approved, the court is to make a decision as to whether the proposed reorganization plan falls under the cases in which equality will not be compromised even if a proposed reorganization plan otherwise provides for the reorganization claims, etc. of small amounts or any other difference is created among reorganization creditors, etc. that have the rights of the same type, as prescribed in the proviso to Article 168, paragraph (1) of the Corporate Reorganization Act, in consideration of the fact that it was confirmed that the confirmed claims conform to both of the items of Article 59, paragraph (1).

(債権の弁済に関する特例の独立行政法人中小企業基盤整備機構等による確認への準

用)

(Application Mutatis Mutandis of the Special Provisions Concerning the Performance of Claims to Confirmation by the Organization for Small & Medium Enterprises and Regional Innovation)

第六十五条の二 第六十条から前条までの規定は、第五十九条第三項において準用する同条第一項の確認を受けた債権の弁済について準用する。この場合において、第六十条中「前条第一項各号」とあり、及び第六十一条から前条までの規定中「第五十九条第一項各号」とあるのは、「第五十九条第三項において準用する同条第一項各号」と読み替えるものとする。

Article 65-2 The provisions of Article 60 through the preceding Article apply mutatis mutandis to the performance of claims confirmed under Article 59, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of the same Article. In this case, the phrase "the items of paragraph (1) of the preceding Article" in Article 60 and the phrase "the items of Article 59, paragraph (1)" in Article 61 through the preceding Article are deemed to be replaced with "the items of Article 59, paragraph (1) as applied mutatis mutandis pursuant to paragraph (3) of the same Article".

(事業再生の計画に係る債権の減額に関する特定認証紛争解決事業者の確認)

(Confirmation by a Specified Certified Dispute Resolution Business on the Reduction of the Amount of Claims Relating to a Plan for Corporate Rehabilitation)

第六十五条の三 特定認証紛争解決手続により事業再生を図ろうとする事業者は、当該特定認証紛争解決手続における紛争の当事者である債権者の債権の総額の五分の三以上に当たる債権を有する債権者が当該事業者に係る事業再生の計画について同意した場合には、当該特定認証紛争解決手続を行う特定認証紛争解決事業者に対し、当該事業再生の計画に基づき行う債権の金額の減額が、当該事業者の事業再生に欠くことができないものとして経済産業省令で定める基準に適合するものであることの確認を求めることができる。

Article 65-3 (1) A business intending to promote corporate rehabilitation through specified certified dispute resolution procedures may, if creditors holding three-fifths or more of the total amount of claims of the creditors that are parties to the dispute under the specified certified dispute resolution procedures give their consent to the plan for corporate rehabilitation regarding the business, request the specified certified dispute resolution business undertaking the specified certified dispute resolution procedures to confirm that the reduction of the amount of claims based on the plan for corporate rehabilitation is in conformity with the standards specified by Order of the Ministry of Economy, Trade and Industry as being indispensable for the corporate rehabilitation of the business.

2 特定認証紛争解決事業者は、前項の確認を行ったときは、直ちに、その旨を、当該

確認を求めた事業者に通知するものとする。

(2) When having made a confirmation as set forth in the preceding paragraph, the specified certified dispute resolution business is to immediately give notice to that effect to the business that sought the confirmation.

(簡易再生の申立てに関する特例)

(Special Provisions Concerning a Petition for Simplified Rehabilitation)

第六十五条の四 裁判所は、前条第一項の規定により特定認証紛争解決事業者が確認を行った債権の金額の減額に係る事業者について民事再生法第二百十一条第一項の申立てがあった場合には、当該減額が当該事業者の事業再生に欠くことができないものであることが確認されていることを考慮した上で、同項後段の再生計画案について同法第七十四条第二項第四号に該当する事由があるかどうかを判断するものとする。

Article 65-4 If the petition referred to in Article 211, paragraph (1) of the Civil Rehabilitation Act has been filed with regard to a business subject to a reduction of the amount of claims for which a specified certified dispute resolution business has given confirmation pursuant to the provisions of paragraph (1) of the preceding Article, the court is to make a decision as to whether the proposed rehabilitation plan referred to in the second sentence of Article 211, paragraph (1) of the same Act falls under the grounds set forth in Article 174, paragraph (2), item (iv) of the same Act, in consideration of the fact that it had been confirmed that the reduction is indispensable for the corporate rehabilitation of the relevant business.

(金融機関の協力)

(Cooperation by Financial Institutions)

第六十五条の五 特定認証紛争解決手続により事業再生を図ろうとする事業者の事業再生の円滑化に資するため、当該事業者に対する債権の全部又は一部を有する金融機関は、当該特定認証紛争解決手続に参加するよう特定認証紛争解決事業者から求めがあった場合には、これに協力するよう努めなければならない。

Article 65-5 In order to contribute to the facilitation of corporate rehabilitation of a business intending to promote corporate rehabilitation through specified certified dispute resolution procedures, if a financial institution holding all or part of the claims against the business receives a request from a specified certified dispute resolution business to participate in the specified certified dispute resolution procedures, it must endeavor to cooperate with this.

(独立行政法人中小企業基盤整備機構の行う新事業開拓事業者の再生支援業務)

(Business Operations to Support Rehabilitation of a Business Developing New Business, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第六十五条の六 独立行政法人中小企業基盤整備機構は、事業の継続が困難となってい

る新事業開拓事業者（中小企業者を除く。）の求めに応じ、当該新事業開拓事業者の行う合併、分割、事業の譲渡又は譲受け、資金の調達その他の事業の再生のための措置に関し必要な助言を行う。

Article 65-6 At the request of a business developing new business (excluding a small or medium-sized enterprise) that has a difficulty in continuing its business, the Organization for Small & Medium Enterprises and Regional Innovation provides necessary advice regarding measures for business rehabilitation implemented by the business developing new business, such as a merger, company split, transfer or acceptance of business, and fund raising.

#### 第四節 場所の定めのない株主総会等の活用

#### Section 4 Utilization of a Shareholders Meeting without a Designated Location

第六十六条 金融商品取引法第二条第十六項に規定する金融商品取引所に上場されている株式を発行している株式会社（以下この条において「上場会社」という。）は、株主総会（種類株主総会を含む。以下この項及び次項において同じ。）を場所の定めのない株主総会（種類株主総会にあつては、場所の定めのない種類株主総会。以下この項及び次項において同じ。）とすることが株主の利益の確保に配慮しつつ産業競争力を強化することに資する場合として経済産業省令・法務省令で定める要件に該当することについて、経済産業省令・法務省令で定めるところにより、経済産業大臣及び法務大臣の確認を受けた場合には、株主総会を場所の定めのない株主総会とすることができる旨を定款で定めることができる。

Article 66 (1) If a stock company that issues shares listed on the financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act (hereinafter referred to as a "listed company" in this Article) has obtained confirmation from the Minister of Economy, Trade and Industry and the Minister of Justice, as prescribed by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order, that the requirements specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order are satisfied for deeming that holding a shareholders meeting (including a general meeting of class shareholders; hereinafter the same applies in this paragraph and the following paragraph) as a shareholders meeting without a designated location (a general meeting of class shareholders without a designated location in the case of a general meeting of class shareholders; hereinafter the same applies in this paragraph and the following paragraph) contributes to strengthening industrial competitiveness while giving consideration to securing the interests of shareholders, the listed company may provide in its articles of incorporation that a shareholders meeting may be held as a shareholders meeting without a designated location.



2 前項の規定による定款の定めがある上場会社の取締役（会社法第二百九十七条第四項（同法第三百二十五条において準用する場合を含む。）の規定により株主が株主総会を招集する場合にあっては、当該株主）が場所の定めのない株主総会を招集する場合（その招集の決定の時に於いて前項の経済産業省令・法務省令で定める要件に該当しない場合を除く。）における同法第二百九十八条第一項及び第四項、第二百九十九条第四項、第三百十七条並びに第三百十八条第一項（これらの規定を同法第三百二十五条において準用する場合を含む。）並びに同法第三百四十二条の二第三項及び第三百四十五条第三項の規定の適用については、次の表の上欄に掲げる同法の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ほか、必要な技術的読替えは、政令で定める。

(2) With respect to the application of the provisions of Article 298, paragraphs (1) and (4), Article 299, paragraph (4), Article 317, and Article 318, paragraph (1) of the Companies Act (including the case where these provisions are applied mutatis mutandis pursuant to Article 325 of the same Act) and the provisions of Article 342-2, paragraph (3) and Article 345, paragraph (3) of the same Act in the case where directors (in the case where shareholders call a shareholders meeting pursuant to the provisions of Article 297, paragraph (4) of the Companies Act (including as applied mutatis mutandis pursuant to Article 325 of the same Act), those shareholders) of a listed company of which articles of incorporation have the provisions as provided for in the preceding paragraph call a shareholders meeting without a designated location (excluding the case where the requirements specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order as referred to in the preceding paragraph are not satisfied as of the time of determining the calling of the meeting), the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases respectively set forth in the right-hand column of the same table, and Cabinet Order prescribes any other necessary technical replacement of the phrases.

<p>第二百九十八条第一項各号列記以外の部分 The portion other than those set forth in the items of Article 298, paragraph (1)</p>	<p>次に掲げる事項 the following matters</p>	<p>次に掲げる事項及び株主の利益の確保に資するものとして経済産業省令・法務省令で定める事項 the following matters and matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order as those that contribute to securing the interests of shareholders</p>
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<p>第二百九十八条第一 項第一号 Article 2998, paragraph (1), item (i)</p>	<p>場所 the date, time and place of the shareholders meeting</p>	<p>株主総会を場所の定めのない株主総 会とする旨 the date and time of the shareholders meeting, and the fact that the shareholders meeting will be held as a shareholders meeting without a designated location</p>
<p>第二百九十八条第四 項 Article 298, paragraph (4)</p>	<p>第一項各号に掲げる 事項 the matters listed in each item of paragraph (1)</p>	<p>産業競争力強化法（平成二十五年法 律第九十八号）第六十六条第二項の 規定により読み替えて適用する第一 項各号に掲げる事項及び同項の経済 産業省令・法務省令で定める事項 the matters set forth in the items of paragraph (1) as applied pursuant to Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) following the deemed replacement of terms, and the matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order referred to in the same paragraph</p>
<p>第二百九十九条第四 項 Article 299, paragraph (4)</p>	<p>前条第一項各号に掲 げる事項 the matters listed in each item of paragraph (1) of the preceding Article</p>	<p>産業競争力強化法第六十六条第二項 の規定により読み替えて適用する前 条第一項各号に掲げる事項その他経 済産業省令・法務省令で定める事項 the matters set forth in the items of paragraph (1) of the preceding Article as applied pursuant to Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms, and other matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order</p>

<p>第三百十七条 Article 317</p>	<p>決議があった場合には In cases where a resolution for the postponement or adjournment is passed at the shareholders meeting</p>	<p>決議があった場合（場所の定めのない株主総会の議事における情報の送受信に用いる通信の方法に係る障害により当該議事に著しい支障が生じる場合には当該場所の定めのない株主総会の議長が当該場所の定めのない株主総会の延期又は続行を決定することができる旨の決議があるときに、当該決議に基づく議長の決定があった場合を含む。）には In cases where a resolution for the postponement or adjournment is passed at the shareholders meeting (including the case where there has been a resolution to the effect that the chairperson of a shareholders meeting without a designated location may decide to postpone or adjourn the shareholders meeting without a designated location if the business of the shareholders meeting without a designated location is significantly hindered due to a failure pertaining to the communications method used for sending and receiving information in the business of the shareholders meeting without a designated location, and the chairperson makes a decision based on that resolution)</p>
<p>第三百十八条第一項 Article 318, paragraph (1)</p>	<p>法務省令 Ministry of Justice Order</p>	<p>経済産業省令・法務省令 Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order</p>

<p>第三百四十二条の二 第三項及び第三百四 十五条第三項 Article 342-2, paragraph (3) and Article 345, paragraph (3)</p>	<p>第二百九十八条第一 項第一号に掲げる事 項 the matters listed in Article 298, paragraph (1), item (i)</p>	<p>産業競争力強化法第六十六条第二項 の規定により読み替えて適用する第 二百九十八条第一項第一号に掲げる 事項その他経済産業省令・法務省令 で定める事項 the matters set forth in Article 298, paragraph (1), item (i) as applied pursuant to Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms and other matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order</p>
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3 第一項の規定による定款の定めがある上場会社についての会社法第二十九条、第三百四十八条第三項、第三百九十九条の十三第五項、第四百十六条第四項、第四百八十二条第三項及び第四百九十一条の規定の適用については、次の表の上欄に掲げる同法の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ほか、必要な技術的読替えは、政令で定める。

(3) With respect to the application of the provisions of Article 29, Article 348, paragraph (3), Article 399-13, paragraph (5), Article 416, paragraph (4), Article 482, paragraph (3), and Article 491 of the Companies Act regarding a listed company of which articles of incorporation have the provisions as provided for in paragraph (1), the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases respectively set forth in the right-hand column of the same table, and Cabinet Order prescribes any other necessary technical replacement of the phrases

<p>第二十九条 Article 29</p>	<p>違反しないもの which do not violate any provisions of this Act</p>	<p>違反しないもの並びに産業競争力強化法 (平成二十五年法律第九十八号) 第六十六 条第一項に規定する事項 which do not violate any provisions of this Act and the matters set forth in Article 66, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)</p>
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<p>第三百四十八条第三項第三号及び第四百八十二条第三項第三号 Article 348, paragraph (3), item (iii) and Article 482, paragraph (3), item (iii)</p>	<p>含む。)に掲げる (including the cases where such items are applied mutatis mutandis under Article 325)</p>	<p>含む。)に掲げる事項及び産業競争力強化法第六十六条第二項の規定により読み替えて適用する第二百九十八条第一項（第三百二十五条において準用する場合を含む。）の経済産業省令・法務省令で定める (including the cases where such items are applied mutatis mutandis under Article 325) and the matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order referred to in Article 298, paragraph (1) (including as applied mutatis mutandis pursuant to Article 325) as applied pursuant to Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms</p>
<p>第三百九十九条の十三第五項第四号及び第四百十六号第四項第四号 Article 299-13, paragraph (5), item (iv) and Article 416, paragraph (4), item (iv)</p>	<p>事項 the matters listed in each item of Article 298, paragraph (1)</p>	<p>事項及び産業競争力強化法第六十六条第二項の規定により読み替えて適用する第二百九十八条第一項の経済産業省令・法務省令で定める事項 the matters set forth in the items of Article 298, paragraph (1) and the matters specified by Order of the Ministry of Economy, Trade and Industry and Ministry of Justice Order referred to in Article 298, paragraph (1) as applied pursuant to Article 66, paragraph (2) of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms</p>
<p>第四百九十一条 Article 491</p>	<p>規定中 out of the provisions in ... Chapter VII</p>	<p>規定並びに産業競争力強化法第六十六条の規定並びに同条第二項及び第三項の規定により読み替えて適用するこの法律の規定中 out of the provisions in ... Chapter VII, out of the provisions of Article 66 of the Act on Strengthening Industrial Competitiveness, and out of the provisions of this Act as applied pursuant to paragraphs (2) and (3) of the same Article following the deemed replacement of terms</p>

第五節 技術等情報漏えい防止措置の実施の促進

Section 5 Promotion of Security Measures of Companies to Prevent

## Technological Information from Being Compromised

第六十七条 主務大臣は、技術等情報漏えい防止措置の実施の促進に関する指針（以下「促進指針」という。）を定めるものとする。

Article 67 (1) The competent minister is to establish the guidelines for promoting the implementation of security measures of companies to prevent technological information from being compromised (hereinafter referred to as the "promotion guidelines").

2 促進指針においては、次に掲げる事項を定めるものとする。

(2) The promotion guidelines are to specify the following:

一 技術等情報漏えい防止措置の実施の促進の基本的な方向

(i) the basic direction for promoting the implementation of security measures of companies to prevent technological information from being compromised;

二 技術等情報漏えい防止措置の実施の促進に関する次に掲げる施策に関する基本的な事項

(ii) basic particulars concerning the following policies for promoting the implementation of security measures of companies to prevent technological information from being compromised:

イ 技術等情報漏えい防止措置の実施に関する理解を深めるための施策

(a) policies for deepening understanding on the implementation of security measures of companies to prevent technological information from being compromised;

ロ 技術等情報漏えい防止措置の適切な実施に関し必要な知識及び能力の向上を図るための施策

(b) policies for enhancing the knowledge and capacity necessary for appropriately implementing security measures of companies to prevent technological information from being compromised; and

ハ その他技術等情報漏えい防止措置の実施の促進を図るために必要な施策

(c) other policies necessary for promoting the implementation of security measures of companies to prevent technological information from being compromised;

三 技術等情報漏えい防止措置認証業務の実施の方法について次条第一項の認定の基準となるべき事項

(iii) particulars to be the criteria for approval set forth in paragraph (1) of the following Article with respect to the methods for undertaking business operations to certify security measures of companies to prevent technological information from being compromised;

四 中小企業者の技術等情報漏えい防止措置の実施の促進に関し配慮すべき事項

(iv) particulars to be taken into consideration concerning the promotion of the implementation of security measures of companies to prevent technological information from being compromised by small and medium-sized enterprises;

and

五 技術等情報漏えい防止措置の実施を特に促進すべき技術の分野を定める場合にあっては、その技術の分野

(v) fields of technology in which the implementation of security measures of companies to prevent technological information from being compromised is to be promoted in particular, if those fields of technology are to be specified.

3 主務大臣は、促進指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(3) If the competent minister has established the promotion guidelines or has made changes thereto, the minister is to publicize the established or changed promotion guidelines without delay.

(認定技術等情報漏えい防止措置認証機関の認定)

(Approval as Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第六十八条 技術等情報漏えい防止措置認証業務を行う者は、主務大臣の認定を受けることができる。

Article 68 (1) A person that undertakes business operations to certify security measures of companies to prevent technological information from being compromised may seek approval of the competent minister.

2 前項の認定を受けようとする者は、主務省令で定めるところにより、次に掲げる事項を記載した申請書その他主務省令で定める書類を主務大臣に提出しなければならない。

(2) A person that intends to seek the approval set forth in the preceding paragraph must submit a written application containing the following and other documents specified by orders of the competent ministries to the competent minister:

一 氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(i) the name and address of the person, and in the case of a corporation, the name of its representative; and

二 技術等情報漏えい防止措置認証業務の範囲（その範囲を中小企業者に対して行うものに限定して認定を受けようとする場合にあっては、その旨）及びその実施の方法

(ii) the scope of business operations to certify security measures of companies to prevent technological information from being compromised (or, the fact that the person seeks approval by limiting the scope to the business operations only targeting small and medium-sized enterprises, if that is the case) and the methods for undertaking them.

3 主務大臣は、第一項の認定の申請があった場合において、その申請に係る技術等情報漏えい防止措置認証業務の実施の方法が促進指針において定められた前条第二項第三号に規定する基準に適合していると認めるときは、その認定をするものとする。

(3) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the methods for undertaking business operations to certify security measures of companies to prevent technological information from being compromised in relation to the application conform to the criteria prescribed in paragraph (2), item (iii) of the preceding Article that are established in the promotion guidelines, the minister is to grant approval.

4 次の各号のいずれかに該当する者は、第一項の認定を受けることができない。

(4) Those falling under any of the following items may not obtain the approval set forth in paragraph (1):

一 この法律の規定に違反し、罰金以上の刑に処せられ、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二年を経過しない者

(i) a person that has been sentenced to a punishment heavier than a fine for a violation of the provisions of this Act, if two years have not yet elapsed since the day on which the execution of the sentence has been completed or since the day on which the person ceased to be subject to execution of the sentence;

二 第七十五条第一項の規定により第一項の認定を取り消され、その取消の日から二年を経過しない者

(ii) a person for whom the approval set forth in paragraph (1) has been rescinded pursuant to the provisions of Article 75, paragraph (1), if two years have not yet elapsed since the day of the rescission; or

三 法人であって、その業務を行う役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation, any of whose officers in charge of its business fall under either of the preceding two items.

5 主務大臣は、第一項の認定をしたときは、氏名又は名称、住所、業務の範囲その他主務省令で定める事項を公表するものとする。

(5) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the name, address, scope of business operations, and other particulars specified by orders of the competent ministries.

(認定技術等情報漏えい防止措置認証機関の認定の更新)

(Renewal of the Approval as Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第六十九条 前条第一項の認定は、三年を超えない範囲内で政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

Article 69 (1) Unless the approval set forth in paragraph (1) of the preceding Article is renewed for each period as specified by Cabinet Order within three years, the relevant approval ceases to be effective upon the lapse of that period.

2 前条第二項、第三項及び第四項（第二号を除く。）の規定は、前項の認定の更新について準用する。

(2) The provisions of paragraph (2), paragraph (3), and paragraph (4) (excluding



item (ii) of the preceding Article apply mutatis mutandis to the renewal of the approval set forth in the preceding paragraph.

3 主務大臣は、第一項の規定により前条第一項の認定がその効力を失ったときは、その旨を公表するものとする。

(3) If the approval set forth in paragraph (1) of the preceding Article has ceased to be effective pursuant to the provisions of paragraph (1), the competent minister is to publicize that fact.

(認定技術等情報漏えい防止措置認証機関の承継)

(Succession of Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十条 第六十八条第一項の認定を受けた者（以下「認定技術等情報漏えい防止措置認証機関」という。）が当該認定に係る技術等情報漏えい防止措置認証業務を行う事業の全部を譲渡し、又は認定技術等情報漏えい防止措置認証機関について相続、合併若しくは分割（当該認定に係る技術等情報漏えい防止措置認証業務を行う事業の全部を承継させるものに限る。）があったときは、その事業の全部を譲り受けた者又は相続人（相続人が二人以上ある場合において、その全員の同意により当該事業を承継すべき相続人を選定したときは、その者。以下この項において同じ。））、合併後存続する法人若しくは合併により設立した法人若しくは分割によりその事業の全部を承継した法人は、その認定技術等情報漏えい防止措置認証機関の地位を承継する。ただし、当該事業の全部を譲り受けた者又は相続人、合併後存続する法人若しくは合併により設立した法人若しくは分割により当該事業の全部を承継した法人が同条第四項各号のいずれかに該当するときは、この限りでない。

Article 70 (1) If a person who has obtained approval as set forth in Article 68, paragraph (1) (hereinafter referred to as an "approved entity certifying security measures of companies to prevent technological information from being compromised") has transferred the entirety of its business to undertake security measures of companies to prevent technological information from being compromised regarding the approval or when there has been inheritance, merger or split (limited to the inheritance, merger or split to cause succession of the entirety of the business to undertake business operations to certify security measures of companies to prevent technological information from being compromised regarding the approval) with respect to an approved entity certifying security measures of companies to prevent technological information from being compromised, the person who has received the entirety of the relevant business through transfer or; the heir (or, the single heir selected to relevant business with the consent of all the heirs, if there are two or more heirs and that single heir is thus selected; hereinafter the same applies in this paragraph); the corporation surviving the merger or corporation established through the merger; or the corporation that has succeeded to the entirety of the relevant business through the split succeeds to the status of the approved

entity certifying security measures of companies to prevent technological information from being compromised; provided, however, that this does not apply if the person that has received the entirety of the relevant business through transfer or, the heir, the corporation surviving the merger or corporation established through the merger, or the corporation that has succeeded to the entirety of the relevant business through the split falls under any of the items of paragraph (4) of the same Article.

2 前項の規定により認定技術等情報漏えい防止措置認証機関の地位を承継した者は、遅滞なく、主務省令で定めるところにより、その旨を主務大臣に届け出なければならない。

(2) A person that has succeeded to the status of an approved entity certifying security measures of companies to prevent technological information from being compromised pursuant to the provisions of the preceding paragraph must notify the competent minister of that fact without delay, as prescribed by orders of the competent ministries.

3 主務大臣は、前項の規定による届出があったときは、その旨を公表するものとする。

(3) If the competent minister has received a notification under the preceding paragraph, the minister is to publicize that fact.

(認定技術等情報漏えい防止措置認証機関の変更の認定等)

(Approval for Changes in Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十一条 認定技術等情報漏えい防止措置認証機関は、第六十八条第二項第二号に掲げる事項を変更しようとするときは、主務大臣の認定を受けなければならない。ただし、主務省令で定める軽微な変更については、この限りでない。

Article 71 (1) If an approved entity certifying security measures of companies to prevent technological information from being compromised intends to make changes to the particulars set forth in Article 68, paragraph (2), item (ii), the entity must seek the approval of the competent minister; provided, however, that this does not apply to minor changes specified by orders of the competent ministries.

2 第六十八条第二項、第三項及び第四項（第二号を除く。）の規定は、前項の変更の認定について準用する。この場合において、同条第二項中「次に掲げる事項」とあるのは、「次に掲げる事項（第二号に掲げる事項にあつては、変更に係るものに限る。）」と読み替えるものとする。

(2) The provisions of Article 68, paragraph (2), paragraph (3), and paragraph (4) (excluding item (ii)) apply mutatis mutandis to the approval for changes set forth in the preceding paragraph. In this case, the phrase "the following particulars" in paragraph (2) of the same Article is deemed to be replaced with "the following particulars (for the particulars set forth in item (ii), limited to those regarding the changes)".

3 認定技術等情報漏えい防止措置認証機関は、第六十八条第二項第一号に掲げる事項に変更があったとき、又は第一項ただし書の主務省令で定める軽微な変更をしたときは、遅滞なく、その旨を主務大臣に届け出なければならない。

(3) If there have been any changes to the particulars set forth in Article 68, paragraph (2), item (i), or an approved entity certifying security measures of companies to prevent technological information from being compromised has made minor changes specified by orders of the competent ministries set forth in the proviso to paragraph (1), the entity must notify the competent minister of that fact without delay.

4 主務大臣は、第一項の変更の認定をしたとき、又は前項の規定による届出があったときは、その旨を公表するものとする。

(4) If the competent minister has granted approval for changes as set forth in paragraph (1) or has received a notification under the preceding paragraph, the minister is to publicize that fact.

(認定技術等情報漏えい防止措置認証機関における秘密保持義務)

(Obligation of Confidentiality by Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十二条 認定技術等情報漏えい防止措置認証機関の役員若しくは職員又はこれらの職にあった者は、正当な理由がある場合を除き、技術等情報漏えい防止措置認証業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 72 Officers or employees of an approved entity certifying security measures of companies to prevent technological information from being compromised, or persons who were once employed as such, must not divulge or misappropriate any confidential information that has come to their knowledge regarding business operations to certify security measures of companies to prevent technological information from being compromised, except if reasonable grounds exist.

(認定技術等情報漏えい防止措置認証機関に対する改善命令)

(Orders for Improvement to Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十三条 主務大臣は、認定技術等情報漏えい防止措置認証機関の技術等情報漏えい防止措置認証業務の運営に関し改善が必要であると認めるときは、当該認定技術等情報漏えい防止措置認証機関に対し、その改善に必要な措置を講ずべきことを命ずることができる。

Article 73 If the competent minister determines that improvements are necessary with respect to management of business operations to certify security measures of companies to prevent technological information from being compromised, which are undertaken by an approved entity certifying

security measures of companies to prevent technological information from being compromised, the minister may order the relevant entity to take measures necessary for those improvements.

(技術等情報漏えい防止措置認証業務の廃止の届出)

(Notification of Discontinuation of Business Operations to Certify Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十四条 認定技術等情報漏えい防止措置認証機関は、技術等情報漏えい防止措置認証業務を廃止しようとするときは、主務省令で定めるところにより、あらかじめ、その旨を主務大臣に届け出なければならない。

Article 74 (1) If an approved entity certifying security measures of companies to prevent technological information from being compromised intends to discontinue its business operations to certify security measures of companies to prevent technological information from being compromised, the entity must notify the competent minister of that fact in advance, as prescribed by orders of the competent ministries.

2 主務大臣は、前項の規定による届出があったときは、その旨を公表するものとする。

(2) If the competent minister has received a notification under the preceding paragraph, the minister is to publicize that fact.

(認定技術等情報漏えい防止措置認証機関の認定の取消し)

(Rescission of Approval as Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十五条 主務大臣は、認定技術等情報漏えい防止措置認証機関が次の各号のいずれかに該当するときは、その認定を取り消すことができる。

Article 75 (1) If an approved entity certifying security measures of companies to prevent technological information from being compromised falls under any of the following items, the competent minister may rescind their approval:

一 その技術等情報漏えい防止措置認証業務の実施の方法が促進指針において定められた第六十七条第二項第三号に規定する基準に適合しなくなったとき。

(i) if the methods for undertaking business operations to certify security measures of companies to prevent technological information from being compromised have ceased to conform to the criteria prescribed in Article 67, paragraph (2), item (iii) that are established in the promotion guidelines;

二 第六十八条第四項第一号又は第三号のいずれかに該当するに至ったとき。

(ii) when any person has come to fall under either of item (i) or item (iii) of Article 68, paragraph (4);

三 第七十一条第一項の規定に違反して、第六十八条第二項第二号に掲げる事項を変更したとき。

(iii) if the entity has made changes to the particulars set forth in Article 68,

paragraph (2), item (ii), in violation of the provisions of Article 71, paragraph (1);

四 第七十三条の規定による命令に違反したとき。

(iv) if the entity has violated an order under Article 73; or

五 不正の手段により第六十八条第一項の認定、第六十九条第一項の認定の更新又は第七十一条第一項の変更の認定を受けたとき。

(v) if the entity, by wrongful means, has obtained approval as set forth in Article 68, paragraph (1), has renewed the approval as set forth in Article 69, paragraph (1), or has obtained approval for the changes as set forth in Article 71, paragraph (1).

2 主務大臣は、前項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(2) If the competent minister has rescinded the approval under the preceding paragraph, the minister is to publicize that fact.

(中小企業信用保険法の特例)

(Special Provisions for the Small and Medium-Sized Enterprise Credit Insurance Act)

第七十六条 技術等情報漏えい防止措置認証業務の範囲を中小企業者に対して行うものに限定して第六十八条第一項の認定を受けた一般社団法人又は一般財団法人（一般社団法人にあってはその社員総会における議決権の二分の一以上を中小企業者が有しているもの、一般財団法人にあってはその設立に際して拠出された財産の価額の二分の一以上が中小企業者により拠出されているものに限る。以下この条において「認定一般社団法人等」という。）であって、技術等情報漏えい防止措置認証業務の実施に必要な資金に係る中小企業信用保険法第三条第一項又は第三条の二第一項に規定する債務の保証を受けたものについては、当該認定一般社団法人等を同法第二条第一項の中小企業者とみなして、同法第三条、第三条の二及び第四条から第八条までの規定を適用する。この場合において、同法第三条第一項及び第三条の二第一項の規定の適用については、これらの規定中「借入れ」とあるのは、「産業競争力強化法（平成二十五年法律第九十八号）第七十六条に規定する認定一般社団法人等が行う同法第二条第二十四項に規定する技術等情報漏えい防止措置認証業務の実施に必要な資金の借入れ」とする。

Article 76 Regarding a general incorporated association or general incorporated foundation that has obtained approval as set forth in Article 68, paragraph (1) by limiting the scope of business operations to certify security measures of companies to prevent technological information from being compromised to those only targeting small and medium-sized enterprises (limited to a general incorporated association for which at least half of the voting rights in its general meeting of members are held by small and medium-sized enterprises, and a general incorporated foundation for which at least half of the value of the property contributed upon its incorporation has been contributed by small and

medium-sized enterprises; hereinafter referred to as an "approved general incorporated association, etc." in this Article) and has received a guarantee for obligations prescribed in Article 3, paragraph (1) or Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act regarding funds necessary for undertaking the business operations to certify security measures of companies to prevent technological information from being compromised, the provisions of Article 3, Article 3-2, and Articles 4 through 8 of the same Act apply by deeming the relevant approved general incorporated association, etc. as the small or medium-sized enterprise set forth in Article 2, paragraph (1) of the same Act. In this case, with respect to the application of the provisions of Article 3, paragraph (1) and Article 3-2, paragraph (1) of the same Act, the phrase "the borrowings" in these provisions is deemed to be replaced with "the borrowing of the funds necessary for undertaking the business operations to certify security measures of companies to prevent technological information from being compromised prescribed in Article 2, paragraph (24) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) undertaken by the approved general incorporated association, etc. prescribed in Article 76 of the same Act".

(独立行政法人情報処理推進機構の行う認定技術等情報漏えい防止措置認証機関協力業務)

**(Business Operations to Offer Cooperation to Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised, Which Are Undertaken by the Information-technology Promotion Agency, Japan)**

第七十七条 独立行政法人情報処理推進機構は、認定技術等情報漏えい防止措置認証機関の依頼に応じて、当該認定技術等情報漏えい防止措置認証機関が行う技術等情報漏えい防止措置認証業務に関する情報の提供その他必要な協力の業務（サイバーセキュリティ基本法（平成二十六年法律第百四号）第二条に規定するサイバーセキュリティに関する情報の提供その他の技術等情報漏えい防止措置認証業務に係る情報処理の高度化を推進するものに限る。）を行う。

**Article 77** In response to a request from an approved entity certifying security measures of companies to prevent technological information from being compromised, the Information-technology Promotion Agency, Japan, provides information on the relevant approved entity's business operations to certify security measures of companies to prevent technological information from being compromised, or otherwise undertakes business operations to offer necessary cooperation (limited to the provision of information on cybersecurity prescribed in Article 2 of the Basic Act on Cybersecurity (Act No. 104 of 2014) and other business operations that promote the sophistication of information processing in business operations to certify security measures of companies to

prevent technological information from being compromised).

(独立行政法人中小企業基盤整備機構の行う認定技術等情報漏えい防止措置認証機関協力業務)

(Business Operations to Offer Cooperation to Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)

第七十八条 独立行政法人中小企業基盤整備機構は、中小企業者の技術等情報漏えい防止措置の実施の促進のため、認定技術等情報漏えい防止措置認証機関の依頼に応じて、当該認定技術等情報漏えい防止措置認証機関が行う第二条第二十四項第二号に掲げる業務に関する情報の提供その他必要な協力の業務を行う。

Article 78 In order to promote the implementation of security measures of companies to prevent technological information from being compromised, which small and medium-sized enterprises undertake, in response to a request from an approved entity certifying security measures of companies to prevent technological information from being compromised, the Organization for Small & Medium Enterprises and Regional Innovation provides information on the business operations set forth in Article 2, paragraph (24), item (ii) which the relevant approved entity undertakes, or otherwise undertakes business operations to offer necessary cooperation.

(認定技術等情報漏えい防止措置認証機関以外の者の表示の制限)

(Restriction on Indication for Persons Other than Approved Entities Certifying Security Measures of Companies to Prevent Technological Information from Being Compromised)

第七十九条 技術等情報漏えい防止措置認証業務を行う者は、当該技術等情報漏えい防止措置認証業務について、第六十八条第一項の認定を受けていないのに、認定技術等情報漏えい防止措置認証機関であると明らかに誤認されるおそれのある表示をしてはならない。

Article 79 A person that undertakes business operations to certify security measures of companies to prevent technological information from being compromised but has not obtained approval as set forth in Article 68, paragraph (1) with respect to those business operations must not make an indication that could clearly give rise to the misconception that the person is an approved entity certifying security measures of companies to prevent technological information from being compromised.

#### 第四章 株式会社産業革新投資機構による特定事業活動の支援等 Chapter IV Support for Specified Business Activities by the Japan Investment Corporation

## 第一節 総則

### Section 1 General Provisions

(機構の目的)

(Purpose of the Japan Investment Corporation)

第八十条 株式会社産業革新投資機構は、最近における産業構造及び国際的な競争条件の変化に我が国産業が的確に対応するためには、自らの経営資源以外の経営資源の有効な活用を通じた産業活動の革新が重要となっていること及びその業務が民間投資の拡大に寄与することに鑑み、特定投資事業者及び特定事業活動に対し投資をはじめとする資金供給その他の支援等を行うことにより、我が国において特定事業活動を推進することを目的とする株式会社とする。

Article 80 The Japan Investment Corporation is to be a stock company, with the purpose of promoting specified business activities within Japan through making investments or otherwise providing funds and offering other support towards specified investment businesses and specified business activities, in consideration of the fact that innovation in industrial activities by effectively utilizing management resources other than those owned individually has become increasingly important in order for Japanese industries to properly deal with the recent changes in the industrial structure and global competitive conditions, and with an awareness that its business operations will contribute to expanding private investment.

(数)

(Number)

第八十一条 株式会社産業革新投資機構（以下「機構」という。）は、一を限り、設立されるものとする。

Article 81 Only one Japan Investment Corporation (hereinafter referred to as the "JIC") is to be formed.

(株式の政府保有)

(Shares Owned by the Government)

第八十二条 政府は、常時、機構が発行している株式（株主総会において決議することができる事項の全部について議決権を行使することができないものと定められた種類の株式を除く。以下この条において同じ。）の総数の三分の二以上に当たる数の株式を保有するものとする。

Article 82 The government is to ordinarily hold a number of shares equivalent to two-thirds or greater of the total number of shares issued by the JIC (excluding shares of a class specified as those that cannot be used to exercise voting rights with respect to all of the matters for which a resolution can be made at a shareholders meeting; the same applies in this Article).



(株式、社債及び借入金の認可等)

(Authorization for Shares, Bonds and Borrowings)

第八十三条 機構は、会社法第百九十九条第一項に規定する募集株式（第百六十条第一号において「募集株式」という。）、同法第二百三十八条第一項に規定する募集新株予約権（同号において「募集新株予約権」という。）若しくは同法第六百七十六条に規定する募集社債（第百二十二条及び同号において「募集社債」という。）を引き受ける者の募集をし、株式交換若しくは株式交付に際して株式、社債若しくは新株予約権を発行し、又は資金を借り入れようとするときは、経済産業大臣の認可を受けなければならない。

Article 83 (1) If the JIC intends to solicit persons to subscribe for the shares for subscription prescribed in Article 199, paragraph (1) of the Companies Act (referred to as "shares for subscription" in Article 160, item (i)), the share options for subscription prescribed in Article 238, paragraph (1) of the same Act (referred to as "share options for subscription" in the same item), or the bonds for subscription prescribed in Article 676 of the same Act (referred to as "bonds for subscription" in Article 122 and Article 160, item (i)); intends to issue shares, bonds or share options at a share exchange or share delivery; or intends to borrow funds, it must obtain the authorization of the Minister of Economy, Trade and Industry.

2 機構は、新株予約権の行使により株式を発行した後、遅滞なく、その旨を経済産業大臣に届け出なければならない。

(2) After issuing shares through exercising share options, the JIC must notify the Minister of Economy, Trade and Industry of that fact without delay.

(政府の出資)

(Contributions by the Government)

第八十四条 政府は、必要があると認めるときは、予算で定める金額の範囲内において、機構に出資することができる。

Article 84 The government may make capital contributions to the JIC within a range of amounts specified in the budget, if the government considers it to be necessary.

(商号)

(Trade Name)

第八十五条 機構は、その商号中に株式会社産業革新投資機構という文字を用いなければならない。

Article 85 (1) The JIC must use the Japanese characters "株式会社産業革新投資機構" (pronounced "kabushiki gaisha sangyō kakushin tōshiki kikō", meaning "Japan Investment Corporation") in its trade name.

2 機構でない者は、その名称中に産業革新投資機構という文字を用いてはならない。

(2) Those other than the JIC must not use the Japanese characters "産業革新投資

機構" (pronounced "sangyō kakushin tōshiki kikō", meaning "Japan Investment Corporation") in their names.

## 第二節 設立

### Section 2 Incorporation

(定款の記載又は記録事項)

(Particulars Specified or Recorded in the Articles of Incorporation)

第八十六条 機構の定款には、会社法第二十七条各号に掲げる事項のほか、次に掲げる事項を記載し、又は記録しなければならない。

Article 86 (1) Beyond the particulars set forth in the items of Article 27 of the Companies Act, the following particulars must be specified or recorded in the articles of incorporation of the JIC:

一 機構の設立に際して発行する株式（次号、第三号及び次条において「設立時発行株式」という。）の数（機構を種類株式発行会社として設立しようとする場合にあっては、その種類及び種類ごとの数）

(i) the number of shares issued at the time of the incorporation of the JIC

(when the JIC is intended to be incorporated as a company with class shares, their classes and the number of shares in each class) (referred to as "shares issued at incorporation" in the following item, item (iii), and the following Article);

二 設立時発行株式の払込金額（設立時発行株式一株と引換えに払い込む金銭又は給付する金銭以外の財産の額をいう。）

(ii) the amount to be paid-in for shares issued at incorporation (meaning the amount of money paid, or assets other than money contributed, in exchange for one share issued at incorporation);

三 政府が割当てを受ける設立時発行株式の数（機構を種類株式発行会社として設立しようとする場合にあっては、その種類及び種類ごとの数）

(iii) the number of shares issued at incorporation allotted to the government

(or, if the JIC is intended to be incorporated as a company with class shares, their classes and the number of shares in each class);

四 会社法第一百七条第一項第一号に掲げる事項

(iv) the particulars set forth in Article 107, paragraph (1), item (i) of the Companies Act;

五 取締役会及び監査役を置く旨

(v) the fact that a board of directors and company auditors are to be installed; and

六 第一百一条第一項各号に掲げる業務の完了により解散する旨

(vi) the fact that the JIC is to be dissolved upon the completion of the business operations set forth in the items of Article 101, paragraph (1).

2 機構の定款には、次に掲げる事項を記載し、又は記録してはならない。

(2) The following particulars must not be specified or recorded in the articles of incorporation of the JIC:

一 監査等委員会又は会社法第二条第十二号に規定する指名委員会等を置く旨

(i) the fact that an audit, etc. committee or a nominating committee, etc.

prescribed in Article 2, item (xii) of the Companies Act is to be installed; and

二 会社法第百三十九条第一項ただし書に規定する別段の定め

(ii) the provisions provided otherwise as prescribed in the proviso to Article 139, paragraph (1) of the Companies Act.

(設立の認可等)

(Authorization for Incorporation)

第八十七条 機構の発起人は、定款を作成し、かつ、発起人が割当てを受ける設立時発行株式を引き受けた後、速やかに、定款及び事業計画書を経済産業大臣に提出して、設立の認可を申請しなければならない。

Article 87 The incorporators of the JIC must prepare the articles of incorporation and, after having subscribed for their allotted shares issued at incorporation, they must submit the articles of incorporation and the business plan to the Minister of Economy, Trade and Industry and apply for authorization for the incorporation, promptly.

第八十八条 経済産業大臣は、前条の規定による認可の申請があった場合においては、その申請が次の各号のいずれにも適合するかどうかを審査するものとする。

Article 88 (1) If an application for authorization under the preceding Article has been filed, the Minister of Economy, Trade and Industry is to examine whether the application conforms to all of the following:

一 設立の手續及び定款の内容が法令の規定に適合するものであること。

(i) the procedures of the incorporation and the details of the articles of

incorporation are in conformity with the provisions of laws and regulations;

二 定款に虚偽の記載若しくは記録又は虚偽の署名若しくは記名押印（会社法第二十六条第二項の規定による署名又は記名押印に代わる措置を含む。）がないこと。

(ii) false statements are not made or recorded, and false signatures or false names and seals (including measures in lieu of the affixation of signatures or names and seals pursuant to the provisions of Article 26, paragraph (2) of the Companies Act) are not contained in the articles of incorporation; and

三 業務の運営が健全に行われ、我が国における特定事業活動の推進に寄与することが確実であると認められること。

(iii) it is found to be certain that the JIC's business operations are managed soundly and it contributes to the promotion of specified business activities within Japan.

2 経済産業大臣は、前項の規定により審査した結果、その申請が同項各号のいずれにも適合していると認めるときは、設立の認可をするものとする。

(2) If the Minister of Economy, Trade and Industry finds that the application conforms to all of the items of the preceding paragraph as a result of the examination carried out pursuant to the provisions of the same paragraph, the minister is to give authorization for the incorporation.

(設立時取締役及び設立時監査役の選任及び解任)

(Appointment and Dismissal of Directors at Incorporation and Auditors at Incorporation)

第八十九条 会社法第三十八条第一項に規定する設立時取締役及び同条第二項第二号に規定する設立時監査役の選任及び解任は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 89 The appointment and dismissal of the directors at incorporation prescribed in Article 38, paragraph (1) of the Companies Act and the auditors at incorporation prescribed in paragraph (2), item (ii) of the same Article do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(会社法の規定の読替え)

(Deemed Replacement of Phrases in the Provisions of the Companies Act)

第九十条 会社法第三十条第二項、第三十四条第一項、第五十九条第一項第一号及び第九百六十三条第一項の規定の適用については、同法第三十条第二項中「前項の公証人の認証を受けた定款は、株式会社の成立前」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）第八十八条第二項の認可の後株式会社産業革新投資機構の成立前は、定款」と、同法第三十四条第一項中「設立時発行株式の引受け」とあるのは「産業競争力強化法第八十八条第二項の認可の」と、同法第五十九条第一項第一号中「定款の認証の年月日及びその認証をした公証人の氏名」とあるのは「産業競争力強化法第八十八条第二項の認可の年月日」と、同法第九百六十三条第一項中「第三十四条第一項」とあるのは「第三十四条第一項（産業競争力強化法第九十条の規定により読み替えて適用する場合を含む。）」とする。

Article 90 With respect to the application of the provisions of Article 30, paragraph (2), Article 34, paragraph (1), Article 59, paragraph (1), item (i), and Article 963, paragraph (1) of the Companies Act, the phrase "Articles of incorporation that are certified by a notary public pursuant to the preceding paragraph may not be amended before the formation of the stock company" in Article 30, paragraph (2) of the same Act is deemed to be replaced with "Articles of incorporation may not be amended before the formation of the Japan Investment Corporation after the authorization set forth in Article 88, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; the phrase "subscription for shares issued at incorporation" in Article 34, paragraph (1) of the same Act is deemed to be replaced with "the authorization set forth in Article 88, paragraph (2) of the Act on Strengthening

Industrial Competitiveness"; the phrase "The date of the certification of the articles of incorporation and the name of the notary public who effected such certification" in Article 59, paragraph (1), item (i) of the same Act is deemed to be replaced with "The date of the authorization set forth in Article 88, paragraph (2) of the Act on Strengthening Industrial Competitiveness"; and the phrase "Article 34, paragraph (1)" in Article 963, paragraph (1) of the same Act is deemed to be replaced with "Article 34, paragraph (1) (including as applied pursuant to the provisions of Article 90 of the Act on Strengthening Industrial Competitiveness following the deemed replacement of terms)".

(会社法の規定の適用除外)

(Exclusion from the Application of Provisions of the Companies Act)

第九十一条 会社法第三十条第一項及び第三十三条の規定は、機構の設立については、適用しない。

Article 91 The provisions of Article 30, paragraph (1) and Article 33 of the Companies Act do not apply to the incorporation of the JIC.

### 第三節 管理

#### Section 3 Administration

(取締役及び監査役の選任等の認可)

(Authorization for the Appointment of Directors and Company Auditors)

第九十二条 機構の取締役及び監査役の選任及び解任の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 92 Resolutions on the appointment and dismissal of directors and company auditors do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(取締役等の秘密保持義務)

(Obligation of Confidentiality by Directors)

第九十三条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役若しくは職員又はこれらの職にあった者は、その職務上知ることができた秘密を漏らし、又は盗用してはならない。

Article 93 The directors, accounting advisors (or, a member who is to perform the duties of an accounting advisor, if the accounting advisor is a corporation), company auditors, or employees of the JIC, or persons who were employed as such, must not divulge or misappropriate any confidential information that has come to their knowledge in the performance of their duties.

(産業革新投資委員会の設置)

(Establishment of the Japan Investment Committee)

第九十四条 機構に、産業革新投資委員会（以下この章において「委員会」という。）を置く。

Article 94 The Japan Investment Committee (hereinafter referred to as the "Committee" in this Chapter) is established in the JIC.

（委員会の権限）

(Authority of the Committee)

第九十五条 委員会は、次に掲げる決定及び評価を行う。

Article 95 (1) The Committee makes the following decisions and evaluations:

一 第三条第一項の特定資金供給（機構が第一条第一項第一号から第七号までに掲げる業務により特定投資事業者に対して行う資金供給をいう。以下同じ。）の対象となる事業者及び当該特定資金供給の内容の決定

(i) decisions on the businesses subject to specified fund provision set forth in Article 103, paragraph (1) (meaning fund provision by the JIC to specified investment businesses through business operations set forth in Article 101, paragraph (1), items (i) through (vii); the same applies hereinafter) and on the details of the specified fund provision;

二 認可特定投資事業者（第百六条第一項に規定する認可特定投資事業者をいう。次号及び第一条第一項第十二号において同じ。）の業務の実績に関する評価

(ii) evaluation on the performance of business operations of approved specified investment businesses (meaning the approved specified investment businesses prescribed in Article 106, paragraph (1); the same applies in the following item and Article 101, paragraph (1), item (xii));

三 保有する認可特定投資事業者の有価証券（金融商品取引法第二条第一項各号に掲げる有価証券及び同条第二項の規定により有価証券とみなされるものをいう。第一条第一項第七号を除き、以下同じ。）又は債権の譲渡その他の処分の決定

(iii) decisions on the transfer or other dispositions of securities (meaning the securities set forth in the items of Article 2, paragraph (1) of the Financial Instruments and Exchange Act and those deemed to be securities pursuant to the provisions of paragraph (2) of the same Article; hereinafter the same applies except in Article 101, paragraph (1), item (vii)) that the JIC holds in approved specified investment businesses or of claims that the JIC holds against approved specified investment businesses;

四 第百八条第一項の直接資金供給（機構が第一条第一項第一号から第七号までに掲げる業務により特定事業活動を行う事業者に対して直接行う資金供給をいう。以下同じ。）の対象となる事業者及び当該直接資金供給の内容の決定（直接資金供給の内容が第一条第一項第一号に掲げる出資のみであって、その額が一定額以下である場合その他の経済産業省令で定める場合を除く。）

(iv) decisions on businesses subject to direct fund provision set forth in Article 108, paragraph (1) (meaning fund provision by the JIC through its business operations set forth in Article 101, paragraph (1), items (i) through (vii))

directly to businesses carrying out specified business activities; the same applies hereinafter), and on the details of the direct fund provision (excluding cases in which the direct fund provision solely consists of the contributions set forth in Article 101, paragraph (1), item (i) and their amount is below a certain amount, and other cases specified by Order of the Ministry of Economy, Trade and Industry);

五 第一百十条第一項の有価証券又は債権の譲渡その他の処分の決定

(v) decisions on the transfer or other dispositions of securities or claims set forth in Article 110, paragraph (1); and

六 前各号に掲げるもののほか、会社法第三百六十二条第四項第一号及び第二号に掲げる事項のうち取締役会の決議により委任を受けた事項の決定

(vi) beyond what is provided for in the preceding items, decisions on the matters set forth in Article 362, paragraph (4), item (i) and item (ii) of the Companies Act that have been delegated through a resolution at the board of directors to the Committee.

2 委員会は、前項第一号及び第三号から第五号までに掲げる事項の決定並びに同項第二号に掲げる評価について、取締役会から委任を受けたものとみなす。

(2) The Committee is deemed to have received the delegation from the board of directors with respect to decisions on the matters set forth in item (i), and items (iii) through (v) of the preceding paragraph and evaluation set forth in item (ii) of the same paragraph.

(委員会の組織)

(Committee Organization)

第九十六条 委員会は、取締役である委員三人以上七人以内で組織する。

Article 96 (1) The Committee is composed of three to seven members who are directors.

2 委員の過半数は、社外取締役でなければならない。

(2) The majority of the Committee members must be outside directors.

3 委員の中には、代表取締役が、一人以上含まなければならない。

(3) One or more representative directors must be included within the Committee members.

4 委員は、取締役会の決議により定める。

(4) Committee members are decided through a resolution at the board of directors.

5 委員の選定及び解職の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

(5) Resolutions on the appointment and dismissal of Committee members do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

6 委員は、それぞれ独立してその職務を執行する。

(6) The Committee members perform their duties independently.

7 委員会に委員長を置き、委員の互選によってこれを定める。

(7) The Committee has a chairperson, for whom the Committee members vote from among themselves.

8 委員長は、委員会の会務を総理する。

(8) The chairperson presides over all of the affairs of the Committee.

9 委員会は、あらかじめ、委員のうちから、委員長に事故がある場合に委員長の職務を代理する者を定めておかなければならない。

(9) The Committee must designate, in advance, a Committee member to undertake the duties of the chairperson in the event that the chairperson is unable to perform their duties.

(委員会の運営)

(Committee Operations)

第九十七条 委員会は、委員長（委員長に事故があるときは、前条第八項に規定する委員長の職務を代理する者。次項及び第三項において同じ。）が招集する。

Article 97 (1) The Committee is to be convened by the chairperson (or, if the chairperson is unable to perform duties, by the person who undertakes the duties of the chairperson as prescribed in paragraph (8) of the preceding Article; the same applies in the following paragraph and paragraph (3)).

2 委員会は、委員長が出席し、かつ、現に在任する委員の総数の三分の二以上の出席がなければ、会議を開き、議決をすることができない。

(2) The Committee may not hold a meeting or make resolutions without the attendance of the chairperson and at least two-thirds of the total number of incumbent Committee members.

3 委員会の議事は、出席した委員の過半数をもって決する。可否同数のときは、委員長が決する。

(3) A resolution by the Committee is made by a majority of the votes of the Committee members present at the meeting. In case of a tie, the chairperson makes the final decision.

4 前項の規定による決議について特別の利害関係を有する委員は、議決に加わることができない。

(4) Committee members who have a special interest with respect to a resolution pursuant to the provisions of the preceding paragraph may not participate in voting on it.

5 前項の規定により議決に加わることができない委員の数は、第二項に規定する現に在任する委員の数に算入しない。

(5) The number of Committee members who may not participate in voting pursuant to the provisions of the preceding paragraph is not included in the number of incumbent Committee members prescribed in paragraph (2).

6 監査役は、委員会に出席し、委員会が第九十五条第一項第二号に掲げる評価を行お



うとするときその他必要があると認めるときは、意見を述べなければならない。

(6) Company auditors must attend Committee meetings and, if the Committee intends to make evaluations set forth in Article 95, paragraph (1), item (ii) or otherwise considers it necessary, they must state their opinions.

7 委員会の委員であって委員会によって選定された者は、第三項の規定による決議後、遅滞なく、当該決議の内容を取締役会に報告しなければならない。

(7) After a resolution has been made pursuant to the provisions of paragraph (3), a member of the Committee who has been appointed by the Committee must notify the board of directors of the details of the resolution without delay.

8 委員会の議事については、経済産業省令で定めるところにより、議事録を作成し、議事録が書面をもって作成されているときは、出席した委員及び監査役は、これに署名し、又は記名押印しなければならない。

(8) Minutes must be prepared with respect to the resolutions at the Committee, as prescribed by Order of the Ministry of Economy, Trade and Industry, and if those minutes are in the form of written documents, the Committee members and company auditors who attended the Committee meeting must sign, or affix their names and seals to those minutes.

9 前項の議事録が電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。以下この項及び次条第二項第二号において同じ。）をもって作成されている場合における当該電磁的記録に記録された事項については、経済産業省令で定める署名又は記名押印に代わる措置をとらなければならない。

(9) If the minutes set forth in the preceding paragraph have been prepared in the form of electronic or magnetic records (meaning records created in electronic form, magnetic form, or any other form that is impossible to perceive through human senses alone, which are used in information processing by computers; hereinafter the same applies in this paragraph and paragraph (2), item (ii) of the following Article), measures in lieu of the affixation of signatures or names and seals specified by Order of the Ministry of Economy, Trade and Industry must be taken with respect to the particulars recorded in the electronic or magnetic records.

10 前各項及び次条に定めるもののほか、議事の手続その他委員会の運営に関し必要な事項は、委員会が定める。

(10) Beyond what is provided for in the preceding paragraphs and the following Article, the Committee decides on the procedures for resolutions and other necessary matters concerning its own operations.

(委員会の議事録)

(Committee Minutes)

第九十八条 機構は、委員会の日から十年間、前条第八項の議事録をその本店に備え置かなければならない。

Article 98 (1) The JIC must keep the minutes set forth in paragraph (8) of the preceding Article at its head office for ten years from the date of the Committee meeting.

2 株主は、その権利を行使するため必要があるときは、裁判所の許可を得て、次に掲げる請求をすることができる。

(2) Shareholders may make the following requests by receiving the permission of the court, if it is necessary for exercising their rights:

一 前項の議事録が書面をもって作成されているときは、当該書面の閲覧又は謄写の請求

(i) a request to inspect or copy written documents of the minutes set forth in the preceding paragraph, if those minutes are prepared in the form of written documents; and

二 前項の議事録が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を経済産業省令で定める方法により表示したものの閲覧又は謄写の請求

(ii) a request to inspect or copy anything representing the particulars recorded in the electronic or magnetic records of the minutes set forth in the preceding paragraph in a manner specified by Order of the Ministry of Economy, Trade and Industry, if those minutes are prepared in the form of electronic or magnetic records.

3 債権者は、委員の責任を追及するため必要があるときは、裁判所の許可を得て、第一項の議事録について前項各号に掲げる請求をすることができる。

(3) Creditors may make requests as set forth in the items of the preceding paragraph with respect to the minutes set forth in paragraph (1) by receiving the permission of the court, if it is necessary for pursuing the liability of a Committee member.

4 裁判所は、第二項各号に掲げる請求又は前項の請求に係る閲覧又は謄写をすることにより、機構に著しい損害を及ぼすおそれがあると認めるときは、第二項又は前項の許可をすることができない。

(4) The court may not give the permission set forth in paragraph (2) or the preceding paragraph if it considers that substantial detriment to the JIC is likely to be caused by the inspection or copying regarding the requests set forth in the items of paragraph (2) or the requests set forth in the preceding paragraph.

5 会社法第八百六十八条第一項、第八百六十九条、第八百七十条第二項（第一号に係る部分に限る。）、第八百七十条の二、第八百七十一条本文、第八百七十二条（第五号に係る部分に限る。）、第八百七十二条の二、第八百七十三条本文、第八百七十五条及び第八百七十六条の規定は、第二項及び第三項の許可について準用する。

(5) The provisions of Article 868, paragraph (1), Article 869, Article 870, paragraph (2) (limited to the portion regarding item (i)), Article 870-2, the main clause of Article 871, Article 872 (limited to the portion regarding item

(v)), Article 872-2, the main clause of Article 873, Article 875 and Article 876 of the Companies Act apply mutatis mutandis to the permission set forth in paragraph (2) and paragraph (3).

- 6 取締役は、第一項の議事録について第二項各号に掲げる請求をすることができる。  
(6) The directors may make requests set forth in the items of paragraph (2) with respect to the minutes set forth in paragraph (1).

(委員の登記)

(Registration of Committee Members)

第九十九条 機構は、委員を選定したときは、二週間以内に、その本店の所在地において、委員の氏名を登記しなければならない。委員の氏名に変更を生じたときも、同様とする。

Article 99 (1) If the JIC has appointed Committee members, it must register their names at the location of its head office within two weeks. This also applies if changes to the names of the Committee members have arisen.

2 前項の規定による委員の選定の登記の申請書には、委員の選定及びその選定された委員が就任を承諾したことを証する書面を添付しなければならない。

(2) A written application for registration of the appointment of Committee members under the preceding paragraph must be filed with documents evidencing the appointment of Committee members and the appointed Committee members' acceptance of the assumption of office attached to it.

3 委員の退任による変更の登記の申請書には、これを証する書面を添付しなければならない。

(3) A written application for registration of changes due to the resignation of a Committee member must be filed with documents evidencing that fact attached to it.

4 機構は、委員に選定された取締役のうち社外取締役であるものについて、社外取締役である旨を登記しなければならない。

(4) With respect to directors who are appointed as Committee members and who are outside directors, the JIC must register the fact that they are outside directors.

(定款の変更)

(Changes to the Articles of Incorporation)

第一百条 機構の定款の変更の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 100 Resolutions on changes to the articles of incorporation of the JIC do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

#### 第四節 業務

## Section 4 Business Operations

(業務の範囲)

(Scope of Business Operations)

第百一条 機構は、その目的を達成するため、次に掲げる業務を営むものとする。

Article 101 (1) The JIC is to undertake the following business operations, for the purpose of achieving its objective:

一 対象事業者（特定投資事業者及び特定事業活動を行う事業者をいう。以下同じ。）に対する出資

(i) contributions to subject businesses (meaning specified investment businesses and businesses carrying out specified business activities; the same applies hereinafter);

二 対象事業者に対する基金（一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第百三十一条に規定する基金をいう。）の拠出

(ii) contribution of funds (meaning the funds prescribed in Article 131 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006)) to subject businesses;

三 対象事業者に対する資金の貸付け

(iii) loaning of funds to subject businesses;

四 対象事業者が発行する有価証券及び対象事業者が保有する有価証券の取得

(iv) acquisition of securities issued by subject businesses and securities held by subject businesses;

五 対象事業者に対する金銭債権及び対象事業者が保有する金銭債権の取得

(v) acquisition of monetary claims against subject businesses and monetary claims held by subject businesses;

六 対象事業者の発行する社債及び資金の借入に係る債務の保証

(vi) guaranteeing for bonds issued by subject businesses and their obligations regarding the borrowing of funds;

七 対象事業者のためにする有価証券（金融商品取引法第二条第二項の規定により有価証券とみなされる同項第五号又は第六号に掲げる権利に限る。）の募集又は私募

(vii) solicitation or private placement of securities (limited to the rights set forth in Article 2, paragraph (2), item (v) or item (vi) of the Financial Instruments and Exchange Act that are deemed to be securities pursuant to the provisions of the same paragraph) for the purpose of a subject businesses;

八 特定事業活動を行い、又は行おうとする事業者に対する専門家の派遣

(viii) dispatch of experts to businesses that are carrying out or intending to carry out specified business activities;

九 特定事業活動を行い、又は行おうとする事業者に対する助言

(ix) provision of advice to businesses that are carrying out or intending to carry out specified business activities;

十 特定事業活動を行い、又は行おうとする事業者に対する知的財産権（知的財産基

本法（平成十四年法律第百二十二号）第二条第二項の知的財産権及び外国におけるこれに相当するものをいう。次号において同じ。）の移転、設定若しくは許諾又は営業秘密（不正競争防止法（平成五年法律第四十七号）第二条第六項の営業秘密及び外国におけるこれに相当するものをいう。次号において同じ。）の開示

(x) transfer, establishment or authorization of intellectual property rights (meaning the intellectual property rights set forth in Article 2, paragraph (2) of the Basic Act on Intellectual Property (Act No. 122 of 2002), and the equivalent in foreign countries; the same applies in the following item), or disclosure of trade secrets (meaning the trade secrets set forth in Article 2, paragraph (6) of the Unfair Competition Prevention Act (Act No. 47 of 1993) or the equivalent in foreign countries; the same applies in the following item), to businesses that are carrying out or intending to carry out specified business activities;

十一 前号に掲げる業務のために必要な知的財産権の取得をし、若しくは移転、設定若しくは許諾を受け、又は営業秘密の開示を受けること。

(xi) acquisition of intellectual property rights necessary for the business operations set forth in the preceding item or receipt of the transfer, establishment, or authorization of them, or receipt of the disclosure of trade secrets;

十二 認可特定投資事業者の業務の実績に関する評価

(xii) evaluation on the performance of business operations of approved specified investment businesses;

十三 保有する有価証券の譲渡その他の処分

(xiii) transfer or other dispositions of securities that the JIC holds;

十四 債権の管理及び譲渡その他の処分

(xiv) administration, transfer or other dispositions of claims;

十五 前各号に掲げる業務に関連して必要な交渉及び調査

(xv) necessary negotiations and investigations relating to the business operations set forth in the preceding items;

十六 特定事業活動を推進するために必要な調査及び情報の提供

(xvi) investigations and provision of information necessary for the promotion of specified business activities; and

十七 前各号に掲げる業務に附帯する業務

(xvii) business operations incidental to those set forth in the preceding items.

2 機構は、前項各号に掲げる業務のほか、当該業務の遂行に支障のない範囲内で、次に掲げる業務を行うことができる。

(2) Beyond what are set forth in the items of the preceding paragraph, the JIC may undertake the following business operations to an extent that does not hinder its business performance:

一 特定政府出資会社が行う出資に係る業務の効果的な実施に関する基本方針の策定

(i) specification of basic policies for effectively undertaking business operations

- regarding contributions by specified government-funded companies;
- 二 特定政府出資会社が発行する株式の譲受け及び保有
- (ii) acceptance and holding of shares issued by specified government-funded companies;
- 三 特定政府出資会社が行う出資に係る業務の効果的な実施を確保するための専門家の派遣、助言その他の支援
- (iii) dispatch of experts and provision of advice or other support for ensuring effective undertaking of business operations regarding contributions by specified government-funded companies; and
- 四 主務大臣に対する、その行う特定政府出資会社の業務の実績の評価に関する必要な情報の提供
- (iv) provision to the competent ministers of information necessary for evaluating the performance of business operations of specified government-funded companies.
- 3 機構は、前二項に規定するもののほか、機構の目的に資する業務を営もうとするときは、あらかじめ、経済産業大臣の認可を受けて、当該業務を行うことができる。
- (3) If the JIC intends to undertake business operations contributing to its objective, beyond what is provided for in the preceding two paragraphs, it may undertake those business operations by obtaining the authorization of the Minister of Economy, Trade and Industry in advance.

(機構が従うべき投資基準)

(Investment Standards to be Complied with by the JIC)

第百二条 経済産業大臣は、特定資金供給の対象となる特定投資事業者及び当該特定資金供給の内容を決定するに当たって機構が従うべき基準（以下この章において「投資基準」という。）を定めるものとする。

Article 102 (1) The Minister of Economy, Trade and Industry is to establish the standards that the JIC should comply with if making decisions on specified investment businesses subject to specified fund provision and the details of the specified fund provision (hereinafter referred to as the "investment standards" in this Chapter).

2 投資基準においては、次に掲げる事項について定めるものとする。

(2) The investment standards are to specify the following:

一 特定資金供給を特に重点的に実施すべき事業分野の選定に関する事項

(i) particulars concerning the selection of business fields in which specified fund provision should be conducted especially intensively;

二 特定資金供給の内容に関する事項

(ii) particulars concerning the details of the specified fund provision;

三 取得する特定投資事業者の有価証券及び債権の譲渡その他の処分の期限に関する事項

(iii) particulars concerning time limits for transfer or other dispositions of

securities and claims of specified investment business that the JIC acquires;  
and

四 人材の育成及び活用その他の資金供給以外の支援を行う場合にあつては、その内容

(iv) the details of support other than fund provision, such as fostering and utilization of human resources, if the JIC offers it.

3 経済産業大臣は、第一項の規定により投資基準を定めようとするときは、あらかじめ、事業所管大臣（特定投資事業者による特定事業活動に対する資金供給その他の支援又は特定事業活動に対する資金供給その他の支援を行う事業活動に対する資金供給その他の支援の対象となる活動に係る事業を所管する大臣をいう。第百四条第三項において同じ。）の意見を聴くものとする。

(3) If the Minister of Economy, Trade and Industry intends to establish the investment standards pursuant to the provisions of paragraph (1), the minister is to hear the opinion of the minister with jurisdiction (meaning the minister with jurisdiction over the business regarding activities subject to specified investment businesses' provision of funds or other support for specified business activities and their provision of funds or other support for business activities to provide funds or other support for specified business activities; the same applies in Article 104, paragraph (3)) in advance.

4 経済産業大臣は、第一項の規定により投資基準を定めたときは、これを公表するものとする。

(4) If the Minister of Economy, Trade and Industry has established the investment standards pursuant to the provisions of paragraph (1), the minister is to publicize them.

5 経済産業大臣は、経済事情の変動により必要が生じたときは、投資基準を変更するものとする。

(5) The Minister of Economy, Trade and Industry is to make changes to the investment standards when any need arises due to fluctuations in the state of the economy.

6 第三項及び第四項の規定は、前項の規定による投資基準の変更について準用する。

(6) The provisions of paragraph (3) and paragraph (4) apply mutatis mutandis to changes to the investment standards under the preceding paragraph.

（特定資金供給の決定）

(Decisions on Specified Fund Provision)

第百三条 機構は、特定資金供給を行おうとするときは、投資基準に従って、その対象となる特定投資事業者及び当該特定資金供給の内容を決定しなければならない。

Article 103 (1) If the JIC intends to conduct specified fund provision, it must make a decision on specified investment businesses subject to the fund provision and the details of the specified fund provision in accordance with the investment standards.

2 機構は、特定資金供給を行うかどうかを決定しようとするときは、あらかじめ、経済産業大臣の認可を受けなければならない。

(2) If the JIC intends to make a decision as to whether or not it conducts specified fund provision, it must obtain the authorization of the Minister of Economy, Trade and Industry in advance.

3 機構は、前項の認可を受けようとするときは、次に掲げる事項を記載した申請書を経済産業大臣に提出しなければならない。

(3) If the JIC intends to obtain the authorization set forth in the preceding paragraph, it must submit a written application containing the following to the Minister of Economy, Trade and Industry:

一 特定資金供給の内容

(i) the details of the specified fund provision;

二 特定投資事業者による特定事業活動に対する資金供給その他の支援又は特定事業活動に対する資金供給その他の支援を行う事業活動に対する資金供給その他の支援の内容及び実施体制に関する事項

(ii) the details of the specified investment businesses' provision of funds or other support for specified business activities and their provision of funds or other support for business activities to provide funds or other support for specified business activities, and particulars concerning the implementation framework;

三 取得する特定投資事業者の有価証券及び債権の譲渡その他の処分の期限に関する事項

(iii) particulars concerning time limits for transfer or other dispositions of securities and claims that the JIC acquires in specified investment businesses; and

四 人材の育成及び活用その他の資金供給以外の支援を行う場合にあっては、その内容

(iv) the details of support other than fund provision, such as fostering and utilization of human resources, if the JIC offers it.

第百四条 経済産業大臣は、前条第三項の認可の申請があった場合においては、その申請が次の各号のいずれにも適合するかどうかを審査するものとする。

Article 104 (1) If the Minister of Economy, Trade and Industry has received an application for the authorization set forth in paragraph (3) of the preceding Article, the minister is to examine whether the application conforms to both of the following:

一 投資基準に適合するものであること。

(i) the application conforms to the investment standards; and

二 特定投資事業者による特定事業活動に対する資金供給その他の支援又は特定事業活動に対する資金供給その他の支援を行う事業活動に対する資金供給その他の支援が円滑かつ確実に実施されると見込まれるものであること。



(ii) the specified investment businesses' provision of funds or other support for specified business activities and their provision of funds or other support for business activities to provide funds or other support for specified business activities are expected to be carried out smoothly and reliably.

2 経済産業大臣は、前項の規定により審査した結果、その申請が同項各号のいずれにも適合していると認めるときは、前条第二項の認可をするものとする。

(2) If the Minister of Economy, Trade and Industry finds that the application conforms to both of the items of the preceding paragraph as a result of the examination carried out pursuant to the provisions of the same paragraph, the minister is to give authorization as set forth in paragraph (2) of the preceding Article.

3 経済産業大臣は、前条第二項の認可をしようとするときは、あらかじめ、事業所管大臣の意見を聴くものとする。

(3) If the Minister of Economy, Trade and Industry intends to give authorization as set forth in paragraph (2) of the preceding Article, the minister is to hear the opinion of the minister with jurisdiction in advance.

(特定資金供給に関する認可の変更)

(Changes to Authorization Concerning Specified Fund Provision)

第百五条 機構は、第百三条第三項各号に掲げる事項を変更しようとするときは、経済産業省令で定めるところにより、経済産業大臣の認可を受けなければならない。

Article 105 (1) If the JIC intends to make changes to the particulars set forth in the items of Article 103, paragraph (3), it must obtain the authorization of the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry.

2 前条の規定は、前項の認可について準用する。

(2) The provisions of the preceding Article apply mutatis mutandis to the authorization set forth in the preceding paragraph.

(認可特定投資事業者の業務の実績に関する評価)

(Evaluations on the Performance of Business Operations of Approved Specified Investment Businesses)

第百六条 機構は、認可特定投資事業者（機構が第百三条第二項の認可を受けて、特定資金供給を行う特定投資事業者をいう。以下同じ。）の事業年度ごとの業務の実績について、評価を行わなければならない。

Article 106 (1) The JIC must evaluate the performance of business operations of approved specified investment businesses (meaning specified investment businesses to which the JIC conducts specified fund provision by obtaining the authorization set forth in Article 103, paragraph (2); the same applies hereinafter) for each business year.

2 機構は、前項の評価を行ったときは、遅滞なく、認可特定投資事業者に対し評価の

結果を通知するとともに、当該評価の結果に応じて、認可特定投資事業者に対し、特定資金供給に係る資金の回収その他必要な措置をとらなければならない。

(2) If the JIC has made evaluation as set forth in the preceding paragraph, it must notify the relevant approved specified investment businesses of the evaluation results and collect funds regarding specified fund provision or otherwise take necessary measures against the approved specified investment businesses in accordance with the evaluation results, without delay.

3 機構は、第一項の評価を行い、又は前項の措置をとったときは、経済産業大臣に当該評価の結果又は当該措置の内容を報告しなければならない。

(3) If the JIC has made evaluation as set forth in paragraph (1) or has taken measures as set forth in the preceding paragraph, it must report the evaluation results or the details of the measures to the Minister of Economy, Trade and Industry.

4 経済産業大臣は、前項の規定による報告を受けた場合において、必要があると認めるときは、投資基準を変更するものとする。

(4) If the Minister of Economy, Trade and Industry has received a report under the preceding paragraph and finds it necessary, the minister is to change the investment standards.

(機構が従うべき支援基準)

(Support Standards to be Complied with by the JIC)

第百七条 経済産業大臣は、直接資金供給の対象となる事業者及び当該直接資金供給の内容を決定するに当たって機構が従うべき基準（次項及び第三項並びに次条第一項において「支援基準」という。）を定めるものとする。

Article 107 (1) The Minister of Economy, Trade and Industry is to establish the standards that the JIC should comply with if making decisions on businesses subject to direct fund provision and the details of the direct fund provision (referred to as the "support standards" in the following paragraph and paragraph (3) of this Article, and paragraph (1) of the following Article).

2 経済産業大臣は、前項の規定により支援基準を定めようとするときは、あらかじめ、事業所管大臣（直接資金供給の対象となる活動に係る事業を所管する大臣をいう。次条第四項及び第五項において同じ。）の意見を聴くものとする。

(2) If the Minister of Economy, Trade and Industry intends to establish the support standards pursuant to the provisions of the preceding paragraph, the minister is to hear the opinion of the minister with jurisdiction (meaning the minister with jurisdiction over the business regarding the activities subject to direct fund provision; the same applies in paragraph (4) and paragraph (5) of the following Article) in advance.

3 経済産業大臣は、第一項の規定により支援基準を定めたときは、これを公表するものとする。

(3) If the Minister of Economy, Trade and Industry has established the support

standards pursuant to the provisions of paragraph (1), the minister is to publicize them.

4 経済産業大臣は、経済事情の変動により必要が生じたときは、支援基準を変更するものとする。

(4) The Minister of Economy, Trade and Industry is to make changes to the support standards if any need arises due to fluctuations in the state of the economy.

5 第二項及び第三項の規定は、前項の規定による支援基準の変更について準用する。

(5) The provisions of paragraph (2) and paragraph (3) apply mutatis mutandis to changes to the support standards under the preceding paragraph.

(直接資金供給の決定)

(Decisions on Direct Fund Provision)

第百八条 機構は、直接資金供給を行おうとするときは、支援基準に従って、その対象となる事業者及び当該直接資金供給の内容を決定しなければならない。

Article 108 (1) If the JIC intends to conduct direct fund provision, it must make a decision on businesses subject to it and the details of the direct fund provision, in accordance with the support standards.

2 機構は、直接資金供給を行うかどうかを決定しようとするときは、あらかじめ、経済産業大臣にその旨を通知し、相当の期間を定めて、意見を述べる機会を与えなければならない。ただし、直接資金供給の内容が出資（その額が一定額以下のものその他の政令で定めるものに限る。）のみである場合は、この限りでない。

(2) If the JIC intends to make a decision as to whether it conducts direct fund provision or not, it must notify the Minister of Economy, Trade and Industry of that fact and specify a reasonable period of time for the minister to state the opinion, in advance; provided, however, that this does not apply if direct fund provision solely consists of contributions (limited to contributions whose amount is below a certain amount and other contributions specified by Cabinet Order).

3 機構は、前項ただし書に規定する場合において、直接資金供給をする旨の決定を行ったときは、速やかに、経済産業大臣にその旨及びその内容を報告しなければならない。

(3) If the JIC has made a decision to conduct direct fund provision in cases prescribed in the proviso to the preceding paragraph, it must promptly report to the Minister of Economy, Trade and Industry to that effect and on the details thereof.

4 経済産業大臣は、第二項の規定による通知を受けたときは、速やかに、その内容を事業所管大臣に通知するものとする。

(4) If the Minister of Economy, Trade and Industry has received a notification under paragraph (2), the minister is to promptly notify the minister with jurisdiction of the details of the notification.

5 事業所管大臣は、前項の規定による通知を受けた場合において、当該事業者の属する事業分野の実態を考慮して必要があると認めるときは、第二項の期間内に、機構に対して意見を述べることができる。

(5) If the minister with jurisdiction has received a notification under the preceding paragraph, and finds it to be necessary in view of the situation in the field of business to which the relevant business belongs, the minister may state the opinion to the JIC within the period of time set forth in paragraph (2).

(直接資金供給の決定の撤回)

(Revocation of Decisions on Direct Fund Provision)

第百九条 機構は、次に掲げる場合には、速やかに、直接資金供給の決定を撤回しなければならない。

Article 109 (1) In the following cases, the JIC must promptly revoke a decision on direct fund provision:

一 直接資金供給の対象である事業者が特定事業活動を行わないとき。

(i) if a business subject to direct fund provision does not carry out specified business activities; and

二 直接資金供給の対象である事業者が破産手続開始の決定、再生手続開始の決定、更生手続開始の決定、特別清算開始の命令又は外国倒産処理手続の承認の決定を受けたとき。

(ii) if a business subject to direct fund provision has received a ruling on the starting of bankruptcy proceedings, a ruling on the starting of rehabilitation proceedings, a ruling on the starting of reorganization proceedings, an order to start special liquidation, or an approval for foreign insolvency proceedings.

2 機構は、前項の規定により直接資金供給の決定を撤回したときは、直ちに、当該直接資金供給の対象である事業者に対し、その旨を通知しなければならない。

(2) If the JIC has revoked a decision on direct fund provision pursuant to the provisions of the preceding paragraph, it must immediately notify the business subject to direct fund provision of that fact.

(有価証券の譲渡その他の処分等)

(Transfer or Other Disposal of Securities)

第百十条 機構は、その保有する直接資金供給の対象である事業者に係る有価証券又は債権の譲渡その他の処分の決定を行おうとするときは、あらかじめ、経済産業大臣にその旨を通知し、相当の期間を定めて、意見を述べる機会を与えなければならない。

Article 110 (1) If the JIC intends to make a decision on the transfer or other disposal of securities or claims that it holds regarding a business subject to direct fund provision, it must notify the Minister of Economy, Trade and Industry of that fact and specify a reasonable period of time for the minister to state their opinion in advance.

2 機構は、経済事情、対象事業者の事業の状況等を考慮しつつ、令和十六年三月三十

一日までに、保有する全ての有価証券及び債権の譲渡その他の処分を行うよう努めなければならない。

(2) The JIC must endeavor to transfer or otherwise dispose of all securities and claims that it holds by March 31, 2034, in consideration of the economic situation and the state of the business of subject businesses.

3 機構が債務の保証を行う場合におけるその対象となる貸付金の償還期限は、令和十六年三月三十一日まででなければならない。

(3) The redemption date for loans that are subject to a guarantee for obligations by the JIC must be not later than March 31, 2034.

(特定政府出資会社の主務大臣からの株式の譲受けの求め)

(Requests for Acceptance of Shares from the Competent Minister of Specified Government-Funded Companies)

第百十一条 主務大臣は、財務大臣に協議の上、機構に対し、政府が保有する特定政府出資会社の株式（次条及び第百十四条において「特定株式」という。）の全部を、次条第三項の評価委員が評価した価額で譲り受けるよう求めるものとする。

Article 111 Upon consulting with the Minister of Finance, the competent minister is to request the JIC to accept all shares that the government holds in specified government-funded companies (referred to as "specified shares" in the following Article and Article 114) at the value evaluated by the evaluation committee members as set forth in paragraph (3) of the following Article.

(機構による特定株式の譲受け)

(Acceptance of Specified Shares by the JIC)

第百十二条 前条の規定による求めを受けた機構は、当該求めから三月を超えない範囲内において経済産業大臣が指定する期間内に、当該特定株式の全部を譲り受けなければならない。この場合において、機構が譲り受けた当該特定株式は、第二条第二十七項の規定及び当該特定株式について政府が保有すべき旨を定めている他の法令の規定の適用については、なお政府が保有するものとみなす。

Article 112 (1) If the JIC has received a request pursuant to the provisions of the preceding Article, it must accept all of the specified shares within a period of time designated by the Minister of Economy, Trade and Industry within three months from the request. In this case, those specified shares that the JIC has accepted are deemed to be held by the government with respect to the application of the provisions of Article 2, paragraph (27) of this Act and the provisions of other laws and regulations that provide that those specified shares should be held by the government.

2 機構が前項の規定による譲受けを行う場合であって、当該譲受けの対価として株式の発行又は自己株式の処分をするときにおける機構に係る会社法第百九十九条第二項の規定の適用については、同項中「株主総会」とあるのは「取締役会」と、「ならない。」とあるのは「ならない。ただし、取締役会は、産業競争力強化法（平成二十五

年法律第九十八号) 第一百十二条第三項の評価委員の評価を踏まえて前項第二号に掲げる払込金額又はその算定方法を決定しなければならない。」とする。

(2) If the JIC accepts specified shares under the preceding paragraph, and issues shares or disposes of treasury shares in exchange for the acceptance, with respect to the application of the provisions of Article 199, paragraph (2) of the Companies Act to the JIC, the phrase "a shareholders meeting" in the same paragraph is deemed to be replaced with "a board of directors" and the following proviso is to be added to the same paragraph: "; provided, however, that the board of directors must decide the amount to be paid or the method for calculating the relevant amount as set forth in item (ii) of the preceding paragraph based on the evaluation by the evaluation committee members set forth in Article 112, paragraph (3) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

3 第一項の規定により機構が譲り受ける特定株式の価額は、評価委員が評価した価額とする。

(3) The value of the specified shares that the JIC accepts pursuant to the provisions of paragraph (1) is to be the value evaluated by the evaluation committee members.

4 前項の評価委員（第百十四条第二項及び第三項において単に「評価委員」という。）は、前項の評価をしようとするときは、当該特定株式の全部の譲受けがその効力を生ずる日における当該特定株式の時価を基準とするものとする。ただし、当該特定株式の種類その他の事項を勘案して時価によることが適当でないとき、当該特定株式の時価によらないことができる。

(4) If the evaluation committee members set forth in the preceding paragraph (simply referred to as the "evaluation committee members" in Article 114, paragraph (2) and paragraph (3)) intend to make an evaluation as set forth in the preceding paragraph, they are to use, as the basis, the market value of the specified shares as of the day on which the acceptance of all of the specified shares becomes effective; provided, however, that they may decide not to depend on the market value of the specified shares if they find it inappropriate to do so in consideration of the types of the specified shares and other particulars.

5 前各項に規定するもののほか、機構による特定株式の譲受けに関し必要な事項は、政令で定める。

(5) Beyond what is provided for in the preceding paragraphs, Cabinet Order prescribes necessary particulars concerning the acceptance of specified shares by the JIC.

第百十三条 会社法第四百六十九条第一項（各号列記以外の部分に限る。）、第三項及び第五項から第九項まで、第四百七十条並びに第八百六十八条から第八百七十六条までの規定は、前条第一項の場合について準用する。この場合において、次の表の上欄

に掲げる同法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句と読み替えるほか、必要な技術的読替えは、政令で定める。

Article 113 The provisions of Article 469, paragraph (1) (limited to the part other than what is listed in the items therein), paragraph (3), and paragraph (5) to paragraph (9), Article 470, and Article 868 to Article 876 of the Companies Act apply mutatis mutandis to the cases set forth in paragraph (1) of the preceding Article. In this case, the phrases set forth in the middle column of the following table that are used in the provisions of the same Act set forth in the left-hand column of the same table are deemed to be replaced with the phrases set forth in the right-hand column of the same table, and any other necessary technical replacement of the phrases is to be specified by Cabinet Order.

<p>第四百六十九条 第一項 Article 469, paragraph (1)</p>	<p>事業譲渡等をする場合 (次に掲げる場合を除く。) In cases where Business Transfer, etc. is to be effected (excluding the following cases)</p>	<p>株式会社産業革新投資機構（以下「機構」という。）が産業競争力強化法第百十二条第一項の規定による同法第百十一条の特定株式の全部の譲受け（以下「特定株式譲受け」という。）をする場合 If the Japan Investment Corporation (hereinafter referred to as the "JIC") accepts all of the specified shares set forth in Article 111 of the Act on Strengthening Industrial Competitiveness pursuant to the provisions of Article 112, paragraph (1) of the same Act (hereinafter referred to as the "acceptance of specified shares")</p>
	<p>反対株主 dissenting shareholders</p>	<p>機構の株主のうち政府以外のもの shareholders of the JIC other than the government</p>
	<p>事業譲渡等をする株式会社 the Stock Company effecting the Business Transfer, etc.</p>	<p>機構 the JIC</p>
<p>第四百六十九条 第三項 Article 469, paragraph (3)</p>	<p>事業譲渡等をしようとする株式会社 A Stock Company that intends to effect the Business Transfer, etc.</p>	<p>機構 The JIC</p>

	<p>効力発生日 the Effective Day</p>	<p>特定株式譲受けがその効力を生ずる日 (以下「譲受け効力発生日」とい う。) the day on which the acceptance of specified shares becomes effective (hereinafter referred to as the "effective day of the acceptance")</p>
	<p>前条第一項に規定する 場合における当該特別 支配株主 the Special Controlling Company in the cases prescribed in paragraph (1) of the preceding Article</p>	<p>政府 the government</p>
	<p>事業譲渡等をする旨 (第四百六十七条第二 項に規定する場合にあ っては、同条第一項第 三号に掲げる行為をす る旨及び同条第二項の 株式に関する事項) it intends to effect the Business Transfer, etc. (or, in the cases provided for in Article 467, paragraph (2), to the effect that the Stock Company will carry out the act listed in paragraph (1), item (iii) of that Article and of the matters regarding shares under paragraph (2) of that Article)</p>	<p>特定株式譲受けをする旨 it intends to effect the acceptance of specified shares</p>
<p>第四百六十九条 第五項 Article 469, paragraph (5)</p>	<p>第一項の規定による請 求 (以下この章におい て「株式買取請求」と いう。) a demand under the provisions of paragraph (1) (hereinafter in this Chapter referred to as the "Exercise of Appraisal Rights")</p>	<p>産業競争力強化法第百十三条において 準用する第一項の規定による請求 (以 下「機構株式買取請求」という。) a demand under the provisions of paragraph (1) as applied mutatis mutandis pursuant to Article 113 of the Act on Strengthening Industrial Competitiveness (hereinafter referred to as the "exercise of appraisal rights against the JIC")</p>



	効力発生日 the Effective Day	譲受け効力発生日 the effective day of the acceptance
	株式買取請求に a dissenting shareholder must indicate the number of shares with regard to which the shareholder is Exercising Appraisal Rights	機構株式買取請求に a shareholder of the JIC other than the government must indicate the number of shares with regard to which the shareholder is exercising appraisal rights against the JIC
第四百六十九条第六項及び第七項 Article 469, paragraph (6) and paragraph (7)	株式買取請求 Exercise[Exercising] Appraisal Rights	機構株式買取請求 exercise[exercising] appraisal rights against the JIC
	事業譲渡等をする株式会社 the Stock Company that effects the Business Transfer, etc.	機構 the JIC
第四百六十九条第八項 Article 469, paragraph (8)	事業譲渡等 Business Transfer, etc.	特定株式譲受け acceptance of specified shares
	株式買取請求 shareholders Exercising Appraisal Rights	機構株式買取請求 shareholders exercising appraisal rights against the JIC
第四百六十九条第九項 Article 469, paragraph (9)	株式買取請求 Exercise of Appraisal Rights	機構株式買取請求 exercise of appraisal rights against the JIC
第四百七十条第一項 Article 470, paragraph (1)	株式買取請求 Exercises Appraisal Rights	機構株式買取請求 exercises appraisal rights against the JIC
	事業譲渡等をする株式会社 the Stock Company effecting the Business Transfer, etc.	機構 the JIC
	当該株式会社 the Stock Company	機構 the JIC

	効力発生日 the Effective Day	譲受け効力発生日 the effective day of the acceptance
第四百七十条第 二項 Article 470, paragraph (2)	効力発生日 the Effective Day	譲受け効力発生日 the effective day of the acceptance
	前項の株式会社 the Stock Company under the preceding paragraph	機構 the JIC
第四百七十条第 三項 Article 470, paragraph (3)	前条第七項 paragraph (7) of the preceding Article	産業競争力強化法第百十三条において 準用する前条第七項 paragraph (7) of the preceding Article as applied mutatis mutandis pursuant to Article 113 of the Act on Strengthening Industrial Competitiveness
	効力発生日 the Effective Day	譲受け効力発生日 the effective day of the acceptance
	株式買取請求 Exercising Appraisal Rights	機構株式買取請求 exercising appraisal rights against the JIC
第四百七十条第 四項 Article 470, paragraph (4)	第一項の株式会社 Stock Companies under paragraph (1)	機構 The JIC
	同項 that paragraph	産業競争力強化法第百十三条において 準用する第一項 paragraph (1) as applied mutatis mutandis pursuant to Article 113 of the Act on Strengthening Industrial Competitiveness
第四百七十条第 五項 Article 470, paragraph (5)	第一項の株式会社 The Stock Company under paragraph (1)	機構 The JIC
	当該株式会社 the Stock Company	機構 the JIC
第四百七十条第 六項 Article 470, paragraph (6)	株式買取請求 Exercise of Appraisal Rights	機構株式買取請求 exercise of appraisal rights against the JIC
	効力発生日 the Effective Day	譲受け効力発生日 the effective day of the acceptance
第四百七十条第 七項 Article 470, paragraph (7)	株式買取請求 Exercises Appraisal Rights / Exercise of the Appraisal Rights	機構株式買取請求 exercises appraisal rights against the JIC / exercise of the appraisal rights against the JIC

(機構による特定株式の譲渡)

(Transfer of Specified Shares by the JIC)

第百十四条 機構は、特定株式の譲渡を行おうとするときは、経済産業大臣の認可を受けなければならない。

Article 114 (1) If the JIC intends to transfer specified shares, it must obtain the authorization of the Minister of Economy, Trade and Industry.

2 前項の認可を受けて機構が特定株式の譲渡を行おうとする場合における当該特定株式の価額は、評価委員が評価した価額とする。

(2) When the JIC intends to transfer the specified shares by obtaining authorization as set forth in the preceding paragraph, the value of those shares is that evaluated by the evaluation committee members.

3 評価委員は、前項の評価をしようとするときは、当該特定株式の譲渡がその効力を生ずる日における当該特定株式の時価を基準とするものとする。ただし、当該特定株式の種類その他の事項を勘案して時価によることが適当でないとき、当該特定株式の時価によらないことができる。

(3) If the evaluation committee members intend to make an evaluation as set forth in the preceding paragraph, they are to use, as the basis, the market value of the specified shares as of the day on which the transfer of the specified shares becomes effective; provided, however, that they may decide not to depend on the market value of the specified shares if they find it inappropriate to do so in consideration of the types of the specified shares and other particulars.

4 前三項に規定するもののほか、機構による特定株式の譲渡に関し必要な事項は、政令で定める。

(4) Beyond what is provided for in the preceding three paragraphs, Cabinet Order prescribes necessary particulars concerning the transfer of specified shares by the JIC.

## 第五節 国の援助等

### Section 5 State Assistance

第百十五条 経済産業大臣及び国の関係行政機関の長は、機構及び対象事業者に対し、その事業の円滑かつ確実な実施に関し必要な助言その他の援助を行うよう努めるものとする。

Article 115 (1) The Minister of Economy, Trade and Industry and heads of national administrative organs are to endeavor to provide the JIC and subject businesses with advice or other assistance necessary for the JIC and subject businesses to implement their business smoothly and reliably.

2 前項に定めるもののほか、経済産業大臣及び国の関係行政機関の長は、機構及び対象事業者の行う事業の円滑かつ確実な実施が促進されるよう、相互に連携を図りなが

ら協力するものとする。

- (2) Beyond what is provided for in the preceding paragraph, the Minister of Economy, Trade and Industry and heads of national administrative organs are to cooperate and develop mutual coordination so as to encourage the JIC and subject businesses to implement their business smoothly and reliably.

## 第六節 財務及び会計

### Section 6 Finance and Accounting

(予算の認可)

(Budget Authorization)

第百十六条 機構は、毎事業年度の開始前に、その事業年度の予算を経済産業大臣に提出して、その認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 116 (1) Before the start of each business year, the JIC must submit the budget for the relevant business year to the Minister of Economy, Trade and Industry, and obtain the authorization of the minister. This also applies if the JIC intends to make changes to the budget.

2 前項の予算には、その事業年度の事業計画及び資金計画に関する書類を添付しなければならない。

- (2) The JIC must attach documents concerning the business plan and financial plan for that relevant business year to the budget set forth in the preceding paragraph.

(剰余金の配当等の決議)

(Resolutions on Dividends of Surplus)

第百十七条 機構の剰余金の配当その他の剰余金の処分の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 117 Resolutions at the JIC on dividends of surplus and other dispositions of surplus do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

(財務諸表)

(Financial Statements)

第百十八条 機構は、毎事業年度終了後三月以内に、その事業年度の貸借対照表、損益計算書及び事業報告書を経済産業大臣に提出しなければならない。

Article 118 The JIC must submit a balance sheet, profit and loss statement, and business report within three months from the end of each business year, for the relevant business year to the Minister of Economy, Trade and Industry.

(政府保証)

(Government Guarantees)

第百十九条 政府は、法人に対する政府の財政援助の制限に関する法律（昭和二十一年法律第二十四号）第三条の規定にかかわらず、国会の議決を経た金額の範囲内において、機構の第八十三条第一項の社債又は借入れに係る債務について、保証契約をすることができる。

Article 119 Notwithstanding the provisions of Article 3 of the Act on the Restrictions on Financial Assistance by the Government to Corporations (Act No. 24 of 1946), the government may provide guarantees for obligations regarding the JIC's bonds or borrowing set forth in Article 83, paragraph (1), within the limit of the amount approved by the Diet.

(取締役の報酬等及び職員の給与)

(Remuneration for Directors and Salary for Employees)

第百二十条 機構は、その取締役の報酬及び退職手当並びに職員の給与の支給の基準を定め、これを経済産業大臣に届け出るとともに、公表しなければならない。これを変更したときも、同様とする。

Article 120 (1) The JIC must establish standards for remuneration and severance pay for directors and salary for employees, notify the Minister of Economy, Trade and Industry of those standards, and also publicize them. This also applies if the JIC has made changes to them.

2 機構は、専ら出資を行う業務に従事する職員（この項において「出資専従者」という。）の給与その他の処遇については、第百十六条第一項の規定による認可を受けた予算の範囲内において、優秀な人材の確保並びに若年の出資専従者の育成及び活躍の推進に配慮して行うものとする。

(2) With respect to salary or other treatment for employees solely engaging in business operations to make capital contributions (referred to as "employees solely engaging in contributions" in this paragraph), the JIC is to pay attention to securing excellent personnel, fostering young employees solely engaging in contributions, and promoting their activities, within the budget authorized pursuant to the provisions of Article 116, paragraph (1).

**第七節 監督**

**Section 7 Supervision**

(監督)

(Supervision)

第百二十一条 機構は、経済産業大臣がこの法律の定めるところに従い監督する。

Article 121 (1) The Minister of Economy, Trade and Industry supervises the JIC, in accordance with what is provided for by this Act.

2 経済産業大臣は、この法律を施行するため必要があると認めるときは、機構に対し、機構及び認可特定投資事業者の業務に関し監督上必要な命令をすることができる。

(2) If the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may issue orders to the JIC as necessary for its supervision with respect to business operations of the JIC and approved specified investment businesses.

(財務大臣との協議)

(Consultations with the Minister of Finance)

第二百二十二条 経済産業大臣は、第八十三条第一項（募集社債を引き受ける者の募集をし、株式交換若しくは株式交付に際して社債を発行し、又は資金を借り入れようとするときに限る。）、第八十八条第二項、第百条、第百一条第三項、第百三条第二項、第百五条第一項、第百十四条第一項、第百十六条第一項、第百十七条若しくは第二百五条の認可をしようとするとき、第百二条第一項の規定により投資基準を定めるとき、又は同条第五項若しくは第百六条第四項の規定により投資基準を変更するときは、財務大臣に協議するものとする。

Article 122 If the Minister of Economy, Trade and Industry intends to give the authorization set forth in Article 83, paragraph (1) (limited to cases in which the JIC intends to solicit persons to subscribe for the shares for subscription, issue bonds at a share exchange or share delivery, or borrow funds), Article 88, paragraph (2), Article 100, Article 101, paragraph (3), Article 103, paragraph (2), Article 105, paragraph (1), Article 114, paragraph (1), Article 116, paragraph (1), Article 117, or Article 125; establishes the investment standards pursuant to the provisions of Article 102, paragraph (1); or makes changes to the investment standards pursuant to the provisions of paragraph (5) of the same Article or Article 106, paragraph (4), the minister is to consult with the Minister of Finance.

(業務の実績に関する評価)

(Evaluation on the Performance of Business Operations)

第二百二十三条 経済産業大臣は、機構の事業年度ごとの業務の実績について、評価を行うものとする。

Article 123 (1) The Minister of Economy, Trade and Industry is to make evaluation with respect to the performance of business operations by the JIC for each business year.

2 経済産業大臣は、前項の評価を行ったときは、遅滞なく、機構に対し、当該評価の結果を通知するとともに、これを公表するものとする。

(2) If the Minister of Economy, Trade and Industry has made evaluation as set forth in the preceding paragraph, the minister is to give notice concerning the evaluation results to the JIC and publicize them, without delay.

3 経済産業大臣は、第一項の評価を行うに当たっては、機構の業務が、産業構造及び国際的な競争条件の変化に対応するための高度に専門的かつ実践的な知見を活用することが求められるものであることを考慮するものとする。

(3) Upon making evaluation as set forth in paragraph (1), the Minister of Economy, Trade and Industry is to take into account the fact that the JIC is required to utilize highly professional and practical knowledge in its business operations in order to deal with the changes in the industrial structure and global competitive conditions.

## 第八節 解散等

### Section 8 Dissolution

(機構の解散)

(Dissolution of the JIC)

第二百二十四条 機構は、第百一条第一項各号に掲げる業務の完了により解散する。

Article 124 The JIC is to be dissolved upon the completion of the business operations set forth in the items of Article 101, paragraph (1).

(合併等の決議)

(Resolutions on Mergers)

第二百二十五条 機構の合併、分割、事業の譲渡又は譲受け及び解散の決議は、経済産業大臣の認可を受けなければ、その効力を生じない。

Article 125 Resolutions on mergers, company splits, transfer or acceptance of business, and dissolution of the JIC do not become effective unless the authorization of the Minister of Economy, Trade and Industry has been obtained.

## 第五章 中小企業の活力の再生

### Chapter V Revitalization of Small and Medium-Sized Enterprises

#### 第一節 創業等の支援

##### Section 1 Support for Start-ups

(創業支援等事業の実施に関する指針)

(Guidelines for the Implementation of Programs for Supporting Start-ups, etc.)

第二百二十六条 経済産業大臣及び総務大臣は、創業支援等事業により創業を適切に支援し、及び創業に関する普及啓発を積極的に行い、中小企業の活力の再生に資するため、創業支援等事業の実施に関する指針（以下この条及び次条第四項第一号において「実施指針」という。）を定めるものとする。

Article 126 (1) The Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications are to establish guidelines for the implementation of programs for supporting start-ups, etc. (hereinafter referred to as the "implementation guidelines" in this Article and paragraph (4), item (i) of the following Article) for the purpose of properly supporting start-ups through programs for supporting start-ups, etc. and proactively carrying out

dissemination and awareness-raising activities concerning start-ups, thereby contributing to the revitalization of small and medium-sized enterprises.

2 実施指針においては、次に掲げる事項について定めるものとする。

(2) The implementation guidelines are to specify the following:

一 創業支援等事業による創業の促進に関する目標の設定に関する事項

(i) particulars concerning the setting-up of goals for the promotion of start-ups through programs for supporting start-ups, etc.;

二 創業支援等事業の実施方法に関する事項

(ii) particulars concerning the methods for implementing programs for supporting start-ups, etc.;

三 創業支援等事業の実施に関して市町村（特別区を含む。以下同じ。）が果たすべき役割に関する事項

(iii) particulars concerning roles to be fulfilled by municipalities (including special wards; the same applies hereinafter) regarding the implementation of programs for supporting start-ups, etc.; and

四 その他創業支援等事業に関する重要事項

(iv) other important particulars relating to programs for supporting start-ups, etc.

3 経済産業大臣及び総務大臣は、経済事情の変動により必要が生じたときは、実施指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications are to make changes to the implementation guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣及び総務大臣は、実施指針を定め、又はこれを変更しようとするときは、あらかじめ、中小企業者の事業を所管する大臣に協議するとともに、中小企業政策審議会の意見を聴くものとする。ただし、経済産業省令・総務省令で定める軽微な変更については、この限りでない。

(4) If the Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications intend to establish the implementation guidelines or make changes thereto, they are to consult with the ministers with jurisdiction over the businesses of small and medium-sized enterprises, and hear the opinion of the Small and Medium-Sized Enterprise Policy Making Council, in advance; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Economy, Trade and Industry and Order of the Ministry of Internal Affairs and Communications.

5 経済産業大臣及び総務大臣は、実施指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry and the Minister of Internal Affairs and Communications have established the implementation guidelines or have made changes thereto, they are to publicize the established or changed implementation guidelines, without delay.



(創業支援等事業計画の認定)

(Approval for Plans for Programs for Supporting Start-ups, etc.)

第百二十七条 市町村は、その実施しようとする創業支援等事業（これと連携して市町村以外の者が実施しようとする創業支援等事業を含む。以下同じ。）に関する計画（以下「創業支援等事業計画」という。）を作成し、主務省令で定めるところにより、これを主務大臣に提出して、その認定を受けることができる。

Article 127 (1) A municipality may prepare a plan for a program for supporting start-ups, etc. it intends to implement (including a program for supporting start-ups, etc. that a person other than the municipality intends to implement in collaboration with the municipality's program for supporting start-ups, etc.; the same applies hereinafter) (hereinafter the relevant plan is referred to as a "plan for a program for supporting start-ups, etc."), and submit it to the competent minister to seek approval therefor, as prescribed by orders of the competent ministries.

2 二以上の市町村がその創業支援等事業を共同して実施しようとする場合にあっては、当該二以上の市町村は共同して創業支援等事業計画を作成し、前項の認定を受けることができる。

(2) If two or more municipalities intend to jointly implement their program for supporting start-ups, etc., those two or more municipalities may jointly prepare a plan for a program for supporting start-ups, etc. to seek approval therefor as set forth in the preceding paragraph.

3 創業支援等事業計画には、次に掲げる事項を記載しなければならない。

(3) A plan for a program for supporting start-ups, etc. must contain the following:

一 創業支援等事業の目標

(i) the goal of the program for supporting start-ups, etc.;

二 当該市町村が実施する創業支援等事業の内容（当該創業支援等事業の全部又は一部が特定創業支援等事業に該当する場合にあっては、その旨を含む。）及び実施方法に関する事項

(ii) the details of the program for supporting start-ups, etc. that the municipalities intend to implement (including the fact that all or part of the program for supporting start-ups, etc. falls under a specified program for supporting start-ups, etc., if that is the case), and particulars concerning the implementation methods therefor;

三 当該市町村が実施する創業支援等事業と連携して市町村以外の者が実施する創業支援等事業がある場合にあっては、次に掲げる事項

(iii) the following if there is any program for supporting start-ups, etc. that a person other than the municipalities intends to implement in collaboration with the municipalities' program for supporting start-ups, etc.:

イ 当該創業支援等事業を実施する者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(a) the name and address of the person who implements the program for supporting start-ups, etc. and in the case of a corporation, the name of its representative;

ロ 当該創業支援等事業の内容（当該創業支援等事業の全部又は一部が特定創業支援等事業に該当する場合にあっては、その旨を含む。）及び実施方法に関する事項

(b) the details of the program for supporting start-ups, etc. (including the fact that all or part of the program for supporting start-ups, etc. falls under a specified program for supporting start-ups, etc., if that is the case), and particulars concerning the implementation methods therefor; and

ハ 当該市町村が実施する創業支援等事業との連携に関する事項

(c) particulars concerning the collaboration with the program for supporting start-ups, etc. that the municipalities intend to implement; and

ニ 創業支援等事業（第二条第三十項第二号に係るものに限る。）の実施に当たり、学校教育法（昭和二十二年法律第二十六号）第一条に規定する学校その他の教育機関との連携を図る場合にあつては、当該連携に関する事項

(d) particulars concerning the collaboration that the municipality (or municipalities) seeks collaboration with schools or other educational institutions prescribed in Article 1 of the School Education Act (Act No. 26 of 1947) upon implementing a program for supporting start-ups, etc. (limited to a program regarding Article 2, paragraph (30), item (ii)), if that is the case; and

#### 四 計画期間

(iv) period for the plan.

4 主務大臣は、第一項の認定の申請があつた場合において、その創業支援等事業計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(4) If the competent minister has received an application for approval as set forth in paragraph (1) and finds that the plan for a program for supporting start-ups, etc. conforms to both of the following items, the minister is to approve the plan:

一 実施指針に照らし適切なものであること。

(i) the relevant plan is appropriate in light of the implementation guidelines; and

二 当該創業支援等事業計画に係る創業支援等事業が円滑かつ確実に実施されると見込まれるものであること。

(ii) the program for supporting start-ups, etc. under the relevant plan is expected to be implemented smoothly and reliably.

5 主務大臣は、第一項の認定をしたときは、主務省令で定めるところにより、当該認定に係る創業支援等事業計画の内容を公表するものとする

(5) If the competent minister has granted approval as set forth in paragraph (1), the minister is to publicize the details of the plan for a program for supporting

start-ups, etc. regarding the approval, as prescribed by orders of the competent ministries.

(創業支援等事業計画の変更等)

(Changes to Plans for Programs for Supporting Start-ups, etc.)

第百二十八条 前条第一項の認定を受けた市町村（以下「認定市町村」という。）は、当該認定に係る創業支援等事業計画を変更しようとするときは、主務省令で定めるところにより、主務大臣の認定を受けなければならない。

Article 128 (1) If a municipality that has obtained approval as set forth in paragraph (1) of the preceding Article (hereinafter referred to as an "approved municipality") intends to make changes to the plan for a program for supporting start-ups, etc. regarding the approval, the municipality must seek the approval of the competent minister, as prescribed by orders of the competent ministries.

2 主務大臣は、認定市町村（当該認定に係る創業支援等事業計画（前項の規定による変更の認定があったときは、その変更後のもの。以下「認定創業支援等事業計画」という。）において認定市町村が実施する創業支援等事業と連携して市町村以外の者が実施する事業（第百三十条において「認定連携創業支援等事業」という。）を実施する者（第百三十一条第一項及び第百四十一条第一項において「認定連携創業支援等事業者」という。）を含む。）が認定創業支援等事業計画に従って創業支援等事業を実施していないと認めるときは、その認定を取り消すことができる。

(2) If the competent minister finds that an approved municipality (including a person that implements the program by a person other than the municipality in collaboration with the program for supporting start-ups, etc. that the approved municipality implements under a plan for a program for supporting start-ups, etc. regarding the approval (or the plan after changes if an approval has been granted for those changes under the preceding paragraph; hereinafter referred to as an "approved plan for a program for supporting start-ups, etc."); the relevant collaborative program is referred to as an "approved collaborative program for supporting start-ups, etc." in Article 130, and the relevant person is referred to as a "business implementing approved collaborative program for supporting start-ups, etc." in Article 131, paragraph (1) and Article 141, paragraph (1)) is not implementing the program for supporting start-ups, etc. in accordance with the approved plan for a program for supporting start-ups, etc., the minister may rescind the approval.

3 主務大臣は、認定創業支援等事業計画が前条第四項各号のいずれかに適合しないものとなったと認めるときは、認定市町村に対して、当該認定創業支援等事業計画の変更を指示し、又はその認定を取り消すことができる。

(3) If the competent minister finds that an approved plan for a program for supporting start-ups, etc. no longer conforms to either of the items of paragraph (4) of the preceding Article, the minister may direct the approved

municipality to make changes to the approved plan for a program for supporting start-ups, etc. or may rescind the approval.

4 主務大臣は、前二項の規定による認定の取消しをしたときは、その旨を公表するものとする。

(4) If the competent minister has rescinded the approval under the preceding two paragraphs, the minister is to publicize that fact.

5 前条第四項及び第五項の規定は、第一項の認定について準用する。

(5) The provisions of paragraph (4) and paragraph (5) of the preceding Article apply mutatis mutandis to the approval set forth in paragraph (1).

(中小企業信用保険法の特例)

(Special Provisions for the Small and Medium-Sized Enterprise Credit Insurance Act)

第二百二十九条 無担保保険の保険関係であつて、創業関連保証（中小企業信用保険法第三条の二第一項に規定する債務の保証であつて、創業者の要する資金のうち経済産業省令で定めるものに係るものをいう。以下この条において同じ。）を受けた創業者である中小企業者（第二条第二十九項第一号、第三号及び第五号に掲げる創業者を含む。以下同じ。）に係るものについての同法第三条の二第一項及び第三項の規定の適用については、同条第一項中「中小企業者の」とあるのは「中小企業者（産業競争力強化法（平成二十五年法律第九十八号）第二条第二十九項第一号、第三号及び第五号に掲げる創業者を含む。以下同じ。）の」と、「保険価額の合計額が八千万円」とあるのは「同法第二百二十九条第一項に規定する創業関連保証（以下「創業関連保証」という。）に係る保険関係の保険価額の合計額及びその他の保険関係の保険価額の合計額がそれぞれ三千五百万円及び八千万円」と、同条第三項中「当該借入金の額のうち保証をした額が八千万円（当該債務者）」とあるのは「創業関連保証及びその他の保証ごとに、当該借入金の額のうち保証をした額がそれぞれ三千五百万円及び八千万円（創業関連保証及びその他の保証ごとに、当該債務者）」と、「八千万円から」とあるのは「それぞれ三千五百万円及び八千万円から」とする。

Article 129 (1) With respect to the application of the provisions of Article 3-2, paragraph (1) and paragraph (3) of the Small and Medium-Sized Enterprise Credit Insurance Act regarding the insurance relationships of unsecured insurance that pertain to a small or medium-sized enterprise which is a founder (including the founders set forth in Article 2, paragraph (29), item (i), item (iii), and item (v); the same applies hereinafter) having received a start-up-related guarantee (meaning a guarantee for obligations prescribed in Article 3-2, paragraph (1) of the same Act regarding the required funds of a founder that are specified by Order of the Ministry of Economy, Trade and Industry; hereinafter the same applies in this Article), the phrase "small or medium-sized enterprise" in Article 3-2, paragraph (1) of the same Act is deemed to be replaced with "small or medium-sized enterprise (including the founders set forth in Article 2, paragraph (29), item (i), item (iii), and item (v))".

of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); the same applies hereinafter)"; the phrase "the total insurance value per each small or medium-sized enterprise" in the same paragraph is deemed to be replaced with "the total insurance value of the insurance relationships regarding a start-up-related guarantee prescribed in Article 129, paragraph (1) of the same Act (hereinafter referred to as a "start-up-related guarantee") and the total insurance value for other insurance relationships per each small or medium-sized enterprise, respectively,"; and the phrase "80,000,000 yen" in the same paragraph is deemed to be replaced with "35,000,000 yen and 80,000,000 yen"; and the phrase "the amount guaranteed out of the amount of the borrowings" in paragraph (3) of the same Article is deemed to be replaced with "the amount guaranteed out of the amount of the borrowings, for each of the start-up-related guarantee and other guarantees, respectively,"; the phrase "exceed 80,000,000 yen" in the same paragraph is deemed to be replaced with "exceed 35,000,000 yen and 80,000,000 yen"; the phrase "a small or medium-sized enterprise that is the debtor" in the same paragraph is deemed to be replaced with "a small or medium-sized enterprise that is the debtor, for each of the start-up-related guarantee and other guarantees"; and the phrase "from 80,000,000 yen" in the same paragraph is deemed to be replaced with "from 35,000,000 yen and 80,000,000 yen, respectively".

- 2 第二条第二十九項第二号に掲げる創業者であつて新たに会社（中小企業者に限る。以下この項において同じ。）を設立したもの（以下この項において「会社設立創業者」という。）が、事業の譲渡により事業の全部又は一部を当該会社に承継させるときは、当該会社設立創業者が事業を開始した日から起算して五年を経過するまでの間は、当該会社を、同条第二十九項第四号に掲げる創業者とみなして、前項の規定を適用する。この場合において、同項中「三千五百万円及び八千万円」と、「とあるのは「三千五百万円（当該中小企業者を設立した会社設立創業者（同条第二項に規定する会社設立創業者をいい、当該会社設立創業者が新たに他の会社（中小企業者に限る。）を設立し、事業の譲渡により事業の全部又は一部を当該他の会社に承継させるときは、当該他の会社も含む。第三項において同じ。）について既に創業関連保証に係る保険関係が成立している場合にあつては、三千五百万円から当該保険関係における保険価額の合計額を控除した残額）及び八千万円」と、「と、「及びその他の保証ごとに、当該債務者」とあるのは「については当該債務者たる中小企業者及び会社設立創業者について、その他の保証については当該債務者」とする。

- (2) If the founder set forth in Article 2, paragraph (29), item (ii) that has established a new company (limited to a small or medium-sized enterprise; hereinafter the same applies in this paragraph) (such founder is hereinafter referred to as the "company-establishing founder" in this paragraph) causes the company to succeed to all or part of the founder's business through a business transfer, the provisions of the preceding paragraph apply by deeming the company as the founder set forth in paragraph (29), item (iv) of the same

Article until five years elapse from the day on which the company-establishing founder started business. In this case, the phrase "with '35,000,000 yen and 80,000,000 yen';" in the preceding paragraph is deemed to be replaced with "with '35,000,000 yen (if the insurance relationships regarding a start-up-related guarantee has already been established for the company-establishing founder (meaning the company-establishing founder prescribed in paragraph (2) of the same Article, and if the company-establishing founder establishes another new company (limited to a small or medium-sized enterprise) and causes that other company to succeed to all or part of the founder's business through a business transfer, it includes that other company; the same applies in paragraph (3)) that established the small or medium-sized enterprise, an amount that remains after deducting the total insurance value of the insurance relationships from 35,000,000 yen) and 80,000,000 yen';", and the phrase "a small or medium-sized enterprise that is the debtor, for each of the start-up-related guarantee and other guarantees" in the same paragraph is deemed to be replaced with "a small or medium-sized enterprise and a company-establishing founder that are the debtors with regard to the start-up-related guarantee, and a small or medium-sized enterprise that is the debtor with regard to other guarantees".

3 第二条第二十九項第一号、第三号及び第五号に掲げる創業者であつて、創業関連保証を受けたものについては、当該創業者を中小企業信用保険法第二条第一項の中小企業者とみなして、同法第三条の二及び第四条から第八条までの規定を適用する。

(3) The founder set forth in Article 2, paragraph (29), item (i), item (iii), and item (v) that has received a start-up-related guarantee is deemed to be a small or medium-sized enterprise as set forth in Article 2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3-2 and Articles 4 through 8 of the same Act apply to the relevant founder.

4 無担保保険の保険関係であつて、創業関連保証に係るもののうち、次の各号のいずれにも該当する創業者である中小企業者に係るものについての中小企業信用保険法第三条の二第二項及び第五条の規定の適用については、同項中「百分の八十」とあり、及び同条中「百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）」とあるのは、「百分の九十」とする。

(4) With respect to the application of the provisions of Article 3-2, paragraph (2) and Article 5 of the Small and Medium-Sized Enterprise Credit Insurance Act regarding the insurance relationships of unsecured insurance from among those regarding start-up-related guarantees that are related to a small or medium-sized enterprise which is a founder falling under both of the following items, the phrase "80 percent" in Article 3-2, paragraph (2) of the same Act and the phrase "70 percent (or 80 percent, for unsecured insurance, special petty

insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)" in Article 5 of the same Act are deemed to be replaced with "90 percent":

一 次のいずれかに該当すること。

(i) the relevant person falls under either of the following:

イ 第二条第二十九項第一号から第三号までに掲げる者に該当する場合において、過去に自らが営んでいた事業をその経営の状況の悪化により廃止した経験を有すること又は過去に経営の状況の悪化により解散した会社の当該解散の日において当該会社の業務を執行する役員であったこと。

(a) if the relevant person falls under the categories of persons set forth in Article 2, paragraph (29), items (i) through (iii), it has experienced the discontinuation of a business that the person operated in the past due to a worsening of its circumstances, or the person was an officer conducting the business of a company that was dissolved due to a worsening of its circumstances as of the day on which the dissolution occurred; or

ロ 第二条第二十九項第四号に掲げる者（第二項の規定により当該者とみなされる会社を含む。）に該当する場合において、当該会社を設立した個人が過去に自らが営んでいた事業をその経営の状況の悪化により廃止した経験を有すること又は当該会社を設立した個人が過去に経営の状況の悪化により解散した会社の当該解散の日において当該会社の業務を執行する役員であったこと。

(b) if the relevant person falls under the categories of persons set forth in Article 2, paragraph (29), item (iv) (including companies that are deemed to be such persons pursuant to the provisions of paragraph (2)), the individual who established the company has experienced the discontinuation of a business that the individual operated in the past due to a worsening of its circumstances, or the individual was an officer conducting the business of a company that was dissolved due to a worsening of its circumstances as of the day on which the dissolution occurred; and

二 当該保険関係に係る債務の保証の委託の申込みを、前号イ及びロに規定する事業の廃止の日又は解散の日から五年を経過する日前に行ったこと。

(ii) the relevant person made an offer for the entrustment of a guarantee for obligations regarding the insurance relationships prior to the date on which five years have elapsed from the date of the discontinuation of business or prior to the date of dissolution prescribed in (a) and (b) of the preceding item.

5 創業関連保証を受けた者一人についての無担保保険の保険関係であって政令で指定するものの保険価額の合計額の限度額は、政令で定める。

(5) Cabinet Order prescribes the limit on the total of the insurance values of the insurance relationships of unsecured insurance that are designated by Cabinet

Order for a person that has received a start-up-related guarantee.

6 無担保保険の保険関係であつて、創業関連保証に係るものについての保険料の額は、中小企業信用保険法第四条の規定にかかわらず、保険金額に年百分の二以内において政令で定める率を乗じて得た額とする。

(6) The amount of insurance premiums relating to the insurance relationships of unsecured insurance that is related to a start-up-related guarantee is an amount arrived at if the insurance amount is multiplied by a percentage specified by Cabinet Order within two percent per annum, notwithstanding the provisions of Article 4 of the Small and Medium-Sized Enterprise Credit Insurance Act.

第百三十条 認定連携創業支援等事業を実施する一般社団法人若しくは一般財団法人

(一般社団法人にあつてはその社員総会における議決権の二分の一以上を中小企業者が有しているもの、一般財団法人にあつては設立に際して拠出された財産の価額の二分の一以上が中小企業者により拠出されているものに限る。)又は特定非営利活動促進法(平成十年法律第七号)第二条第二項に規定する特定非営利活動法人(その社員総会における表決権の二分の一以上を中小企業者が有しているものに限る。)であつて、当該認定連携創業支援等事業の実施に必要な資金に係る中小企業信用保険法第三条第一項又は第三条の二第一項に規定する債務の保証を受けたもの(以下この条において「認定一般社団法人等」という。)については、当該認定一般社団法人等を同法第二条第一項の中小企業者とみなして、同法第三条、第三条の二及び第四条から第八条までの規定を適用する。この場合において、同法第三条第一項及び第三条の二第一項の規定の適用については、これらの規定中「借入れ」とあるのは、「産業競争力強化法(平成二十五年法律第九十八号)第二百二十八条第二項に規定する認定連携創業支援等事業の実施に必要な資金の借入れ」とする。

Article 130 Regarding a general incorporated association or general incorporated foundation (limited to a general incorporated association in which at least half of the voting rights in its general meeting of members are held by small and medium-sized enterprises and to a general incorporated foundation for which at least half of the value of the property contributed upon its incorporation has been contributed by small and medium-sized enterprises) or a specified nonprofit corporation prescribed in Article 2, paragraph (2) of the Act to Promote Specified Non-profit Activities (Act No. 7 of 1998) (limited to a specified nonprofit corporation for which at least half of the rights to vote in its general meeting of members are held by small and medium-sized enterprises) that implements approved collaborative program for supporting start-ups, etc. and has received a guarantee for obligations prescribed in Article 3, paragraph (1) or Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act regarding funds necessary for implementing the approved collaborative program for supporting start-ups, etc. (hereinafter referred to as an "approved general incorporated association, etc." in this Article), the



approved general incorporated association, etc. is deemed to be the small or medium-sized enterprise set forth in Article 2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3, Article 3-2, and Articles 4 through Article 8 of the same Act apply to the relevant approved general incorporated association, etc. In this case, with respect to the application of the provisions of Article 3, paragraph (1) and Article 3-2, paragraph (1) of the same Act, the phrase "borrowing" in those provisions is deemed to be replaced with "borrowing of funds necessary for implementing the approved collaborative program for supporting start-ups, etc. prescribed in Article 128, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

(認定市町村に対する情報の提供等)

**(Provision of Information to Approved Municipalities)**

第百三十一条 独立行政法人中小企業基盤整備機構は、認定市町村又は認定連携創業支援等事業者の依頼に応じて、その行う創業支援等事業に関する情報の提供その他必要な協力の業務を行う。

Article 131 (1) In response to a request from an approved municipality or a business implementing approved collaborative program for supporting start-ups, etc., the Organization for Small & Medium Enterprises and Regional Innovation provides information concerning the relevant program for supporting start-ups, etc. or other necessary cooperation.

2 都道府県は、創業支援等事業計画を作成しようとする市町村又は認定市町村に対し、創業支援等事業に関する情報の提供その他の援助を行うことができる。

(2) Prefectures may provide municipalities that intend to prepare a plan for a program for supporting start-ups, etc. or approved municipalities with information concerning programs for supporting start-ups, etc. or other assistance.

(中小企業信用保険法の特例)

**(Special Provisions for the Small and Medium-Sized Enterprise Credit Insurance Act)**

第百三十二条 中小企業者の特定信用状発行契約に基づく債務については、当該債務を中小企業信用保険法第三条第一項に規定する借入れによる債務とみなして、同法第三条及び第四条から第八条までの規定を適用する。この場合において、普通保険の保険関係であって、特定信用状関連保証（特定信用状発行契約に基づく債務の保証をいう。以下この条において同じ。）を受けた中小企業者に係るものについての同法第三条第一項の規定の適用については、同項中「保険価額の合計額が」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）第百三十二条第一項に規定する特定信用状関連保証に係る保険関係の保険価額の合計額とその他の保険関係の保険価額の合計額とがそれぞれ」と、「借入金」とあるのは「特定信用状発行契約（同法第二条第三十

三項の特定信用状発行契約をいう。)に基づく債務の額(当該中小企業者の外国関係法人(同法第二条第十六項の外国関係法人をいう。)の外国銀行等(銀行法(昭和五十六年法律第五十九号)第四条第三項の外国銀行等をいう。)からの借入金の額に相当する額に限る。)のうち保証をした額(特殊保証の場合は限度額)の総額と借入金」と、「総額が」とあるのは「総額とがそれぞれ」とする。

Article 132 (1) The obligations of a small or medium-sized enterprise based on a specified letter of credit issuance contract are deemed to be debt obligations due to the borrowing prescribed in Article 3, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act, and the provisions of Article 3 and Articles 4 through 8 of the same Act apply thereto. In this case, with respect to the application of the provisions of Article 3, paragraph (1) of the same Act regarding the insurance relationships of ordinary insurance that are related to a small or medium-sized enterprise which has received a specified letter of credit-related guarantee (meaning a guarantee for obligations based on a specified letter of credit issuance contract; hereinafter the same applies in this Article), the phrase "the total insurance value per each small or medium-sized enterprise" in the same paragraph is deemed to be replaced with "the total insurance value of the insurance relationships regarding a specified letter of credit-related guarantee prescribed in Article 132, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) and the total insurance value for other insurance relationships per each small or medium-sized enterprise, respectively,"; the phrase "the total amount guaranteed out of the amount of the borrowings" in the same paragraph is deemed to be replaced with "the total amount guaranteed (or the maximum amount in the case of a special guarantee) out of the amount of obligations based on a specified letter of credit issuance contract (meaning the specified letter of credit issuance contract set forth in Article 2, paragraph (33) of the same Act) (limited to the amount equivalent to the amount of borrowings from a foreign bank, etc. (meaning the foreign bank, etc. set forth in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981)) of an related foreign corporation (meaning the related foreign corporation set forth in Article 2, paragraph (16) of the Act on Strengthening Industrial Competitiveness) of the small or medium-sized enterprise) and the total amount guaranteed out of the amount of the borrowings"; and the phrase "reaches" in the same paragraph is deemed to be replaced with ", respectively, reaches".

2 普通保険の保険関係であつて、特定信用状関連保証に係るものについての次の表の上欄に掲げる中小企業信用保険法の規定の適用については、これらの規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

(2) With respect to the application of the provisions of the Small and Medium-Sized Enterprise Credit Insurance Act set forth in the left-hand column of the following table regarding the insurance relationships of ordinary insurance

that are related to a specified letter of credit-related guarantee, the phrases set forth in the middle column of the same table that are used in these provisions are deemed to be replaced with the phrases set forth in the right-hand column of the same table.

第三条第一項 Article 3, paragraph (1)	この項 this paragraph	この項及び第三項 this paragraph and paragraph (3)
第三条第二項 Article 3, paragraph (2)	百分の七十 70 percent	百分の八十 80 percent

第三条第三項  
Article 3,  
paragraph (3)

<p>借入金の額 the amount of the borrowings</p>	<p>特定信用状発行契約（産業競争力強化法（平成二十五年法律第九十八号）第二条第三十三項の特定信用状発行契約をいう。以下同じ。）に基づく債務の額（中小企業者の外国関係法人（同法第二条第十六項の外国関係法人をいう。以下同じ。）の外国銀行等（銀行法（昭和五十六年法律第五十九号）第四条第三項の外国銀行等をいう。以下同じ。）からの借入金の額に相当する額に限る。以下同じ。） the amount of obligations based on a specified letter of credit issuance contract (meaning the specified letter of credit issuance contract set forth in Article 2, paragraph (33) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013); the same applies hereinafter) (limited to the amount equivalent to the amount of the borrowings from a foreign bank, etc. (meaning the foreign bank, etc. set forth in Article 4, paragraph (3) of the Banking Act (Act No. 59 of 1981); the same applies hereinafter) of a related foreign corporation (meaning the affiliated foreign corporation set forth in Article 2, paragraph (16) of the Act on Strengthening Industrial Competitiveness; the same applies hereinafter) of a small and medium-sized enterprise; the same applies hereinafter)</p>
<p>保証をした額 amount guaranteed</p>	<p>保証をした額（特殊保証の場合は限度額） amount guaranteed (or the maximum amount in the case of a special guarantee)</p>

	<p>借入金の弁済（手形の割引の場合は手形の支払、電子記録債権の割引の場合は電子記録債権に係る債務の支払）  payment of borrowings (or, in case of the discounting of bills, payment of bills; or, in case of the discounting of electronically recorded monetary claims, payment of the obligations regarding electronically recorded monetary claims)</p>	<p>特定信用状発行契約に基づく債務の弁済  performance of obligations based on a specified letter of credit issuance contract</p>
<p>第三条第四項  Article 3,  paragraph (4)</p>	<p>第一項の保険関係が成立する保証をした借入金（手形の割引の場合は手形の割引により融通を受けた資金、電子記録債権の割引の場合は電子記録債権の割引により融通を受けた資金）  Borrowings (or, in case of the discounting of bills, funds receiving financing through the discounting of bills; or, in case of the discounting of electronically recorded monetary claims, funds receiving financing through the discounting of electronically recorded monetary claims) for which the establishment of the insurance relationships set forth in paragraph (1) has been guaranteed</p>	<p>第一項の保険関係が成立する保証をした場合における前項に規定する中小企業者の外国関係法人の外国銀行等からの借入金  Borrowings from a foreign bank, etc. of the related foreign corporation of a small and medium-sized enterprise as prescribed in the preceding paragraph in cases in which the establishment of the insurance relationships set forth in paragraph (1) has been guaranteed</p>
	<p>中小企業者  a Small and Medium-sized Enterprise</p>	<p>当該中小企業者  the small or medium-sized enterprise</p>
<p>第五条  Article 5</p>	<p>弁済（手形の割引及び電子記録債権の割引の場合は、支払。以下同じ。）  performed (or paid in case of the discounting of bills or the discounting of electronically recorded monetary claims; the same applies hereinafter)</p>	<p>弁済  performed</p>

<p>借入金（手形の割引の場合は手形債務、電子記録債権の割引の場合は電子記録債権に係る債務。以下同じ。）、社債に係る債務（利息に係るものを除く。以下同じ。）又は特定支払債務</p> <p>borrowings (or, in case of the discounting of bills, bill obligations; or in case of the discounting of electronically recorded monetary claims, obligations regarding electronically recorded monetary claims; the same applies hereinafter), obligations regarding bonds (excluding those pertaining to interest; the same applies hereinafter), or specified payables</p>	<p>特定信用状発行契約に基づく債務</p> <p>obligations based on a specified letter of credit issuance contract</p>
<p>百分の七十（無担保保険、特別小口保険、流動資産担保保険、公害防止保険、エネルギー対策保険、海外投資関係保険、新事業開拓保険、事業再生保険及び特定社債保険にあつては、百分の八十）</p> <p>70 percent (or 80 percent for Unsecured Insurance, Special Petty Insurance, current assets insurance, pollution prevention insurance, energy conservation insurance, overseas investment-related insurance, new business development insurance, corporate rehabilitation insurance, and specific corporate bond insurance)"</p>	<p>百分の八十</p> <p>80 percent</p>

<p>第五条第一号及び第三号並びに第八条第一号及び第三号 Article 5, item (i) and item (iii) and Article 8, item (i) and item (iii)</p>	<p>借入金又は社債に係る債務 borrowings or obligations regarding bonds</p>	<p>特定信用状発行契約に基づく債務 obligations based on a specified letter of credit issuance contract</p>
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## 第二節 中小企業再生支援体制の整備

### Section 2 Development of the Support System for Small and Medium-Sized Enterprise Revitalization

(中小企業の事業の再生の支援に関する指針)

(Guidelines Concerning Support for Business Rehabilitation of Small and Medium-Sized Enterprises)

第百三十三条 経済産業大臣は、中小企業承継事業再生その他の取組による中小企業の事業の再生を適切に支援し、その活力の再生に資するため、国、地方公共団体、独立行政法人中小企業基盤整備機構及び認定支援機関が講ずべき支援措置に関する基本的な指針（以下この条及び次条第一項において「支援指針」という。）を定めるものとする。

Article 133 (1) For the purpose of properly supporting the business rehabilitation of small and medium-sized enterprises through SME business rehabilitation through succession or other efforts, and thereby contributing to their revitalization, the Minister of Economy, Trade and Industry is to establish basic guidelines concerning support measures to be taken by the State, local governments, the Organization for Small & Medium Enterprises and Regional Innovation, and approved support institutions (hereinafter referred to as the "support guidelines" in this Article and paragraph (1) of the following Article).

2 支援指針においては、次に掲げる事項について定めるものとする。

(2) The support guidelines are to specify the following:

一 中小企業の活力の再生の支援に関する基本的事項

(i) basic particulars concerning support for the revitalization of small and medium-sized enterprises;

二 中小企業の活力の再生の支援内容に関する事項

(ii) particulars concerning the details of support for the revitalization of small and medium-sized enterprises;

三 中小企業の活力の再生の支援体制に関する事項

(iii) particulars concerning the support system for the revitalization of small and medium-sized enterprises; and

四 その他中小企業の活力の再生の支援に関し配慮すべき事項

(iv) other particulars to be taken into consideration concerning support for the revitalization of small and medium-sized enterprises.

3 経済産業大臣は、経済事情の変動により必要が生じたときは、支援指針を変更するものとする。

(3) The Minister of Economy, Trade and Industry is to make changes to the support guidelines if any need arises due to fluctuations in the state of the economy.

4 経済産業大臣は、支援指針を定め、又はこれを変更しようとするときは、あらかじめ、中小企業者の事業を所管する大臣に協議するとともに、中小企業政策審議会の意見を聴くものとする。ただし、経済産業省令で定める軽微な変更については、この限りでない。

(4) If the Minister of Economy, Trade and Industry intends to establish the support guidelines or make changes thereto, the minister is to consult with the minister who has jurisdiction over the businesses of small and medium-sized enterprises, and to hear the opinion of the Small and Medium-Sized Enterprise Policy Making Council, in advance; provided, however, that this does not apply to minor changes specified by Order of the Ministry of Economy, Trade and Industry.

5 経済産業大臣は、支援指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(5) If the Minister of Economy, Trade and Industry has established the support guidelines or has made changes thereto, the minister is to publicize the established or changed support guidelines without delay.

(認定支援機関)

(Approved Support Institutions)

第百三十四条 経済産業大臣は、支援指針に基づき、経済産業省令で定めるところにより、商工会、都道府県商工会連合会、商工会議所又は中小企業支援法（昭和三十八年法律第百四十七号）第七条第一項に規定する指定法人であつて、都道府県の区域の全部又は一部の地域において次項に規定する業務（以下「中小企業再生支援業務」という。）を適正かつ確実に行うことができると認められるものを、その申請により、中小企業再生支援業務を行う者として認定することができる。

Article 134 (1) Based on the support guidelines and as prescribed by Order of the Ministry of Economy, Trade and Industry, the Minister of Economy, Trade and Industry may approve a society of commerce and industry, a prefectural federation of societies of commerce, a chamber of commerce, or a designated corporation prescribed in Article 7, paragraph (1) of the Small and Medium-



Sized Enterprise Support Act (Act No. 147 of 1963) that is considered to be able to undertake the business operations prescribed in the following paragraph (hereinafter referred to as "business operations to support small and medium-sized enterprise revitalization") in all or part of the area of a prefecture, properly and reliably, as a person undertaking business operations to support small and medium-sized enterprise revitalization, upon application therefrom.

2 前項の認定を受けた者（以下「認定支援機関」という。）は、他の法令に定めるもののほか、当該認定に係る第四項第四号ハの地域において、次の業務を行うものとする。

(2) A person that has obtained approval as set forth in the preceding paragraph (hereinafter referred to as an "approved support institution") is to undertake the following business operations in the area set forth in paragraph (4), item (iv), (c) regarding the approval, beyond what is provided for by other laws and regulations:

一 次に掲げるもののいずれかを行い、又は行おうとする中小企業者（イに掲げるものを行い、又は行おうとする場合にあっては、事業を営んでいない個人を含む。）の求めに応じ、必要な指導又は助言を行うこと。

(i) provision of necessary guidance or advice upon request from a small or medium-sized enterprise undertaking or intending to undertake either of the following (including an individual not currently engaged in business, if that individual undertakes or intends to undertake what are set forth in (a)):

イ 現に有する経営資源及び合併、事業の譲受けその他これらに準ずるものにより他の中小企業者（中小企業者であった者を含む。）から承継する事業に係る新たな経営資源を有効に組み合わせて一体的に活用することによる商品の生産若しくは販売又は役務の提供の効率化

(a) streamlining of the production or the sale of goods or the provision of services, by effectively combining and integrally utilizing existing management resources and new management resources regarding the businesses to be succeeded to from other small or medium-sized enterprise[s] (including one that had been a small or medium-sized enterprise[s]) through a merger, acceptance of business, or the equivalent thereto;

ロ 中小企業承継事業再生その他の取組による事業の再生

(b) rehabilitation of business by SME business rehabilitation through succession or by other efforts; or

ハ 過大な債務を負っている中小企業者又は既に債務の整理を行った中小企業者の債務の保証をしている者が有する当該保証債務の整理（破産手続又は再生手続によりその債務の整理を図ることを除く。）

(c) restructuring of guaranteed obligations held by a person that guarantees obligations of a small or medium-sized enterprise with extensive obligations or a small or medium-sized enterprise that has already

- undergone restructuring of obligations (excluding restructuring of the guaranteed obligations through bankruptcy proceedings or rehabilitation proceedings);
- 二 会社である中小企業者の代表者の交代に伴い、その事業の実施に不可欠な資産を取得し、当該資産を活用し商品の生産若しくは販売又は役務の提供の効率化を行い、又は行おうとする者の求めに応じ、必要な指導又は助言を行うこと。
- (ii) provision of necessary guidance or advice in response to a request by a person that acquires, in line with a change in the representative of a small or medium-sized enterprise which is a company, assets that are essential for the implementation of its business, and streamlines or intends to streamline the production or the sale of goods or the provision of services by utilizing those assets;
- 三 第一号イに掲げるものに係る合併、事業の譲渡又は譲受けその他これらに準ずるものに関し仲介を行うこと。
- (iii) mediation concerning a merger, transfer or acceptance of business, or the equivalent thereto regarding what are set forth in item (i), (a);
- 四 中小企業者及びその経営の改善を支援する事業を行う者並びにこれらの者の従業員に対し、第一号イからハまで又は第二号に掲げるものに関する研修を行うこと。
- (iv) provision of training concerning what are set forth in item (i), (a) through (c) or item (ii) to small and medium-sized enterprises, persons implementing programs for supporting improvements to their management, and their employees;
- 五 前各号に掲げる業務に関連して必要な情報の収集、調査及び研究を行い、並びにその成果を普及すること。
- (v) collection, investigation and research of necessary information related to the business operations set forth in the preceding items, and dissemination of the results thereof; and
- 六 独立行政法人中小企業基盤整備機構からの委託に基づき、第四百四十条第一号に掲げる業務の実施に必要な調査を行うこと。
- (vi) investigation necessary for undertaking the business operations set forth in Article 140, item (i), based on an entrustment from the Organization for Small & Medium Enterprises and Regional Innovation.
- 3 認定支援機関は、他の法令に定める業務及び前項各号に掲げる業務のほか、裁判外紛争解決手続の利用の促進に関する法律第五条の認証を受け、かつ、第四十七条第一項の認定を受けて、事業再生に係る紛争について民間紛争解決手続（同法第二条第一号に規定する手続をいう。）を実施することができる。
- (3) An approved support institution may undertake private dispute resolution procedures (meaning the procedures prescribed in Article 2, item (i) of the Act on Promotion of Use of Alternative Dispute Resolution) on disputes regarding corporate rehabilitation, by obtaining the certification set forth in Article 5 of the same Act and the approval set forth in Article 49, paragraph (1) of this Act,

beyond the business operations specified by other laws and regulations and the business operations set forth in the items of the preceding paragraph.

4 第一項の認定を受けようとする者は、経済産業省令で定めるところにより、次に掲げる事項を記載した認定申請書を経済産業大臣に提出しなければならない。

(4) A person intending to obtain approval as set forth in paragraph (1) must submit a written application for approval containing the following to the Minister of Economy, Trade and Industry, as prescribed by Order of the Ministry of Economy, Trade and Industry:

一 名称及び住所

(i) the name and address;

二 事務所の所在地

(ii) location of the office;

三 次条第一項に規定する中小企業再生支援協議会の委員として任命しようとする委員の候補者

(iii) candidates for council members whom the person intends to appoint as members of the Small and Medium-Sized Enterprise Revitalization Support Council prescribed in paragraph (1) of the following Article; and

四 中小企業再生支援業務に関する次に掲げる事項

(iv) the following particulars concerning business operations to support small and medium-sized enterprise revitalization:

イ 中小企業再生支援業務の内容

(a) the details of business operations to support small and medium-sized enterprise revitalization;

ロ 中小企業再生支援業務の実施体制

(b) a framework for undertaking business operations to support small and medium-sized enterprise revitalization;

ハ 中小企業再生支援業務を行う地域

(c) areas in which to undertake business operations to support small and medium-sized enterprise revitalization; and

ニ その他経済産業省令で定める事項

(d) other particulars specified by Order of the Ministry of Economy, Trade and Industry.

5 認定支援機関は、前項第一号及び第二号に掲げる事項に変更があったときは遅滞なく、同項第四号に掲げる事項の変更（経済産業省令で定める軽微な変更を除く。）をしようとするときはあらかじめ、その旨を経済産業大臣に届け出なければならない。

(5) If there have been any changes to the particulars set forth in item (i) and item (ii) of the preceding paragraph, an approved support institution must notify the Minister of Economy, Trade and Industry of that fact without delay, and if it intends to make changes (excluding minor changes specified by Order of the Ministry of Economy, Trade and Industry) to the particulars set forth in item (iv) of the same paragraph, it must notify the Minister of Economy, Trade

and Industry of that fact in advance.

(中小企業再生支援協議会)

(Small and Medium-Sized Enterprise Revitalization Support Councils)

第百三十五条 認定支援機関に、中小企業再生支援協議会を置く。

Article 135 (1) A Small and Medium-Sized Enterprise Revitalization Support Council is established in an approved support institution.

2 中小企業再生支援協議会は、認定支援機関の長及びその任命する委員をもって組織する。

(2) A Small and Medium-Sized Enterprise Revitalization Support Council must be composed of the head of the approved support institution and the council members appointed by the head.

3 中小企業再生支援協議会の委員は、中小企業再生支援業務に係る実務経験又は学識経験を有する者のうちから任命しなければならない。

(3) Members of a Small and Medium-Sized Enterprise Revitalization Support Council must be appointed from among persons who have practical experience or relevant knowledge and experience regarding business operations to support small and medium-sized enterprise revitalization.

4 認定支援機関の長は、中小企業再生支援協議会の委員を任命したときは、経済産業省令で定めるところにより、経済産業大臣にその旨を届け出なければならない。中小企業再生支援協議会の委員に変更があったときも、同様とする。

(4) If the head of an approved support institution has appointed members of a Small and Medium-Sized Enterprise Revitalization Support Council, the head must notify the Minister of Economy, Trade and Industry of that fact, as prescribed by Order of the Ministry of Economy, Trade and Industry. This also applies if changes have arisen in the membership of the Small and Medium-Sized Enterprise Revitalization Support Council.

5 中小企業再生支援協議会は、認定支援機関が行う中小企業再生支援業務の具体的内容、実施体制の確保その他の中小企業再生支援業務の遂行に関する重要な事項を審議し、決定するほか、認定支援機関に対する専門的な助言を行う。

(5) A Small and Medium-Sized Enterprise Revitalization Support Council must deliberate and decide on the specific details, necessary particulars concerning the securing of the framework for undertaking business operations, and other important particulars for the execution of the approved support institution's business operations to support small and medium-sized enterprise revitalization, and must provide specialist advice to the approved support institution.

6 前各項に規定するもののほか、中小企業再生支援協議会の組織及び運営に関し必要な事項は、政令で定める。

(6) Beyond what are provided for in the preceding items, Cabinet Order prescribes necessary particulars concerning the organization and operation of

## Small and Medium-Sized Enterprise Revitalization Support Councils.

(秘密保持義務)

(Obligation of Confidentiality)

第百三十六条 認定支援機関の役員若しくは職員若しくは中小企業再生支援協議会の委員又はこれらの職にあった者は、中小企業再生支援業務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 136 (1) Officers or employees of approved support institutions or members of Small and Medium-Sized Enterprise Revitalization Support Councils, or persons who were employed as such, must not divulge or misappropriate any confidential information that has come to their knowledge regarding business operations to support small and medium-sized enterprise revitalization.

2 前項の規定は、次に掲げる情報に関しては、適用しない。

(2) The provisions of the preceding paragraph do not apply to the following information:

一 独立行政法人中小企業基盤整備機構が第百四十条第四号に掲げる業務を円滑に行うために認定支援機関から情報の提供を受けることが必要な場合において、当該認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、独立行政法人中小企業基盤整備機構に提供する当該業務に関する情報

(i) information that officers or employees of an approved support institution or members of its Small and Medium-Sized Enterprise Revitalization Support Council provide to the Organization for Small & Medium Enterprises and Regional Innovation concerning the business operations set forth in Article 140, item (iv), if the Organization for Small & Medium Enterprises and Regional Innovation needs to receive information from the approved support institution for the purpose of smoothly undertaking those business operations;

二 認定支援機関が第百三十四条第二項第一号に掲げる業務（同号ロ及びハに掲げるものに係るものに限る。）並びに同項第二号及び第三号に掲げる業務を円滑に行うために独立行政法人中小企業基盤整備機構の助言又は専門家の派遣を受けることが必要な場合において、認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、独立行政法人中小企業基盤整備機構に提供する当該業務に関する情報

(ii) information that officers or employees of an approved support institution or members of its Small and Medium-Sized Enterprise Revitalization Support Council provide to the Organization for Small & Medium Enterprises and Regional Innovation, concerning the business operations set forth in Article 134, paragraph (2), item (i) (limited to those regarding what are set forth in (b) and (c) of the same item) and the business operations set forth in items (ii) and (iii) of the same paragraph, if the approved support institution needs to receive advice from the Organization for Small & Medium Enterprises and

Regional Innovation or have experts dispatched to itself, for the purpose of smoothly undertaking those businesses; and

三 認定支援機関が第百三十四条第二項第二号及び第三号に掲げる業務を円滑に行うために他の認定支援機関から情報の提供を受けることが必要な場合において、当該認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員が、当該他の認定支援機関の役員若しくは職員又は中小企業再生支援協議会の委員に提供する当該業務に関する情報

(iii) information that officers or employees of an approved support institution or members of its Small and Medium-Sized Enterprise Revitalization Support Council provide to officers or employees of another approved support institution or members of its Small and Medium-Sized Enterprise Revitalization Support Council, concerning the business operations set forth in Article 134, paragraph (2), items (ii) and (iii), if that approved support institution needs to receive information from that other approved support institution for the purpose of smoothly undertaking those operations.

(改善命令)

(Orders for Improvement)

第百三十七条 経済産業大臣は、認定支援機関の中小企業再生支援業務の運営に関し改善が必要であると認めるときは、その認定支援機関に対し、その改善に必要な措置を講ずべきことを命ずることができる。

Article 137 If the Minister of Economy, Trade and Industry determines that improvements are necessary with respect to an approved support institution's management of its business operations to support small and medium-sized enterprise revitalization, the minister may order the approved support institution to take measures necessary for those improvements.

(認定の取消し)

(Rescission of Approval)

第百三十八条 経済産業大臣は、認定支援機関が前条の規定による命令に違反したときは、その認定を取り消すことができる。

Article 138 If an approved support institution has violated an order under the preceding Article, the Minister of Economy, Trade and Industry may rescind its approval.

(中小企業信用保険法の特例)

(Special Provisions for the Small and Medium-Sized Enterprise Credit Insurance Act)

第百三十九条 認定支援機関であつて、特定中小企業再生支援事業（中小企業再生支援業務に係る事業であつて、中小企業再生支援協議会の決定を経たものをいう。）の実施に必要な資金に係る中小企業信用保険法第三条第一項又は第三条の二第一項に規定

する債務の保証を受けたものについては、当該認定支援機関を同法第二条第一項の中小企業者とみなして、同法第三条、第三条の二及び第四条から第八条までの規定を適用する。この場合において、同法第三条第一項及び第三条の二第一項の規定の適用については、これらの規定中「借入れ」とあるのは、「産業競争力強化法（平成二十五年法律第九十八号）第百三十九条に規定する特定中小企業再生支援事業の実施に必要な資金の借入れ」とする。

**Article 139** Regarding an approved support institution that has received a guarantee for obligations as prescribed in Article 3, paragraph (1) or Article 3-2, paragraph (1) of the Small and Medium-Sized Enterprise Credit Insurance Act regarding funds necessary for undertaking a specified program for supporting small and medium-sized enterprise revitalization (meaning a program regarding business operations to support small and medium-sized enterprise revitalization that have been decided on by a Small and Medium-Sized Enterprise Revitalization Support Council), the approved support institution is deemed to be the small or medium-sized enterprise set forth in Article 2, paragraph (1) of the same Act, and the provisions of Article 3, Article 3-2, and Article 4 to Article 8 of the same Act apply to the relevant institution. In this case, with respect to the application of the provisions of Article 3, paragraph (1) and Article 3-2, paragraph (1) of the same Act, the phrase "borrowing" in those provisions is deemed to be replaced with "borrowing of funds necessary for implementing the program for supporting specified small and medium-sized enterprise revitalization prescribed in Article 139 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)".

（独立行政法人中小企業基盤整備機構の行う再生支援業務）

**(Business Operations to Support Revitalization, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第百四十条 独立行政法人中小企業基盤整備機構は、中小企業の活力の再生を支援するため、次に掲げる業務を行う。

**Article 140** The Organization for Small & Medium Enterprises and Regional Innovation undertakes the following business operations for the purpose of supporting the revitalization of small and medium-sized enterprises:

一 投資事業有限責任組合（事業再編又は中小企業承継事業再生を実施する事業者に対する資金供給を行うものとして政令で定めるものに限る。次条第二項において「特定投資事業有限責任組合」という。）であつて中小企業に対する投資事業を実施するものに対する当該投資事業の実施に必要な資金の出資を行うこと。

(i) providing limited investment partnerships (limited to those specified by Cabinet Order as partnerships providing funds to businesses that implement corporate restructuring or SME business rehabilitation through succession; the relevant partnerships are referred to as "specified limited investment partnerships" in paragraph (2) of the following Article) that implement

investment programs targeting small and medium-sized enterprises with the necessary funds for the investments;

二 第百三十四条第二項第一号から第五号までに掲げる業務を行うこと。

(ii) undertaking the business operations set forth in Article 134, paragraph (2), items (i) through (v);

三 認定支援機関の依頼に応じて、専門家の派遣その他中小企業再生支援業務の実施に関し必要な協力を行うこと。

(iii) dispatching experts and offering other necessary cooperation for the undertaking of business operations to support small and medium-sized enterprise revitalization in response to requests from approved support institutions; and

四 中小企業再生支援業務の実施状況を評価し、及びその結果を経済産業大臣に報告すること。

(iv) evaluating the state of undertaking of business operations to support small and medium-sized enterprise revitalization and reporting the results thereof to the Minister of Economy, Trade and Industry.

## 第六章 雑則

### Chapter VI Miscellaneous Provisions

(資金の確保)

(Securing of Funds)

第百四十一条 国は、認定事業再編事業者等が認定事業再編計画に従って事業再編のための措置を行い、又は認定新技術等実証実施者、認定新事業活動実施者、認定特定新事業開拓投資事業組合、認定外部経営資源活用促進投資事業者、認定特定研究成果活用支援事業者、認定革新的技術研究成果活用事業活動実施者、認定事業適応事業者、認定市町村若しくは認定連携創業支援等事業者が認定新技術等実証計画、認定新事業活動計画、認定特定新事業開拓投資事業計画、認定外部経営資源活用促進投資事業計画、認定特定研究成果活用支援事業計画、認定革新的技術研究成果活用事業活動計画、認定事業適応計画若しくは認定創業支援等事業計画に従って新技術等実証、新事業活動、特定新事業開拓投資事業、外部経営資源活用促進投資事業、特定研究成果活用支援事業、革新的技術研究成果活用事業活動、事業適応若しくは創業支援等事業を実施するのに必要な資金の確保に努めるものとする。

Article 141 (1) The State is to endeavor to secure funds necessary for approved businesses implementing corporate restructuring to take measures for the purpose of business reconstruction in accordance with approved corporate restructuring plans, or funds necessary for approved implementers of the testing of new technology, etc., approved implementers of new business activities, approved partnerships implementing specified investment programs for developing new business, approved investment businesses promoting utilization of external management resources, approved businesses supporting



the utilization of specified research results, approved implementers of business activities utilizing innovative technology research results, approved businesses implementing business adaptation, approved municipalities, or businesses implementing approved collaborative programs for supporting start-ups, etc. to implement testing of new technology, etc., new business activities, specified investment programs for developing new business, investment programs for promoting utilization of external management resources, programs for supporting the utilization of specified research results, business activities utilizing innovative technology research results, business adaptation, or programs for supporting start-ups, etc., in accordance with approved plans for the testing of new technology, etc., approved plans for new business activities, approved plans for specified investment program for developing new business, approved plans for investment programs for promoting utilization of external management resources, approved plans for program for supporting the utilization of specified research results, approved plans for business activities utilizing innovative technology research results, approved business adaptation plans, or approved plans for program for supporting start-ups, etc.

2 国は、特定投資事業有限責任組合が事業再編を実施する事業者の自己資本の充実を行うのに必要な資金の確保に努めるものとする。

(2) The State is to endeavor to secure funds necessary for specified limited investment partnerships to enhance the equity capital of businesses implementing corporate restructuring.

(雇用の安定等)

(Stability of Employment)

第百四十二条 認定事業再編事業者は、認定事業再編計画に従って事業再編を実施するに当たっては、その雇用する労働者の理解と協力を得るとともに、当該労働者について、失業の予防その他雇用の安定を図るため必要な措置を講ずるよう努めなければならない。

Article 142 (1) If approved businesses implementing corporate restructuring implement their corporate restructuring in accordance with their approved corporate restructuring plans, they must gain the understanding and cooperation of the workers in their employment, and must endeavor to take necessary measures for preventing unemployment or otherwise promoting the stability of employment, with respect to the workers.

2 国は、認定事業再編事業者の雇用する労働者について、失業の予防その他雇用の安定を図るため必要な措置を講ずるよう努めるものとする。

(2) The State is to endeavor to take necessary measures for preventing unemployment or otherwise promoting the stability of employment, with respect to workers who are employed by approved businesses implementing corporate restructuring.

3 国は、認定事業再編事業者に雇用されていた労働者について、就職のあつせんその他その職業及び生活の安定に資するため必要な措置を講ずるよう努めるものとする。

(3) The State is to endeavor to take necessary measures for providing job placement or otherwise contributing to the stability of work and lifestyle, with respect to workers who were employed by approved businesses implementing corporate restructuring.

4 国及び都道府県は、認定事業再編事業者の雇用する労働者及び認定事業再編事業者に雇用されていた労働者について、職業訓練の実施その他の能力の開発及び向上を図るために必要な措置を講ずるよう努めるものとする。

(4) The State and prefectures are to endeavor to take necessary measures for providing vocational training or otherwise promoting the development and improvement of skills, with respect to workers who are employed by approved businesses implementing corporate restructuring and workers who were employed by approved businesses implementing corporate restructuring.

5 国及び都道府県は、認定事業再編事業者の関連中小企業者について、その新たな経済的環境への適応の円滑化に資するため必要な措置を講ずるよう努めるものとする。

(5) The State and prefectures are to endeavor to take necessary measures for contributing to the facilitation of responses towards the new economic environments, with respect to the related small and medium-sized enterprises of approved businesses implementing corporate restructuring.

(中小企業者への配慮)

(Consideration towards Small and Medium-Sized Enterprises)

第百四十三条 国、地方公共団体、独立行政法人中小企業基盤整備機構、商工会及び商工会議所は、他の事業者の事業再編の実施によりその経営に著しい影響を受ける中小企業者の経営基盤の強化を図るため、当該中小企業者の行う事業に関する経営方法又は技術に関する助言、研修又は情報提供その他必要な施策を総合的に推進するよう努めるものとする。

Article 143 For the purpose of strengthening the business foundations of small and medium-sized enterprises that are significantly affected by corporate restructuring implemented by another business, the State, local governments, the Organization for Small & Medium Enterprises and Regional Innovation, chambers of commerce, and chambers of commerce and industry are to endeavor to provide the relevant small and medium-sized enterprises with advice, training, or information concerning methods for management or technologies regarding their businesses, and promote other necessary measures, comprehensively.

(報告の徴収)

(Collection of Reports)

第百四十四条 主務大臣は、認定新技術等実証実施者、認定新事業活動実施者、認定外

部経営資源活用促進投資事業者（当該認定外部経営資源活用促進投資事業者が投資事業有限責任組合である場合にあっては、当該投資事業有限責任組合の無限責任組合員）、認定特定研究成果活用支援事業者（当該認定特定研究成果活用支援事業者が投資事業有限責任組合である場合にあっては、当該投資事業有限責任組合の無限責任組合員）、認定革新的技術研究成果活用事業活動実施者、認定事業適応事業者又は認定事業再編事業者に対し、認定新技術等実証計画、認定新事業活動計画、認定外部経営資源活用促進投資事業計画、認定特定研究成果活用支援事業計画、認定革新的技術研究成果活用事業活動計画、認定事業適応計画又は認定事業再編計画の実施状況について報告を求めることができる。

Article 144 (1) The competent ministers may request reports from approved implementers of the testing of new technology, etc. with respect to the state of implementation of the approved plans for the testing of new technology, etc., request reports from approved implementers of new business activities with respect to the state of implementation of the approved plans for new business activities, request reports from approved investment businesses promoting utilization of external management resources (when the relevant approved investment business promoting utilization of external management resources is a limited investment partnership, an unlimited liability partner of the limited investment partnership) with respect to the state of implementation of the approved plans for investment programs for promoting utilization of external management resources, request reports from approved businesses supporting the utilization of specified research results (when the relevant approved business supporting the utilization of specified research results is a limited investment partnership, an unlimited liability partner of the limited investment partnership) with respect to the state of implementation of the approved plans for program for supporting the utilization of specified research results, request reports from approved implementers of business activities utilizing innovative technology research results with respect to the state of implementation of the approved plans for business activities utilizing innovative technology research results, request reports from approved businesses implementing business adaptation with respect to the state of implementation of the approved business adaptation plans, or request reports from approved businesses implementing corporate restructuring with respect to the state of implementation of the approved corporate restructuring plans.

2 主務大臣は、認定市町村に対し、認定創業支援等事業計画の実施状況について報告を求めることができる。

(2) The competent ministers may request reports from approved municipalities, with respect to the state of implementation of the approved plans for program for supporting start-ups, etc.

3 経済産業大臣は、認定特定新事業開拓投資事業組合の無限責任組合員に対し、認定特定新事業開拓投資事業計画の実施状況について報告を求めることができる。

(3) The Minister of Economy, Trade and Industry may request reports from unlimited liability partners of approved partnerships implementing specified investment program for developing new business, with respect to the state of implementation of the approved plans for specified investment program for developing new business.

4 経済産業大臣は、認定支援機関に対し、中小企業再生支援業務の実施状況について報告を求めることができる。

(4) The Minister of Economy, Trade and Industry may request reports from approved support institutions, with respect to the state of undertaking business operations to support small and medium-sized enterprise revitalization.

5 経済産業大臣は、この法律の施行に必要な限度において、特定認証紛争解決事業者に対し、特定認証紛争解決手続の業務、第五十四条第一項に規定する償還すべき社債の金額の減額に係る確認の業務、第五十六条第一項に規定する資金の借入に係る確認の業務、第五十九条第一項に規定する債権に係る確認の業務又は第六十五条の三に規定する債権の減額に係る確認の業務の実施状況について報告を求めることができる。

(5) The Minister of Economy, Trade and Industry may request specified certified dispute resolution businesses to report on the state of undertaking their business operations for specified certified dispute resolution procedures, their business operations for confirmation regarding the reduction on the amount of bonds to be redeemed as prescribed in Article 54, paragraph (1), their business operations for confirmation regarding the borrowing of funds as prescribed in Article 56, paragraph (1), their business operations for confirmation regarding the claims as prescribed in Article 59, paragraph (1), or their business operations for confirmation on the reduction of the amount of claims prescribed in Article 65-3, to the extent necessary for the purpose of the enforcement of this Act.

(指定金融機関等に対する報告の徴収等)

(Collection of Reports from Designated Financial Institutions)

第百四十五条 主務大臣は、この法律を施行するため必要があると認めるときは、第二十一条の六第一項、第二十一条の十九第一項又は第三十七条第一項の規定による指定を受けた者（以下この項において「指定金融機関等」という。）から革新的技術研究成果活用事業活動支援業務、事業適応促進業務若しくは事業再編促進業務に関し報告をさせ、又はその職員に、指定金融機関等の営業所若しくは事務所に立ち入り、帳簿、書類その他の物件を検査させることができる。

Article 145 (1) If the competent minister finds it necessary for the enforcement of this Act, the minister may have a person designated under the provisions of Article 21-6, paragraph (1), Article 21-19, paragraph (1), or Article 37, paragraph (1) (hereinafter referred to as a "designated financial institution, etc." in this paragraph) report on its business operations to support business

activities utilizing innovative technology research results, business operations to promote business adaptation, or business operations to promote corporate restructuring, or may direct the officials of the ministry to enter the business office or office of the designated financial institution, etc., and to perform inspections of its account books, documentation and other items.

2 主務大臣は、この法律を施行するため必要があると認めるときは、認定技術等情報漏えい防止措置認証機関から技術等情報漏えい防止措置認証業務に関し報告をさせ、又はその職員に、認定技術等情報漏えい防止措置認証機関の事務所に立ち入り、帳簿、書類その他の物件を検査させることができる。

(2) If the competent minister finds it necessary for the enforcement of this Act, the minister may have an approved entity certifying security measures of companies to prevent technological information from being compromised report on its business operations to certify security measures of companies to prevent technological information from being compromised, or may direct the officials of the ministry to enter the office of the approved entity certifying security measures of companies to prevent technological information from being compromised, and to perform inspections of its account books, documentation and other items.

3 経済産業大臣は、この法律を施行するため必要があると認めるときは、機構からその業務に関し報告をさせ、又はその職員に、機構の営業所、事務所その他の事業場に立ち入り、帳簿、書類その他の物件を検査させることができる。

(3) If the Minister of Economy, Trade and Industry finds it necessary for the enforcement of this Act, the minister may have the JIC report on its business operations, or may direct the officials of the ministry to enter the business office, office, or other workplaces of the JIC, and to perform inspections of its account books, documentation and other items.

4 前三項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人にこれを提示しなければならない。

(4) Officials conducting on-site inspections pursuant to the provisions of the preceding three paragraphs must carry a certificate of identification and display it to the persons concerned.

5 第一項から第三項までの規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(5) The authority to conduct on-site inspections under paragraphs (1) through (3) must not be construed as being approved for the purpose of a criminal investigation.

(連絡及び協力)

(Liaison and Cooperation)

第四百四十六条 主務大臣及び厚生労働大臣は、この法律の施行に当たっては、認定事業再編事業者に係る労働者の雇用に関する事項について、相互に緊密に連絡し、及び協

力するものとする。

**Article 146** On enforcement of this Act, the competent ministers and the Minister of Health, Labour and Welfare are to maintain a close liaison and cooperate with each other with respect to particulars concerning the employment of workers regarding approved businesses implementing corporate restructuring.

(主務大臣等)

(Competent Ministers)

第百四十七条 この法律における主務大臣は、次の各号に掲げる事項の区分に応じ、それぞれ当該各号に定める大臣とする。

**Article 147** (1) The competent ministers under this Act are to be the ministers specified in the following items for each category of the particulars set forth respectively therein:

一 第六条第一項の規定による求めに関する事項 当該求めに係る新技術等又は新事業活動に係る事業を所管する大臣並びに当該求めに係る新たな規制の特例措置に係る法律及び法律に基づく命令を所管する行政機関の長

(i) particulars concerning requests under the provisions of Article 6, paragraph (1): the ministers with jurisdiction over the businesses regarding the new technology, etc. or new business activities to which the requests pertain and the heads of administrative organs with jurisdiction over Acts and orders based on Acts relating to the new special measures on regulations to which the requests pertain;

二 第七条第一項の規定による求めに関する事項 当該求めに係る新技術等又は新事業活動に係る事業を所管する大臣並びに当該求めに係る法律及び法律に基づく命令を所管する行政機関の長

(ii) particulars concerning requests under the provisions of Article 7, paragraph (1): the ministers with jurisdiction over the businesses regarding the new technology, etc. or new business activities to which the requests pertain and the heads of administrative organs with jurisdiction over Acts and orders based on Acts to which the requests pertain;

三 新技術等実証計画に関する事項 新技術等実証計画に記載された新技術等に係る事業を所管する大臣並びに新技術等実証計画に記載された第八条の二第三項第六号に規定する法律及び法律に基づく命令を所管する行政機関の長

(iii) particulars concerning plans for the testing of new technology, etc.: the ministers with jurisdiction over the businesses regarding the new technology, etc. recorded in the plans for the testing of new technology, etc. and the heads of administrative organs with jurisdiction over the Acts and orders based on Acts prescribed in Article 8-2, paragraph (3), item (vi) which are recorded in the plans for the testing of new technology, etc.;

四 新事業活動計画に関する事項 (次号に掲げるものを除く。) 新事業活動計画に

記載された新事業活動に係る事業を所管する大臣並びに新事業活動計画に記載された第九条第三項第四号に規定する規制の特例措置に係る法律及び法律に基づく命令を所管する行政機関の長

(iv) particulars concerning plans for new business activities (excluding those set forth in the following item): the ministers with jurisdiction over the businesses regarding the new business activities recorded in the plans for new business activities and the heads of administrative organs with jurisdiction over the Acts and orders based on Acts relating to the special measures on regulations prescribed in Article 9, paragraph (3), item (iv) which are recorded in the plans for new business activities;

四の二 新事業活動計画（第十一条の二に規定する規制の特例措置に係るものに限る。）に関する事項 経済産業大臣及び法務大臣

(iv)-2 particulars concerning plans for new business activities (limited to the particulars regarding the special measures on regulations prescribed in Article 11-2): the Minister of Economy, Trade and Industry and the Minister of Justice;

五 特定研究成果活用支援事業計画に関する事項 経済産業大臣及び文部科学大臣

(v) particulars concerning plans for program for supporting the utilization of specified research results: the Minister of Economy, Trade and Industry and the Minister of Education, Culture, Sports, Science and Technology;

六 事業適応計画に関する事項 事業適応計画に係る事業を所管する大臣

(vi) particulars concerning business adaptation plans: the ministers with jurisdiction over the businesses regarding the business adaptation plans;

七 事業適応促進円滑化業務及び事業適応促進業務に関する事項 経済産業大臣及び財務大臣

(vii) particulars concerning business operations to facilitate business adaptation promotion and business operations to promote business adaptation: the Minister of Economy, Trade and Industry and the Minister of Finance;

八 事業再編計画に関する事項 事業再編計画に係る事業を所管する大臣

(viii) particulars concerning corporate restructuring plans: the ministers with jurisdiction over the businesses regarding corporate restructuring plans;

九 事業再編促進円滑化業務及び事業再編促進業務に関する事項 経済産業大臣及び財務大臣

(ix) particulars concerning business operations to facilitate corporate restructuring promotion and business operations to promote corporate restructuring: the Minister of Economy, Trade and Industry and the Minister of Finance;

十 技術等情報漏えい防止措置に関する事項 促進指針の対象となる事業者の事業を所管する大臣及び経済産業大臣

(x) particulars concerning security measures of companies to prevent

technological information from being compromised: the ministers with jurisdiction over the operations of the businesses subject to the promotion guidelines and the Minister of Economy, Trade and Industry;

十一 特定政府出資会社の株式の機構に対する譲受けの求めに関する事項 特定政府出資会社の設立を認可した大臣

(xi) particulars concerning requesting the JIC to accept shares in specified government-funded companies: the minister who has given authorization for the establishment of the relevant specified government-funded company; and

十二 創業支援等事業計画に関する事項 経済産業大臣、総務大臣及び創業支援等事業計画に係る創業支援等事業を所管する大臣

(xii) particulars concerning plans for program for supporting start-ups, etc.: the Minister of Economy, Trade and Industry, the Minister of Internal Affairs and Communications, and the ministers with jurisdiction over programs for supporting start-ups, etc. under plans for program for supporting start-ups, etc.

2 この法律における主務省令は、主務大臣の発する命令とする。

(2) Orders of the competent ministries under this Act are to be orders issued by the competent ministers.

3 前項の規定にかかわらず、第二条第二項、第八条の二第三項、第九条第三項及び第十二条における主務省令は、規制について規定する法律及び法律に基づく命令（人事院規則、公正取引委員会規則、国家公安委員会規則、個人情報保護委員会規則、カジノ管理委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則及び原子力規制委員会規則を除く。）を所管する内閣官房、内閣府、デジタル庁又は各省の内閣官房令（告示を含む。）、内閣府令（告示を含む。）、デジタル庁令（告示を含む。）又は省令（告示を含む。）とする。ただし、人事院、公正取引委員会、国家公安委員会、個人情報保護委員会、カジノ管理委員会、公害等調整委員会、公安審査委員会、中央労働委員会、運輸安全委員会又は原子力規制委員会の所管に係る規制については、それぞれ人事院規則、公正取引委員会規則、国家公安委員会規則、個人情報保護委員会規則、カジノ管理委員会規則、公害等調整委員会規則、公安審査委員会規則、中央労働委員会規則、運輸安全委員会規則又は原子力規制委員会規則とする。

(3) Notwithstanding the provisions of the preceding paragraph, orders of the competent ministries in Article 2, paragraph (2), Article 8-2, paragraph (3), Article 9, paragraph (3), and Article 12 are to be Cabinet Secretariat Orders (including public notices) of the Cabinet Secretariat, which has jurisdiction over Acts or orders based on Acts that provide for regulations, Cabinet Office Orders (including public notices) of the Cabinet Office, which has jurisdiction over Acts or orders based on Acts that provide for regulations, Digital Agency Orders (including public notices) of the Digital Agency, which has jurisdiction over Acts or orders based on Acts that provide for regulations, or Ministerial Orders (including public notices) of each ministry that has jurisdiction over



Acts or orders based on Acts that provide for regulations (those Acts or those orders based on Acts exclude the Rules of the National Personnel Authority, Rules of the Fair Trade Commission, Rules of the National Public Safety Commission, Rules of the Personal Information Protection Commission, Rules of the Japan Casino Regulatory Commission, Rules of the Environmental Disputes Coordination Commission, Rules of the Public Security Examination Commission, Rules of the Central Labor Relations Commission, Rules of the Japan Transport Safety Board, and Rules of the Nuclear Regulation Authority); provided, however, that orders of the competent ministries with respect to regulations under the jurisdiction of the National Personnel Authority are the Rules of the National Personnel Authority, those with respect to regulations under the jurisdiction of the Fair Trade Commission are the Rules of the Fair Trade Commission, those with respect to regulations under the jurisdiction of the National Public Safety Commission are the Rules of the National Public Safety Commission, those with respect to regulations under the jurisdiction of the Personal Information Protection Commission are the Rules of the Personal Information Protection Commission, those with respect to regulations under the jurisdiction of the Japan Casino Regulatory Commission are the Rules of the Japan Casino Regulatory Commission, those with respect to regulations under the jurisdiction of the Environmental Disputes Coordination Commission are the Rules of the Environmental Disputes Coordination Commission, those with respect to regulations under the jurisdiction of the Public Security Examination Commission are the Rules of the Public Security Examination Commission, those with respect to regulations under the jurisdiction of the Central Labor Relations Commission are the Rules of the Central Labor Relations Commission, those with respect to regulations under the jurisdiction of the Japan Transport Safety Board are the Rules of the Japan Transport Safety Board, and those with respect to regulations under the jurisdiction of the Nuclear Regulation Authority are the Rules of the Nuclear Regulation Authority.

(権限の委任)

(Delegation of Authority)

第四百四十八条 この法律による主務大臣の権限は、主務省令で定めるところにより、地方支分部局の長に委任することができる。

Article 148 The authority of the competent ministers under this Act may be delegated to the head of a local branch or department, as prescribed by orders of the competent ministries.

(機構と事業活動の計画の認定等との関係)

(Relationship between the JIC and Approval for Plans for Business Activities)

第百四十九条 機構は、特定事業活動支援をするに当たっては、必要に応じ、対象事業者に対し、第八条の二第一項の新技术等実証計画の認定、第九条第一項の新事業活動計画の認定、第十七条の二第一項の外部経営資源活用促進投資事業計画の認定、第二十一条の三第一項の革新的技術研究成果活用事業活動計画の認定、第二十一条の十五第一項の事業適応計画の認定又は第二十三条第一項の特別事業再編計画の認定の申請を促すことその他の措置を講ずることにより、これらの施策と相まって、効果的にこれを行うよう努めなければならない。

Article 149 If the JIC provides support for specified business activities, it must, as necessary, take measures such as encouraging subject businesses to file applications for the approval for plans for the testing of new technology, etc. set forth in Article 8-2, paragraph (1), the approval for plans for new business activities set forth in Article 9, paragraph (1), the approval for plans for investment programs for promoting utilization of external management resources set forth in Article 17-2, paragraph (1), the approval for plans for business activities utilizing innovative technology research results set forth in Article 21-3, paragraph (1), the approval for business adaptation plans set forth in Article 21-15, paragraph (1), or the approval for special corporate restructuring plans set forth in Article 23, paragraph (1), and thereby endeavor to effectively provide that support in conjunction with those measures.

(経過措置)

(Transitional Measures)

第百五十条 この法律に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 150 If enacting, amending or repealing an order under this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by that order to the extent considered reasonably necessary for the enactment, amendment or repeal thereof.

## 第七章 罰則

### Chapter VII Penal Provisions

第百五十一条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員が、その職務に関して、賄賂を収受し、又はその要求若しくは約束をしたときは、三年以下の懲役に処する。これによって不正の行為をし、又は相当の行為をしなかったときは、五年以下の懲役に処する。

Article 151 (1) If a director, accounting advisor (or, a member who is to perform the duties of the accounting advisor, if the accounting advisor is a corporation), company auditor or employee of the JIC has accepted or has solicited a bribe, or has promised to accept a bribe, in connection with duties, the relevant

person is subject to imprisonment for not more than three years. If the relevant person has conducted unlawful acts, or has failed to act appropriately for this reason, the person is subject to imprisonment for not more than five years.

2 前項の場合において、犯人が収受した賄賂は、没収する。その全部又は一部を没収することができないときは、その価額を追徴する。

(2) In the cases set forth in the preceding paragraph, bribes accepted by the offender are to be confiscated. If all or part of the bribes could not be confiscated, a corresponding amount of money is to be confiscated.

第一百五十二条 前条第一項の賄賂を供与し、又はその申込み若しくは約束をした者は、三年以下の懲役又は百万円以下の罰金に処する。

Article 152 (1) A person who has given a bribe as set forth in paragraph (1) of the preceding Article, or has offered or has promised to give that bribe, is subject to imprisonment for not more than three years or a fine of not more than 1,000,000 yen.

2 前項の罪を犯した者が自首したときは、その刑を減輕し、又は免除することができる。

(2) If a person who has committed the crime set forth in the preceding paragraph surrenders to the authorities, the punishment may be reduced, or the person may be exempted from punishment.

第一百五十三条 第一百五十一条第一項の罪は、日本国外において同項の罪を犯した者にも適用する。

Article 153 (1) The crime set forth in Article 151, paragraph (1) also applies to persons who have committed the crime set forth in the same paragraph outside of Japan.

2 前条第一項の罪は、刑法（明治四十年法律第四十五号）第二条の例に従う。

(2) The crime set forth in paragraph (1) of the preceding Article is governed by Article 2 of the Penal Code (Act No. 45 of 1907).

第一百五十四条 機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役若しくは職員又はこれらの職にあった者が、第九十三条の規定に違反してその職務上知ることのできた秘密を漏らし、又は盗用したときは、一年以下の懲役又は五十万円以下の罰金に処する。

Article 154 If a director, accounting advisor (or, a member who is to perform the duties of the accounting advisor, if the accounting advisor is a corporation), company auditor or employee of the JIC, or a person who was employed as such has divulged or misappropriated confidential information that has come to their knowledge in the performance of duties, in violation of the provisions of Article 93, the relevant person is subject to imprisonment for not more than one year, or a fine of not more than 500,000 yen.

第百五十五条 第百四十五条第三項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員は、五十万円以下の罰金に処する。

Article 155 If a report has not been made pursuant to the provisions of Article 145, paragraph (3), or a false report has been made, or an inspection pursuant to the provisions of the same paragraph has been refused, obstructed or evaded, the director, accounting advisor (or, a member who is to perform the duties of the accounting advisor, if the accounting advisor is a corporation), company auditor or employee of the JIC, which has committed the violation, is subject to a fine of not more than 500,000 yen.

第百五十六条 次の各号のいずれかに該当するときは、その違反行為をした者は、三十万円以下の罰金に処する。

Article 156 If falling under any of the following items, the person that has committed the violation is subject to a fine of not more than 300,000 yen:

一 第二十一条の二十三又は第四十一条の規定に違反して、帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかったとき。

(i) if a person has failed to keep books, or failed to record particulars in books, or has recorded false statements in books, or has failed to preserve books on record, in violation of the provisions of Article 21-23 or Article 41;

二 第二十一条の二十五第一項又は第四十三条第一項の規定による届出をしないで事業適応促進業務若しくは事業再編促進業務の全部若しくは一部を休止し、若しくは廃止し、又は虚偽の届出をしたとき。

(ii) if a person has suspended or discontinued all or part of business operations to promote business adaptation or business operations to promote corporate restructuring without making a notification under Article 21-25, paragraph (1) or Article 43, paragraph (1), or has made a false notification;

三 第百四十四条第一項又は第三項から第五項までの規定による報告をせず、又は虚偽の報告をしたとき。

(iii) if a person has failed to make a report under Article 144, paragraph (1) or paragraphs (3) through (5), or has made a false report; or

四 第百四十五条第一項又は第二項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iv) if a person has failed to make a report under Article 145, paragraph (1) or paragraph (2), or has made a false report, or has refused, obstructed or evaded an inspection to be conducted pursuant to the provisions of the same paragraph.

第百五十七条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、

その法人又は人の業務に関し、前二条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して同条の刑を科する。

**Article 157** If the representative of a corporation or an agent, employee or any other worker of a corporation or an individual has committed a violation as set forth in the preceding two Articles in relation to the business of the corporation or individual, in addition to the offender, the corporation or the individual is also subject to the punishment set forth in those Articles.

第百五十八条 第三十条第三項において読み替えて準用する会社法第七百九十七条第三項又は第四項の規定に違反して公告若しくは通知をすることを怠り、又は不正の公告若しくは通知をしたときは、その違反行為をした株式会社の取締役、執行役、清算人、清算人代理、民事保全法（平成元年法律第九十一号）第五十六条に規定する仮処分命令により選任された取締役、執行役若しくは清算人の職務を代行する者、会社法第九百六十条第一項第五号に規定する一時取締役、代表取締役、執行役若しくは代表執行役の職務を行うべき者、同条第二項第三号に規定する一時清算人若しくは代表清算人の職務を行うべき者又は支配人は、百万円以下の過料に処する。

**Article 158** If a stock company has failed to make a public notice or notification or has made a false public notice or notification, in violation of the provisions of Article 797, paragraph (3) or paragraph (4) of the Companies Act as applied mutatis mutandis pursuant to Article 30, paragraph (3) following the deemed replacement of terms, the director, executive officer, liquidator, or liquidator's agent; the person appointed to perform duties on behalf of the director, executive officer, or a liquidator, based on a provisional disposition order prescribed in Article 56 of the Civil Provisional Remedies Act (Act No. 91 of 1989); the person who is temporarily to perform the duties of the director, representative director, executive officer, or representative executive officer as prescribed in Article 960, paragraph (1), item (v) of the Companies Act; the person who is temporarily to perform the duties of the liquidator or representative liquidator as prescribed in paragraph (2), item (iii) of the same Article; or the manager of the stock company that has committed the violation is subject to a civil fine of not more than 1,000,000 yen.

第百五十九条 第二十一条の十八第二項、第二十一条の二十二第二項、第三十六条第二項又は第四十条第二項の規定に違反して、主務大臣の認可を受けなかった場合には、その違反行為をした公庫の取締役又は執行役は、百万円以下の過料に処する。

**Article 159** If the JFC has failed to obtain the approval of the competent minister, in violation of the provisions of Article 21-18, paragraph (2), Article 21-22, paragraph (2), Article 36, paragraph (2) or Article 40, paragraph (2), the director or executive officer of the JFC, which has committed the violation, is subject to a civil fine of not more than 1,000,000 yen.

第一百六十条 次の各号のいずれかに該当する場合には、その違反行為をした機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は監査役は、百万円以下の過料に処する。

Article 160 If the JIC has fallen under any of the following items, the director, accounting advisor (or, a member who is to perform the duties of the accounting advisor, if the accounting advisor is a corporation), or company auditor of the JIC, which has committed the violation, is subject to a civil fine of not more than 1,000,000 yen:

一 第八十三条第一項の規定に違反して、募集株式、募集新株予約権若しくは募集社債を引き受ける者の募集をし、株式交換若しくは株式交付に際して株式、社債若しくは新株予約権を発行し、又は資金を借り入れたとき。

(i) if the JIC has solicited subscribers to shares for subscription, share options for subscription, or bonds for subscription; or has issued shares, bonds or share options at a share exchange or share delivery; or has borrowed funds, in violation of the provisions of Article 83, paragraph (1);

二 第八十三条第二項の規定に違反して、株式を発行した旨の届出を行わなかったとき。

(ii) if the JIC has failed to make a notification of the issuance of shares, in violation of the provisions of Article 83, paragraph (2);

三 第九十九条第一項又は第四項の規定に違反して、登記することを怠ったとき。

(iii) if the JIC has neglected to make a registration, in violation of the provisions of Article 99, paragraph (1) or paragraph (4);

四 第一百一条第三項の規定に違反して、業務を行ったとき。

(iv) if the JIC has undertaken business operations, in violation of the provisions of Article 101, paragraph (3);

五 第一百三条第二項又は第五十条第一項の規定に違反して、資金供給の認可を受けなかったとき。

(v) if the JIC has failed to obtain authorization for fund provision, in violation of the provisions of Article 103, paragraph (2) or Article 105, paragraph (1);

六 第一百六条第三項の規定に違反して、報告をせず、又は虚偽の報告をしたとき。

(vi) if the JIC has failed to make a report or has made a false report, in violation of the provisions of Article 106, paragraph (3);

七 第一百八条第二項又は第一百十条第一項の規定に違反して、経済産業大臣に通知をしなかったとき。

(vii) if the JIC has failed to make a notification to the Minister of Economy, Trade and Industry, in violation of the provisions of Article 108, paragraph (2) or Article 110, paragraph (1);

八 第一百四十四条第一項の規定に違反して、株式の譲渡の認可を受けなかったとき。

(viii) if the JIC has failed to obtain authorization for transfer of shares, in violation of the provisions of Article 114, paragraph (1);

九 第一百六十六条第一項の規定に違反して、予算の認可を受けなかったとき。

(ix) if the JIC has failed to obtain the budget authorization, in violation of the provisions of Article 116, paragraph (1);

十 第一百十八条の規定に違反して、貸借対照表、損益計算書若しくは事業報告書を提出せず、又は虚偽の記載若しくは記録をしたこれらのものを提出したとき。

(x) if the JIC has failed to submit a balance sheet, profit and loss statement, or business report, or has submitted any of those documents containing false statements or records, in violation of the provisions of Article 118; or

十一 第二百一十二条第二項の規定による命令に違反したとき。

(xi) if the JIC has violated an order issued under Article 121 paragraph (2).

第百六十一条 次の各号のいずれかに該当する場合には、その違反行為をした機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）又は監査役は、二十万円以下の過料に処する。

Article 161 If the JIC has fallen under either of the following items, the director, accounting advisor (or, a member who is to perform the duties of the accounting advisor, if the accounting advisor is a corporation), or company auditor of the JIC, which has committed the violation, is subject to a civil fine of not more than 200,000 yen:

一 第一百二十条第一項の規定に違反して、届出をせず、又は虚偽の届出をしたとき。

(i) if the JIC has failed to make a notification or has made a false notification, in violation of the provisions of Article 120, paragraph (1); or

二 第一百二十条第一項の規定に違反して、公表をせず、又は虚偽の公表をしたとき。

(ii) if the JIC has failed to make a publication or has made a false publication, in violation of the provisions of Article 120, paragraph (1).

第百六十二条 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 162 A person falling under any of the following items is subject to a civil fine of not more than 100,000 yen:

一 第十一条の三第二項の規定による届出をしないで同項に規定する事項を変更し、又は虚偽の届出をした者

(i) a person that has made a change to any of the matters prescribed in Article 11-3, paragraph (2) without making a notification under the provisions of the same paragraph, or has made a false notification;

二 第十一条の三第四項の規定による届出をしないで同項に規定する新事業活動を廃止し、又は虚偽の届出をした者

(ii) a person that has discontinued the new business activities prescribed in Article 11-3, paragraph (4) without making a notification under the provisions of the same paragraph, or has made a false notification;

三 第七十九条の規定に違反して、技術等情報漏えい防止措置認証業務に関し、認定技術等情報漏えい防止措置認証機関であると明らかに誤認されるおそれのある表示をした者

(iii) a person that has made an indication that could clearly give rise to the misconception that the person is an approved entity certifying security measures of companies to prevent technological information from being compromised with respect to business operations to certify security measures of companies to prevent technological information from being compromised, in violation of the provisions of Article 79; or

四 第八十五条第二項の規定に違反して、その名称中に産業革新投資機構という文字を用いた者

(iv) a person that has used the Japanese characters "産業革新投資機構" (pronounced "sangyo kakushin toushi kikou", meaning "Japan Investment Corporation") in its name, in violation of the provisions of Article 85, paragraph (2).

## 附 則

### Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date specified therein:

一 附則第二十八条及び第三十九条の規定 公布の日

(i) provisions of Article 28 and Article 39 of the Supplementary Provisions: the date of promulgation;

二 第十六条（特定研究成果活用支援事業に係る部分に限る。）、第二十条から第二十二号まで、第七十五条、第一百三十四条（特定研究成果活用支援事業に係る部分に限る。）、第一百三十七条第一項（特定研究成果活用支援事業に係る部分に限る。）、第一百五十三条第三号（同項（特定研究成果活用支援事業に係る部分に限る。）に係る部分に限る。）、第一百五十二条（同号に係る部分（同項（特定研究成果活用支援事業に係る部分に限る。）に係る部分に限る。）に限る。）並びに附則第二十六条及び第三十六条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(ii) provisions of Article 16 (limited to the portion on programs for supporting the utilization of specified research results), Articles 20 through 22, Article 75, Article 134 (limited to the portion on programs for supporting the utilization of specified research results), Article 137, paragraph (1) (limited to the portion on programs for supporting the utilization of specified research



results), Article 150, item (iii) (limited to the portion on the same paragraph (limited to the portion on programs for supporting the utilization of specified research results)), and Article 152 (limited to the portion on the same item (limited to the portion on the same paragraph (limited to the portion on programs for supporting the utilization of specified research results))), as well as Article 26 and Article 36 of the Supplementary Provisions: the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

(見直し)

(Review)

第二条 政府は、この法律の施行後平成三十年三月三十一日までの間に、経済社会情勢の変化を勘案しつつ、第五章の規定の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 (1) The government is to examine the state of enforcement of the provisions of Chapter V, within a period from the enforcement of this Act to March 31, 2018, taking into consideration changes in the economy and social circumstances, and take necessary measures based on the results thereof.

2 政府は、この法律の施行後平成三十年三月三十一日までの間に、経済社会情勢の変化を勘案しつつ、この法律（第五章の規定を除く。）の施行の状況について検討を加え、その結果に基づいて廃止を含めて見直しを行うものとする。

(2) The government is to examine the state of enforcement of this Act (excluding the provisions of Chapter V), within a period from the enforcement of this Act to March 31, 2018, taking into consideration changes in the economy and social circumstances, and review it based on the results thereof, without excluding the possibility of repeal.

(訓令又は通達に関する措置)

(Measures Concerning Orders or Notices)

第三条 関係行政機関の長が発する訓令又は通達のうち新事業活動に関するものについては、産業競争力を強化することの必要性に鑑み、この法律の規定に準じて、必要な措置を講ずるものとする。

Article 3 With respect to orders or notices issued by the heads of relevant administrative organs that relate to new business activities, necessary measures are to be taken in accordance with the provisions of this Act, in consideration of the necessity of strengthening industrial competitiveness.

(産業活力の再生及び産業活動の革新に関する特別措置法の廃止)

(Repeal of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities)

第四条 産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百

三十一号) は、廃止する。

Article 4 The Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) is repealed.

(事業再構築計画に関する経過措置)

(Transitional Measures Concerning Business Reconstruction Plans)

第五条 この法律の施行前にされた前条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（以下「旧産活法」という。）第五条第一項の認定の申請であって、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 5 (1) Prior laws continue to govern the granting of the approval as set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities prior to the repeal under the preceding Article (hereinafter referred to as the "Former Industrial Revitalization Act") for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第六条第一項の認定事業再構築事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、投資事業有限責任組合契約に関する法律の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved business reconstruction businesses set forth in Article 6, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): approval for changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind for the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a tender offer in exchange for shares; the special provisions concerning the issuance and acquisition of shares subject to class-wide call; demands for objections by creditors in cases of transfer of business; the special provisions for the Limited Partnership Act for Investment; the special provisions for the Small and Medium-Sized Enterprise Investment &

Consultation Corporation Act; and the collection of reports.

(経営資源再活用計画に関する経過措置)

(Transitional Measures Concerning Management Resource Reutilization Plans)

第六条 この法律の施行前にされた旧産活法第七条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 6 (1) Prior laws continue to govern the granting of the approval set forth in Article 7, paragraph (1) of the Former Industrial Revitalization Act, for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第八条第一項の認定経営資源再活用事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved management resource reutilization businesses set forth in Article 8, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind for the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a tender offer in exchange for shares; the special provisions concerning the issuance and acquisition of shares subject to class-wide call; demands for objections by creditors in cases of transfer of business; the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

(経営資源融合計画に関する経過措置)

(Transitional Measures Concerning Management Resource Integration Plans)

第七条 この法律の施行前にされた旧産活法第九条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定について

は、なお従前の例による。

Article 7 (1) Prior laws continue to govern the granting of approval set forth in Article 9, paragraph (1) of the Former Industrial Revitalization Act for which for an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第十条第一項の認定経営資源融合事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved management resource integration businesses set forth in Article 10, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind for the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a tender offer in exchange for shares; the special provisions concerning the issuance and acquisition of shares subject to class-wide call; demands for objections by creditors in cases of transfer of business; the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

（資源生産性革新計画に関する経過措置）

(Transitional Measures Concerning Resource Productivity Innovation Plans)

第八条 この法律の施行前にされた旧産活法第十一条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 8 (1) Prior laws continue to govern the granting of approval set forth in Article 11, paragraph (1) of the Former Industrial Revitalization Act for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第十二条第一項の認定資源生産性革新事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、現物出資及び財産引受の調査に関する特例、株式の発行等に係る現物出資の調査に関する特例、特別支配会社への事業譲渡等に関する特例、株式の併合に関する特例、株式を対価とする公開買付けに際しての株式の発行等に関する特例、全部取得条項付種類株式の発行及び取得に関する特例、事業の譲渡の場合の債権者の異議の催告等、貨物利用運送事業法（平成元年法律第八十二号）の特例、貨物自動車運送事業法（平成元年法律第八十三号）の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved resource productivity innovation businesses set forth in Article 12, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, and rescission of approval; the special provisions concerning investigations for contributions in kind and asset transactions; the special provisions concerning investigations for contributions in kind for the issuance of shares; the special provisions concerning business transfer, etc. to special controlling companies; the special provisions concerning consolidation of shares; the special provisions concerning the issuance of shares or disposal of treasury shares upon a tender offer in exchange for shares; the special provisions concerning the issuance and acquisition of shares subject to class-wide call; demands for objections by creditors in cases of transfer of business; the special provisions for the Consigned Freight Forwarding Business Act (Act No. 82 of 1989); the special provisions of the Motor Truck Transportation Business Act (Act No. 83 of 1989); the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

（事業革新新商品生産設備導入計画に関する経過措置）

(Transitional Measures Concerning Installation Plans of New Goods  
Production Equipment for Business Innovation)

第九条 この法律の施行前にされた旧産活法第十四条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 9 (1) Prior laws continue to govern the granting of approval set forth in Article 14, paragraph (1) of the Former Industrial Revitalization Act for an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第十五条第一項の認定事業革新新商品生産設備導入事業者（この法律の施

行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。)に関する計画の変更の認定、変更の指示及び認定の取消し、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

- (2) Prior laws continue to govern the following regarding approved businesses for new goods production equipment installation for business innovation set forth in Article 15, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, and rescission of approval; the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

(資源制約対応製品生産設備導入計画に関する経過措置)

(Transitional Measures Concerning Production Equipment Installation Plans for Goods in Response to Resource Constraints)

第十条 この法律の施行前にされた旧産活法第十六条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 10 (1) Prior laws continue to govern the granting of approval set forth in Article 16, paragraph (1) of the Former Industrial Revitalization Act for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be determined as of the time of the enforcement of this Act.

- 2 旧産活法第十七条第一項の認定資源制約対応製品生産設備導入事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

- (2) Prior laws continue to govern the following regarding approved businesses installing production equipment for goods in response to resource constraints set forth in Article 17, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, and rescission of approval; the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

(独立行政法人中小企業基盤整備機構の行う事業再構築円滑化等業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Facilitate Business

**Reconstruction, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第十一条 この法律の施行の際現に行われている旧産活法第二十四条の債務の保証に係る独立行政法人中小企業基盤整備機構の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 11 The provisions of Article 24 of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act, with respect to the business operations of the Organization for Small & Medium Enterprises and Regional Innovation for the guarantee for obligations set forth in the same Article that have already been undertaken at the time of the enforcement of this Act.

(公庫の行う損失補填業務に関する経過措置)

**(Transitional Measures Concerning the JFC's Business Operations to Compensate Losses)**

第十二条 この法律の施行の際現に行われている旧産活法第二十四条の二第一項の損失の補填に係る公庫の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 12 The provisions of Article 24-2, paragraph (1) of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act, with respect to business operations of the JFC for the compensation of losses set forth in the same Article that have already been undertaken at the time of the enforcement of this Act.

(公庫の行う事業再構築等促進円滑化業務に関する経過措置)

**(Transitional Measures Concerning the JFC's Business Operations to Facilitate the Promotion of Business Reconstruction)**

第十三条 この法律の施行の際現に行われている旧産活法第二十四条の三第一項に規定する公庫の事業再構築等促進円滑化業務については、同条並びに旧産活法第二十四条の四及び第二十四条の八の規定は、この法律の施行後も、なおその効力を有する。この場合において、旧産活法第二十四条の三第二項の表第五十八条第一項の項中「産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「特別措置法」という。）」とあるのは「産業競争力強化法（平成二十五年法律第九十八号）附則第十三条の規定によりなおその効力を有することとされた同法附則第四条の規定による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「旧特別措置法」という。）」と、同表第五十八条第二項及び第五十九条第一項の項、第七十一条の項、第七十三条第一号の項、第七十三条第三号の項、第七十三条第七号の項及び附則第四十七条第一項の項中「特別措置法」とあるのは「旧特別措置法」とする。

Article 13 The provisions of Article 24-3 as well as Article 24-4 and Article 24-8 of the Former Industrial Revitalization Act remain in force even after the

enforcement of this Act, with respect to the JFC's business operations to facilitate business reconstruction promotion prescribed in Article 24-3, paragraph (1) of the Former Industrial Revitalization Act that it has been undertaking at the time of the enforcement of this Act. In this case, the phrase "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Act on Special Measures")" in the row of Article 58, paragraph (1) of the table of Article 24-3, paragraph (2) of the Former Industrial Revitalization Act is deemed to be replaced with "the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999; hereinafter referred to as the "Former Act on Special Measures") prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), which remain in force pursuant to the provisions of Article 13 of the Supplementary Provisions of the same Act"; and the phrase "Act on Special Measures" in the row of Article 58, paragraph (2) and Article 59, paragraph (1), the row of Article 71, the row of Article 73, item (i), the row of Article 73, item (iii), the row of Article 73, item (vii), as well as the row of Article 47, paragraph (1) of the Supplementary Provisions in the same table is deemed to be replaced with "Former Act on Special Measures".

(旧産活法第二十四条の五第一項に規定する指定金融機関の行う事業再構築等促進業務に関する経過措置)

(Transitional Measures Concerning Business Operations to Promote Business Reconstruction, Which Are Undertaken by Designated Financial Institutions Prescribed in Article 24-5, Paragraph (1) of the Former Industrial Revitalization Act)

第十四条 この法律の施行の際現に行われている旧産活法第二十四条の五第一項に規定する指定金融機関の行う同項に規定する事業再構築等促進業務については、同条から旧産活法第二十四条の十三まで及び旧産活法第七十三条の二の規定は、この法律の施行後も、なおその効力を有する。

Article 14 The provisions of Articles 24-5 through 24-13 of the Former Industrial Revitalization Act and Article 73-2 of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act, with respect to the business operations to promote business reconstruction, etc. prescribed in Article 24-5, paragraph (1) of the Former Industrial Revitalization Act to be undertaken by designated financial institutions prescribed in the same paragraph that have already been undertaken at the time of the enforcement of this Act.

(株式会社産業革新機構に関する経過措置)



(Transitional Measures Concerning the Innovation Network Corporation of Japan)

第十五条 この法律の施行の際現に存する株式会社産業革新機構は、この法律及び会社法の規定に基づく株式会社産業革新機構として同一性をもって存続するものとする。

Article 15 (1) The Innovation Network Corporation of Japan in existence at the time of the enforcement of this Act is to keep its identity as the Innovation Network Corporation of Japan based on the provisions of this Act and the Companies Act.

2 この法律の施行の際現に従前の産業革新委員会の委員長又は委員である者は、それぞれこの法律の施行の日に、第九十二条の規定により、この法律の規定に基づく産業革新委員会の委員長又は委員として選定されたものとみなす。

(2) Persons who are the chairperson or members of the former Innovation Network Committee as of the time of the enforcement of this Act are deemed to have been appointed as the chairperson or members of the new Innovation Network Committee based on the provisions of this Act, pursuant to the provisions of Article 92, on the date of enforcement of this Act.

3 株式会社産業革新機構は、この法律の施行の日までに、第八十二条の例により、この法律の施行に伴い必要となる定款の変更をし、経済産業大臣の認可を受けなければならない。

(3) The Innovation Network Corporation of Japan must make necessary changes to the articles of incorporation associated with the enforcement of this Act and obtain the authorization of the Minister of Economy, Trade and Industry, as prescribed in Article 82, by the date of enforcement of this Act.

4 この法律の施行前に旧産活法又はこれに基づく命令の規定により経済産業大臣が株式会社産業革新機構に関して行った認可その他の処分又は株式会社産業革新機構が行った申請その他の手続でこの法律又はこれに基づく命令に相当の規定があるものは、この附則に別段の定めがあるものを除き、この法律又はこれに基づく命令の相当の規定によってした認可その他の処分又は申請その他の手続とみなす。

(4) Authorization or other dispositions given by the Minister of Economy, Trade and Industry to the Innovation Network Corporation of Japan, pursuant to the provisions of the Former Industrial Revitalization Act or orders based thereon, prior to the enforcement of this Act, for which the corresponding provisions exist in this Act or orders based thereon, are deemed to be authorization or other dispositions given pursuant to the corresponding provisions of this Act or orders based thereon, except as otherwise provided in these Supplementary Provisions, and applications filed or other procedures undertaken by the Innovation Network Corporation of Japan, pursuant to the provisions of the Former Industrial Revitalization Act or orders based thereon, prior to the enforcement of this Act, for which the corresponding provisions exist in this Act or orders based thereon, are deemed to be applications filed or other procedures undertaken pursuant to the corresponding provisions of this Act or

orders based thereon, except as otherwise provided in these Supplementary Provisions.

(取締役等の秘密保持義務に関する経過措置)

(Transitional Measures Concerning the Obligation of Confidentiality by Directors)

第十六条 株式会社産業革新機構の取締役、会計参与（会計参与が法人であるときは、その職務を行うべき社員）、監査役又は職員であつた者に係るその職務上知ることのできた秘密を漏らし、又は盗用してはならない義務については、この法律の施行後も、なお従前の例による。

Article 16 Even after the enforcement of this Act, prior laws continue to govern the obligation not to divulge or misappropriate any confidential information that has come to knowledge of persons who were employed as the directors, accounting advisors (or, a member who is to perform the duties of an accounting advisor, if the accounting advisor is a corporation), company auditors, or employees of the Innovation Network Corporation of Japan, in the course of their duties.

(中小企業経営資源活用計画に関する経過措置)

(Transitional Measures Concerning Small and Medium-Sized Enterprise Management Resource Utilization Plans)

第十七条 この法律の施行前にされた旧産活法第三十二条第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 17 (1) Prior laws continue to govern the granting of approval set forth in Article 32, paragraph (1) of the Former Industrial Revitalization Act for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第三十二条第一項の認定中小企業経営資源活用事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定及び認定の取消し、中小企業信用保険法の特例、小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律（平成二十五年法律第五十七号）第九条の規定による廃止前の小規模企業者等設備導入資金助成法（昭和三十一年法律第百十五号）の特例、中小企業投資育成株式会社法の特例、認定中小企業経営資源活用計画に従って中小企業経営資源活用を実施する中小企業者とみなす場合における特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved small and medium-sized enterprise management resource utilization businesses set forth in Article 32, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that continue to govern,

based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans and rescission of approval; the special provisions for the Small and Medium-Sized Enterprise Credit Insurance Act; the special provisions for the Act on Equipment Installation Support for Small Enterprises (Act No. 115 of 1956) prior to the repeal under Article 9 of the Act for Partial Amendment, etc. of the Basic Act on the Small and Medium-Sized Enterprises for the Purpose of Revitalizing Business Activities of Small Enterprises (Act No. 57 of 2013); the special provisions for the Small and Medium-Sized Enterprise Investment Business Corporation Act; the special provisions for cases in which the relevant person is deemed to be a small or medium-sized enterprise implementing small and medium-sized enterprise management resource utilization in accordance with an approved small and medium-sized enterprise management resource utilization plan; and the collection of reports.

(創業関連保証に関する経過措置)

(Transitional Measures Concerning Start-up-related Guarantees)

第十八条 この法律の施行前にされた旧産活法第三十三条第一項に規定する創業関連保証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

Article 18 Prior laws continue to govern the special provisions for the Small and Medium-Sized Enterprise Credit Insurance Act as prescribed in Article 33 of the Former Industrial Revitalization Act, with respect to start-up-related guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act.

(特定信用状関連保証に関する経過措置)

(Transitional Measures Concerning Specified Letter of Credit-related Guarantees)

第十九条 この法律の施行前にされた旧産活法第三十四条第一項に規定する特定信用状関連保証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

Article 19 Prior laws continue to govern the special provisions for the Small and Medium-Sized Enterprise Credit Insurance Act as prescribed in Article 34 of the Former Industrial Revitalization Act, with respect to specified letter of credit-related guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act.

(中小企業承継事業再生計画に関する経過措置)

(Transitional Measures Concerning Plans for SME Business Rehabilitation through Succession)

第二十条 この法律の施行前にされた旧産活法第三十九条の二第一項の認定の申請であつて、この法律の施行の際、認定をするかどうかの処分がされていないものに係る認定については、なお従前の例による。

Article 20 (1) Prior laws continue to govern the granting of approval set forth in Article 39-2, paragraph (1) of the Former Industrial Revitalization Act for which an application was filed prior to the enforcement of this Act and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of this Act.

2 旧産活法第三十九条の三第一項の認定中小企業承継事業再生事業者（この法律の施行後に前項の規定に基づきなお従前の例により認定を受けた者を含む。）に関する計画の変更の認定、変更の指示及び認定の取消し、特定許認可等に基づく地位の承継等、中小企業信用保険法の特例、中小企業投資育成株式会社法の特例並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding approved businesses implementing SME business rehabilitation through succession set forth in Article 39-3, paragraph (1) of the Former Industrial Revitalization Act (including those approved pursuant to prior laws that govern, based on the provisions of the preceding paragraph, after the enforcement of this Act): the approval for changes to plans, direction of changes, rescission of approval; succession, etc. of state based on a specified permission, etc.; the special provisions for the Small and Medium-Sized Enterprise Credit Insurance Act; the special provisions for the Small and Medium-Sized Enterprise Investment & Consultation Corporation Act; and the collection of reports.

（認定支援機関に関する経過措置）

(Transitional Measures Concerning Approved Support Institutions)

第二十一条 この法律の施行の際現に旧産活法第四十一条第一項の認定を受けている者は、この法律の施行の日に第二百二十七条第一項の認定を受けたものとみなす。

Article 21 (1) Those who have already obtained the approval set forth in Article 41, paragraph (1) of the Former Industrial Revitalization Act at the time of the enforcement of this Act are deemed to have obtained the approval set forth in Article 127, paragraph (1) on the date of enforcement of this Act.

2 前項の規定により第二百二十七条第一項の認定を受けたものとみなされた者のこの法律の施行に伴い必要となる同条第四項第四号に掲げる事項の変更についての同条第五項の規定の適用については、同項中「あらかじめ」とあるのは、「この法律の施行の日から三十日以内に」とする。

(2) With respect to the application of the provisions of paragraph (5) of Article 127, paragraph (5) to changes that the persons deemed to obtain the approval set forth in paragraph (1) of the same Article pursuant to the provisions of the preceding paragraph need to make on the particulars set forth in paragraph (4), item (iv) of the same Article in relation to the enforcement of this Act, the

phrase "in advance" in paragraph (5) of the same Article is deemed to be replaced with "within 30 days from the date of enforcement of this Act".

(役員等の秘密保持義務に関する経過措置)

**(Transitional Measures Concerning the Obligation of Confidentiality by Officers)**

第二十二條 旧産活法第四十一条第二項に規定する認定支援機関の役員若しくは職員であつた者又は旧産活法第四十二条第一項の中小企業再生支援協議会の委員であつた者に係る旧産活法第四十一条第一項に規定する中小企業再生支援業務に関して知り得た秘密を漏らしてはならない義務については、この法律の施行後も、なお従前の例による。

Article 22 Even after the enforcement of this Act, prior laws continue to govern the obligation not to divulge any confidential information that has come to knowledge of persons who were employed as officers or employees of approved support institutions prescribed in Article 41, paragraph (2) of the Former Industrial Revitalization Act or as members of Small and Medium-Sized Enterprise Revitalization Support Councils set forth in Article 42, paragraph (1) of the Former Industrial Revitalization Act, in relation to business operations to support small and medium-sized enterprise revitalization prescribed in Article 41, paragraph (1) of the Former Industrial Revitalization Act.

(認証紛争解決事業者の認定に関する経過措置)

**(Transitional Measures Concerning Specified Certified Dispute Resolution Businesses)**

第二十三條 この法律の施行の際現に旧産活法第四十八条第一項の認定を受けている者は、第五十一条第一項の認定を受けているものとみなす。

Article 23 Those who have already obtained the approval set forth in Article 48, paragraph (1) of the Former Industrial Revitalization Act at the time of the enforcement of this Act are deemed to have obtained the approval set forth in Article 51, paragraph (1).

(独立行政法人中小企業基盤整備機構の行う事業再生円滑化業務に関する経過措置)

**(Transitional Measures Concerning Business Operations to Facilitate Corporate Rehabilitation, Which Are Undertaken by the Organization for Small & Medium Enterprises and Regional Innovation)**

第二十四條 この法律の施行の際現に行われている旧産活法第五十条の債務の保証に係る独立行政法人中小企業基盤整備機構の業務については、同条の規定は、この法律の施行後も、なおその効力を有する。

Article 24 The provisions of Article 50 of the Former Industrial Revitalization Act remain in force even after the enforcement of this Act, with respect to the

business operations of the Organization for Small & Medium Enterprises and Regional Innovation regarding guarantee for obligations set forth in the same Article that have already been undertaken at the time of the enforcement of this Act.

(事業再生円滑化関連保証に関する経過措置)

(Transitional Measures Concerning Corporate Rehabilitation Facilitation-related Guarantees)

第二十五条 この法律の施行前にされた旧産活法第五十一条第一項に規定する事業再生円滑化関連保証についての同条に規定する中小企業信用保険法の特例については、なお従前の例による。

Article 25 Prior laws continue to govern the special provisions for the Small and Medium-Sized Enterprise Credit Insurance Act prescribed in Article 51 of the Former Industrial Revitalization Act for corporate rehabilitation facilitation-related guarantees prescribed in paragraph (1) of the same Article that were provided prior to the enforcement of this Act.

(特許料等の特例に係る経過措置)

(Transitional Measures Concerning Special Provisions Concerning Patent Fees)

第二十六条 第七十五条第一項の規定は、附則第一条第二号に掲げる規定の施行後に出願審査の請求をする特許出願に係る特許料について適用し、同号に掲げる規定の施行前に出願審査の請求をした特許出願に係る特許料については、なお従前の例による。

Article 26 (1) The provisions of Article 75, paragraph (1) apply to patent fees for patent applications of which a request for examination is filed after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, and prior laws continue to govern patent fees for patent applications of which a request for examination has been filed prior to the enforcement of the provisions set forth in the same item.

2 第七十五条第三項の規定は、附則第一条第二号に掲げる規定の施行後にする国際出願に係る手数料について適用し、同号に掲げる規定の施行前にした国際出願に係る手数料については、なお従前の例による。

(2) The provisions of Article 75, paragraph (3) apply to fees for international applications to be filed after the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, and prior laws continue to govern fees for international applications that have been filed prior to the enforcement of the provisions set forth in the same item.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第二十七条 この法律の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びなおその効力を有することとされる場合におけるこの法律

の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 27 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act, and for acts committed after the enforcement of this Act in which prior laws are to continue to govern or are to remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第二十八条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 28 Beyond what are prescribed in these Supplementary Provisions, Cabinet Order specifies necessary transitional measures associated with the enforcement of this Act.

(租税特別措置法の一部改正)

(Partial Amendment of the Act on Special Measures Concerning Taxation)

第二十九条 租税特別措置法（昭和三十二年法律第二十六号）の一部を次のように改正する。

Article 29 The Act on Special Measures Concerning Taxation (Act No. 26 of 1957) is partially amended as follows.

第八十条の見出し中「認定事業再構築計画等」を「認定事業再編計画等」に改め、同条第一項各号列記以外の部分を次のように改める。

In the title of Article 80, the phrase "Approved Business Reconstruction Plans" is to be replaced with "Approved Corporate Restructuring Plans"; and the part in paragraph (1) of the same Article other than what is listed in items therein is to be amended as follows.

次に掲げる事項について登記を受ける場合において、当該事項が、産業競争力強化法（平成二十五年法律第九十八号）第二十五条第二項に規定する認定事業再編計画（同法第二条第十一项に規定する事業再編のうち政令で定めるものについて記載があるものに限る。）に係る同法第二十四条第一項若しくは第二十五条第一項の認定、同法第二十七条第二項に規定する認定特定事業再編計画に係る同法第二十六条第一項若しくは第二十七条第一項の認定又は同法第二百二十二条第三項に規定する認定中小企業承継事業再生計画に係る同法第二百一十一条第一項若しくは第二百二十二条第一項の認定に係るものであつて同法の施行の日から平成二十八年三月三十一日までの間にされたこれらの認定に係るものであるときは、当該登記に係る登録免許税の税率は、財務省令で定めるところによりこれらの認定の日から一年以内に登記を受けるものに限り、登録免許税法第九条の規定にかかわらず、次の各号に掲げる事項の区分に応じ、当該各号に定める割合とする。

In the case of accepting registration for the following particulars, the rate for registration and license tax is that specified in the following items for

each category of the particulars set forth in that respective item, notwithstanding the provisions of Article 9 of the Registration and License Tax Act; if those listed as following particulars are related to the approval set forth in Article 24, paragraph (1) or Article 25, paragraph (1) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) as an approved corporate restructuring plan prescribed in Article 25, paragraph (2) of the same Act (limited to a plan that contains the statement on corporate restructuring prescribed in Article 2, paragraph (11) of the same Act that is specified by Cabinet Order), the approval set forth in Article 26, paragraph (1) or Article 27, paragraph (1) of the same Act as an approved specified corporate restructuring plan prescribed in Article 27, paragraph (2) of the same Act, or the approval set forth in Article 121, paragraph (1) or Article 122, paragraph (1) of the same Act as an approved plan for SME business rehabilitation through succession prescribed in Article 122, paragraph (3) of the same Act, which has been granted within a period from the enforcement of this Act to March 31, 2016; and only if the relevant registration is made within one year from the date of these approvals as prescribed by Order of the Ministry of Finance:

第八十条第一項に次の一号を加える。

The following one item is to be added in Article 80, paragraph (1).

六 分割による法人の設立又は資本金若しくは出資金の額の増加の場合における不動産又は船舶の所有権の取得 イ又はロに掲げる事項の区分に応じイ又はロに定める割合

(vi) acquisition of ownership of real estate or a vessel in cases of the establishment of a corporation as a result of company split or an increase in the amount of stated capital or capital contributions: the proportion specified in (a) or (b) for each category of the particulars set forth in that respective item:

イ 不動産の所有権の取得 千分の四

(a) acquisition of ownership of real estate: 4/1000;

ロ 船舶の所有権の取得 千分の二十三

(b) acquisition of ownership of a vessel: 23/1000.

第八十条第二項を同条第三項とし、同条第一項の次に次の一項を加える。

Article 80, paragraph (2) is to be Article 80, paragraph (3) and the following one paragraph is to be added after paragraph (1) of the same Article.

2 個人が、産業競争力強化法第百十四条第二項に規定する認定創業支援事業計画に係る同法第百十三条第一項又は第百十四条第一項の認定を受けた市町村（特別区を含む。）の区域内において、当該認定創業支援事業計画に記載された同法第二条第二十五項に規定する特定創業支援事業による支援を受けて株式会社の設立をした場合には、当該株式会社の設立の登記に係る登録免許税の額は、財務省令で定めるところにより同法の施行の日から平成二十八年三月三十一日までの間に登記を受ける



もの限り、登録免許税法第九条の規定にかかわらず、当該株式会社の資本金の額に千分の三・五を乗じて計算した金額（当該金額が七万五千円に満たない場合には、七万五千円）とする。

(2) If an individual has established a stock company by receiving support under a specified start-up support program prescribed in Article 2, paragraph (25) of the Act on Strengthening Industrial Competitiveness, which has been recorded in the approved start-up support plan prescribed in Article 114, paragraph (2) of the same Act, within the area of a municipality (including a special ward) that has obtained the approval set forth in Article 113, paragraph (1) or Article 114, paragraph (1) of the same Act regarding that approved start-up support plan, the amount of registration and license tax for the registration of the establishment of the stock company is the amount arrived at if the amount of stated capital of the stock company is multiplied by 3.5/1000 (or 75,000 yen, if the amount thus arrived at is less than 75,000 yen), notwithstanding the provisions of Article 9 of the Registration and License Tax Act, as long as the relevant registration is made within a period from the enforcement of this Act to March 31, 2016, as prescribed by the Ministry of Finance Order.

第八十一条第五項中「第八十条第一項（第一号から第四号までを除く。）又は」を削り、「第八十条第一項第五号中「合併」とあるのは「分割」と、同号イ中「千分の二」とあるのは「千分の四」と、同号ロ中「千分の三」とあるのは「千分の二十三」と、前条第一項第四号」を「同条第一項第四号」に改める。

In Article 81, paragraph (5), the phrase "Article 80, paragraph (1) (excluding item (i) to item (iv)), or" is to be deleted; the phrase "the phrase 'merger' in Article 80, paragraph (1), item (v) is deemed to be replaced with 'company split', the phrase '2/1000' in (a) in the same item is deemed to be replaced with '4/1000', the phrase '3/1000' in (b) of the same item is deemed to be replaced with '23/1000'," is to be deleted; and the phrase "paragraph (1), item (iv) of the preceding Article" is to be altered to "paragraph (1), item (iv) of the same Article".

第八十四条の六第四項中「産業活力の再生及び産業活動の革新に関する特別措置法第三十条の二十一第一項（登記）」を「産業競争力強化法第九十五条第一項（委員の登記）」に改める。

In Article 84-6, paragraph (4), the phrase "Article 30-21, paragraph (1) (Registration) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "Article 95, paragraph (1) (Registration of Committee Members) of the Act on Strengthening Industrial Competitiveness".

（租税特別措置法の一部改正に伴う経過措置）

(Transitional Measures Associated with the Partial Amendment of the Act on

Special Measures Concerning Taxation)

第三十条 前条の規定による改正前の租税特別措置法第八十条第一項に規定する認定（附則第五条から第八条まで又は第二十条の規定によりなお従前の例によることとされる場合における当該認定を含む。）に係る同項各号に掲げる事項についての登記に係る登録免許税については、なお従前の例による。

Article 30 Prior laws continue to govern registration and license tax for the registration of the particulars set forth in the items of Article 80, paragraph (1) of the Act on Special Measures Concerning Taxation prior to the amendment under the preceding Article regarding the approval prescribed in the same paragraph (including the approval in case in which prior laws are to continue to govern pursuant to the provisions of Articles 5 through 8 or Article 20 of the Supplementary Provisions).

（租税特別措置法の一部改正に伴う調整規定）

(Adjustment Provisions Associated with the Partial Amendment of the Act on Special Measures Concerning Taxation)

第三十一条 この法律の施行の日が金融商品取引法等の一部を改正する法律（平成二十五年法律第四十五号）附則第一条第二号に掲げる規定の施行の日前である場合には、同法附則第十九条のうち租税特別措置法第八十条第二項の改正規定中「第八十条第二項」とあるのは、「第八十条第三項」とする。

Article 31 If the date of enforcement of this Act is prior to the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions of the Act for Partial Amendment of the Financial Instruments and Exchange Act (Act No. 45 of 2013), the phrase "Article 80, paragraph (2)" in the provisions amending Article 80, paragraph (2) of the Act on Special Measures Concerning Taxation in Article 19 of the Supplementary Provisions of the Act for the Partial Amendment of the Financial Instruments and Exchange Act is deemed to be replaced with "Article 80, paragraph (3)".

（中小企業基本法の一部改正）

(Partial Amendment of the Basic Act on Small and Medium-Sized Enterprises)

第三十二条 中小企業基本法（昭和三十八年法律第百五十四号）の一部を次のように改正する。

Article 32 The Basic Act on Small and Medium-Sized Enterprises (Act No. 154 of 1963) is partially amended as follows.

第二十九条第三項中「、産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）」を削り、「及び商店街の活性化のための地域住民の需要に応じた事業活動の促進に関する法律」を「、商店街の活性化のための地域住民の需要に応じた事業活動の促進に関する法律」に改め、「（平成二十一年法律第八十号）」の下に「及び産業競争力強化法（平成二十五年法律第九十八号）」を加える。

In Article 29, paragraph (3), the phrase ", the Act on Special Measures

Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)" is to be deleted; the phrase "and the Act on Promotion of Business Activities in Response to Demand of Local Residents for the Revitalization of Shopping Districts" is to be altered to ", the Act on Promotion of Business Activities in Response to Demand of Local Residents for the Revitalization of Shopping Districts"; and after the phrase "(Act No. 80 of 2009)", the phrase "and the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)" is to be added.

(登録免許税法の一部改正)

(Partial Amendment of the Registration and License Tax Act)

第三十三条 登録免許税法（昭和四十二年法律第三十五号）の一部を次のように改正する。

Article 33 The Registration and License Tax Act (Act No. 35 of 1967) is partially amended as follows.

別表第一第百二十五号中「、産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第二十二条の四第一項若しくは第二項（貨物自動車運送事業法の特例）」及び「、産業活力の再生及び産業活動の革新に関する特別措置法第十一条第一項（資源生産性革新計画の認定）の規定による資源生産性革新計画の認定若しくは同法第十二条第一項（資源生産性革新計画の変更等）の規定による資源生産性革新計画の変更の認定」を削り、同表第百三十九号中「、産業活力の再生及び産業活動の革新に関する特別措置法第二十二条の二第一項若しくは第二項（貨物利用運送事業法の特例）」、「、産業活力の再生及び産業活動の革新に関する特別措置法第十一条第一項（資源生産性革新計画の認定）の規定による資源生産性革新計画の認定若しくは同法第十二条第一項（資源生産性革新計画の変更等）の規定による資源生産性革新計画の変更の認定」、「、産業活力の再生及び産業活動の革新に関する特別措置法第二十二条の三第一項若しくは第二項（貨物利用運送事業法の特例）」及び「、産業活力の再生及び産業活動の革新に関する特別措置法第十一条第一項の規定による資源生産性革新計画の認定若しくは同法第十二条第一項の規定による資源生産性革新計画の変更の認定」を削る。

In item (cxxv) of Appended Table 1, the phrases ", Article 22-4, paragraph (1) or paragraph (2) (Special Provisions for the Act on Service of Cargo Transportation by Automobiles) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)" and "approval for resource productivity innovation plans under Article 11, paragraph (1) (Approval for Resource Productivity Innovation Plans) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval for changes to resources productivity innovation plans under Article 12, paragraph (1) (Changes to Resource Productivity Innovation Plans) of the same Act" are to be deleted; in item (cxxxix) of the same table, the phrases ", Article 22-2, paragraph (1) or

paragraph (2) (Special Provisions for the Cargo Forwarder Service Act) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities", "approval for resource productivity innovation plans under Article 11, paragraph (1) (Approval for Resource Productivity Innovation Plans) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval for changes to resources productivity innovation plans under Article 12, paragraph (1) (Changes to Resource Productivity Innovation Plans) of the same Act", ", Article 22-3, paragraph (1) or paragraph (2) (Special Provisions for the Cargo Forwarder Service Act) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities", and "approval for resource productivity innovation plans under Article 11, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities or approval for changes to resources productivity innovation plans under Article 12, paragraph (1) of the same Act" are to be deleted.

(大学等における技術に関する研究成果の民間事業者への移転の促進に関する法律の一部改正)

(Partial Amendment of the Act to Facilitate Technology Transfer from Universities to the Private Sector)

第三十四条 大学等における技術に関する研究成果の民間事業者への移転の促進に関する法律（平成十年法律第五十二号）の一部を次のように改正する。

Article 34 (1) The Act to Facilitate Technology Transfer from Universities to the Private Sector (Act No. 52 of 1998) is partially amended as follows.

第七条を削り、第八条を第七条とし、同条の次に次の一条を加える。

Article 7 is to be deleted, Article 8 is to be altered to Article 7, and the following Article is to be added after Article 7.

(特許料等の特例)

(Special Provisions Concerning Patent Fees)

第八条 特許庁長官は、承認事業者が特定大学技術移転事業を実施するときは、政令で定めるところにより、特許法（昭和三十四年法律第二百一十一号）第七十条第一項の規定による第一年から第十年までの各年分の特許料を軽減し若しくは免除し、又はその納付を猶予することができる。

Article 8 If an accredited technology licensing organization (TLO) undertakes specified university technology transfer, the Commissioner of the Japan Patent Office may grant a reduction of, exemption from, or a grace period for the payment of patent fees for each year from the first to the tenth year under Article 107, paragraph (1) of the Patent Act (Act No. 121 of 1959), as prescribed by Cabinet Order.

2 特許庁長官は、承認事業者が特定大学技術移転事業を実施するときは、政令で定めるところにより、自己の特許出願について特許法第百九十五条第二項の規定により納付すべき出願審査の請求の手数料を軽減し、又は免除することができる。

(2) If an accredited TLO undertakes specified university technology transfer, the Commissioner of the Japan Patent Office may reduce or exempt payment of the fees for requests for examination of the application that are to be paid pursuant to the provisions of Article 195, paragraph (2) of the Patent Act, with respect to the patent application of the accredited TLO, as prescribed by Cabinet Order.

第十二条第四項及び第九項中「(昭和三十四年法律第百二十一号)」を削る。

In Article 12, paragraph (4) and paragraph (9), the phrase "(Act No. 121 of 1959)" is to be deleted.

(独立行政法人中小企業基盤整備機構法の一部改正)

(Partial Amendment of the Act on the Organization for Small & Medium Enterprises and Regional Innovation, Japan, Independent Administrative Agency)

第三十五条 独立行政法人中小企業基盤整備機構法(平成十四年法律第百四十七号)の一部を次のように改正する。

Article 35 The Act on the Organization for Small & Medium Enterprises and Regional Innovation, Japan, Independent Administrative Agency (Act No. 147 of 2002) is partially amended as follows.

第十五条第一項第五号中「から第十号まで」を「、第九号及び第十四号」に改め、同項中第十号を削り、第十一号を第十号とし、第十二号から第十四号までを一号ずつ繰り上げ、第十五号の前に次の一号を加える。

In Article 15, paragraph (1), item (v), the phrase "from item (viii) to item (x)" is to be altered to "item (viii), item (ix), and item (xiv)"; item (x) of the same paragraph is to be deleted; item (xi) is to be altered to item (x); item (xii), item (xii) and item (xiv) are to be altered to item (xi), item (xii) and item (xiii), respectively; and the following item is to be added before item (xv).

十四 産業競争力強化法(平成二十五年法律第九十八号)第十三条、第十九条、第三十八条及び第五十三条の規定による債務の保証、同法第百十七条第一項の規定による協力並びに同法第百三十三条の規定による出資その他の業務を行うこと。

(xiv) undertaking business operations to provide guarantee for obligations pursuant to the provisions of Article 13, Article 19, Article 38, and Article 53 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013), provide cooperation pursuant to the provisions of Article 117, paragraph (1) of the same Act, or make capital contributions pursuant to the provisions of Article 133 of the same Act, or other business operations;

第十五条第五項中「第一項第十一号及び第十三号」を「第一項第十号及び第十二号」に改める。

In Article 15, paragraph (5), the phrase "paragraph (1), item (xi) and item (xiii)" is to be altered to "paragraph (1), item (x) and item (xii)".

第十七条第一項第二号中「及び同項第八号から第十号まで」を「並びに同項第八号、第九号及び第十四号」に改め、同項第三号中「から第十号まで」を「から第九号まで及び第十四号」に改める。

In Article 17, paragraph (1), item (ii), the phrase "and from item (viii) to item (x) of the same paragraph" is to be altered to "and item (viii), item (ix), and item (xiv) of the same paragraph"; and in item (iii) of the same paragraph, the phrase "from item (vii) to item (x)" is to be altered to "from items (vii) through (ix), and item (xiv)".

第十八条第一項第一号中「に掲げる業務（産業活力の再生及び産業活動の革新に関する特別措置法第四十七条に規定する出資の業務に限る。）」、同項第十号から第十四号までに掲げる業務」を「から第十三号までに掲げる業務、同項第十四号に掲げる業務（産業競争力強化法第百十七条第一項に規定する協力及び同法第百三十三条に規定する出資その他の業務に限る。）」に改め、同項第二号中「同項第十号」を「同項第十四号」に改める。

In Article 18, paragraph (1), item (i), the phrase "business operations set forth in item (x) of the same paragraph (limited to business operations to make capital contributions prescribed in Article 47 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities), business operations set forth in item (xi) to item (xiv) of the same paragraph" is to be altered to "business operations set forth in item (x) to item (xiii) of the same paragraph, business operations set forth in item (xiv) of the same paragraph (limited to business operations to provide cooperation prescribed in Article 117, paragraph (1) of the Act on Strengthening Industrial Competitiveness, and make capital contributions prescribed in Article 133 of the same Act, or other business operations)"; and in item (ii) of the same paragraph, the phrase "item (x) of the same paragraph" is to be altered to "item (xiv) of the same paragraph".

第二十一条第一項中「第十号」を「第十四号」に改める。

In Article 21, paragraph (1), the phrase "item (x)" is to be altered to "item (xiv)".

第二十二条第一項中「第十五条第一項第十号」を「第十五条第一項第十四号」に改める。

In Article 22, paragraph (1), the phrase "Article 15, paragraph (1), item (xi)" is to be altered to "Article 15, paragraph (1), item (x)".

附則第八条の五第四号中「前三号」を「前各号」に改め、同号を同条第六号とし、同条第三号の次に次の二号を加える。

In Article 8-5, item (iv) of the Supplementary Provisions, the phrase "the preceding three items" is to be altered to "the preceding items"; the same item is to be altered to item (vi) of the same Article; and the following two items are

to be added after item (iii) of the same Article.

四 産業競争力強化法の施行前に機構が締結した債務保証契約に係る同法附則第十一条及び第二十四条の規定によりなおその効力を有するものとされる同法附則第四条による廃止前の産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号。以下「廃止前産業活力の再生及び産業活動の革新に関する特別措置法」という。）第二十四条及び第五十条の業務

(iv) business operations set forth in Article 24 and Article 50 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999) prior to the repeal under Article 4 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness (hereinafter the former Act is referred to as the "Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities Prior to Repeal"), which are to remain in force pursuant to the provisions of Article 11 and Article 24 of the Supplementary Provisions of the Act on Strengthening Industrial Competitiveness regarding loan guarantee contracts that the JIC had concluded prior to the enforcement of the same Act;

五 廃止前産業活力の再生及び産業活動の革新に関する特別措置法第四十七条の規定によりされた出資に係る株式の管理及び処分

(v) management and disposition of shares regarding the contributions made pursuant to the provisions of Article 47 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities Prior to Repeal;

附則第十四条の表第十八条第一項第一号の項中「第十四号までに」を「同項第十七号に」に改める。

In the row of Article 18, paragraph (1), item (i) of the table of Article 14 of the Supplementary Provisions, the phrase "in up to item (xiv)" is to be replaced with "in item (xvii) of the same paragraph".

(国立大学法人法の一部改正)

(Partial Amendment of the National University Corporation Act)

第三十六条 国立大学法人法の一部を次のように改正する。

Article 36 The National University Corporation Act is partially amended as follows.

第二十二条第一項第六号中「出資する」を「対し、出資（次号に該当するものを除く。）を行う」に改め、同項第七号を同項第八号とし、同項第六号の次に次の一号を加える。

In Article 22, paragraph (1), item (vi), the phrase "making contributions" is to be altered to "making contributions (excluding those falling under the following item)"; item (vii) of the same paragraph is to be altered to item (viii) of the same paragraph; and the following item is to be added after item (vi) of

the same paragraph.

七 産業競争力強化法（平成二十五年法律第九十八号）第二十二条の規定による出資並びに人的及び技術的援助を行うこと。

(vii) making contributions and providing personnel and technical assistance pursuant to the provisions of Article 22 of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013);

第二十二條第二項中「業務」の下に「及び同項第七号に掲げる業務のうち出資に関するもの」を加える。

In Article 22, paragraph (2), the phrase "and business operations set forth in item (vii) of the same paragraph, which relate to contributions" is to be added after the phrase "business operations set forth in item (vi) of the preceding paragraph".

第二十九條第一項第五号中「出資する」を「対し、出資（次号に該当するものを除く。）を行う」に改め、同項第六号を同項第七号とし、同項第五号の次に次の一号を加える。

In Article 29, paragraph (1), item (v), the phrase "making contributions" is to be altered to "making contributions (excluding those falling under the following item)"; item (vi) of the same paragraph is to be altered to item (vii) of the same paragraph; and the following item is to be added after item (v) of the same paragraph.

六 産業競争力強化法第二十二條の規定による出資並びに人的及び技術的援助を行うこと。

(vi) making contributions and providing personnel and technical assistance pursuant to the provisions of Article 22 of the Act on Strengthening Industrial Competitiveness;

第二十九條第二項中「業務」の下に「及び同項第六号に掲げる業務のうち出資に関するもの」を加える。

In Article 29, paragraph (2), the phrase "and business operations set forth in item (vi) of the same paragraph, which relate to contributions" is to be added after the phrase "business operations set forth in item (v) of the preceding paragraph".

(株式会社地域経済活性化支援機構法の一部改正)

(Partial Amendment of the Act on the Regional Economy Revitalization Corporation of Japan)

第三十七條 株式会社地域経済活性化支援機構法（平成二十一年法律第六十三号）の一部を次のように改正する。

Article 37 The Act on the Regional Economy Revitalization Corporation of Japan (Act No. 63 of 2009) is partially amended as follows.

第二十四條第二項中「（次項において「事業所管大臣」という。）」を削り、同条中第三項を削り、第四項を第三項とする。



In Article 24, paragraph (2), the phrase "(referred to as the "minister with jurisdiction" in the following paragraph)" is to be deleted; paragraph (3) of the same Article is to be deleted; and paragraph (4) is to be altered to paragraph (3).

第二十五条第三項中「認定支援機関（産業活力の再生及び産業活動の革新に関する特別措置法第四十一条第二項）」を「独立行政法人中小企業基盤整備機構又は認定支援機関（産業競争力強化法（平成二十五年法律第九十八号）第二百二十七条第二項）」に改め、同条第四項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 25, paragraph (3), the phrase "approved support institutions (meaning the approved support institutions prescribed in Article 41, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "the Organization for Small & Medium Enterprises and Regional Innovation or approved support institutions (meaning the approved support institutions prescribed in Article 127, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; and in paragraph (4) of the same Article, the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "approved support institutions that have issued".

第三十二条第二項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 32, paragraph (2), the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "approved support institutions that have issued".

第六十一条の見出しを「（産業競争力強化法との関係）」に改め、同条第一項中「産業活力の再生及び産業活動の革新に関する特別措置法第五条第一項の事業再構築計画」を「産業競争力強化法第二十四条第一項の事業再編計画」に、「第七条第一項の経営資源再活用計画の認定、同法第九条第一項の経営資源融合計画の認定、同法第十一条第一項の資源生産性革新計画」を「第二十六条第一項の特定事業再編計画」に、「第三十九条の二第一項」を「第二百二十一条第一項」に改め、同条第二項中「認定支援機関は、産業活力の再生及び産業活動の革新に関する特別措置法第四十一条第二項第一号の規定により」を「独立行政法人中小企業基盤整備機構は産業競争力強化法第三百三十三条第二号（同法第二百二十七条第二項第一号に係る部分に限る。）の規定により、認定支援機関は同項第一号の規定により、」に改める。

The title of Article 61 is to be altered to "(Relationship with the Act on Strengthening Industrial Competitiveness)"; in paragraph (1) of the same Article, the phrase "business reconstruction plans set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "corporate restructuring plans set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "approval for

management resource reutilization plans set forth in Article 7, paragraph (1) of the same Act, approval for management resource integration plans set forth in Article 9, paragraph (1) of the same Act, approval for resource productivity innovation plans set forth in Article 11, paragraph (1) of the same Act" is to be altered to "approval for specified corporate restructuring plans set forth in Article 26, paragraph (1)"; and the phrase "Article 39-2, paragraph (1)" is to be altered to "Article 121, paragraph (1)"; in paragraph (2) of the same Article, the phrase "approved support institutions, pursuant to the provisions of Article 41, paragraph (2), item (i) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities," is to be altered to "the Organization for Small & Medium Enterprises and Regional Innovation, pursuant to the provisions of Article 133, item (ii) of the Act on Strengthening Industrial Competitiveness (limited to the portion regarding Article 127, paragraph (2), item (i) of the same Act), and approved support institutions, pursuant to the provisions of item (i) of the same paragraph,".

第六十三条中「産業活力の再生及び産業活動の革新に関する特別措置法第二条第二十四項」を「産業競争力強化法第二条第十五項」に、「及び認定支援機関」を「、独立行政法人中小企業基盤整備機構及び認定支援機関」に改める。

In Article 63, the phrase "Article 2, paragraph (24) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "Article 2, paragraph (15) of the Act on Strengthening Industrial Competitiveness"; and the phrase "and approved support institutions" is to be altered to ", the Organization for Small & Medium Enterprises and Regional Innovation, and approved support institutions".

(株式会社東日本大震災事業者再生支援機構法の一部改正)

(Partial Amendment of the Act on the Organization for Supporting the Turnaround of Businesses Damaged by the Great East Japan Earthquake)

第三十八条 株式会社東日本大震災事業者再生支援機構法（平成二十三年法律第百十三号）の一部を次のように改正する。

Article 38 The Act on the Organization for Supporting the Turnaround of Businesses Damaged by the Great East Japan Earthquake (Act No. 113 of 2011) is partially amended as follows.

第十九条第三項中「認定支援機関（産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第四十一条第二項）」を「独立行政法人中小企業基盤整備機構又は認定支援機関（産業競争力強化法（平成二十五年法律第九十八号）第二百二十七条第二項）」に改め、同条第四項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 19, paragraph (3), the phrase "approved support institutions (meaning the approved support institutions prescribed in Article 41, paragraph (2) of the Act on Special Measures Concerning Revitalization of Industry and

Innovation in Industrial Activities (Act No. 131 of 1999)" is to be altered to "the Organization for Small & Medium Enterprises and Regional Innovation or approved support institutions (meaning the approved support institutions prescribed in Article 127, paragraph (2) of the Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)"; and in paragraph (4) of the same Article, the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "approved support institutions that have issued".

第二十六条第二項中「交付した」の下に「独立行政法人中小企業基盤整備機構又は」を加える。

In Article 26, paragraph (2), the phrase "the Organization for Small & Medium Enterprises and Regional Innovation or" is to be added before the phrase "approved support institutions that have issued".

第五十九条の見出しを「（産業競争力強化法との関係）」に改め、同条第一項中「産業活力の再生及び産業活動の革新に関する特別措置法第五条第一項の事業再構築計画」を「産業競争力強化法第二十四条第一項の事業再編計画」に、「第七条第一項の経営資源再活用計画の認定、同法第九条第一項の経営資源融合計画の認定、同法第十一条第一項の資源生産性革新計画」を「第二十六条第一項の特定事業再編計画」に、「第三十九条の二第一項」を「第二百二十一条第一項」に、「第四十七条」を「第一百三十三条第一号」に改め、同条第二項中「認定支援機関は、産業活力の再生及び産業活動の革新に関する特別措置法第四十一条第二項第一号の規定により」を「独立行政法人中小企業基盤整備機構は産業競争力強化法第一百三十三条第二号（同法第二百二十七条第二項第一号に係る部分に限る。）の規定により、認定支援機関は同項第一号の規定により、」に改める。

The title of Article 59 is to be altered to "(Relationship with the Act on Strengthening Industrial Competitiveness)"; in paragraph (1) of the same Article, the phrase "business reconstruction plans set forth in Article 5, paragraph (1) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "corporate restructuring plans set forth in Article 24, paragraph (1) of the Act on Strengthening Industrial Competitiveness"; the phrase "approval for management resource reutilization plans set forth in Article 7, paragraph (1) of the same Act, approval for management resource integration plans set forth in Article 9, paragraph (1) of the same Act, approval for resource productivity innovation plans set forth in Article 11, paragraph (1) of the same Act" is to be altered to "approval for specified corporate restructuring plans set forth in Article 26, paragraph (1)"; the phrase "Article 39-2, paragraph (1)" is to be altered to "Article 121, paragraph (1)"; and the phrase "Article 47" is to be altered to "Article 133, item (i)"; in paragraph (2) of the same Article, the phrase "approved support institutions, pursuant to the provisions of Article 41, paragraph (2), item (i) of the Act on Special Measures Concerning

Revitalization of Industry and Innovation in Industrial Activities," is to be altered to "the Organization for Small & Medium Enterprises and Regional Innovation, pursuant to the provisions of Article 133, item (ii) of the Act on Strengthening Industrial Competitiveness (limited to the portion regarding Article 127, paragraph (2), item (i) of the same Act), and approved support institutions, pursuant to the provisions of item (i) of the same paragraph,".

第六十一条中「産業活力の再生及び産業活動の革新に関する特別措置法第二条第二十四項」を「産業競争力強化法第二条第十五項」に、「及び認定支援機関」を「、独立行政法人中小企業基盤整備機構及び認定支援機関」に改める。

In Article 61, the phrase "Article 2, paragraph (24) of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities" is to be altered to "Article 2, paragraph (15) of the Act on Strengthening Industrial Competitiveness"; and the phrase "and approved support institutions" is to be altered to ", the Organization for Small & Medium Enterprises and Regional Innovation, and approved support institutions".

(小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律の一部改正)

(Partial Amendment of the Act for Partial Amendment, etc. of the Basic Act on the Small and Medium-Sized Enterprises for the Purpose of Revitalizing Business Activities of Small Enterprises)

第三十九条 小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律の一部を次のように改正する。

Article 39 The Act for Partial Amendment, etc. of the Basic Act on the Small and Medium-Sized Enterprises for the Purpose of Revitalizing Business Activities of Small Enterprises is partially amended as follows.

附則第一条第二号中「、第十四条（産業活力の再生及び産業活動の革新に関する特別措置法（平成十一年法律第百三十一号）第三十六条及び第三十八条の改正規定に限る。）、第十五条」を削り、「第二十四条」を「第二十五条」に改める。

In Article 1, item (ii) of the Supplementary Provisions, the phrase ", Article 14 (limited to the provisions amending Article 36 and Article 38 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities (Act No. 131 of 1999)), Article 15" is to be deleted; and the phrase "Article 24" is to be altered to "Article 25".

附則第十四条中産業活力の再生及び産業活動の革新に関する特別措置法第三十六条及び第三十八条の改正規定を削る。

In Article 14 of the Supplementary Provisions, the provisions amending Article 36 and Article 38 of the Act on Special Measures Concerning Revitalization of Industry and Innovation in Industrial Activities are to be deleted.

附則第十五条を次のように改める。

Article 15 of the Supplementary Provisions is to be amended as follows.

第十五条 削除

Article 15 Deleted

附則第十八条中「小規模企業者等」を「旧助成法第二条第一項の小規模企業者等（以下単に「小規模企業者等」という。）」に改める。

In Article 18 of the Supplementary Provisions, the phrase "small enterprises" is to be altered to "small enterprises set forth in Article 2, paragraph (1) of the Former Support Act (hereinafter simply referred to as "small enterprises")".

附則に次の一条を加える。

The following Article is to be added to the Supplementary Provisions.

（産業競争力強化法の一部改正）

(Partial Amendment of the Act on Strengthening Industrial Competitiveness)

第二十五条 産業競争力強化法（平成二十五年法律第九十八号）の一部を次のように改正する。

Article 25 The Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013) is partially amended as follows.

附則第十七条第二項中「小規模企業者等設備導入資金助成法」を「小規模企業の事業活動の活性化のための中小企業基本法等の一部を改正する等の法律（平成二十五年法律第五十七号）第九条の規定による廃止前の小規模企業者等設備導入資金助成法」に改める。

In Article 17, paragraph (2) of the Supplementary Provisions, the phrase "the Act on Equipment Installation Support for Small Enterprises" is to be altered to "the Act on Equipment Installation Support for Small Enterprises prior to the repeal under Article 9 of the Act for Partial Amendment, etc. of the Basic Act on the Small and Medium-Sized Enterprises for the Purpose of Revitalizing Business Activities of Small Enterprises (Act No. 57 of 2013)".

附則第三十九条中「（平成二十五年法律第五十七号）」を削る。

In Article 39 of the Supplementary Provisions, the phrase "(Act No. 57 of 2013)" is to be deleted.

（地方税法の一部改正）

(Partial Amendment of the Local Tax Act)

第四十条 地方税法（昭和二十五年法律第二百二十六号）の一部を次のように改正する。

Article 40 The Local Tax Act (Act No. 226 of 1950) is partially amended as follows.

附則第五十一条の二第一項及び第五十六条の二第一項中「第十五条第一項第十三号」を「第十五条第一項第十二号」に改める。

In Article 51-2, paragraph (1) and Article 56-2, paragraph (1) of the Supplementary Provisions, the phrase "Article 15, paragraph (1), item (xiii)" is

to be altered to "Article 15, paragraph (1), item (xii)".

(印紙税法の一部改正)

(Partial Amendment of the Stamp Tax Act)

第四十一条 印紙税法（昭和四十二年法律第二十三号）の一部を次のように改正する。

Article 41 The Stamp Tax Act (Act No. 23 of 1967) is partially amended as follows.

別表第三の文書名の欄中「第十二号並びに第十四号から第十六号まで」を「第十一号、第十三号、第十五号並びに第十六号」に改める。

In the column of document titles of Appended Table 3, the phrase "item (xii), and item (xiv) to item (xvi)" is to be altered to "item (xi), item (xiii), item (xv) and item (xvi)".

(東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律の一部改正)

(Partial Amendment of the Act on Temporary Special Provisions for Acts

Related to National Tax, in Relation to Victims, etc. of the Great East Japan Earthquake)

第四十二条 東日本大震災の被災者等に係る国税関係法律の臨時特例に関する法律（平成二十三年法律第二十九号）の一部を次のように改正する。

Article 42 The Act on Temporary Special Provisions of Acts Related to National Tax, in Relation to Victims, etc. of the Great East Japan Earthquake (Act No. 29 of 2011) is partially amended as follows.

第四十条の四及び第五十二条第一項中「第十五条第一項第十三号」を「第十五条第一項第十二号」に改める。

In Article 40-4 and Article 52, paragraph (1), the phrase "Article 15, paragraph (1), item (xiii)" is to be altered to "Article 15, paragraph (1), item (xii)".

(所得税法等の一部を改正する法律の一部改正)

(Partial Amendment of the Act for Partial Amendment of the Income Tax Act, etc.)

第四十三条 所得税法等の一部を改正する法律（平成二十五年法律第五号）の一部を次のように改正する。

Article 43 The Act for Partial Amendment of the Income Tax Act, etc. (Act No. 5 of 2013) is partially amended as follows.

第八条のうち租税特別措置法第八十条第二項の改正規定及び附則第一条第六号ハ中「第八十条第二項」を「第八十条第三項」に改める。

In the provisions amending Article 80, paragraph (2) of the Act on Special Measures Concerning Taxation in Article 8, and in Article 1, item (vi), (c) of the Supplementary Provisions, the phrase "Article 80, paragraph (2)" is to be altered to "Article 80, paragraph (3)".

(復興庁設置法の一部改正)

(Partial Amendment of the Act for Establishment of the Reconstruction Agency)

第四十四条 復興庁設置法（平成二十三年法律第百二十五号）の一部を次のように改正する。

Article 44 The Act for Establishment of the Reconstruction Agency (Act No. 125 of 2011) is partially amended as follows.

附則第三条第一項の表国際的な子の奪取の民事上の側面に関する条約の実施に関する法律（平成二十五年法律第四十八号）の項の次に次のように加える。

The following is to be added after the row of the Act for Implementation of the Convention on the Civil Aspects of International Child Abduction (Act No. 48 of 2013) in the table of Article 3, paragraph (1) of the Supplementary Provisions.

産業競争力強化法（平成二十五年法律第九十八号） Act on Strengthening Industrial Competitiveness (Act No. 98 of 2013)	第四百十条第三項 Article 140, paragraph (3)	又は各省の内閣府令 or Cabinet Office Orders of respective ministries	、復興庁又は各省の内閣府令（告示を含む。） 、復興庁令 , Cabinet Office Orders (including public notices) of the Reconstruction Agency or respective ministries, the Reconstruction Agency Order
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附 則 〔平成三十年七月二十七日法律第八十号〕 〔抄〕

Supplementary Provisions [Act No. 80 of July 27, 2018] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three years from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

一及び二 略

(i) and (ii) (Omitted)

三 第十一章、第二百三十五条、第二百三十九条第一項（第四十四号に係る部分に限る。）、第二百四十三条第一項（第四号（第二百三十九条第一項第四十四号に係る

部分に限る。)に係る部分に限る。)及び第三項並びに第二百五十一条並びに附則第五条、第七条から第十条まで、第十二条、第十四条(特定複合観光施設区域の整備の推進に関する法律第十九条第二項の改正規定に限る。)、第十五条及び第十六条の規定 公布の日から起算して一年六月を超えない範囲内において政令で定める日

(iii) the provisions of Chapter XI, Article 235, Article 239, paragraph (1) (limited to the portion regarding item (xliv)), Article 243, paragraph (1) (limited to the portion regarding item (iv) (limited to the portion regarding Article 239, paragraph (1), item (xliv))) and paragraph (3), and Article 251, as well as the provisions of Article 5, Articles 7 through 10, Article 12, Article 14 (limited to the provisions amending Article 19, paragraph (2) of the Act on Promotion of Development of Specified Integrated Resort Districts), and Articles 15 and 16 of the Supplementary Provisions: a day specified by Cabinet Order within a period not exceeding one year and six months from the date of promulgation.

附 則 [令和元年五月三十一日法律第十六号] [抄]

**Supplementary Provisions [Act No. 16 of May 31, 2019] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 [令和元年六月十四日法律第三十七号] [抄]

**Supplementary Provisions [Act No. 37 of June 14, 2019] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を経過した日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

一 第四十条、第五十九条、第六十一条、第七十五条(児童福祉法第三十四条の二十の改正規定に限る。)、第八十五条、第百二条、第百七条(民間あっせん機関による養子縁組のあっせんに係る児童の保護等に関する法律第二十六条の改正規定に限る。)、第百十一条、第百四十三条、第百四十九条、第百五十二条、第百五十四条



(不動産の鑑定評価に関する法律第二十五条第六号の改正規定に限る。)及び第百六十八条並びに次条並びに附則第三条及び第六条の規定 公布の日

- (i) the provisions of Articles 40, 59, and 61, Article 75 (limited to the provisions amending Article 34-20 of the Child Welfare Act), Articles 85 and 102, Article 107 (limited to the provisions amending Article 26 of the Act for Protection of Children Adopted Through Private Adoption Agencies), Articles 111, 143, 149, and 152, Article 154 (limited to the provisions amending Article 25, item (vi) of the Act on Real Estate Appraisal), and Article 168, as well as the provisions of the following Article and Articles 3 and 6 of the Supplementary Provisions: the date of promulgation;

二 第三条、第四条、第五条（国家戦略特別区域法第十九条の二第一項の改正規定を除く。）、第二章第二節及び第四節、第四十一条（地方自治法第二百五十二条の二十八の改正規定を除く。）、第四十二条から第四十八条まで、第五十条、第五十四条、第五十七条、第六十条、第六十二条、第六十六条から第六十九条まで、第七十五条（児童福祉法第三十四条の二十の改正規定を除く。）、第七十六条、第七十七条、第七十九条、第八十条、第八十二条、第八十四条、第八十七条、第八十八条、第九十条（職業能力開発促進法第三十条の十九第二項第一号の改正規定を除く。）、第九十五条、第九十六条、第九十八条から第百条まで、第百四条、第百八条、第百九条、第百十二条、第百十三条、第百十五条、第百十六条、第百十九条、第百二十一条、第百二十三条、第百三十三条、第百三十五条、第百三十八条、第百三十九条、第百六十一条から第百六十三条まで、第百六十六条、第百六十九条、第百七十条、第百七十二条（フロン類の使用の合理化及び管理の適正化に関する法律第二十九条第一項第一号の改正規定に限る。）並びに第百七十三条並びに附則第十六条、第十七条、第二十条、第二十一条及び第二十三条から第二十九条までの規定 公布の日から起算して六月を経過した日

- (ii) the provisions of Articles 3 and 4, Article 5 (excluding the provisions amending Article 19-2, paragraph (1) of the Act on National Strategic Special Zones), Chapter II, Sections 2 and 4, Article 41 (excluding the provisions amending Article 252-28 of the Local Autonomy Act), Articles 42 through 48, Articles 50, 54, 57, 60, and 62, Articles 66 through 69, Article 75 (excluding the provisions amending Article 34-20 of the Child Welfare Act), Articles 76, 77, 79, 80, 82, 84, 87, and 88, Article 90 (excluding the provisions amending Article 30-19, paragraph (2), item (i) of the Vocational Abilities Development Promotion Act), Articles 95 and 96, Articles 98 through 100, Articles 104, 108, 109, 112, 113, 115, 116, 119, 121, 123, 133, 135, 138, and 139, Articles 161 through 163, Articles 166, 169, and 170, Article 172 (limited to the provisions amending Article 29, paragraph (1), item (i) of the Act on Rational Use and Proper Management of Fluorocarbons), and Article 173, as well as the provisions of Articles 16, 17, 20, and 21 and Articles 23 through 29 of the Supplementary Provisions: the day on which six months have elapsed from the date of promulgation;

(行政庁の行為等に関する経過措置)

**(Transitional Measures Concerning Acts of Administrative Authorities)**

第二条 この法律（前条各号に掲げる規定にあっては、当該規定。以下この条及び次条において同じ。）の施行の日前に、この法律による改正前の法律又はこれに基づく命令の規定（欠格条項その他の権利の制限に係る措置を定めるものに限る。）に基づき行われた行政庁の処分その他の行為及び当該規定により生じた失職の効力については、なお従前の例による。

Article 2 Prior laws continue to govern the effect of acts, such as dispositions, of administrative authorities that were conducted or made prior to the date of enforcement of this Act (in the case of the provisions set forth in the items of the preceding Article, those provisions; hereinafter the same applies in this Article and the following Article) based on the provisions of laws prior to amendment by this Act or orders based on those laws (limited to provisions that provide for measures concerning restriction of rights, such as disqualifying clauses) and the effect of disqualification that occurred pursuant to those provisions prior to the enforcement of this Act.

(罰則に関する経過措置)

**(Transitional Measures Concerning Penal Provisions)**

第三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act.

(検討)

**(Review)**

第七条 政府は、会社法（平成十七年法律第八十六号）及び一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）における法人の役員の資格を成年被後見人又は被保佐人であることを理由に制限する旨の規定について、この法律の公布後一年以内を目途として検討を加え、その結果に基づき、当該規定の削除その他の必要な法制上の措置を講ずるものとする。

Article 7 Approximately within one year after the promulgation of this Act, the government is to review the provisions in the Companies Act (Act No. 86 of 2005) and the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) that restrict the qualifications of officers of corporations on the grounds that they are adult wards or persons under curatorship, and based on the results, delete those provisions or take other necessary legislative measures.

(産業競争力強化法の一部改正に伴う調整規定)

(Adjustment Provisions Associated with the Partial Amendment of the Act on Strengthening Industrial Competitiveness)

第二十六条 附則第一条第二号に掲げる規定の施行の日（以下「第二号施行日」という。）が産業競争力強化法等の一部を改正する法律（平成三十年法律第二十六号）の施行の日以後である場合には、第百三十九条中「第四十一条第四項第三号イ」とあるのは、「第三十九条第四項第三号イ」とする。この場合において、同法附則第八条の規定によりなおその効力を有するものとされる同法第一条の規定による改正前の産業競争力強化法第四十一条第四項第三号イ中「成年被後見人若しくは被保佐人」とあるのは、「心身の故障のため職務を適正に執行することができない者として主務省令で定める者」とする。

Article 26 If the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions (hereinafter referred to as the "effective date of item (ii)") is prior to the date of enforcement of the Act for Partial Amendment of the Act on Strengthening Industrial Competitiveness, etc. (Act No. 26 of 2018), the phrase "Article 41, paragraph (4), item (iii), (a)" in Article 139 is deemed to be replaced with "Article 39, paragraph (4), (iii), (a)". In this case, the phrase "an adult ward, a person under curatorship" in Article 41, paragraph (4), item (iii), (a) of the Act on Strengthening Industrial Competitiveness prior to amendment by the provisions of Article 1 of the Act for Partial Amendment of the Act on Strengthening Industrial Competitiveness, etc. that are to remain in force pursuant to the provisions of Article 8 of the Supplementary Provisions of the same Act is deemed to be replaced with "a person specified by orders of the competent ministries as being unable to properly perform their duties due to a mental or physical disorder".

附 則 〔令和二年六月十九日法律第五十八号〕 〔抄〕

Supplementary Provisions [Act No. 58 of June 19, 2020] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

一及び二 略

(i) and (ii) (Omitted)

三 第五条中産業競争力強化法第百三十四条第二項の改正規定（同項第一号に次のように加える部分及び同項第三号中「又はロ」を「からハまで」に改める部分を除

く。)、同法第百三十六条第二項の改正規定(同項第二号中「同号ロ」の下に「及びハ」を加える部分を除く。 )及び同法第百四十条第二号の改正規定 公布の日から起算して一年六月を超えない範囲内において政令で定める日

(iii) in Article 5, the provisions amending Article 134, paragraph (2) of the Act on Strengthening Industrial Competitiveness (excluding the portion making the following addition to item (i) of the same paragraph and the portion altering the phrase "or (b)" in item (iii) of the same paragraph to "through (c)"), the provisions amending Article 136, paragraph (2) of the same Act (excluding the portion adding "and (c)" after "set forth in (b)" in item (ii) of the same paragraph), and the provisions amending Article 140, item (ii) of the same Act: the day specified by Cabinet Order within a period not exceeding one year and six months from the date of promulgation;

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十一条 この法律(附則第一条各号に掲げる規定にあっては、当該規定)の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 11 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act (in the case of the provisions set forth in the items of Article 1 of the Supplementary Provisions, those provisions), and for acts committed after the enforcement of this Act in the case where prior laws are to continue to govern pursuant to the provisions of these Supplementary Provisions.

(政令への委任)

(Delegation to Cabinet Order)

第十二条 この附則に定めるもののほか、この法律の施行に伴い必要な経過措置(罰則に関する経過措置を含む。)は、政令で定める。

Article 12 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes necessary transitional measures associated with the enforcement of this Act (including transitional measures concerning penal provisions).

(検討)

(Review)

第十三条 政府は、この法律の施行後五年を目途として、この法律による改正後の規定の実施状況を勘案し、必要があると認めるときは、当該規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 13 Approximately five years after this Act comes into effect, if the government finds it necessary in consideration of the implementation status of

the provisions amended by this Act, the government is to review the provisions and take necessary measures based on the results.

**附 則**〔令和三年五月十九日法律第三十六号〕〔抄〕

**Supplementary Provisions [Act No. 36 of May 19, 2021] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、令和三年九月一日から施行する。ただし、附則第六十条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of September 1, 2021; provided, however, that the provisions of Article 60 of the Supplementary Provisions come into effect as of the date of promulgation.

(処分等に関する経過措置)

(Transitional Measures Concerning Dispositions, etc.)

第五十七条 この法律の施行前にこの法律による改正前のそれぞれの法律（これに基づく命令を含む。以下この条及び次条において「旧法令」という。）の規定により従前の国の機関がした認定等の処分その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、この法律による改正後のそれぞれの法律（これに基づく命令を含む。以下この条及び次条において「新法令」という。）の相当規定により相当の国の機関がした認定等の処分その他の行為とみなす。

Article 57 (1) Acts, such as dispositions of certification, etc., conducted or made by a former national government organ prior to the enforcement of this Act pursuant to the provisions of the respective laws prior to amendment by this Act (including orders based on them; hereinafter referred to as "former laws and regulations" in this Article and the following Article) are, unless otherwise provided for in laws and regulations, deemed to be acts, such as dispositions of certification, etc., conducted or made by a corresponding national government organ pursuant to the corresponding provisions of the respective laws amended by this Act (including orders based on them; hereinafter referred to as "new laws and regulations" in this Article and the following Article), after the enforcement of this Act.

2 この法律の施行の際現に旧法令の規定により従前の国の機関に対してされている申請、届出その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、新法令の相当規定により相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) Acts, such as application and notification, that have been conducted or made with a former national government organ pursuant to the provisions of former laws and regulations as of the time of the enforcement of this Act are, unless otherwise provided for in laws and regulations, deemed to be acts, such as

application and notification, that have been conducted or made with a corresponding national government organ pursuant to the corresponding provisions of the new laws and regulations, after the enforcement of this Act.

3 この法律の施行前に旧法令の規定により従前の国の機関に対して申請、届出その他の手続をしなければならない事項で、この法律の施行の日前に従前の国の機関に対してその手続がされていないものについては、法令に別段の定めがあるもののほか、この法律の施行後は、これを、新法令の相当規定により相当の国の機関に対してその手続がされていないものとみなして、新法令の規定を適用する。

(3) With respect to particulars for which procedures, such as application or notification, are required to be taken with a former national government organ prior to the enforcement of this Act pursuant to the provisions of the former laws and regulations, and for which those procedures have not been taken with the former national government organ prior to the date of enforcement of this Act, unless otherwise provided for in laws and regulations, the provisions of the new laws and regulations apply by deeming such particulars to be particulars for which those procedures have not been taken with the corresponding national government organ pursuant to the corresponding provisions of the new laws and regulations, after the enforcement of this Act.

(命令の効力に関する経過措置)

(Transitional Measures Concerning the Effect of Orders)

第五十八条 旧法令の規定により発せられた内閣府設置法第七条第三項の内閣府令又は国家行政組織法第十二条第一項の省令は、法令に別段の定めがあるもののほか、この法律の施行後は、新法令の相当規定に基づいて発せられた相当の第七条第三項のデジタル庁令又は国家行政組織法第十二条第一項の省令としての効力を有するものとする。

Article 58 The Cabinet Office Order referred to in Article 7, paragraph (3) of the Act for Establishment of the Cabinet Office or the Ministerial Order referred to in Article 12, paragraph (1) of the National Government Organization Act issued pursuant to the provisions of the former laws and regulations, unless otherwise provided for in laws and regulations, is to remain in force after the enforcement of this Act as the corresponding Digital Agency Order referred to in Article 7, paragraph (3) or Ministerial Order referred to in Article 12, paragraph (1) of the National Government Organization Act issued under the corresponding provisions of the new laws and regulations.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Penal Provisions)

第五十九条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 59 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act.

(政令への委任)

(Delegation to Cabinet Order)

第六十条 附則第十五条、第十六条、第五十一条及び前三条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 60 Beyond what is provided for in Articles 15, 16, and 51 of the Supplementary Provisions and the preceding three Articles, Cabinet Order prescribes necessary transitional measures associated with the enforcement of this Act (including transitional measures concerning penal provisions).

附 則 〔令和三年六月十六日法律第七十号〕〔抄〕

Supplementary Provisions [Act No. 70 of June 16, 2021] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

一 第一条中産業競争力強化法目次の改正規定（「事業活動における知的財産権」を「場所の定めのない株主総会等」に改める部分に限る。）及び同法第三章第四節の改正規定並びに附則第三条、第十九条及び第二十条の規定 公布の日

(i) in Article 1, the provisions amending the table of contents of the Act on Strengthening Industrial Competitiveness (limited to the portion altering "Intellectual Property Rights in Business Activities" to "Shareholders Meeting without a Designated Location") and the provisions amending Chapter III, Section 4 of the same Act, as well as the provisions of Articles 3, 19, and 20 of the Supplementary Provisions: the date of promulgation; and  
二 第一条の規定（前号に掲げる改正規定を除く。）、第三条の規定、第八条の規定（次号に掲げる改正規定を除く。）及び第十条の規定並びに附則第四条から第六条まで、第十二条から第十八条まで、第二十三条、第二十四条、第二十六条、第二十八条、第三十条、第三十二条、第三十三条及び第三十五条の規定 令和三年六月五日又はこの法律の公布の日のいずれか遅い日

(ii) the provisions of Article 1 (excluding the amendment provisions set forth in the preceding item), the provisions of Article 3, the provisions of Article 8 (excluding the amendment provisions set forth in the following item), and the provisions of Article 10, as well as the provisions of Articles 4 through 6,

Articles 12 through 18, and Articles 23, 24, 26, 28, 30, 32, 33, and 35 of the Supplementary Provisions: June 5, 2021 or the date of promulgation of this Act, whichever is later.

(検討)

(Review)

第二条 政府は、この法律の施行後三年を目途として、経済社会情勢の変化を勘案しつつ、この法律による改正後の規定の施行の状況について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 Approximately three years after this Act comes into effect, the government is to review the status of enforcement of the provisions amended by this Act while taking into account the changes in the economic and social situations, and take necessary measures based on the results.

(産業競争力強化法の一部改正に伴う経過措置)

(Transitional Measures Associated with the Partial Amendment of the Act on Strengthening Industrial Competitiveness)

第三条 附則第一条第一号に掲げる規定の施行の際現に金融商品取引法（昭和二十三年法律第二十五号）第二条第十六項に規定する金融商品取引所に上場されている株式を発行している株式会社（以下この条において「上場会社」という。）である株式会社又は同号に掲げる規定の施行の日（以下「第一号施行日」という。）から二年を経過する日までの間において上場会社となった株式会社が、第一号施行日から二年を経過する日（当該日までに上場会社でなくなった株式会社にあつては、上場会社でなくなった日）までの間に第一条の規定（同号に掲げる改正規定に限る。）による改正後の産業競争力強化法（次項において「新産競法」という。）第六十六条第一項に規定する経済産業大臣及び法務大臣の確認を受けた場合には、当該株式会社は、当該期間においては、その定款の定め（株主総会又は種類株主総会の場所の定めがある定款の当該定めに限る。）にかかわらず、その定款に同項の規定による定めがあるものとみなすことができる。

Article 3 (1) If a stock company that has issued shares listed on the financial instruments exchange prescribed in Article 2, paragraph (16) of the Financial Instruments and Exchange Act (Act No. 25 of 1948) (hereinafter referred to as a "listed company" in this Article) as of the time of the enforcement of the provisions set forth in Article 1, item (i) of the Supplementary Provisions or a stock company that becomes a listed company during the period from the date of enforcement of the provisions set forth in the same item (hereinafter referred to as the "effective date of item (i)") until the day on which two years elapse from that date obtains the confirmation by the Minister of Economy, Trade and Industry and the Minister of Justice prescribed in Article 66, paragraph (1) of the Act on Strengthening Industrial Competitiveness amended by the provisions of Article 1 (limited to the amendment provisions set forth in



Article 1, item (i)) (referred to as the "new Act on Strengthening Industrial Competitiveness" in the following paragraph) during the period from the effective date of item (i) until the day on which two years elapse from that date (in the case of a stock company that ceases to be a listed company by that date, until the day of ceasing to be a listed company), the stock company, notwithstanding the provisions of its articles of incorporation (limited to the provisions of articles of incorporation that designate the location of the shareholders meeting or the general meeting of class shareholders), may be deemed to have the provisions provided for in the same paragraph in its articles of incorporation, with regard to that period.

2 前項の規定によりその定款に新産競法第六十六条第一項の規定による定めがあるものとみなされた株式会社の取締役（会社法（平成十七年法律第八十六号）第二百九十七条第四項の規定により株主が株主総会を招集する場合にあっては、当該株主）が当該定めに基づいて招集する場所の定めのない株主総会においては、新産競法第六十六条第一項の規定による定めを設ける定款の変更の決議をすることはできない。

(2) At a shareholders meeting without a designated location which directors (in the case where shareholders call a shareholders meeting pursuant to the provisions of Article 297, paragraph (4) of the Companies Act (Act No. 86 of 2005), those shareholders) of a stock company that is deemed to have the provisions provided for in Article 66, paragraph (1) of the new Act on Strengthening Industrial Competitiveness in its articles of incorporation pursuant to the provisions of the preceding paragraph, no resolution may be adopted to change the articles of incorporation to establish the provisions provided for in Article 66, paragraph (1) of the new Act on Strengthening Industrial Competitiveness.

第四条 附則第一条第二号に掲げる規定の施行の日（以下「第二号施行日」という。）前にされた第一条の規定（附則第一条第一号に掲げる改正規定を除く。）による改正前の産業競争力強化法（以下「旧産競法」という。）第六条第一項の規定による求めであって、附則第一条第二号に掲げる規定の施行の際、新たな規制の特例措置（旧産競法第二条第二項に規定する規制の特例措置をいう。以下この条において同じ。）を講ずる必要があるかどうかの判断がされていないものについての判断の手続（新たな規制の特例措置を講ずることとする場合における当該新たな規制の特例措置の内容の公表を含む。）及び当該求めをした者に対する通知については、なお従前の例による。

Article 4 With regard to a request under the provisions of Article 6, paragraph (1) of the Act on Strengthening Industrial Competitiveness prior to amendment by the provisions of Article 1 (excluding the amendment provisions set forth in Article 1, item (i) of the Supplementary Provisions) (hereinafter referred to as the "former Act on Strengthening Industrial Competitiveness") that was made prior to the date of enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions (hereinafter referred to as the "effective date

of item (ii)"), for which the determination on whether it is necessary to take new special measures on regulations (meaning the special measures on regulations prescribed in Article 2, paragraph (2) of the former Act on Strengthening Industrial Competitiveness; hereinafter the same applies in this Article) has not been made as of the time of the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, prior laws continue to govern the procedure of the determination (including publicizing the details of the new special measures on regulations in the case of deciding to take the new special measures on regulations) and the notice to the person that has made the request.

第五条 第二号施行日前にされた旧産競法第七条第一項の規定による求めであつて、附則第一条第二号に掲げる規定の施行の際、その回答がされていないものについての回答（その内容の公表を含む。）及び当該求めをした者に対する通知については、なお従前の例による。

Article 5 With regard to a request under the provisions of Article 7, paragraph (1) of the former Act on Strengthening Industrial Competitiveness that was made prior to the effective date of item (ii), for which response has not been made as of the time of the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions, prior laws continue to govern the response to that request (including publicizing the details of the response) and the notice to the person that has made the request.

第六条 第二号施行日前にされた旧産競法第九条第一項の認定の申請であつて、附則第一条第二号に掲げる規定の施行の際、認定をするかどうかの処分がされていないものについての認定の処分については、なお従前の例による。

Article 6 (1) Prior laws continue to govern the granting of the approval referred to in Article 9, paragraph (1) of the former Act on Strengthening Industrial Competitiveness for which an application was filed prior to the effective date of item (ii) and of which the disposition of the granting has yet to be rendered as of the time of the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions.

2 附則第一条第二号に掲げる規定の施行の際現に旧産競法第九条第一項の認定を受けている同項に規定する新事業活動計画（以下この条において「新事業活動計画」という。）及び前項の規定によりなお従前の例により第二号施行日以後に旧産競法第九条第一項の認定を受けた新事業活動計画についての計画の変更の認定、変更の指示及び認定の取消し、政令等で規定された規制の特例措置並びに報告の徴収については、なお従前の例による。

(2) Prior laws continue to govern the following regarding the plans for new business activities prescribed in Article 9, paragraph (1) of the former Act on Strengthening Industrial Competitiveness (hereinafter referred to as "plans for

new business activities" in this Article) for which the approval referred to in the same paragraph has been obtained as of the time of the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions and plans for new business activities for which the approval referred to in Article 9, paragraph (1) of the former Act on Strengthening Industrial Competitiveness is obtained after the effective date of item (ii) pursuant to prior laws that continue to govern, based on the provisions of the preceding paragraph: the approval for changes to plans; direction of changes; rescission of approval; special measures on regulations prescribed by Cabinet Order, etc.; and the collection of reports.

3 附則第一条第二号に掲げる規定の施行の際現に旧産競法第九条第一項の認定を受けている新事業活動計画及び第一項の規定によりなお従前の例により第二号施行日以後に同条第一項の認定を受けた新事業活動計画に従って実施される旧産競法第二条第三項に規定する新事業活動については、旧産競法第十二条の規定は、第二号施行日以後も、なおその効力を有する。

(3) The provisions of Article 12 of the former Act on Strengthening Industrial Competitiveness remain in force even after the effective date of item (ii), with respect to the new business activities prescribed in Article 2, paragraph (3) of the former Act on Strengthening Industrial Competitiveness that are implemented in accordance with plans for new business activities for which the approval referred to in Article 9, paragraph (1) of the same Act has been obtained as of the time of the enforcement of the provisions set forth in Article 1, item (ii) of the Supplementary Provisions and plans for new business activities for which the approval referred to in Article 9, paragraph (1) of the same Act is obtained after the effective date of item (ii) pursuant to prior laws that continue to govern, based on the provisions of paragraph (1).

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十九条 この法律（附則第一条第二号から第四号までに掲げる規定にあつては、当該規定。以下この条及び次条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 19 Prior laws continue to govern the application of penal provisions for acts committed prior to the enforcement of this Act (in the case of the provisions set forth in Article 1, items (ii) through (iv) of the Supplementary Provisions, those provisions; hereinafter the same applies in this Article and the following Article), and for acts committed after the enforcement of this Act in the case where prior laws are to continue to govern or remain in force pursuant to the provisions of these Supplementary Provisions.

(その他の経過措置の政令への委任)

**(Delegation of Other Transitional Measures to Cabinet Order)**

第二十条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 20 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes necessary transitional measures associated with the enforcement of this Act (including transitional measures concerning penal provisions).

**附 則** 〔令和四年六月十七日法律第六十八号〕〔抄〕

**Supplementary Provisions [Act No. 68 of June 17, 2022] [Extract]**

(施行期日)

**(Effective Date)**

1 この法律は、刑法等一部改正法施行日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

(1) This Act comes into effect as of the day on which the Act for Partial Amendment of the Penal Code, etc. comes into effect; provided, however, that the provisions set forth in the following items come into effect as of the dates respectively specified in those items:

一 第五百九条の規定 公布の日

(i) the provisions of Article 509: the date of promulgation;