

# 公益社団法人及び公益財団法人の認定等に関する法律 Act on Authorization of Public Interest Incorporated Associations and Public Interest Incorporated Foundation

(平成十八年六月二日法律第四十九号)  
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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、内外の社会経済情勢の変化に伴い、民間の団体が自発的に行う公益を目的とする事業の実施が公益の増進のために重要となっていることにかんがみ、当該事業を適正に実施し得る公益法人を認定する制度を設けるとともに、公益法人による当該事業の適正な実施を確保するための措置等を定め、もって公益の増進及び活力ある社会の実現に資することを目的とする。

Article 1 The purpose of this Act is, in view of the fact that the implementation of business voluntarily conducted by organizations in the private sector for public interest purposes has become important for the promotion of the public interest as a result of changes in social and economic situations in and out of the country, to establish a system for authorizing public interest corporations that are capable of implementing such business in a suitable manner, to prescribe measures to ensure suitable implementation of such business conducted by the public interest corporations and thereby to contribute to the promotion of the public interest and the realization of a vibrant society.

(定義)

(Definition)

第二条 この法律において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 2 In this Act, the meanings of the terms listed in each of the following items shall be as prescribed respectively in those items.

一 公益社団法人 第四条の認定を受けた一般社団法人をいう。

(i) Public Interest Incorporated Association: a general incorporated association that has received the authorization under Article 4;

二 公益財団法人 第四条の認定を受けた一般財団法人をいう。

(ii) Public Interest Incorporated Foundation: a general incorporated foundation

that has received the authorization under Article 4;

三 公益法人 公益社団法人又は公益財団法人をいう。

(iii) Public Interest Corporation: public interest incorporated associations and public interest incorporated foundations

四 公益目的事業 学術、技芸、慈善その他の公益に関する別表各号に掲げる種類の事業であつて、不特定かつ多数の者の利益の増進に寄与するものをいう。

(iv) Business for public interest purposes: business of the kind listed in each item of the appended table that relates to scholarship, art, charity or other public interests and that contributes to the promotion of interests for many and unspecified persons.

(行政庁)

(Administrative Agency)

第三条 この法律における行政庁は、次の各号に掲げる公益法人の区分に応じ、当該各号に定める内閣総理大臣又は都道府県知事とする。

Article 3 The administrative agency in this Act shall be the Prime Minister or the prefectural governor, as set forth in each of the following items according to the classification of public interest corporations listed in such items:

一 次に掲げる公益法人 内閣総理大臣

(i) Public interest corporations listed in the following: the Prime Minister

イ 二以上の都道府県の区域内に事務所を設置するもの

(a) Those having their offices within the area of more than one prefecture

ロ 公益目的事業を二以上の都道府県の区域内において行う旨を定款で定めるもの

(b) Those having articles of incorporation setting forth that they operate the business for public interest purposes within the area of more than one prefecture

ハ 国の事務又は事業と密接な関連を有する公益目的事業であつて政令で定めるものを行うもの

(c) Those operating the business for public interest purposes closely related to the administration or business of the national government and designated by Cabinet Order

二 前号に掲げる公益法人以外の公益法人 その事務所が所在する都道府県の知事

(ii) Public interest corporations other than those listed in the preceding item: the Governor of the prefecture where their office is located

## 第二章 公益法人の認定等

### Chapter II Authorization of Public Interest Corporations

#### 第一節 公益法人の認定

##### Section 1 Authorization of Public Interest Corporations

(公益認定)

(Public Interest Corporation Authorization)

第四条 公益目的事業を行う一般社団法人又は一般財団法人は、行政庁の認定を受けることができる。

Article 4 General incorporated associations and general incorporated foundations that operate the business for public interest purposes may be authorized by the administrative agency.

(公益認定の基準)

(Standards for Public Interest Corporation Authorization)

第五条 行政庁は、前条の認定（以下「公益認定」という。）の申請をした一般社団法人又は一般財団法人が次に掲げる基準に適合すると認めるときは、当該法人について公益認定をするものとする。

Article 5 In the event that the administrative agency approves that general incorporated associations or general incorporated foundations that have applied for the authorization under the preceding Article (hereinafter referred to as the "Public Interest Corporation Authorization") conform to the following standards, the administrative agency shall grant Public Interest Corporation Authorization for such juridical person.

一 公益目的事業を行うことを主たる目的とするものであること。

(i) Its principal objective is to operate the business for public interest purposes.

二 公益目的事業を行うのに必要な経理的基礎及び技術的能力を有するものであること。

(ii) It has an accounting base and technical capability necessary to operate the business for public interest purposes.

三 その事業を行うに当たり、社員、評議員、理事、監事、使用人その他の政令で定める当該法人の関係者に対し特別の利益を与えないものであること。

(iii) When it operates its business, it does not provide its members, councillors, directors, auditors, employees or other concerned persons specified by Cabinet Order with any special interest.

四 その事業を行うに当たり、株式会社その他の営利事業を営む者又は特定の個人若しくは団体の利益を図る活動を行うものとして政令で定める者に対し、寄附その他の特別の利益を与える行為を行わないものであること。ただし、公益法人に対し、当該公益法人が行う公益目的事業のために寄附その他の特別の利益を与える行為を行う場合は、この限りでない。

(iv) When it operates its business, it does not engage in any act providing any donation or other special interest to any persons who run a stock company or other business for profit purposes or any other persons specified by Cabinet Order as ones that engage in any activity to seek interest for any specific individual or entity; provided, however, that this shall not apply to cases in which it engages in any act providing a public interest corporation with any donation or other special interest for the business for public interest

purposes operated by said public interest corporation.

五 投機的な取引、高利の融資その他の事業であつて、公益法人の社会的信用を維持する上でふさわしくないものとして政令で定めるもの又は公の秩序若しくは善良の風俗を害するおそれのある事業を行わないものであること。

(v) It does not operate any speculative transaction, financing with high interest or other businesses specified by Cabinet Order as ones being not suitable for maintaining the social trust of a public interest corporation or any business that could be harmful to public policy.

六 その行う公益目的事業について、当該公益目的事業に係る収入がその実施に要する適正な費用を償う額を超えないと見込まれるものであること。

(vi) With respect to the business for public interest purposes operated by it, the revenue pertaining to said business for public interest purposes is expected not to exceed the amount compensating the reasonable cost for its operation.

七 公益目的事業以外の事業（以下「収益事業等」という。）を行う場合には、収益事業等を行うことによって公益目的事業の実施に支障を及ぼすおそれがないものであること。

(vii) If it operates any business other than the business for public interest purposes (hereinafter referred to as "Profit-Making Businesses"), the operation of the Profit-Making Businesses does not cause trouble to the operation of the business for public interest purposes.

八 その事業活動を行うに当たり、第十五条に規定する公益目的事業比率が百分の五十以上となると見込まれるものであること。

(viii) When it operates its business activity, the ratio of the business for public interest purposes set forth in Article 15 is expected to exceed 50/100.

九 その事業活動を行うに当たり、第十六条第二項に規定する遊休財産額が同条第一項の制限を超えないと見込まれるものであること。

(ix) When it operates its business activity, the amount of idle property set forth in paragraph 2 of Article 16 is expected not to exceed the restriction under paragraph 1 of said Article.

十 各理事について、当該理事及びその配偶者又は三親等内の親族（これらの者に準ずるものとして当該理事と政令で定める特別の関係がある者を含む。）である理事の合計数が理事の総数の三分の一を超えないものであること。監事についても、同様とする。

(x) With respect to each director, the total number of said director and his or her spouse or relatives within the third degree of kinship (including persons having special relationships specified by Cabinet Order with said director as those standing in a position similar to these persons) who are directors does not exceed one third of the total number of directors. The same shall apply to auditors.

十一 他の同一の団体（公益法人又はこれに準ずるものとして政令で定めるものを除く。）の理事又は使用人である者その他これに準ずる相互に密接な関係にあるもの

として政令で定める者である理事の合計数が理事の総数の三分の一を超えないものであること。監事についても、同様とする。

(xi) The total number of directors who are directors or employees of other identical organizations (excluding public interest corporations or others specified by Cabinet Order as those standing in a position similar to them) and other persons specified by Cabinet Order as those who stand in a similar position and have mutually close relationships with them does not exceed one third of the total number of directors. The same shall apply to auditors.

十二 会計監査人を置いているものであること。ただし、毎事業年度における当該法人の収益の額、費用及び損失の額その他の政令で定める勘定の額がいずれも政令で定める基準に達しない場合は、この限りでない。

(xii) It has an accounting auditor; provided, however, that this does not apply in the event that the amount of revenue, the amount of cost and loss the amount of and such other accounts as specified by Cabinet Order of such juridical person in each business year does not reach the standards specified by Cabinet Order.

十三 その理事、監事及び評議員に対する報酬等（報酬、賞与その他の職務遂行の対価として受ける財産上の利益及び退職手当をいう。以下同じ。）について、内閣府令で定めるところにより、民間事業者の役員の報酬等及び従業員の給与、当該法人の経理の状況その他の事情を考慮して、不当に高額なものとならないような支給の基準を定めているものであること。

(xiii) With respect to remuneration, etc. paid to its directors, auditors and councillors (which means remuneration, bonus or other property benefit paid as the consideration for the execution of their duties and the retirement allowance: the same shall apply hereinafter), it has standards for payment, as specified by Cabinet Office Ordinance, so that the amount of payment is not unsuitably high in view of the remuneration, etc. for directors and officers of business operators in the private sector, salary of employees, accounting situation of the juridical person in question or other circumstances.

十四 一般社団法人にあつては、次のいずれにも該当するものであること。

(xiv) In case of general incorporated associations, those falling under all of the following:

イ 社員の資格の得喪に関して、当該法人の目的に照らし、不当に差別的な取扱いをする条件その他の不当な条件を付していないものであること。

(a) It does not attach any unreasonably discriminatory conditions for treatment, or any other unreasonable conditions, for the acquisition or loss of qualification of members in the light of the purpose of the juridical person in question.

ロ 社員総会において行使できる議決権の数、議決権を行使することができる事項、議決権の行使の条件その他の社員の議決権に関する定款の定めがある場合には、

その定めが次のいずれにも該当するものであること。

(b) In the event that its articles of incorporation have provisions relating to the number of voting rights that are exercisable at the general meeting of members, matters for which voting rights are exercisable, conditions for exercising voting rights or any other provisions relating to voting rights of members, such provisions fall under all of the following:

(1) 社員の議決権に関して、当該法人の目的に照らし、不当に差別的な取扱いをしないものであること。

1. It does not treat voting rights of members in an unreasonably and discriminatory manner in the light of the purpose of the juridical person in question.

(2) 社員の議決権に関して、社員が当該法人に対して提供した金銭その他の財産の価額に応じて異なる取扱いを行わないものであること。

2. It does not treat voting rights of members in a different manner according to the amount of money or other properties provided by members to the juridical person in question.

ハ 理事会を置いているものであること。

(c) It has a board of directors.

十五 他の団体の意思決定に関与することができる株式その他の内閣府令で定める財産を保有していないものであること。ただし、当該財産の保有によって他の団体の事業活動を実質的に支配するおそれがない場合として政令で定める場合は、この限りでない。

(xv) It has no stock or other properties specified by Cabinet Office Ordinance that enable it to be involved in the decision making of other organizations; provided, however, that this does not apply to cases specified by Cabinet Order as those in which the possession of such properties would not result in substantial control of the business activities of other organizations.

十六 公益目的事業を行うために不可欠な特定の財産があるときは、その旨並びにその維持及び処分の制限について、必要な事項を定款で定めているものであること。

(xvi) In the event that it has specific property indispensable for operating the business for public interest purposes, its articles of incorporation specify such circumstance and necessary matters for its maintenance and restriction on disposition.

十七 第二十九条第一項若しくは第二項の規定による公益認定の取消しの処分を受けた場合又は合併により法人が消滅する場合（その権利義務を承継する法人が公益法人であるときを除く。）において、公益目的取得財産残額（第三十条第二項に規定する公益目的取得財産残額をいう。）があるときは、これに相当する額の財産を当該公益認定の取消しの日又は当該合併の日から一箇月以内に類似の事業を目的とする他の公益法人若しくは次に掲げる法人又は国若しくは地方公共団体に贈与する旨を定款で定めているものであること。

(xvii) In the event that any remaining amount of the public interest purposes

acquired property (which means the remaining amount of the public interest purposes acquired property set forth in paragraph 2 of Article 30) exists when it receives a disposition of the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or paragraph 2 of Article 29 or that a juridical person extinguishes as a result of a merger (excluding a case in which a juridical person that succeeds its rights and obligations is a public interest corporation), it provides in its articles of incorporation that it shall donate the property equivalent to such amount to other public interest corporations having a similar purpose of business or juridical persons listed below or the national government or local governments within one month after the day of such cancellation of Public Interest Corporation Authorization or the day of such merger.

- イ 私立学校法（昭和二十四年法律第二百七十号）第三条に規定する学校法人  
(a) Educational institution set forth in Article 3 of the Private Educational Institutions Act (Act No. 270 of 1949)
- ロ 社会福祉法（昭和二十六年法律第四十五号）第二十二条に規定する社会福祉法人  
(b) Social welfare juridical person set forth in Article 22 of the Social Welfare Act (Act No. 45 of 1951)
- ハ 更生保護事業法（平成七年法律第八十六号）第二条第六項に規定する更生保護法人  
(c) Relief and rehabilitation juridical person set forth in paragraph 6 of Article 2 of the Relief and Rehabilitation Business Act (Act No. 86 of 1995)
- ニ 独立行政法人通則法（平成十一年法律第百三号）第二条第一項に規定する独立行政法人  
(d) Incorporated administrative agency set forth in paragraph 1 of Article 2 of the Act on General Rules for Incorporated Administrative Agency (Act No. 103 of 1999)
- ホ 国立大学法人法（平成十五年法律第百十二号）第二条第一項に規定する国立大学法人又は同条第三項に規定する大学共同利用機関法人  
(e) National university corporation set forth in paragraph 1 of Article 2 of the Act on National University Corporation (Act No. 112 of 2003) or Inter-University Research Institute Corporation set forth in paragraph 3 of said Article
- ヘ 地方独立行政法人法（平成十五年法律第百十八号）第二条第一項に規定する地方独立行政法人  
(f) Local incorporated administrative agency set forth in paragraph 1 of Article 2 of the Act on Local Incorporated Administrative Agency (Act No. 118 of 2003)
- ト その他イからへまでに掲げる法人に準ずるものとして政令で定める法人  
(g) Other juridical persons specified in Cabinet Order as juridical persons



similar to those listed in (a) to (f)

十八 清算をする場合において残余財産を類似の事業を目的とする他の公益法人若しくは前号イからトまでに掲げる法人又は国若しくは地方公共団体に帰属させる旨を定款で定めているものであること。

(xviii) It provides in its articles of incorporation that, in case of liquidation, it causes the remaining property to be attributed to any other public interest corporations having similar business purpose or any juridical person listed in (a) to (g) in the preceding item or the national government or local governments.

(欠格事由)

(Reason for Disqualification)

第六条 前条の規定にかかわらず、次のいずれかに該当する一般社団法人又は一般財団法人は、公益認定を受けることができない。

Article 6 Notwithstanding the provisions of the preceding Article, Public Interest Corporation Authorization shall not be granted to general incorporated associations or general incorporated foundations falling under any one of the following items.

一 その理事、監事及び評議員のうち、次のいずれかに該当する者があるもの

(i) Persons falling under any of the following are among its directors, auditors and councillors:

イ 公益法人が第二十九条第一項又は第二項の規定により公益認定を取り消された場合において、その取消しの原因となった事実があった日以前一年内に当該公益法人の業務を行う理事であった者でその取消しの日から五年を経過しないもの

(a) In the case of a public interest corporation for which its Public Interest Corporation Authorization is cancelled pursuant to the provisions of paragraph 1 or paragraph 2 of Article 29, a person who was a director executing the business of such public interest corporation within one year from the day of a fact causing such cancellation and for whom five years have not passed from the day of such cancellation.

ロ この法律、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。以下「一般社団・財団法人法」という。）若しくは暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）の規定（同法第三十一条第七項の規定を除く。）に違反したことにより、若しくは刑法（明治四十年法律第四十五号）第二百四条、第二百六条、第二百八条、第二百八条の三第一項、第二百二十二条若しくは第二百四十七条の罪若しくは暴力行為等処罰に関する法律（大正十五年法律第六十号）第一条、第二条若しくは第三条の罪を犯したことにより、又は国税若しくは地方税に関する法律中偽りその他不正の行為により国税若しくは地方税を免れ、納付せず、若しくはこれらの税の還付を受け、若しくはこれらの違反行為をしようとする事に関する罪を定めた規定に違反したことにより、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなく

なった日から五年を経過しない者

(b) A person for whom five years have not passed from a day on which the person is punished by a fine by reason of violation against the provisions of this Act, the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006: hereinafter referred to as the "General Incorporated Associations/Foundations Act") or the Act on Prevention, etc. of Unjustifiable Acts by Members of Crime Syndicates (excluding the provisions of paragraph 7 of Article 31 of said Act) (Act No. 77 of 1991), by reason of committing a crime under Article 204, Article 206, Article 208, paragraph 1 of Article 208-3, Article 222 or Article 247 of the Penal Code (Act No. 45 of 1907) or under Article 1, Article 2 or Article 3 of the Act on Punishment for Physical Violence and Others (Act No. 60 of 1926) or by reason of violation against the provisions of laws concerning national taxes or local taxes setting forth a crime in connection with exemption of or failure to pay national taxes or local taxes or with receipt of return of these taxes or intention to commit such acts of violation by fraudulent or other illegal acts, from a day on which the punishment is over or the punishment becomes no longer executable.

ハ 禁錮以上の刑に処せられ、その刑の執行を終わり、又は刑の執行を受けることがなくなった日から五年を経過しない者

(c) A person for whom five years have not passed from a day on which the person is punished by imprisonment or severer, from a day on which the punishment is over or the punishment becomes no longer executable.

ニ 暴力団員による不当な行為の防止等に関する法律第二条第六号に規定する暴力団員（以下この号において「暴力団員」という。）又は暴力団員でなくなった日から五年を経過しない者（第六号において「暴力団員等」という。）

(d) A person who is a member of a crime syndicate set forth in item (vi) of Article 2 of the Act on Prevention, etc. of Unjustifiable Acts by Members of Crime Syndicates (hereinafter referred to in this item as a "Member of Crime Syndicate") or a person for whom five years have not passed from a day on which the person becomes no longer a Member of Crime Syndicate (hereinafter referred to in item (vi) as a "Member of Crime Syndicate, etc.")

ニ 第二十九条第一項又は第二項の規定により公益認定を取り消され、その取消の日から五年を経過しないもの

(ii) Its Public Interest Corporation Authorization has been cancelled pursuant to the provisions of paragraph 1 or paragraph 2 of Article 29, and five years have not passed from the day of such cancellation.

三 その定款又は事業計画書の内容が法令又は法令に基づく行政機関の処分に違反しているもの

(iii) The content of its articles of incorporation or a written business plan violates laws and regulations or a disposition by an administrative organ

based on laws and regulations.

四 その事業を行うに当たり法令上必要となる行政機関の許認可等（行政手続法（平成五年法律第八十八号）第二条第三号に規定する許認可等をいう。以下同じ。）を受けることができないもの

(iv) License or authorization, etc. (which means the license or authorization, etc. set forth in item (iii) of Article 2 of the Administrative Procedure Act (Act No. 88 of 1993): the same shall apply hereinafter) from an administrative organ necessary for operating its business based on laws and regulations cannot be obtained.

五 国税又は地方税の滞納処分の執行がされているもの又は当該滞納処分の終了の日から三年を経過しないもの

(v) Disposition for delinquent payment of national taxes or local taxes has been executed, or three years have not passed from a day on which said disposition for delinquent payment completes.

六 暴力団員等がその事業活動を支配するもの

(vi) Its business activity is controlled by a Member of Crime Syndicate, etc.

（公益認定の申請）

（Application for Public Interest Corporation Authorization）

第七条 公益認定の申請は、内閣府令で定めるところにより、次に掲げる事項を記載した申請書を行政庁に提出してしなければならない。

Article 7 (1) Application for the Public Interest Corporation Authorization shall be filed, as provided for in Cabinet Office Ordinance, by submitting to an administrative agency a written application setting forth matters listed in the following:

一 名称及び代表者の氏名

(i) Name and full name of representative person

二 公益目的事業を行う都道府県の区域（定款に定めがある場合に限る。）並びに主たる事務所及び従たる事務所の所在場所

(ii) Area of prefecture in which the business for public interest purposes is operated (which is limited to a case in which such area is provided for in its articles of incorporation) and the place where its principal office and subordinate offices are located

三 その行う公益目的事業の種類及び内容

(iii) Category and content of its business for public interest purposes

四 その行う収益事業等の内容

(iv) Content of its Profit-Making Businesses

2 前項の申請書には、次に掲げる書類を添付しなければならない。

(2) Documents listed in the following shall be attached to the written application under the preceding paragraph:

一 定款

(i) The articles of incorporation

二 事業計画書及び収支予算書

(ii) A written business plan and a written budget for revenue and expenditure

三 事業を行うに当たり法令上行政機関の許認可等を必要とする場合においては、当該許認可等があったこと又はこれを受けることができることを証する書類

(iii) In the event that laws and regulations require it to obtain a license or authorization, etc. from an administrative organ for operating its business, documents that certify that it has obtained, or it is eligible to obtain, such license or authorization, etc.

四 当該公益目的事業を行うのに必要な経理的基礎を有することを明らかにする財産目録、貸借対照表その他の内閣府令で定める書類

(iv) Documents provided for in Cabinet Office Ordinance that certify that it has the accounting base necessary to operate the business for public interest purposes in question such as inventory of property, balance sheet or others

五 第五条第十三号に規定する報酬等の支給の基準を記載した書類

(v) A document that describes the standards for payment of remuneration, etc. set forth in item (xiii) of Article 5

六 前各号に掲げるもののほか、内閣府令で定める書類

(vi) Other documents provided for in Cabinet Office Ordinance in addition to those listed in respective items in the foregoing

(公益認定に関する意見聴取)

(Hearing of Opinion for Public Interest Corporation Authorization)

第八条 行政庁は、公益認定をしようとするときは、次の各号に掲げる事由の区分に応じ、当該事由の有無について、当該各号に定める者の意見を聴くものとする。

Article 8 In the event that administrative agencies grant the Public Interest Corporation Authorization, they shall hear the opinions of persons provided for in the following items, according to the classification of reasons listed in the respective items, as to whether or not such reason exists:

一 第五条第一号、第二号及び第五号並びに第六条第三号及び第四号に規定する事由（事業を行うに当たり法令上行政機関の許認可等を必要とする場合に限る。） 当該行政機関（以下「許認可等行政機関」という。）

(i) Reasons set forth in items (i), (ii) and (v) of Article 5 and items (iii) and (iv) of Article 6 (which is limited to cases in which laws and regulations require it to obtain the license or authorization, etc. from the administrative organ for operating its business): The administrative organ in question (hereinafter referred to as the "Authorization Granting Administrative Organ")

二 第六条第一号ニ及び第六号に規定する事由 行政庁が内閣総理大臣である場合にあっては警察庁長官、都道府県知事である場合にあっては警視總監又は道府県警察本部長（以下「警察庁長官等」という。）

(ii) In cases of reasons set forth in items (i)(d) and (vi) of Article 6: The

Commissioner General of the National Police Agency in the event that the administrative agency is the Prime Minister, and the Superintendent General of the Tokyo Metropolitan Police Department or the Chief of Prefectural Police Headquarters in the event that the administrative agency is the prefectural governor (hereinafter referred to as the "Commissioner General of the National Police Agency, etc.")

三 第六条第五号に規定する事由 国税庁長官、関係都道府県知事又は関係市町村長（以下「国税庁長官等」という。）

(iii) In cases of reasons set forth in item (v) of Article 6: Commissioner of the National Tax Agency, the prefectural governor concerned or the mayor of municipality concerned (hereinafter referred to as the "Commissioner of the National Tax Agency, etc.")

(名称等)

(Name, etc.)

第九条 公益認定を受けた一般社団法人又は一般財団法人は、その名称中の一般社団法人又は一般財団法人の文字をそれぞれ公益社団法人又は公益財団法人と変更する定款の変更をしたものとみなす。

Article 9 (1) A general incorporated association or general incorporated foundation that has received Public Interest Corporation Authorization shall be deemed to have amended its articles of incorporation to amend the characters of general incorporated association or general incorporated foundation in its name into public interest incorporated association or public interest incorporated foundation, respectively.

2 前項の規定による名称の変更の登記の申請書には、公益認定を受けたことを証する書面を添付しなければならない。

(2) A document certifying that Public Interest Corporation Authorization is granted shall be attached to a written application for the registration of the amendment to the name pursuant to the provisions of the preceding paragraph.

3 公益社団法人又は公益財団法人は、その種類に従い、その名称中に公益社団法人又は公益財団法人という文字を用いなければならない。

(3) A public interest incorporated association or public interest incorporated foundation shall, according to its category, use the characters of public interest incorporated association or public interest incorporated foundation in its name.

4 公益社団法人又は公益財団法人でない者は、その名称又は商号中に、公益社団法人又は公益財団法人であると誤認されるおそれのある文字を用いてはならない。

(4) A person that is not a public interest incorporated association or public interest incorporated foundation shall not use any characters that could give the misunderstanding that it is a public interest incorporated association or public interest incorporated foundation in its name or trade name.

5 何人も、不正の目的をもって、他の公益社団法人又は公益財団法人であると誤認さ

れるおそれのある名称又は商号を使用してはならない。

(5) Any person shall not use any name or trade name that could be misunderstood as other public interest incorporated associations or public interest incorporated foundations with unauthorized purposes.

6 公益法人については、一般社団・財団法人法第五条第一項の規定は、適用しない。

(6) The provisions of paragraph 1 of Article 5 of the General Incorporated Associations/Foundations Act shall not apply to public interest corporations.

(公益認定の公示)

(Public Announcement of Public Interest Corporation Authorization)

第十条 行政庁は、公益認定をしたときは、内閣府令で定めるところにより、その旨を公示しなければならない。

Article 10 When an administrative agency grants Public Interest Corporation Authorization, it shall publicly announce such fact as provided for in Cabinet Office Ordinance.

(変更の認定)

(Authorization for change)

第十一条 公益法人は、次に掲げる変更をしようとするときは、行政庁の認定を受けなければならない。ただし、内閣府令で定める軽微な変更については、この限りでない。

Article 11 (1) Public interest corporations shall obtain authorization from the administrative agency in the event that they intend to change the following matters; provided, however, that this shall not apply to minor changes provided for in Cabinet Office Ordinance.

一 公益目的事業を行う都道府県の区域（定款で定めるものに限る。）又は主たる事務所若しくは従たる事務所の所在場所の変更（従たる事務所の新設又は廃止を含む。）

(i) Change of the area of prefecture in which the business for public interest purposes is operated (which is limited to a case in which such area is provided for in its articles of incorporation) or the place where its principal office and subordinate offices are located (including the establishment or abolition of subordinate offices)

二 公益目的事業の種類又は内容の変更

(ii) Change of the category and content of its business for public interest purposes

三 収益事業等の内容の変更

(iii) Change of the content of its Profit-Making Businesses

2 前項の変更の認定を受けようとする公益法人は、内閣府令で定めるところにより、変更に係る事項を記載した申請書を行政庁に提出しなければならない。

(2) Public interest corporations that intend to obtain the authorization for change under the preceding paragraph shall submit a written application, in which

matters relating to the change are described, to the administrative agency as provided for in Cabinet Office Ordinance.

3 前項の申請書には、内閣府令で定める書類を添付しなければならない。

(3) Documents provided for in Cabinet Office Ordinance shall be attached to the written application under the preceding paragraph.

4 第五条及び第六条（第二号を除く。）の規定は第一項各号に掲げる変更の認定について、第八条第一号（吸収合併に伴い当該変更の認定をする場合にあっては、同条各号）の規定は同項第二号及び第三号に掲げる変更の認定について、前条の規定は同項の変更の認定をしたときについて、それぞれ準用する。

(4) The provisions of Article 5 and Article 6 (excluding item (ii)) shall apply mutatis mutandis to the authorization for change set forth in the respective items in paragraph 1, the provisions of item (i) of Article 8 (those of the respective items of said Article in case of the authorization for change in question as a result of an absorption-type merger) shall apply mutatis mutandis to the authorization for change set forth in items (ii) and (iii) in paragraph 1, and the provisions of the preceding Article apply mutatis mutandis when the authorization for change under paragraph 1 is granted.

第十二条 行政庁の変更を伴う変更の認定に係る前条第二項の申請書は、変更前の行政庁を経由して変更後の行政庁に提出しなければならない。

Article 12 (1) The written application under paragraph 2 of the preceding Article, which relates to the authorization for change accompanying the change of the administrative agency, shall be submitted to the administrative agency after the change through the administrative agency before the change.

2 前項の場合において、当該変更の認定をしたときは、変更後の行政庁は、内閣府令で定めるところにより、遅滞なく、変更前の行政庁から事務の引継ぎを受けなければならない。

(2) When the authorization for change in question is granted in the case of the preceding paragraph, the administrative agency after the change shall have the work transferred from the administrative agency before the change without delay as provided for in Cabinet Office Ordinance.

(変更の届出)

(Notification of Change)

第十三条 公益法人は、次に掲げる変更（合併に伴うものを除く。）があったときは、内閣府令で定めるところにより、遅滞なく、その旨を行政庁に届け出なければならない。

Article 13 (1) When the following changes (excluding those as a result of a merger) arise, public interest corporations shall notify the administrative agency of such fact without delay as provided for in Cabinet Office Ordinance:

一 名称又は代表者の氏名の変更

(i) Change of name or of the name of representative person

二 第十一条第一項ただし書の内閣府令で定める軽微な変更

(ii) Minor changes provided for in Cabinet Office Ordinance under the proviso in paragraph 1 of Article 11

三 定款の変更（第十一条第一項各号に掲げる変更及び前二号に掲げる変更に係るものを除く。）

(iii) Changes in the articles of incorporation (excluding those relating to the changes set forth in the respective items of paragraph 1 of Article 11 and those relating to changes set forth in the preceding two items)

四 前三号に掲げるもののほか、内閣府令で定める事項の変更

(iv) Changes in matters provided for in Cabinet Office Ordinance in addition to those set forth in the preceding three items

2 行政庁は、前項第一号に掲げる変更について同項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示しなければならない。

(2) When changes set forth in item (i) of the preceding paragraph are notified pursuant to the provisions of said paragraph, the administrative agency shall publicly announce such fact as provided for in Cabinet Office Ordinance.

## 第二節 公益法人の事業活動等

### Section 2 Business Activities of Public Interest Corporations

#### 第一款 公益目的事業の実施等

##### Subsection 1 Implementation of Business for Public Interest Purposes

(公益目的事業の収入)

(Revenue of Business for Public Interest Purposes)

第十四条 公益法人は、その公益目的事業を行うに当たり、当該公益目的事業の実施に要する適正な費用を償う額を超える収入を得てはならない。

Article 14 When public interest corporations operate their business for public interest purposes, they shall not obtain revenue that exceeds the amount compensating the reasonable cost required for the operation of said business for public interest purposes.

(公益目的事業比率)

(Ratio of Business for Public Interest Purposes)

第十五条 公益法人は、毎事業年度における公益目的事業比率（第一号に掲げる額の同号から第三号までに掲げる額の合計額に対する割合をいう。）が百分の五十以上となるように公益目的事業を行わなければならない。

Article 15 Public interest corporations shall operate their business for public interest purposes so that the ratio of the business for public interest purposes (which means the ratio of the amount set forth in item (i) against the total of the amounts set forth in items (i) through (iii) ) in each business year shall be



50/100 or more.

一 公益目的事業の実施に係る費用の額として内閣府令で定めるところにより算定される額

(i) Amount that is calculated, as provided for in Cabinet Office Ordinance, as the amount of cost pertaining to the implementation of the business for public interest purposes

二 収益事業等の実施に係る費用の額として内閣府令で定めるところにより算定される額

(ii) Amount that is calculated, as provided for in Cabinet Office Ordinance, as the amount of cost pertaining to the implementation of the Profit-Making Businesses.

三 当該公益法人の運営に必要な経常的経費の額として内閣府令で定めるところにより算定される額

(iii) Amount that is calculated, as provided for in Cabinet Office Ordinance, as the amount of ordinary cost necessary for the operation of the public interest corporation in question

(遊休財産額の保有の制限)

(Restriction on Possession of Idle Property Amount)

第十六条 公益法人の毎事業年度の末日における遊休財産額は、公益法人が当該事業年度に行った公益目的事業と同一の内容及び規模の公益目的事業を翌事業年度においても引き続き行うために必要な額として、当該事業年度における公益目的事業の実施に要した費用の額（その保有する資産の状況及び事業活動の態様に応じ当該費用の額に準ずるものとして内閣府令で定めるものの額を含む。）を基礎として内閣府令で定めるところにより算定した額を超えてはならない。

Article 16 (1) The amount of idle property of a public interest corporation at the last day of each business year shall not exceed the amount that is calculated, as provided for in Cabinet Office Ordinance, as the amount necessary to operate continuously in the following business year the business for public interest purposes of the same content and scale as the business for public interest purposes operated by the public interest corporation in the business year in question on the basis of the amount of cost required for the operation of the business for public interest purposes in the business year in question (including the amount of items provided for in Cabinet Office Ordinance as those similar to the amount of cost in question according to the circumstances of property owned by them and type of their business activity).

2 前項に規定する「遊休財産額」とは、公益法人による財産の使用若しくは管理の状況又は当該財産の性質にかんがみ、公益目的事業又は公益目的事業を行うために必要な収益事業等その他の業務若しくは活動のために現に使用されておらず、かつ、引き続きこれらのために使用されることが見込まれない財産として内閣府令で定めるものの価額の合計額をいう。

(2) The "amount of idle property" set forth in the preceding paragraph means the total amount of value provided for in Cabinet Office Ordinance as the property, in view of the circumstances of use or management of property by public interest corporations or of the nature of said property, that are not currently used for the business for public interest purposes or the Profit-Making Businesses necessary to operate the business for public interest purposes or other businesses or activities and that are not expected to be used for these businesses or activities in the future.

(寄附の募集に関する禁止行為)

(Prohibited Acts on Solicitation of Donations)

第十七条 公益法人の理事若しくは監事又は代理人、使用人その他の従業者は、寄附の募集に関して、次に掲げる行為をしてはならない。

Article 17 Directors or auditors or agents, employees or other workers of public interest corporations shall not engage in the following acts in connection with the solicitation of donations.

一 寄附の勧誘又は要求を受け、寄附をしない旨の意思を表示した者に対し、寄附の勧誘又は要求を継続すること。

(i) To solicit or demand to donate continuously to persons who were solicited or demanded and declared their intention not to donate

二 粗野若しくは乱暴な言動を交えて、又は迷惑を覚えさせるような方法で、寄附の勧誘又は要求をすること。

(ii) To solicit or demand to donate with coarse or violent speech or behavior or in an offending manner

三 寄附をする財産の用途について誤認させるおそれのある行為をすること。

(iii) To engage in acts that could cause the usage of donated property to be misunderstood

四 前三号に掲げるもののほか、寄附の勧誘若しくは要求を受けた者又は寄附者の利益を不当に害するおそれのある行為をすること。

(iv) To engage in any act, in addition to those set forth in the preceding three items, that could prejudice the interest of persons who were solicited or demanded to donate or of donors

## 第二款 公益目的事業財産

### Subsection 2 Property for Business for Public Interest Purposes

第十八条 公益法人は、次に掲げる財産（以下「公益目的事業財産」という。）を公益目的事業を行うために使用し、又は処分しなければならない。ただし、内閣府令で定める正当な理由がある場合は、この限りでない。

Article 18 Public interest corporations shall use or dispose of the following property (hereinafter referred to as the "Property for Business for Public

Interest Purposes") to operate the business for public interest purposes; provided, however, that this shall not apply in case of justifiable events provided for in Cabinet Office Ordinance.

一 公益認定を受けた日以後に寄附を受けた財産（寄附をした者が公益目的事業以外のために使用すべき旨を定めたものを除く。）

(i) Property donated on and after the day on which Public Interest Corporation Authorization was granted (excluding those that the donator designated to use for a purpose other than the business for public interest purposes)

二 公益認定を受けた日以後に交付を受けた補助金その他の財産（財産を交付した者が公益目的事業以外のために使用すべき旨を定めたものを除く。）

(ii) Subsidy or other properties delivered on and after the day on which Public Interest Corporation Authorization was granted (excluding those that persons who delivered properties designated to use for a purpose other than the business for public interest purposes)

三 公益認定を受けた日以後に行った公益目的事業に係る活動の対価として得た財産

(iii) Property obtained as the consideration of an activity pertaining to the business for public interest purposes engaged in on and after the day on which Public Interest Corporation Authorization was granted

四 公益認定を受けた日以後に行った収益事業等から生じた収益に内閣府令で定める割合を乗じて得た額に相当する財産

(iv) Property equivalent to the amount that is obtained by multiplying a rate provided for in Cabinet Office Ordinance by the revenue arising from the Profit-Making Businesses engaged in on and after the day on which Public Interest Corporation Authorization was granted

五 前各号に掲げる財産を支出することにより取得した財産

(v) Property obtained by disbursing property set forth in each of the preceding items

六 第五条第十六号に規定する財産（前各号に掲げるものを除く。）

(vi) Property set forth in item (xvi) of Article 5 (excluding those set forth in each of the preceding items)

七 公益認定を受けた日の前に取得した財産であって同日以後に内閣府令で定める方法により公益目的事業の用に供するものである旨を表示した財産

(vii) Property that was obtained prior to the day on which Public Interest Corporation Authorization was granted and that was announced, on and after said day, to be used for the business for public interest purposes in a way provided for in Cabinet Office Ordinance

八 前各号に掲げるもののほか、当該公益法人が公益目的事業を行うことにより取得し、又は公益目的事業を行うために保有していると認められるものとして内閣府令で定める財産

(viii) Properties, in addition to those set forth in each of the preceding items, provided for in Cabinet Office Ordinance as those that were obtained by such

public interest corporation as the result of the operation of the business for public interest purposes or as those possessed by such public interest corporation for the operation of the business for public interest purposes

### 第三款 公益法人の計算等の特則

#### Subsection 3 Special Provisions for Accounting of Public Interest Corporations

(収益事業等の区分経理)

(Separate Accounting of Profit-Making Businesses)

第十九条 収益事業等に関する会計は、公益目的事業に関する会計から区分し、各収益事業等ごとに特別の会計として経理しなければならない。

Article 19 Accounting for the Profit-Making Businesses shall be separated from the accounting for the business for public interest purposes and shall be settled as a special account by the respective Profit-Making Businesses.

(報酬等)

(Remuneration, etc.)

第二十条 公益法人は、第五条第十三号に規定する報酬等の支給の基準に従って、その理事、監事及び評議員に対する報酬等を支給しなければならない。

Article 20 (1) Public interest corporations shall pay the remuneration, etc. to their directors, auditors and councillors in accordance with the standards for payment of the remuneration, etc. set forth in item (xiii) of Article 5.

2 公益法人は、前項の報酬等の支給の基準を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。

(2) Public interest corporations shall publicly announce the standards for payment of the remuneration, etc. under the preceding paragraph. The same shall apply when they have changed it.

(財産目録の備置き及び閲覧等)

(Keeping and Inspection of Inventory of Property)

第二十一条 公益法人は、毎事業年度開始の日の前日までに（公益認定を受けた日の属する事業年度にあつては、当該公益認定を受けた後遅滞なく）、内閣府令で定めるところにより、当該事業年度の事業計画書、収支予算書その他の内閣府令で定める書類を作成し、当該事業年度の末日までの間、当該書類をその主たる事務所に、その写しをその従たる事務所に備え置かなければならない。

Article 21 (1) Public interest corporations shall prepare a written business plan and a written budget for revenue and expenditure for each business year and other documents provided for in Cabinet Office Ordinance no later than the day preceding the commencement of the business year (with respect to a business year which includes the day on which Public Interest Corporation

Authorization was granted, without delay after the grant of said Public Interest Corporation Authorization) as provided for in Cabinet Office Ordinance and shall keep said documents at their principal office and their copies at their subordinate offices until the last day of the business year in question.

2 公益法人は、毎事業年度経過後三箇月以内に（公益認定を受けた日の属する事業年度にあつては、当該公益認定を受けた後遅滞なく）、内閣府令で定めるところにより、次に掲げる書類を作成し、当該書類を五年間その主たる事務所に、その写しを三年間その従たる事務所に備え置かなければならない。

(2) Public interest corporations shall prepare the following documents within three months after the end of each business year (with respect to a business year which includes the day on which Public Interest Corporation Authorization was granted, without delay after the grant of said Public Interest Corporation Authorization) as provided for in Cabinet Office Ordinance and shall keep said documents for five years at their principal office and their copies for three years at their subordinate offices:

一 財産目録

(i) An inventory of property

二 役員等名簿（理事、監事及び評議員の氏名及び住所を記載した名簿をいう。以下同じ。）

(ii) A name list of officers (which means a name list in which the names and addresses of directors, auditors and councillors are described: the same shall apply hereinafter)

三 第五条第十三号に規定する報酬等の支給の基準を記載した書類

(iii) A document that describes the standards for payment of the remuneration, etc. set forth in item (xiii) of Article 5

四 前三号に掲げるもののほか、内閣府令で定める書類

(iv) Other documents provided for in Cabinet Office Ordinance in addition to those listed in the preceding three items

3 第一項に規定する書類及び前項各号に掲げる書類は、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つて、電子計算機による情報処理の用に供されるものとして内閣府令で定めるものをいう。以下同じ。）をもって作成することができる。

(3) A document set forth in paragraph 1 and documents listed in each item of the preceding paragraph may be prepared by an electromagnetic record (which means a record that is prepared in electronic format, magnetic format or other methods which cannot be recognized by human sense and that is provided for in Cabinet Office Ordinance as one made available for use in information processing by an electronic computer: the same shall apply hereinafter).

4 何人も、公益法人の業務時間内は、いつでも、第一項に規定する書類、第二項各号に掲げる書類、定款、社員名簿及び一般社団・財団法人法第二百二十九条第一項（一般

社団・財団法人法第百九十九条において準用する場合を含む。)に規定する計算書類等(以下「財産目録等」という。)について、次に掲げる請求をすることができる。この場合においては、当該公益法人は、正当な理由がないのにこれを拒んではならない。

(4) Any person may, at any time during the business hours of public interest corporations, make the following demands with regard to the document set forth in paragraph 1, documents listed in each item of paragraph 2, the articles of incorporation, a name list of members and calculation documents, etc. set forth in paragraph 1 of Article 129 of the General Incorporated Associations/Foundations Act (including the cases where it is applied mutatis mutandis pursuant to Article 199 of the General Incorporated Associations/Foundations Act)(hereinafter referred to as the "Inventory of Property, etc."). In this case, the public interest corporations in question shall not refuse such demand without justifiable reasons.

一 財産目録等が書面をもって作成されているときは、当該書面又は当該書面の写しの閲覧の請求

(i) In the event that the Inventory of Property, etc. is prepared in writing, a demand to inspect said document or a copy of said document

二 財産目録等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内閣府令で定める方法により表示したものの閲覧の請求

(ii) In the event that the Inventory of Property, etc. is prepared by electromagnetic record, a demand to inspect a display, in a method provided for in Cabinet Office Ordinance, of matters recorded in such electromagnetic record

5 前項の規定にかかわらず、公益法人は、役員等名簿又は社員名簿について当該公益法人の社員又は評議員以外の者から同項の請求があった場合には、これらに記載され又は記録された事項中、個人の住所に係る記載又は記録の部分を除いて、同項の閲覧をさせることができる。

(5) Notwithstanding the provisions of the preceding paragraph, in the event that a demand under said paragraph is made with regard to a name list of officers or a name list of members by persons other than members or councillors of the public interest corporations, such public interest corporations may permit the inspection under said paragraph while excluding the part of the description or the record pertaining to the addresses of individuals in the matters described or recorded in such name lists.

6 財産目録等が電磁的記録をもって作成されている場合であって、その従たる事務所における第四項第二号に掲げる請求に応じることを可能とするための措置として内閣府令で定めるものをとっている公益法人についての第一項及び第二項の規定の適用については、第一項中「その主たる事務所に、その写しをその従たる事務所」とあるのは「その主たる事務所」と、第二項中「その主たる事務所に、その写しを三年間その従たる事務所」とあるのは「その主たる事務所」とする。

(6) In the event that the Inventory of Property, etc. is prepared by electromagnetic record and that the provisions of paragraphs 1 and 2 apply to public interest corporations that take measures provided for in Cabinet Office Ordinance as those that enable the public interest corporations to respond to the demand set forth in item (ii) of paragraph 4 at their subordinate offices, "at their principal office and their copies at their subordinate offices" in paragraph 1 shall be deemed to be replaced with "at their principal office", and "at their principal office and their copies for three years at their subordinate offices" in paragraph 2 shall be deemed to be replaced with "at their principal office".

(財産目録等の提出及び公開)

(Submission and Publication of Inventory of Property, etc.)

第二十二條 公益法人は、毎事業年度の経過後三箇月以内（前条第一項に規定する書類については、毎事業年度開始の日の前日まで）に、内閣府令で定めるところにより、財産目録等（定款を除く。）を行政庁に提出しなければならない。

Article 22 (1) Public interest corporations shall submit the Inventory of Property, etc. (excluding the articles of incorporation) to the administrative agency within three months after the end of each business year (with respect to documents set forth in paragraph 1 of the preceding Article, no later than the day preceding the commencement of each business year) as provided for in Cabinet Office Ordinance.

2 行政庁は、公益法人から提出を受けた財産目録等について閲覧又は謄写の請求があった場合には、内閣府令で定めるところにより、その閲覧又は謄写をさせなければならない。

(2) In the event that a demand is made to inspect or copy the Inventory of Property, etc. submitted by public interest corporations, the administrative agency shall permit such inspection or copying as provided for in Cabinet Office Ordinance.

3 前項の規定にかかわらず、行政庁は、役員等名簿又は社員名簿について同項の請求があった場合には、これらに記載された事項中、個人の住所に係る記載の部分を除外して、その閲覧又は謄写をさせるものとする。

(3) Notwithstanding the provisions of the preceding paragraph, in the event that a demand under said paragraph is made with regard to a name list of officers or a name list of members, the administrative agency shall permit such inspection or copying while excluding the part of the description pertaining to the addresses of individuals in the matters described in such name lists.

(会計監査人の権限等)

(Authority of Accounting Auditors)

第二十三條 公益法人の会計監査人は、一般社団・財団法人法第百七条第一項（一般社団・財団法人法第百九十七条において準用する場合を含む。）の規定によるもののほ

か、財産目録その他の内閣府令で定める書類を監査する。この場合において、会計監査人は、会計監査報告に当該監査の結果を併せて記載し、又は記録しなければならない。

Article 23 Accounting auditors of public interest corporations shall audit, in addition to those set forth in paragraph 1 of Article 107 of the General Incorporated Associations/Foundations Act (including the cases where it is applied mutatis mutandis pursuant to Article 197 of the General Incorporated Associations/Foundations Act), the Inventory of Property, etc. and other documents provided for in Cabinet Office Ordinance. In this case, accounting auditors shall describe or record the result of such audit in an accounting audit report at the same time.

#### 第四款 合併等

##### Subsection 4 Merger, etc.

(合併等の届出)

(Notification of Merger, etc.)

第二十四条 公益法人は、次に掲げる行為をしようとするときは、内閣府令で定めるところにより、あらかじめ、その旨を行政庁に届け出なければならない。

Article 24 (1) In the event that a public interest corporation intends to engage in the following acts, it shall notify the administrative agency of such fact in advance as provided for in Cabinet Office Ordinance.

一 合併（当該合併に関し第十一条第一項の変更の認定の申請をする場合又は次条第一項の認可の申請をする場合を除く。）

(i) Merger (excluding cases where they apply for the authorization for change under paragraph 1 of Article 11 or for the approval under paragraph 1 of the following Article in connection with the merger in question)

二 事業の全部又は一部の譲渡（当該事業の譲渡に関し第十一条第一項の変更の認定の申請をする場合を除く。）

(ii) Transfer of business in whole or in part (excluding cases where they apply for the authorization for change under paragraph 1 of Article 11 in connection with the transfer of business in question)

三 公益目的事業の全部の廃止

(iii) Total abolition of the business for public interest purposes

2 行政庁は、前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示しなければならない。

(2) When the notification under the provisions of the preceding paragraph is made, the administrative agency shall publicly announce such fact as provided for in Cabinet Office Ordinance.

(合併による地位の承継の認可)



(Approval of Succession of Status by Merger)

第二十五条 公益法人が合併により消滅する法人となる新設合併契約を締結したときは、当該公益法人（当該公益法人が二以上ある場合にあつては、その一）は、当該新設合併により設立する法人（以下この条において「新設法人」という。）が当該新設合併により消滅する公益法人の地位を承継することについて、行政庁の認可を申請することができる。

Article 25 (1) When a public interest corporation concludes a consolidation-type merger agreement in which the public interest corporation becomes the juridical person that ceases to exist as a result of the merger, such public interest corporation (in the event that two or more such public interest corporations are involved, one of them) may apply for approval from the administrative agency with respect to a fact that a juridical person newly established as a result of such consolidation-type merger (hereinafter referred to in this Article as the "Newly Established Juridical Person") succeeds the status of the public interest corporation that ceases to exist as the result of such consolidation-type merger.

2 行政庁は、新設法人が次に掲げる要件に適合すると認めるときは、前項の認可をするものとする。

(2) The administrative agency shall grant the approval under the preceding paragraph in the event that it considers that the Newly Established Juridical Person conforms to the following requirements:

一 第五条各号に掲げる基準に適合するものであること。

(i) It conforms to the standards listed in each of the items of Article 5.

二 第六条各号のいずれかに該当するものでないこと。

(ii) It does not fall under any one of the items of Article 6.

3 第一項の認可があつた場合には、新設法人は、その成立の日に、当該新設合併により消滅する公益法人の地位を承継する。

(3) In the event that the approval under paragraph 1 is granted, the Newly Established Juridical Person shall, on the day of formation, succeed the status of the public interest corporation that ceases to exist as the result of such consolidation-type merger.

4 第七条、第八条、第十条及び第十二条の規定は、第一項の認可について準用する。この場合において、第七条第一項中「次に掲げる事項」とあるのは「次に掲げる事項（第一号に掲げる事項については新設合併により消滅する公益法人及び新設合併により設立する法人（以下この条において「新設法人」という。）に係るもの、第二号から第四号までに掲げる事項については新設法人に係るもの）」と、同項第二号中「定款」とあるのは「定款の案」と、同条第二項中「次に掲げる書類」とあるのは「次に掲げる書類（第一号の定款の案及び第二号から第五号までに掲げる書類については、新設法人に係るもの）」と、同項第一号中「定款」とあるのは「新設合併契約書及び定款の案」と、第十二条第一項中「前条第二項」とあるのは「第二十五条第四項において準用する第七条第一項」と読み替えるものとする。

(4) The provisions of Articles 7, 8, 10 and 12 shall apply mutatis mutandis to the approval under paragraph 1. In this case, "matters listed in the following" under paragraph 1 of Article 7 shall be deemed to be replaced with "matters listed in the following (matters pertaining to the public interest corporation that ceases to exist as a result of the consolidation-type merger and a juridical person newly established as a result of the consolidation-type merger (hereinafter referred to in this Article as the "Newly Established Juridical Person") with respect to the matter set forth in item (i), and the matter pertaining to the Newly Established Juridical Person, with respect to the matter set forth in items (ii) to (iv))", "its articles of incorporation" in item (ii) of said paragraph with "a draft of its articles of incorporation", "Documents listed in the following" in paragraph 2 of said Article with "Documents listed in the following (documents pertaining to the Newly Established Juridical Person, with respect to the draft of the articles of incorporation under item (i) and to the documents listed in items (ii) to (v))", "The articles of incorporation" in item (i) of said paragraph with "The consolidation-type merger agreement and the draft of the articles of incorporation", "paragraph 2 of the preceding Article" under paragraph 1 of Article 12 with "paragraph 1 of Article 7 as applied mutatis mutandis pursuant to paragraph 4 of Article 25" respectively.

5 第一項の認可を受けて合併により消滅する公益法人の地位を承継する新設法人についての第十八条及び第三十条第二項の規定の適用については、第十八条第一号から第四号までの規定中「公益認定を受けた日」とあるのは「その成立の日」と、同条第五号中「前各号」とあるのは「前各号及び第七号」と、同条第七号中「公益認定を受けた日の前に取得した財産であって同日以後に内閣府令で定める方法により公益目的事業の用に供するものである旨を表示した財産」とあるのは「その成立の際に合併により消滅する公益法人から承継した財産であって、当該消滅する公益法人の公益目的事業財産であったもの」と、第三十条第二項第一号中「が取得した」とあるのは「が合併により承継し、又は取得した」と、「第十八条第六号に掲げる財産にあっては、」とあるのは「第二十五条第五項の規定により読み替えて適用する第十八条第七号に掲げる財産にあっては、合併により消滅する公益法人が」と、「もの」とあるのは「もの（当該公益法人が同日以後に第十八条第七号の内閣府令で定めるところにより公益目的事業の用に供するものである旨を表示したものを除く。）」と、同項第二号中「公益認定を受けた日」とあるのは「その成立の日」と、同項第三号中「公益認定を受けた日」とあるのは「その成立の日」と、「定めるもの」とあるのは「定めるもの並びに合併により消滅する公益法人が公益認定を受けた日以後にその公益目的事業を行うために費消し、又は譲渡した公益目的事業財産以外の財産及び同日以後に当該公益法人がその公益目的事業の実施に伴い負担した公租公課の支払その他内閣府令で定めるもの」とする。

(5) With respect to the application of the provisions of Article 18 and paragraph 2 of Article 30 concerning the Newly Established Juridical Person that succeeds the status of the public interest corporation that ceases to exist as a result of

the merger upon obtaining the approval under paragraph 1, "the day on which Public Interest Corporation Authorization was granted" in the provisions under items (i) to (iv) of Article 18 shall be deemed to be replaced with "the day of its formation", "each of the preceding items" under item (v) of said Article with "each of the preceding items and item (vii)", "property that was obtained prior to the day on which Public Interest Corporation Authorization was granted and that was announced, on and after said day, to be used for the business for public interest purposes in a way provided for in Cabinet Office Ordinance" under item (vii) of said Article with "property that was succeeded from the public interest corporation that ceases to exist as a result of the merger at the time of its formation and that was the Property for Business for Public Interest Purposes of the public interest corporation that ceases to exist", "acquired by", "in case of the property listed in item (vi) of Article 18" and "those" under item (i) of paragraph 2 of Article 30 with "succeeded or acquired as a result of the merger by", "in case of the property listed in item (vii) of Article 18 applied by replacement pursuant to the provisions of paragraph 5 of Article 25, by the public interest corporation that ceases to exist as a result of the merger" and "those (excluding ones for which such public interest corporation has announced, on and after said day, to be used for the business for public interest purposes as provided for in Cabinet Office Ordinance under item (vii) of Article 18)" respectively, "the day on which Public Interest Corporation Authorization was granted" under item (ii) of said paragraph with "the day of its formation", "the day on which Public Interest Corporation Authorization was granted" and "payments provided for in Cabinet Office Ordinance" under item (iii) of said paragraph with "the day of its formation" and "payments provided for in Cabinet Office Ordinance and the property other than the Property for Business for Public Interest Purposes that the public interest corporation that ceases to exist as a result of the merger consumed or transferred on and after the day on which Public Interest Corporation Authorization was granted for the operation of its business for public interest purposes and the payments of taxes and other public dues or other payments incurred by such public interest corporation on and after said day in connection with the operation of its business for public interest purposes" respectively.

(解散の届出等)

(Notification of Dissolution)

第二十六条 公益法人が合併以外の理由により解散をした場合には、その清算人（解散が破産手続開始の決定による場合にあっては、破産管財人）は、当該解散の日から一箇月以内に、その旨を行政庁に届け出なければならない。

Article 26 (1) In the event that a public interest corporation has dissolved by reasons other than merger, its liquidator (or a bankruptcy trustee in the event

that the dissolution is caused by the ruling of commencement of bankruptcy) shall notify the administrative agency of such fact within one month after the date of such dissolution.

2 清算人は、一般社団・財団法人法第二百三十三条第一項の期間が経過したときは、遅滞なく、残余財産の引渡しの見込みを行政庁に届け出なければならない。当該見込みに変更があったときも、同様とする。

(2) When the period under paragraph 1 of Article 233 of the General Incorporated Associations/Foundations Act has passed, the liquidator shall notify the administrative agency without delay of the prospect for the delivery of the remaining property. The same shall apply in the event that any change arises in such prospect.

3 清算人は、清算が終了したときは、遅滞なく、その旨を行政庁に届け出なければならない。

(3) When the liquidation has completed, the liquidator shall notify the administrative agency of such fact without delay.

4 行政庁は、第一項又は前項の規定による届出があったときは、内閣府令で定めるところにより、その旨を公示しなければならない。

(4) When the notification pursuant to the provisions of paragraph 1 or the preceding paragraph is made, the administrative agency shall publicly announce such fact as provided for in Cabinet Office Ordinance.

### 第三節 公益法人の監督

#### Section 3 Supervision of Public Interest Corporations

(報告及び検査)

(Report and Inspection)

第二十七条 行政庁は、公益法人の事業の適正な運営を確保するために必要な限度において、内閣府令で定めるところにより、公益法人に対し、その運営組織及び事業活動の状況に関し必要な報告を求め、又はその職員に、当該公益法人の事務所に立ち入り、その運営組織及び事業活動の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 27 (1) To the extent necessary for ensuring suitable operation of business by public interest corporations, the administrative agency may, as provided for in Cabinet Office Ordinance, require the public interest corporations reports necessary for the circumstances of their operational organization and business activity or cause its employees to enter the office of said public interest corporations, to inspect the circumstances of their operational organization and business activity or books, documents or other items or to question their concerned persons.

2 前項の規定による立入検査をする職員は、その身分を示す証明書を携帯し、関係者の請求があったときは、これを提示しなければならない。

(2) Employees who implement the on-site inspection pursuant to the provisions of the preceding paragraph shall carry a certificate showing their status and produce it when requested by person concerned.

3 第一項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。

(3) The authority for the on-site inspection pursuant to the provisions of paragraph 1 shall not be considered as having been granted for the investigation of a crime.

(勧告、命令等)

(Recommendation, Order, etc.)

第二十八条 行政庁は、公益法人について、次条第二項各号のいずれかに該当すると疑うに足りる相当な理由がある場合には、当該公益法人に対し、期限を定めて、必要な措置をとるべき旨の勧告をすることができる。

Article 28 (1) In the event that the administrative agency has reasonable ground sufficient to believe that public interest corporations could fall under any one of the respective items of paragraph 2 of the following Article, it may issue a recommendation to them by setting a time limit that they should take necessary measures.

2 行政庁は、前項の勧告をしたときは、内閣府令で定めるところにより、その勧告の内容を公表しなければならない。

(2) When an administrative agency issues a recommendation pursuant to the preceding paragraph, it shall publicly announce the content of such recommendation as provided for in Cabinet Office Ordinance.

3 行政庁は、第一項の勧告を受けた公益法人が、正当な理由がなく、その勧告に係る措置をとらなかったときは、当該公益法人に対し、その勧告に係る措置をとるべきことを命ずることができる。

(3) When a public interest corporation to which the recommendation under paragraph 1 is issued fails to take measures pertaining to such recommendation without justifiable grounds, the administrative agency may order such public interest corporation to take measures pertaining to such recommendation.

4 行政庁は、前項の規定による命令をしたときは、内閣府令で定めるところにより、その旨を公示しなければならない。

(4) When an administrative agency issues an order pursuant to the provisions of preceding paragraph, it shall publicly announce such fact as provided for in Cabinet Office Ordinance.

5 行政庁は、第一項の勧告及び第三項の規定による命令をしようとするときは、次の各号に掲げる事由の区分に応じ、当該事由の有無について、当該各号に定める者の意見を聴くことができる。

(5) In the event that the administrative agency intends to issue the

recommendation pursuant to the provisions of paragraph 1 or the order pursuant to the provisions of paragraph 3, it may hear the opinion of persons provided for in respective items, according to the classification of reasons listed in the following items, as to whether or not such reason exists:

一 第五条第一号、第二号若しくは第五号、第六条第三号若しくは第四号又は次条第二項第三号に規定する事由（事業を行うに当たり法令上許認可等行政機関の許認可等を必要とする場合に限る。） 許認可等行政機関

(i) Reasons set forth in items (i), (ii) or (v) of Article 5, items (iii) or (iv) of Article 6 or item (iii) of paragraph 2 of the following Article (which is limited to cases in which laws and regulations require them to obtain the license or authorization, etc. from the Authorization Granting Administrative Organ for operating its business): Authorization Granting Administrative Organ

二 第六条第一号ニ又は第六号に規定する事由 警察庁長官等

(ii) In cases of reasons set forth in items (i)(d) and (vi) of Article 6:

Commissioner General of the National Police Agency, etc.

三 第六条第五号に規定する事由 国税庁長官等

(iii) In cases of reasons set forth in item (v) of Article 6: Commissioner of the National Tax Agency, etc.

(公益認定の取消し)

(Cancellation of Public Interest Corporation Authorization)

第二十九条 行政庁は、公益法人が次のいずれかに該当するときは、その公益認定を取り消さなければならない。

Article 29 (1) In the event that public interest corporations fall under any of the following items, the administrative agency shall cancel their Public Interest Corporation Authorization:

一 第六条各号（第二号を除く。）のいずれかに該当するに至ったとき。

(i) In the event that they fall under any of the items (excluding item (ii)) of Article 6

二 偽りその他不正の手段により公益認定、第十一条第一項の変更の認定又は第二十五条第一項の認可を受けたとき。

(ii) In the event that they obtain the Public Interest Corporation Authorization, the authorization for change under paragraph 1 of Article 11 or the approval under paragraph 1 of Article 25 by fraudulent or illegal means

三 正当な理由がなく、前条第三項の規定による命令に従わないとき。

(iii) In the event that they fail to comply with the order pursuant to the provisions of paragraph 3 of the preceding Article without justifiable grounds

四 公益法人から公益認定の取消しの申請があったとき。

(iv) In the event that they apply for the cancellation of the Public Interest Corporation Authorization

2 行政庁は、公益法人が次のいずれかに該当するときは、その公益認定を取り消すこ

とができる。

(2) In the event that public interest corporations fall under any of the following items, the administrative agency may cancel their Public Interest Corporation Authorization:

一 第五条各号に掲げる基準のいずれかに適合しなくなったとき。

(i) In the event that they no longer conform to any of the standards listed in each of the items of Article 5

二 前節の規定を遵守していないとき。

(ii) In the event that they fail to comply with the provisions of the preceding section

三 前二号のほか、法令又は法令に基づく行政機関の処分に違反したとき。

(iii) In addition to the preceding two items, in the event that they violate laws and regulations or the disposition by the administrative organ based on the laws and regulations

3 前条第五項の規定は、前二項の規定による公益認定の取消しをしようとする場合について準用する。

(3) The provisions of paragraph 5 of the preceding Article shall apply mutatis mutandis to the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of the preceding two paragraphs.

4 行政庁は、第一項又は第二項の規定により公益認定を取り消したときは、内閣府令で定めるところにより、その旨を公示しなければならない。

(4) When an administrative agency cancels a Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or 2, it shall publicly announce such fact as provided for in Cabinet Office Ordinance.

5 第一項又は第二項の規定による公益認定の取消しの処分を受けた公益法人は、その名称中の公益社団法人又は公益財団法人という文字をそれぞれ一般社団法人又は一般財団法人と変更する定款の変更をしたものとみなす。

(5) A public interest corporation that received a disposition of the cancellation of its Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or 2 shall be considered to have amended its articles of incorporation to amend the characters in its name of public interest incorporated association or public interest incorporated foundation into general incorporated association or general incorporated foundation, respectively.

6 行政庁は、第一項又は第二項の規定による公益認定の取消しをしたときは、遅滞なく、当該公益法人の主たる事務所及び従たる事務所の所在地を管轄する登記所に当該公益法人の名称の変更の登記を嘱託しなければならない。

(6) When an administrative agency cancels a Public Interest Corporation Authorization for a public interest corporation pursuant to the provisions of paragraph 1 or 2, such public interest corporation shall commission, without delay, to the registry office that governs the place where its principal office and subordinate offices are located to register the change of its name.

7 前項の規定による名称の変更の登記の嘱託書には、当該登記の原因となる事由に係る処分を行ったことを証する書面を添付しなければならない。

(7) Documents that certify that a disposition pertaining to an event causing such register was rendered shall be attached to a written commission for registration of change of name pursuant to the provisions of the preceding paragraph.

(公益認定の取消し等に伴う贈与)

(Donation as a Result of Cancellation of Public Interest Corporation Authorization)

第三十条 行政庁が前条第一項若しくは第二項の規定による公益認定の取消しをした場合又は公益法人が合併により消滅する場合（その権利義務を承継する法人が公益法人であるときを除く。）において、第五条第十七号に規定する定款の定めに従い、当該公益認定の取消しの日又は当該合併の日から一箇月以内に公益目的取得財産残額に相当する額の財産の贈与に係る書面による契約が成立しないときは、内閣総理大臣が行政庁である場合にあつては国、都道府県知事が行政庁である場合にあつては当該都道府県が当該公益目的取得財産残額に相当する額の金銭について、同号に規定する定款で定める贈与を当該公益認定の取消しを受けた法人又は当該合併により消滅する公益法人の権利義務を承継する法人（第四項において「認定取消法人等」という。）から受ける旨の書面による契約が成立したものとみなす。当該公益認定の取消しの日又は当該合併の日から一箇月以内に当該公益目的取得財産残額の一部に相当する額の財産について同号に規定する定款で定める贈与に係る書面による契約が成立した場合における残余の部分についても、同様とする。

Article 30 (1) In the event that the administrative agency cancels the Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or 2 of the preceding Article or a public interest corporation ceases to exist as a result of a merger (excluding a case in which a juridical person that succeeds its rights and obligations is a public interest corporation) and that a written agreement pertaining to the donation of the property, the amount of which is equivalent to the remaining amount of the public interest purposes acquired property, is not concluded within one month after the day of such cancellation of the Public Interest Corporation Authorization or such merger in accordance with the provisions of its articles of incorporation set forth in item (xvii) of Article 5, it shall be considered that a written agreement is concluded to the effect that the national government, in case the Prime Minister is the administrative agency, or the prefecture, in case the prefectural governor is the administrative agency, receives the donation, as provided for in the articles of incorporation set forth in said item, of the money, the amount of which is equivalent to the remaining amount of such public interest purposes acquired property, from the juridical person whose Public Interest Corporation Authorization was cancelled or the juridical person that succeeds the rights



and obligations of the public interest corporation that ceases to exist as a result of the merger (which is referred to as the "Authorization Cancelled Juridical Person, etc." in paragraph 4). In the event that a written agreement is concluded, within one month after the day of such cancellation of the Public Interest Corporation Authorization or such merger, concerning the donation provided for in the articles of incorporation set forth in said item in respect of the property, the amount of which is equivalent to a part of the remaining amount of the public interest purposes acquired property, the foregoing shall also apply to a remaining part.

2 前項に規定する「公益目的取得財産残額」とは、第一号に掲げる財産から第二号に掲げる財産を除外した残余の財産の価額の合計額から第三号に掲げる額を控除して得た額をいう。

(2) The "remaining amount of the public interest purposes acquired property" set forth in the preceding paragraph means the amount that is obtained by deducting the amount listed in item (iii) from the total amount of the value of remaining property which is obtained by excluding the property listed in item (i) from the property listed in item (i).

一 当該公益法人が取得したすべての公益目的事業財産（第十八条第六号に掲げる財産にあっては、公益認定を受けた日以前に取得したものを除く。）

(i) Any and all Property for Business for Public Interest Purposes acquired by the public interest corporation in question (excluding those acquired before the day on which Public Interest Corporation Authorization was granted, in case of the property listed in item (vi) of Article 18)

二 当該公益法人が公益認定を受けた日以後に公益目的事業を行うために費消し、又は譲渡した公益目的事業財産

(ii) Property for Business for Public Interest Purposes that is consumed or transferred by the public interest corporation in question for the purpose of operating the business for public interest purposes on and after the day on which Public Interest Corporation Authorization was granted

三 公益目的事業財産以外の財産であって当該公益法人が公益認定を受けた日以後に公益目的事業を行うために費消し、又は譲渡したもの及び同日以後に公益目的事業の実施に伴い負担した公租公課の支払その他内閣府令で定めるものの額の合計額

(iii) The total amount of the property other than the Property for Business for Public Interest Purposes that is consumed or transferred by the public interest corporation in question for the purpose of operating the business for public interest purposes on and after the day on which Public Interest Corporation Authorization was granted and the payment, made on and after said day and borne by the public interest corporation, of taxes and other public dues as a result of the operation of the business for public interest purposes or other payments provided for in Cabinet Office Ordinance.

3 前項に規定する額の算定の細目その他公益目的取得財産残額の算定に関し必要な事

項は、内閣府令で定める。

(3) Details for the calculation of the amount set forth in the preceding paragraph and other matters necessary for calculation of the remaining amount of the public interest purposes acquired property shall be provided for in Cabinet Office Ordinance.

4 行政庁は、第一項の場合には、認定取消法人等に対し、前二項の規定により算定した公益目的取得財産残額及び第一項の規定により当該認定取消法人等と国又は都道府県との間に当該公益目的取得財産残額又はその一部に相当する額の金銭の贈与に係る契約が成立した旨を通知しなければならない。

(4) In the case of paragraph 1, the administrative agency shall notify the Authorization Cancelled Juridical Person, etc. of the amount of the remaining amount of the public interest purposes acquired property calculated pursuant to the provisions of the preceding two paragraphs and of a fact that an agreement is concluded pursuant to the provisions of paragraph 1 between the Authorization Cancelled Juridical Person, etc. in question and the national government or the prefecture pertaining to the donation of money, the amount of which is equivalent to such remaining amount of the public interest purposes acquired property or part thereof.

5 公益法人は、第五条第十七号に規定する定款の定めを変更することができない。

(5) Public interest corporations shall not amend the provisions of the articles of incorporation set forth in item (xvii) of Article 5.

(行政庁への意見)

(Opinion to Administrative Agency)

第三十一条 次の各号に掲げる者は、公益法人についてそれぞれ当該各号に定める事由があると疑うに足りる相当な理由があるため、行政庁が公益法人に対して適切な措置をとることが必要であると認める場合には、行政庁に対し、その旨の意見を述べることができる。

Article 31 Persons listed in each of the following items may state their opinion to the administrative agency in the event that they consider that the administrative agency needs to take appropriate measure regarding public interest corporations for reasonable ground to suspect that public interest corporations are involved in circumstances provided for in the respective items in question:

一 許認可等行政機関 第五条第一号、第二号若しくは第五号に掲げる基準に適合しない事由又は第六条第三号若しくは第四号若しくは第二十九条第二項第三号に該当する事由（事業を行うに当たり法令上許認可等行政機関の許認可等を必要とする場合に限る。）

(i) Authorization Granting Administrative Organs: Circumstances in which they do not conform to the standards listed in items (i), (ii) or (v) of Article 5, or circumstances that fall under items (iii) or (iv) of Article 6 or item (iii) of

- paragraph 2 of Article 29 (which is limited to cases in which laws and regulations require them to obtain the license or authorization, etc. from the Authorization Granting Administrative Organ for operating their business)
- 二 警察庁長官等 第六条第一号ニ又は第六号に該当する事由
- (ii) Commissioner General of the National Police Agency, etc.: Circumstances that fall under items (i) (d) or (vi) of Article 6
- 三 国税庁長官等 第六条第五号に該当する事由
- (iii) Commissioner of the National Tax Agency, etc.: Circumstances that fall under items (v) of Article 6

**第三章 公益認定等委員会及び都道府県に置かれる合議制の機関**  
**Chapter III Public Interest Corporation Commission and Council**  
**Organization Established in Prefectures**  
**第一節 公益認定等委員会**  
**Section 1 Public Interest Corporation Commission**  
**第一款 設置及び組織**  
**Subsection 1 Establishment and Organization**

(設置及び権限)

(Establishment and Authority)

- 第三十二条 内閣府に、公益認定等委員会（以下「委員会」という。）を置く。  
Article 32 (1) Public Interest Corporation Commission (hereinafter referred to as the "Commission") shall be established in Cabinet Office.
- 2 委員会は、この法律によりその権限に属させられた事項を処理する。  
(2) The Commission shall deal with the matters that are caused to belong to its authority by this Act.

(職権の行使)

(Exercise of Authority)

- 第三十三条 委員会の委員は、独立してその職権を行う。  
Article 33 Commissioners shall exercise their authority independently.

(組織)

(Organization)

- 第三十四条 委員会は、委員七人をもって組織する。  
Article 34 (1) The Commission shall be organized by seven commissioners.
- 2 委員は、非常勤とする。ただし、そのうちの四人以内は、常勤とすることができる。  
(2) Commissioners shall be on part-time basis; provided, however, that four of them may be on full-time basis.

(委員の任命)

(Appointment of Commissioner)

第三十五条 委員は、人格が高潔であつて、委員会の権限に属する事項に関し公正な判断をすることができ、かつ、法律、会計又は公益法人に係る活動に関して優れた識見を有する者のうちから、両議院の同意を得て、内閣総理大臣が任命する。

Article 35 (1) Commissioners shall be appointed by the Prime Minister upon obtaining the consent of both houses of the Diet from among persons who are of noble character, who can fairly judge matters belonging to the authority of the Commission and have excellent knowledge and experience for laws, accounting or activity pertaining to public interest corporations.

2 委員の任期が満了し、又は欠員が生じた場合において、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、内閣総理大臣は、前項の規定にかかわらず、同項に定める資格を有する者のうちから、委員を任命することができる。

(2) In the event that the term of office of a commissioner expires or a vacancy arises and that the consent of both houses of the Diet cannot be obtained because the Diet is closed or the House of Representatives is dissolved, the Prime Minister may appoint a commissioner, notwithstanding the provisions of the preceding paragraph, from among persons who are qualified as provided for in said paragraph.

3 前項の場合においては、任命後最初の国会で両議院の事後の承認を得なければならない。この場合において、両議院の事後の承認を得られないときは、内閣総理大臣は、直ちにその委員を罷免しなければならない。

(3) In the case of the preceding paragraph, an ex-post approval of both houses of the Diet shall be obtained at the first Diet following the appointment. In this case, in the event that the ex-post approval of both houses of the Diet cannot be obtained, the Prime Minister shall dismiss the commissioner immediately.

(委員の任期)

(Term of Office of Commissioners)

第三十六条 委員の任期は、三年とする。ただし、補欠の委員の任期は、前任者の残任期間とする。

Article 36 (1) Term of office of commissioners shall be three years; provided, however, that the term of office of commissioners who are appointed to fill a vacancy shall be the remaining term of office of their predecessors.

2 委員は、再任されることができる。

(2) Commissioners may be reappointed.

3 委員の任期が満了したときは、当該委員は、後任者が任命されるまで引き続きその職務を行うものとする。

(3) When the terms of office of commissioners expire, such commissioners shall perform their duty continuously until their successors are appointed.

(委員の身分保障)

(Guarantee of Status of Commissioners)

第三十七条 委員は、委員会により、心身の故障のため職務の執行ができないと認められた場合又は職務上の義務違反その他委員たるに適しない非行があると認められた場合を除いては、在任中、その意に反して罷免されることがない。

Article 37 Commissioners shall not be dismissed against their will during their term of office unless they are considered by the Commission that they cannot execute their duty due to their mental or physical trouble or that they commit a violation of duty pertaining to their jobs or other delinquency which is not suitable for a commissioner.

(委員の罷免)

(Dismissal of Commissioners)

第三十八条 内閣総理大臣は、委員が前条に規定する場合に該当するときは、その委員を罷免しなければならない。

Article 38 In the event that a commissioner falls under the cases set forth in the preceding Article, the Prime Minister shall dismiss the commissioner.

(委員の服務)

(Discipline of Commissioners)

第三十九条 委員は、職務上知ることのできた秘密を漏らしてはならない。その職を退いた後も同様とする。

Article 39 (1) Commissioners shall not divulge any secrecy which becomes known to them in connection with their duty. The same shall apply after their retirement.

2 委員は、在任中、政党その他の政治的団体の役員となり、又は積極的に政治運動をしてはならない。

(2) During the term of office, commissioners shall not be an officer of a political party or other political bodies nor shall engage in political movements actively.

3 常勤の委員は、在任中、内閣総理大臣の許可のある場合を除くほか、報酬を得て他の職務に従事し、又は営利事業を営み、その他金銭上の利益を目的とする業務を行ってはならない。

(3) During the term of office, commissioners on full-time basis shall not engage in other jobs with remuneration, run business for profit purposes or operate other businesses seeking for monetary interest unless they are permitted by the Prime Minister.

(委員の給与)

(Salary of Commissioners)

第四十条 委員の給与は、別に法律で定める。

Article 40 Salary of commissioners shall be provided for in a separate Act.

(委員長)

(Chair)

第四十一条 委員会に、委員長を置き、委員の互選によりこれを定める。

Article 41 (1) The Commission shall have a chair, who is decided by a mutual election by commissioners.

2 委員長は、会務を総理し、委員会を代表する。

(2) The chair shall preside over the affairs of, and represent the Commission.

3 委員長に事故があるときは、あらかじめその指名する委員が、その職務を代理する。

(3) In the event that the chair is not available, a commissioner who is designated by the chair in advance shall perform its duty on its behalf.

(事務局)

(Secretariat)

第四十二条 委員会の事務を処理させるため、委員会に事務局を置く。

Article 42 (1) The secretariat shall be established in the Commission for the purpose of dealing with the office work of the Commission.

2 事務局に、事務局長のほか、所要の職員を置く。

(2) The secretariat shall have a secretary-general and necessary staffs.

3 事務局長は、委員長の命を受けて、局務を掌理する。

(3) The secretary-general shall control the matters of the secretariat by following instructions of the chair.

## 第二款 諮問等

### Subsection 2 Consultation

(委員会への諮問)

(Consultation with Commission)

第四十三条 内閣総理大臣は、次に掲げる場合には、第八条又は第二十八条第五項（第二十九条第三項において準用する場合を含む。）の規定による許認可等行政機関の意見（第六条第三号及び第四号に該当する事由の有無に係るものを除く。）を付して、委員会に諮問しなければならない。ただし、委員会が諮問を要しないものと認めたものについては、この限りでない。

Article 43 (1) In case of the following, the Prime Minister shall consult with the Commission by attaching the opinion of the Authorization Granting Administrative Organ (excluding the opinion pertaining to the existence of circumstances falling under items (iii) and (iv) of Article 6) pursuant to the provisions of Article 8 or paragraph 5 of Article 28 (including the cases where it is applied mutatis mutandis pursuant to paragraph 3 of Article 29); provided, however, that this shall not apply to the cases in which the Commission considers that the consultation is not necessary.

一 公益認定の申請、第十一条第一項の変更の認定の申請又は第二十五条第一項の認可の申請に対する処分をしようとする場合（申請をした法人が第六条各号のいずれかに該当するものである場合及び行政手続法第七条の規定に基づきこれらの認定を拒否する場合を除く。）

(i) In the event that the application for the Public Interest Corporation Authorization, the application for the authorization for change under paragraph 1 of Article 11 or the application for the approval under paragraph 1 of Article 25 is dealt with (excluding the cases where the a juridical person that applied falls under any of the respective items of Article 6 or where these applications are rejected pursuant to the provisions of Article 7 of the Administrative Procedure Act)

二 第二十八条第一項の勧告、同条第三項の規定による命令又は第二十九条第一項若しくは第二項の規定による公益認定の取消し（以下「監督処分等」という。）をしようとする場合（次に掲げる場合を除く。）

(ii) In the event that the recommendation under paragraph 1 of Article 28, the order pursuant to the provisions of paragraph 3 of said Article or the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or 2 of Article 29 (hereinafter referred to as the "Supervising Disposition, etc.") is issued (excluding the cases listed below).

イ 監督処分等を受ける公益法人が第二十九条第一項第一号又は第四号のいずれかに該当するものである場合

(a) In the event that public interest corporations that are the subject of the Supervising Disposition, etc. fall under either of items (i) or (iv) of paragraph 1 of Article 29

ロ 第十三条第一項若しくは第二十四条第一項の規定による届出又は第二十二条第一項の規定による財産目録等の提出をしなかったことを理由として監督処分等をしようとする場合

(b) In the event that the Supervising Disposition, etc. is rendered by reason of failure to notify pursuant to the provisions of paragraph 1 of Article 13 or paragraph 1 of Article 24 or failure to submit the Inventory of Property, etc. pursuant to the provisions of paragraph 1 of Article 22

ハ 第四十六条第一項の勧告に基づいて監督処分等をしようとする場合

(c) In the event that the Supervising Disposition, etc. is rendered on the basis of the recommendation under paragraph 1 of Article 46

2 内閣総理大臣は、次に掲げる場合には、委員会に諮問しなければならない。ただし、委員会が諮問を要しないものと認めたものについては、この限りでない。

(2) In case of the following, the Prime Minister shall consult with the Commission; provided, however, that this shall not apply to the cases that the Commission considers that the consultation is not necessary:

一 第五条第三号から第五号まで、第十号、第十一号、第十二号ただし書、第十五号ただし書及び第十七号ト、第五十一条において読み替えて準用する第四十三条第一

項ただし書及び第三項ただし書並びに別表第二十三号の政令の制定又は改廃の立案をしようとする場合並びに第五条第十三号及び第十五号、第七条第一項並びに第二項第四号及び第六号、第十一条第二項及び第三項、第十三条第一項（第二号を除く。）、第十五条各号、第十六条、第十八条ただし書並びに第四号、第七号及び第八号、第二十一条第一項及び第二項、第二十三条、第二十四条第一項、第二十七条第一項、第三十条第二項第三号（第二十五条第五項の規定により読み替えて適用する場合を含む。）及び第三項、次条第一項並びに第四十六条第二項の内閣府令の制定又は改廃をしようとする場合

(i) In the event that the establishment, revision or abolishment of a Cabinet Order under items (iii) through (v), items (x) and (xi), proviso of item (xii), proviso of item (xv) and item (xvii) (e) of Article 5, proviso of paragraphs 1 and 3 of Article 43 as deemed to be replaced with and applied mutatis mutandis pursuant to Article 51 and the appended table 23 is planned, or that a Cabinet Office Ordinance under items (xiii) and (xv) of Article 5, paragraph 1 and items (iv) and (vi) of paragraph 2 of Article 7, paragraphs 2 and 3 of Article 11, paragraph 1 of Article 13 (excluding item (ii)), respective items of Article 15, Article 16, proviso and items (iv), (vii) and (viii) of Article 18, paragraphs 1 and 2 of Article 21, Article 23, paragraph 1 of Article 24, paragraph 1 of Article 27, item (iii) of paragraph 2 (including cases as deemed to be replaced with the provisions of paragraph 5 of Article 25) and paragraph 3 of Article 30, paragraph 1 of the following Article and paragraph 2 of Article 46 is established, revised or abolished.

二 第六十条の規定による指示を行おうとする場合

(ii) In the event that instructions pursuant to the provisions of Article 60 are issued

3 内閣総理大臣は、第一項第一号に規定する処分、第二十八条第三項の規定による命令又は第二十九条第一項第二号若しくは第三号若しくは第二項の規定による公益認定の取消しについての行政不服審査法（昭和三十七年法律第百六十号）による異議申立てに対する決定をしようとする場合には、次に掲げる場合を除き、委員会に諮問しなければならない。ただし、委員会が諮問を要しないものと認めたものについては、この限りでない。

(3) In the event that the Prime Minister renders a decision on the filing of an objection on the basis of the Administrative Complaint Review Act (Act No. 160 of 1962) with regard to the disposition set forth in item (i) of paragraph 1, the order pursuant to the provisions of paragraph 3 of Article 28 or the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of items (ii) or (iii) of paragraph 1 or paragraph 2 of Article 29, it shall consult with the Commission, except for the cases listed in the following; provided, however, that this shall no apply to the cases in which the Commission considers that the consultation is not necessary:

一 異議申立てが不適法であるとして却下する場合



(i) The filing of objection is dismissed as it is illegal.

二 異議申立てをした一般社団法人若しくは一般財団法人又は公益法人が第六条各号のいずれかに該当するものである場合

(ii) A general incorporated associations or a general incorporated foundations or public interest corporation that files an objection falls under any of the items of Article 6.

三 第一項第二号イ又はロに規定する理由による監督処分等についての異議申立てである場合

(iii) The filing of objection relates to the Supervising Disposition, etc. due to the reason set forth in items (ii) (a) or (b) of paragraph 1.

(答申の公表等)

(Public Announcement of Report)

第四十四条 委員会は、諮問に対する答申をしたときは、内閣府令で定めるところにより、その内容を公表しなければならない。

Article 44 (1) When the Commission reports with respect to a consultation, it shall publicly announce the content as provided for in Cabinet Office Ordinance.

2 委員会は、前項の答申をしたときは、内閣総理大臣に対し、当該答申に基づいてとった措置について報告を求めることができる。

(2) When the Commission reports under the preceding paragraph, it may request the Prime Minister to report measures that are taken on the basis of the report in question.

(内閣総理大臣による送付等)

(Sending by Prime Minister)

第四十五条 内閣総理大臣は、第十三条第一項、第二十四条第一項又は第二十六条第一項から第三項までの規定による届出に係る書類の写し及び第二十二条第一項の規定により提出を受けた財産目録等の写しを委員会に送付しなければならない。

Article 45 (1) The Prime Minister shall send a copy of documents pertaining to the notification pursuant to the provisions of paragraph 1 of Article 13, paragraph 1 of Article 24 or paragraphs 1 through 3 of Article 26, and a copy of the Inventory of Property, etc. submitted pursuant to the provisions of paragraph 1 of Article 22, to the Commission.

2 内閣総理大臣は、第三十一条の規定により許認可等行政機関が述べた意見（公益法人が第六条第三号又は第四号に該当する事由に係る意見を除く。）を委員会に通知しなければならない。

(2) The Prime Minister shall notify the Commission of the opinion stated by the Authorization Granting Administrative Organ pursuant to the provisions of Article 31 (excluding the opinion pertaining to circumstances in which public interest corporations fall under items (iii) or (iv) of Article 6).

3 内閣総理大臣は、委員会に諮問しないで次に掲げる措置を講じたときは、その旨を委員会に通知しなければならない。

(3) When the Prime Minister takes the measures listed in the following without consulting with the Commission, he/she shall notify the Commission of such circumstance:

一 公益認定の申請、第十一条第一項の変更の認定の申請又は第二十五条第一項の認可の申請に対する処分（行政手続法第七条の規定に基づく拒否を除く。）

(i) Application for the Public Interest Corporation Authorization, application for the authorization for change under paragraph 1 of Article 11 or disposition of the application for the approval under paragraph 1 of Article 25 (excluding the refusal pursuant to the provisions of Article 7 of the Administrative Procedure Act)

二 監督処分等（次条第一項の勧告に基づく監督処分等を除く。）

(ii) Supervising Disposition, etc. (excluding the Supervising Disposition, etc. based on the recommendation under paragraph 1 of the following Article)

三 第四十三条第二項第一号の政令の制定又は改廃の立案及び同号の内閣府令の制定又は改廃

(iii) Planning for the establishment, revision or abolishment of a Cabinet Order under item (i) of paragraph 2 of Article 43 or the establishment, revision or abolishment of a Cabinet Office Ordinance under said item

四 第四十三条第三項に規定する異議申立てに対する決定（異議申立てが不適法であることによる却下の決定を除く。）

(iv) Decision on the filing of objection set forth in paragraph 3 of Article 43 (excluding the decision of dismissal by reason of a fact that the filing of objection is illegal)

五 第六十条の規定による指示

(v) Instruction pursuant to the provisions of Article 60

（委員会による勧告等）

(Recommendation by Commission)

第四十六条 委員会は、前条第一項若しくは第二項の場合又は第五十九条第一項の規定に基づき第二十七条第一項の規定による報告の徴収、検査又は質問を行った場合には、公益法人が第二十九条第一項第二号若しくは第三号又は第二項各号のいずれかに該当するかどうかを審査し、必要があると認めるときは、第二十八条第一項の勧告若しくは同条第三項の規定による命令又は第二十九条第一項若しくは第二項の規定による公益認定の取消しその他の措置をとることについて内閣総理大臣に勧告をすることができる。

Article 46 (1) In the case of paragraph 1 or 2 of the preceding Article, or in the event that the Commission collects, inspects or questions about report pursuant to the provisions of paragraph 1 of Article 27 based on the provisions of paragraph 1 of Article 59, the Commission shall examine whether or not

public interest corporations fall under any of items (ii) or (iii) of paragraph 1 of Article 29 or respective items of paragraph 2 and, in the event that it deems necessary, may recommend the Prime Minister to take measures of the recommendation under paragraph 1 of Article 28, the order pursuant to the provisions of paragraph 3 of said Article or the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of paragraph 1 or 2 of Article 29 or others.

2 委員会は、前項の勧告をしたときは、内閣府令で定めるところにより、当該勧告の内容を公表しなければならない。

(2) When the Commission recommends under the preceding paragraph, it shall publicly announce the content of such recommendation as provided for in Cabinet Office Ordinance.

3 委員会は、第一項の勧告をしたときは、内閣総理大臣に対し、当該勧告に基づいてとった措置について報告を求めることができる。

(3) When the Commission recommends under paragraph 1, it may request the Prime Minister to report measures that are taken on the basis such recommendation.

### 第三款 雑則

#### Subsection 3 Miscellaneous Provisions

(資料提出その他の協力)

(Submission of Material and Other Cooperation)

第四十七条 委員会は、その事務を処理するため必要があると認めるときは、関係行政機関の長、関係地方公共団体の長その他の関係者に対し、資料の提出、意見の開陳、説明その他の必要な協力を求めることができる。

Article 47 If the Commission deems it necessary for processing its affairs, it may request chiefs of concerned administrative organs, chiefs of concerned local governments or other concerned persons for submission of material, statement of opinion, explanation or other necessary cooperation.

(事務の処理状況の公表)

(Public Announcement of Status of Processing of Affairs)

第四十八条 委員会は、毎年、その事務の処理状況を公表しなければならない。

Article 48 Each year, the Commission shall publicly announce the status of processing of affairs.

(政令への委任)

(Delegation to Cabinet Order)

第四十九条 この節に規定するもののほか、委員会に関し必要な事項は、政令で定める。

Article 49 In addition to those set forth in this section, matters necessary for the

Commission shall be provided for in Cabinet Order.

## 第二節 都道府県に置かれる合議制の機関

### Section 2 Council Organizations Established in Prefectures

(設置及び権限)

(Establishment and Authority)

第五十条 都道府県に、この法律によりその権限に属させられた事項を処理するため、審議会その他の合議制の機関（以下単に「合議制の機関」という。）を置く。

Article 50 (1) A council or other council organizations (hereinafter simply referred to as the "Council Organization") shall be established in prefectures for the purpose of dealing with the matters that are caused to belong to its authority by this Act.

2 合議制の機関の組織及び運営に関し必要な事項は、政令で定める基準に従い、都道府県の条例で定める。

(2) Matters necessary for the organization and management of the Council Organization shall be provided for in the Prefectural Ordinance in accordance with the standards provided for in Cabinet Order.

(合議制の機関への諮問)

(Consultation with Council Organization)

第五十一条 第四十三条（第二項を除く。）の規定は、都道府県知事について準用する。この場合において、同条第一項中「付して、委員会」とあるのは「付して、第五十条第一項に規定する合議制の機関（以下この条において単に「合議制の機関」という。）」と、同項ただし書中「委員会が」とあるのは「合議制の機関が政令で定める基準に従い」と、同項第二号ハ中「第四十六条第一項」とあるのは「第五十四条において準用する第四十六条第一項」と、同条第三項中「委員会に」とあるのは「合議制の機関に」と、同項ただし書中「委員会が」とあるのは「合議制の機関が政令で定める基準に従い」と読み替えるものとする。

Article 51 The provisions of Article 43 (excluding paragraph 2) shall apply mutatis mutandis to prefectural governors. In this case, the term "the Commission by attaching" in paragraph 1 of said Article shall be deemed to be replaced with "the Council Organization set forth in paragraph 1 of Article 50 (hereinafter simply referred to in this Article as the "Council Organization") by attaching", the term "the Commission" in the proviso of said paragraph with "the Council Organization, in accordance with the standards provided for in Cabinet Order,", the term "paragraph 1 of Article 46" in item (ii) (c) of said paragraph with "paragraph 1 of Article 46 as applied mutatis mutandis pursuant to Article 54", the term "with the Commission" in paragraph 3 of said Article with "with the Council Organization" and the term "the Commission" in the proviso of said paragraph with "the Council Organization, in accordance

with the standards provided for in Cabinet Order,".

(答申の公表等)

(Public Announcement of Report)

第五十二条 第四十四条の規定は、合議制の機関について準用する。この場合において、同条第二項中「内閣総理大臣」とあるのは、「都道府県知事」と読み替えるものとする。

Article 52 The provisions of Article 44 shall apply mutatis mutandis to the Council Organization. In this case, the term "the Prime Minister" in paragraph 2 of said Article shall be deemed to be replaced with "the prefectural governor".

(都道府県知事による通知等)

(Notice by Prefectural Governor)

第五十三条 都道府県知事は、第六十条の規定による指示が当該都道府県知事に対して行われた場合には、その旨を合議制の機関に通知しなければならない。

Article 53 (1) In the event that the instruction pursuant to the provisions of Article 60 is given to the prefectural governor, it shall notify the Council Organization of such fact.

2 第四十五条（第三項第三号及び第五号を除く。）の規定は、都道府県知事について準用する。この場合において、同条第一項中「委員会」とあるのは「第五十条第一項に規定する合議制の機関（以下この条において単に「合議制の機関」という。）」と、同条第二項及び第三項中「委員会」とあるのは「合議制の機関」と、同項第二号中「次条第一項」とあるのは「第五十四条において準用する次条第一項」と、同項第四号中「第四十三条第三項」とあるのは「第五十一条において準用する第四十三条第三項」と読み替えるものとする。

(2) The provisions of Article 45 (excluding items (iii) and (v) of paragraph 3) shall apply mutatis mutandis to the prefectural governor. In this case, the term "the Commission" in paragraph 1 of said Article shall be deemed to be replaced with "the Council Organization set forth in paragraph 1 of Article 50 (hereinafter simply referred to in this Article as the "Council Organization")", the term "the Commission" in paragraphs 2 and 3 of said Article with "the Council Organization", the term "paragraph 1 of the following Article" in item (ii) of paragraph 3 with "paragraph 1 of the following Article as applied mutatis mutandis pursuant to Article 54", the term "paragraph 3 of Article 43" in item (iv) of said paragraph with "paragraph 3 of Article 43 as applied mutatis mutandis pursuant to Article 51".

(合議制の機関による勧告等)

(Recommendation by Council Organization)

第五十四条 第四十六条の規定は、合議制の機関について準用する。この場合において、同条第一項中「前条第一項若しくは第二項」とあるのは「第五十三条第二項において

準用する前条第一項若しくは第二項」と、「第五十九条第一項」とあるのは「第五十九条第二項」と、同項及び同条第三項中「内閣総理大臣」とあるのは「都道府県知事」と読み替えるものとする。

Article 54 The provisions of Article 46 shall apply mutatis mutandis to the Council Organization. In this case, the term "paragraph 1 or 2 of the preceding Article" and "paragraph 1 of Article 59" in paragraph 1 of said Article shall be deemed to be replaced with "paragraph 1 or 2 of the preceding Article as applied mutatis mutandis pursuant to paragraph 2 of Article 53" and "paragraph 2 of Article 59" respectively and the term "the Prime Minister" in said paragraph and paragraph 3 of said Article with "the prefectural governor".

(資料提出その他の協力)

(Submission of Material and Other Cooperation)

第五十五条 第四十七条の規定は、合議制の機関について準用する。

Article 55 The provisions of Article 47 shall apply mutatis mutandis to the Council Organization.

#### 第四章 雑則

#### Chapter IV Miscellaneous Provisions

(協力依頼)

(Request for Cooperation)

第五十六条 行政庁は、この法律の施行のため必要があると認めるときは、官庁、公共団体その他の者に照会し、又は協力を求めることができる。

Article 56 In the event that the administrative agency deems it necessary for the implementation of this Act, it may ask the government agencies, public bodies and other persons or request them to cooperate.

(情報の提供)

(Provision of Information)

第五十七条 内閣総理大臣及び都道府県知事は、公益法人の活動の状況、公益法人に対して行政庁がとった措置その他の事項についての調査及び分析を行い、必要な統計その他の資料の作成を行うとともに、公益法人に関するデータベースの整備を図り、国民にインターネットその他の高度情報通信ネットワークの利用を通じて迅速に情報を提供できるよう必要な措置を講ずるものとする。

Article 57 The Prime Minister and the prefectural governor shall research and analyze the situation of activity by public interest corporations, measures taken by the administrative agency regarding public interest corporations and other matters, shall prepare necessary statistics and other materials, shall make efforts to maintain the database concerning public interest corporations and shall take necessary measures so that information can be provided to the

citizen promptly by using the Internet and other advanced information and communications networks.

(税制上の措置)

(Measures on Taxation)

第五十八条 公益法人が行う公益目的事業に係る活動が果たす役割の重要性にかんがみ、当該活動を促進しつつ適正な課税の確保を図るため、公益法人並びにこれに対する寄附を行う個人及び法人に関する所得課税に関し、所得税、法人税及び相続税並びに地方税の課税についての必要な措置その他所要の税制上の措置を講ずるものとする。

Article 58 In view of the important role played by activities pertaining to the business for public interest purposes operated by public interest corporations, and for the purpose of ensuring the security of appropriate taxes while facilitating their activities, measures necessary for income tax, corporate income tax, inheritance tax and local tax as well as other necessary measures for taxation shall be taken in connection with the imposition of income tax on public interest corporations as well as individuals and juridical persons that make donation.

(権限の委任等)

(Delegation of Authority)

第五十九条 内閣総理大臣は、第二十七条第一項の規定による権限（第六条各号に掲げる一般社団法人又は一般財団法人に該当するか否かの調査に関するものを除く。次項において同じ。）を委員会に委任する。

Article 59 (1) The Prime Minister shall delegate its authority pursuant to the provisions of paragraph 1 of Article 27 (excluding the authority relating to the research on whether or not a public interest corporation falls under general incorporated associations or general incorporated foundations listed in respective items of Article 6: the same shall apply in the following paragraph) to the Commission.

2 行政庁が都道府県知事である場合には、第二十七条第一項中「行政庁」とあるのは「第五十条第一項に規定する合議制の機関」と、「その職員」とあるのは「その庶務をつかさどる職員」とする。

(2) In the event that the administrative agency is the prefectural governor, the term "the administrative agency" and the term "its employees" in paragraph 1 of Article 27 shall be deemed to be replaced with "the Council Organization set forth in paragraph 1 of Article 50" and "employees engaging in general affairs" respectively.

(都道府県知事への指示)

(Instruction to Prefectural Governors)

第六十条 内閣総理大臣は、この法律及びこれに基づく命令の規定による事務の実施に

関して地域間の均衡を図るため特に必要があると認めるときは、都道府県知事に対し、第二十八条第一項の勧告若しくは同条第三項の規定による命令又は第二十九条第二項の規定による公益認定の取消しその他の措置を行うべきことを指示することができる。

**Article 60** In the event that the Prime Minister deems specifically necessary to ensure the balance among regions in connection with the implementation of affairs pursuant to the provisions of this Act and orders based on it, it may give instructions to the prefectural governor to implement the recommendation under paragraph 1 of Article 28, the order pursuant to the provisions of paragraph 3 of said Article or the cancellation of the Public Interest Corporation Authorization pursuant to the provisions of paragraph 2 of Article 29 or other measures.

(政令への委任)

(Delegation to Cabinet Order)

第六十一条 この法律に定めるもののほか、この法律の実施のため必要な事項は、政令で定める。

**Article 61** In addition to those provided for in this Act, matters necessary for the implementation of this Act shall be provided for in Cabinet Order.

## 第五章 罰則

### Chapter V Penal Provisions

第六十二条 次のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

**Article 62** Any person who falls under any of the following shall be punished by imprisonment with work of shorter than six months or fine less than five hundred thousand yen:

一 偽りその他不正の手段により公益認定、第十一条第一項の変更の認定又は第二十五条第一項の認可を受けた者

(i) Persons who obtain the Public Interest Corporation Authorization, the authorization for change under paragraph 1 of Article 11 or the approval under paragraph 1 of Article 25 by fraudulent or other illegal means

二 第十一条第一項の変更の認定を受けないで同項第一号又は第二号に掲げる変更（行政庁の変更を伴うこととなるものに限る。）をした者

(ii) Persons who effect, without obtaining the authorization for change under paragraph 1 of Article 11, changes listed in items (i) or (ii) of said paragraph (which is limited to the change that causes the administrative agency to changes as the result)

三 第十一条第一項の変更の認定を受けないで同項第二号又は第三号に掲げる変更（第二十九条第二項第一号に該当することとなるものに限る。）をした者

(iii) Persons who effect, without obtaining the authorization for change under



paragraph 1 of Article 11, changes listed in items (ii) or (iii) of said paragraph (which is limited to the change that causes them to fall under item (i) of paragraph 2 of Article 29 as the result)

第六十三条 次のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 63 Any person who falls under any of the following shall be punished by fine less than five hundred thousand yen:

一 第九条第四項の規定に違反して、公益社団法人又は公益財団法人であると誤認されるおそれのある文字をその名称又は商号中に用いた者

(i) Persons who use characters that could be misunderstood that they are public interest incorporated associations or public interest incorporated foundations in their name or trade name in violation of the provisions of paragraph 4 of Article 9

二 第九条第五項の規定に違反して、他の公益社団法人又は公益財団法人であると誤認されるおそれのある名称又は商号を使用した者

(ii) Persons who use name or trade name that could be misunderstood as other public interest incorporated associations or public interest incorporated foundations in violation of the provisions of paragraph 5 of Article 9

第六十四条 次のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 64 Any person who falls under any of the following shall be punished by fine less than three hundred thousand yen:

一 第七条第一項（第二十五条第四項において準用する場合を含む。）の申請書又は第七条第二項各号（第二十五条第四項において準用する場合を含む。）に掲げる書類に虚偽の記載をして提出した者

(i) Persons who make fraudulent entry into a written application under paragraph 1 of Article 7 (including the cases where it is applied mutatis mutandis pursuant to paragraph 4 of Article 25) or into documents listed in each of the items of paragraph 2 of Article 7 (including the cases where it is applied mutatis mutandis pursuant to paragraph 4 of Article 25) and submit them

二 第十一条第二項の申請書又は同条第三項の書類に虚偽の記載をして提出した者

(ii) Persons who make fraudulent entry into a written application under paragraph 2 of Article 11 or into documents under paragraph 3 of said Article and submit them

三 第二十一条第一項又は第二項の規定に違反して、書類又は電磁的記録を備え置かず、又はこれらに記載し、若しくは記録すべき事項を記載せず、若しくは記録せず、若しくは虚偽の記載若しくは記録をした者

(iii) Persons who, in violation of the provisions of paragraph 1 or 2 of Article 21, fail to keep documents or electromagnetic records, or fail to enter or record matters to be entered or recorded in them or enter or record fraudulently

第六十五条 法人（法人でない団体で代表者又は管理人の定めのあるものを含む。以下この項において同じ。）の代表者若しくは管理人又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前三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も、各本条の罰金刑を科する。

Article 65 (1) When a representative person or a manager of a juridical person (including organizations which are not juridical persons and have a representative person or a manager: the same shall apply in this paragraph hereinafter) or agents, employees or other workers of a juridical person or an individual commits acts of violation under the preceding three Articles in connection with the business of such juridical person or an individual, the punishment of fine under the respective Articles in question shall be imposed on not only the person who commits such acts but also the juridical person or individual.

2 法人でない団体について前項の規定の適用がある場合には、その代表者又は管理人が、その訴訟行為につき法人でない団体を代表するほか、法人を被告人又は被疑者とする場合の刑事訴訟に関する法律の規定を準用する。

(2) In the event that the provisions of the preceding paragraph apply to organizations which are not juridical persons, their representative person or manager shall represent the organizations which are not juridical persons in acts of court cases, and the provisions of law concerning criminal cases in which a juridical person is a defendant or an accused shall apply mutatis mutandis.

第六十六条 次のいずれかに該当する場合には、公益法人の理事、監事又は清算人は、五十万円以下の過料に処する。

Article 66 In the event that any of the following is a case, directors, auditors or liquidators of public interest corporations shall be punished by non-penal fine of less than five hundred thousand yen:

一 第十三条第一項、第二十四条第一項又は第二十六条第一項若しくは第二項の規定による届出をせず、又は虚偽の届出をしたとき。

(i) In the event that they fail to notify pursuant to the provisions of paragraph 1 of Article 13, paragraph 1 of Article 24, or paragraph 1 or 2 of Article 26, or notify fraudulently

二 第二十二條第一項の規定に違反して、財産目録等を提出せず、又はこれに虚偽の記載をして提出したとき。

(ii) In the event that they fail to submit the Inventory of Property, etc., or submit it with fraudulent entries, in violation of the provisions of paragraph 1 of Article 22

三 第二十七條第一項（第五十九條第二項の規定により読み替えて適用する場合を含む。以下この号において同じ。）の報告をせず、若しくは虚偽の報告をし、又は第

二十七条第一項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をしたとき。

- (iii) In the event that they fail to report under paragraph 1 of Article 27 (including the cases where such provisions are deemed to be replaced with the provisions of paragraph 2 of Article 59: the same shall apply in this item hereinafter) or report fraudulently, or refuse, interfere or avoid the inspection pursuant to the provisions of paragraph 1 of Article 27, or fail to answer or answer fraudulently to the question pursuant to the provisions of said paragraph

## 附 則

### Supplementary Provisions

(施行期日)

(Effective Date)

- 1 この法律は、一般社団・財団法人法の施行の日から施行する。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 shall come into force on and after the effective date of the General Incorporated Associations/Foundations Act; provided, however, that provisions listed in following respective items shall come into force on and after the date provided for in the respective items in question:

一 第三十五条第一項中両議院の同意を得ることに関する部分 公布の日

- (i) A part relating to the obtaining the consent of both houses of the Diet in paragraph 1 of Article 35: the date of promulgation

二 第三章（第三十五条第一項（両議院の同意を得ることに関する部分に限る。）、第四十三条第一項、第二項第二号及び第三項、第四十五条第一項、第二項並びに第三項第一号、第二号、第四号及び第五号、第四十六条、第四十八条並びに第五十一条から第五十四条までを除く。）及び次項の規定 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

- (ii) The provisions of Chapter III (excluding paragraph 1 of Article 35 (which is limited to the part relating to the obtaining the consent of both houses of the Diet), paragraph 1, items (ii) of paragraph 2 and paragraph 3 of Article 43, paragraphs 1 and 2 and items (i), (ii), (iv) and (v) of paragraph 3 of Article 45, Article 46, Article 48 and Article 51 through Article 54) and of the following paragraph: the date specified by a Cabinet Order within a period not exceeding a year and a half from the day of promulgation

(最初の委員の任命)

(Appointment of Initial Commissioners)

- 2 前項第二号に掲げる規定の施行後最初に任命される委員会の委員の任命について、国会の閉会又は衆議院の解散のために両議院の同意を得ることができないときは、第

三十五条第二項及び第三項の規定を準用する。

- (2) In the event that the consent of both houses of the Diet cannot be obtained because the Diet is closed or the House of Representatives is dissolved, the provisions of paragraphs 2 and 3 of Article 35 shall apply mutatis mutandis to the appointment of the commissioners of the Commission who are appointed for the first time after the implementation of the provisions listed in item (ii) of the preceding paragraph.

(検討)

(Review)

- 3 政府は、この法律の施行後適当な時期において、この法律の施行の状況を勘案し、必要があると認めるときは、この法律の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。

- (3) In the event that the national government examines, at a suitable timing after the implementation of this Act, the situation in which this Act is implemented and deems necessary, it shall review the provisions of this Act and shall take necessary measures on the basis of the result

別表（第二条関係）

Appended Table (relating to Article 2)

一 学術及び科学技術の振興を目的とする事業

(i) Business to promote academism and scientific technology

二 文化及び芸術の振興を目的とする事業

(ii) Business to promote culture and art

三 障害者若しくは生活困窮者又は事故、災害若しくは犯罪による被害者の支援を目的とする事業

(iii) Business to support persons with disability or needy persons or victims of accident, disaster or crime

四 高齢者の福祉の増進を目的とする事業

(iv) Business to promote welfare of senior citizens

五 勤労意欲のある者に対する就労の支援を目的とする事業

(v) Business to support persons having will to work for seeking the opportunity of employment

六 公衆衛生の向上を目的とする事業

(vi) Business to enhance public health

七 児童又は青少年の健全な育成を目的とする事業

(vii) Business to seek sound nurturing of children and youths

八 勤労者の福祉の向上を目的とする事業

(viii) Business to enhance welfare of workers

九 教育、スポーツ等を通じて国民の心身の健全な発達に寄与し、又は豊かな人間性を涵養することを目的とする事業

- (ix) Business to contribute to sound development of mind and body of the citizen or to cultivate abundant human nature through education and sports, etc.
- 十 犯罪の防止又は治安の維持を目的とする事業
- (x) Business to prevent crimes or to maintain security
- 十一 事故又は災害の防止を目的とする事業
- (xi) Business to prevent accident or disaster
- 十二 人種、性別その他の事由による不当な差別又は偏見の防止及び根絶を目的とする事業
- (xii) Business to prevent and eliminate unreasonable discrimination and prejudice by reason of race, gender or others
- 十三 思想及び良心の自由、信教の自由又は表現の自由の尊重又は擁護を目的とする事業
- (xiii) Business to pay respect or protect the freedom of ideology and conscience, the freedom of religion or of expression
- 十四 男女共同参画社会の形成その他のより良い社会の形成の推進を目的とする事業
- (xiv) Business to promote the creation of gender-equal society or other better society
- 十五 国際相互理解の促進及び開発途上にある海外の地域に対する経済協力を目的とする事業
- (xv) Business to promote international mutual understanding and for economic cooperation to overseas developing regions
- 十六 地球環境の保全又は自然環境の保護及び整備を目的とする事業
- (xvi) Business to preserve global environment or protect and maintain natural environment
- 十七 国土の利用、整備又は保全を目的とする事業
- (xvii) Business to utilize, maintain or preserve the national land
- 十八 国政の健全な運営の確保に資することを目的とする事業
- (xviii) Business to contribute to sound operation of the national politics
- 十九 地域社会の健全な発展を目的とする事業
- (xix) Business to develop sound local community
- 二十 公正かつ自由な経済活動の機会の確保及び促進並びにその活性化による国民生活の安定向上を目的とする事業
- (xx) Business to secure and promote fair and free opportunity for economic activity and to stabilize and enhance the lives of the citizenry by way of activating the economy
- 二十一 国民生活に不可欠な物資、エネルギー等の安定供給の確保を目的とする事業
- (xxi) Business to secure stable supply of goods and energy indispensable for the lives of the citizenry
- 二十二 一般消費者の利益の擁護又は増進を目的とする事業
- (xxii) Business to protect and promote the interest of general consumers

二十三 前各号に掲げるもののほか、公益に関する事業として政令で定めるもの  
(xxiii) In addition to each of the foregoing items, business provided for in  
Cabinet Order as one relating to the public interest